

MULTI USE ENTERTAINMENT FACILITY

Modification to Approved Star City
Ballroom and Associated Works

Section 75W Application to Modify Project No. 08_0098

October 2010

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Executive Summary

The proposal is for a Multi Use Entertainment Facility (MUEF) to replace the existing ballroom on level 03 of the Star City Casino. The MUEF will be able to host a range of functions and entertainment events with a maximum concert capacity of 3,000 people (4,000 people standing) and will enhance the existing gaming and non-gaming entertainment at Star City.

The objective of the proposal is:

- to reinvigorate Star City Casino by providing another complementary function which will help to address the declining patronage levels in recent years.
- to realise a existing opportunity within the Sydney entertainment and venue market where there is a shortage of medium sized entertainment venues within proximity of city centre.

The proposal has the potential to bolster Sydney as a cultural centre and reinforce the role of Sydney as a world class destination. The potential benefits of the project also include the cultural diversification of this part of Sydney, the reinvigoration of the casino and the area around the Pirrama Road and foreshore and the provision of a major attraction for visitors and tourists.

The proposal entails the modification of two (2) of the conditions of consent to MP08_0098 in relation to amending the plan and report details, and involves:

- Expansion of the approved ballroom (capacity 1,200 seated - 1,500 standing) into a multi use entertainment facility (3,000 seated - 4,000 standing).
- Creation of a new 'pre-function' space surrounding the existing glass cone of the approved external entertainment deck on Level 03.
- The provision of associated services such as loading dock, lift and stair accesses, new substation and switch room, storage, plant room facilities and other related services.
- Additional patron access and amenity facilities to meet BCA and DDA requirements.
- Provision of service corridor between back of house areas and new plant and storage enclosure on Level 03.
- Conversion of the existing Level 17 'Astral' Bar and Dining Room into Private Gaming Areas.
- Deletion of the previously proposed glazed cladding to the existing tower buildings.
- Addition of a pergola structure over the roof terrace to the Pirrama Road infill building.
- Replacement of the existing external lift, lift overrun enclosure and roof signage to the existing hotel tower.

The design concept for the MUEF and the associated pre-function area includes a rectangular building with rounded corners and an "exoskeleton" covering its form, and a circular glass structure surrounding the existing glass cone central to the building podium. The proposed design will be a striking but appropriate addition to the casino podium, well suited to its context of the casino roofscape and the backdrop of the casino towers but sympathetic to the scale and design of the immediate area. The visual impact of the proposal will be satisfactory with only a small number of private dwellings being affected by a reasonable level of view loss.

The proposal has been assessed in accordance with the Director General's Environmental Assessment requirements (DGRs) issued on 28 September 2010 and satisfies the relevant environmental considerations by demonstrating that the levels of acoustic privacy, visual impact, reflectivity, traffic impacts will be within the realms of reasonable expectation. The proposal will also provide economic and social benefits by providing additional employment opportunities, business generation and opportunities for a diverse range social, cultural and entertainment events for the wider community.

In relation to Ecologically Sustainable Development and CPTED aspects of the proposal, design recommendations and mitigating measures have been made for inclusion in the final scheme.

The proposed MUEF represents a necessary alteration to the existing Star City Casino which will bolster the importance of Sydney as a cultural venue whilst respecting the relevant environmental and amenity considerations and presenting a modern yet sympathetic addition to the existing casino building. The various other minor modifications proposed are incidental and will not significantly alter the approved project.

1 Introduction

This letter accompanies a request to modify Major Project No. 08_0098 pursuant to Section 75W of the Environmental Planning and Assessment Act, 1979 (the Act) on behalf of the Proponent for the project, Sydney Harbour Casino Properties Pty Ltd.

This letter provides:

- A brief description of the site and context.
- A summary of the approved project, approved modifications and details of the proposed further modifications.
- Justification for the proposed modifications.
- Environmental Assessment of the proposed modifications.
- Consideration of the proposed modifications in relation to the Director General's Requirements issued.

The application is accompanied by the following Attachments:

- A. Director General's Requirements, dated 30th September
- B. Landowner's Consent, Letter dated 8th October
- C. Statement of Political Disclosure dated 8th October
- D. Cost of Works Report prepared by Davis Langdon, dated 7th October 2010
- E. Architectural Drawings prepared by Fitzpatrick and Partners, Issue 01, dated 7th October 2010
- F. Shadow Diagrams, prepared by Fitzpatrick and Partner, Issue 01, dated 7th October 2010
- G. Floor Space Survey, prepared by Hard and Forester Consulting Surveyors, dated 7th October 2010
- H. BCA Review prepared by Phillip Chun & Associates, dated 6th October 2010
- I. View Impact Assessment by GM Urban Design & Architecture Pty Ltd, dated October 2010
- J. Economic Impact Assessment of Star City's Proposed Multipurpose Venue, prepared by Urbis, dated October 2010
- K. Traffic Impact Assessment prepared by ARUP, dated October 2010
- L. Acoustic Assessment prepared by AECOM, dated 7th October 2010
- M. Social Impact Assessment, prepared by Urbis, dated October 2010
- N. CPTED report by Urbis dated October 2010
- O. Hydraulic Services Report prepared by the SPP Group dated the 7th October
- P. Ecological Sustainable Development Statement, prepared by Cundall, dated 7th October 2010
- Q. Accessibility Report prepared by MGAC, dated 7th October 2010
- R. Fire Engineering Statement prepared by AECOM, dated 5th October 2010
- S. Assessment of Solar Reflection from Facades, prepared by AECOM, dated 7th October 2010.

In summary, the proposed modifications include:

- Expansion of the approved ballroom (capacity 1,200 seated - 1,500 standing) into a multi use entertainment facility (3,000 seated - 4,000 standing).
- Creation of a new 'pre-function' space surrounding the existing glass cone of the approved external entertainment deck on Level 03.
- The provision of associated services such as loading dock, lift and stair accesses, new substation and switch room, storage, plant room facilities and other related services.
- Additional patron access and amenity facilities to meet BCA and DDA requirements.
- Provision of service corridor between back of house areas and new plant and storage enclosure on Level 03.
- Conversion of the existing Level 17 'Astral' Bar and Dining Room into Private Gaming Areas.

- Deletion of the previously proposed glazed cladding to the existing tower buildings.
- Addition of a pergola structure over the roof terrace to the Pirrama Road infill building.
- Replacement of the existing external lift, lift overrun enclosure and roof signage to the existing hotel tower.

These amendments to the project will be implemented through modification of the following conditions of Major Project Approval *MP08_0098*

- Condition A2 - to include additional plans for reference; and
- Condition A3 - to include additional reference documents.

2 Background

2.1 Approvals

On 9th December 1994 Development Application 33/94 was approved by the Minister for a permanent casino and entertainment complex including a hotel, serviced apartments, theatres, restaurants, bars, car parking and associated facilities.

Subsequently, on January 27th 2009, Major Project (MP 08_0098) was approved, being for:

“Alterations and Additions to Casino Complex and Hotel Development on the Switching Station site”.

Construction of the project is now substantially underway and nearing completion.

The development approved under MP08_0098 is summarised as follows:

- *“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 on the Switching Station site to be accessed via the existing Casino complex car park. Note the maximum number of car parking spaces across the whole site is not to exceed 3000;*
- *Redevelopment 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;*
- *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 to the Casino; and*
- *Works to the exterior of the existing Casino tower buildings.”*

2.2 Approved Modifications

The following modifications have been approved since the Major Project Approval on 27 January 2009:

Modification 1 – Wording regarding External Lighting

Minor amendments to the wording of conditions to clarify the definition of external lighting and external art to include video signage and to alter the timing of compliance requirements.

Modification 2 – Definition of Hotel Height

The amendment of Condition B2 – Hotel Height, to clarify the proposed hotel height and exclude the height of the lift overrun from the approved height limit.

Modification 3 – Wording in relation to Rail Tunnel

The amendment of Condition B4 – Sydney Metro Authority, to facilitate a staged agreement with Sydney Metro Authority regarding excavation within the vicinity of the rail tunnel easement.

Modification 4 – Major Modification to Pirrama Road Facade

- An alternative building façade to the Pirrama Road frontage including large operable blades and a defined central entry element.
- Replacement of the grand entry stair to Pirrama Road with two perpendicular escalators.
- Relocation of the Casino ‘blue-line’ from the arcade level up to the main gaming level.
- Consolidation of the two approved porte cochere traffic lanes into a single drop off point.

- Removal of visual obstructions between Pirrama Road and the bus/rail interchange at ground level.
- Enlargement of the external entertainment deck by approximately 682m².

Modification 5 – Minor Design Rationalisation

- To replace the approved laundry with a kitchen at Basement Level 1.
- Relocation of a door and awning to a retail outlet at the Union Street frontage.
- The minor reconfiguration of the retail arcade at Level 00 to include a food and beverage court.
- Minor changes to the slab/floor configurations above the Hotel Porte Cochere.
- Change of use on Level 2 podium from Conference facility to Day Spa and the reconfiguration of the space.
- Relocation of plant room from the southern extent of the main casino building to above the Union Street hotel podium.

Modification 6 – Hotel Upper levels

- Increased ceiling heights, the reduction of one storey and the maintenance of the approved building height (as approved).
- Reduced number of rooms and reconfiguration and enlargement of hotel rooms on the upper levels.
- Provisions of private gaming rooms adjoining enlarged rooms.
- Increased plant room on Level 13 of the Hotel.

In addition to the above approved modification, on the 17th September 20010 **Modification 7** was lodged with the DoP for the following:

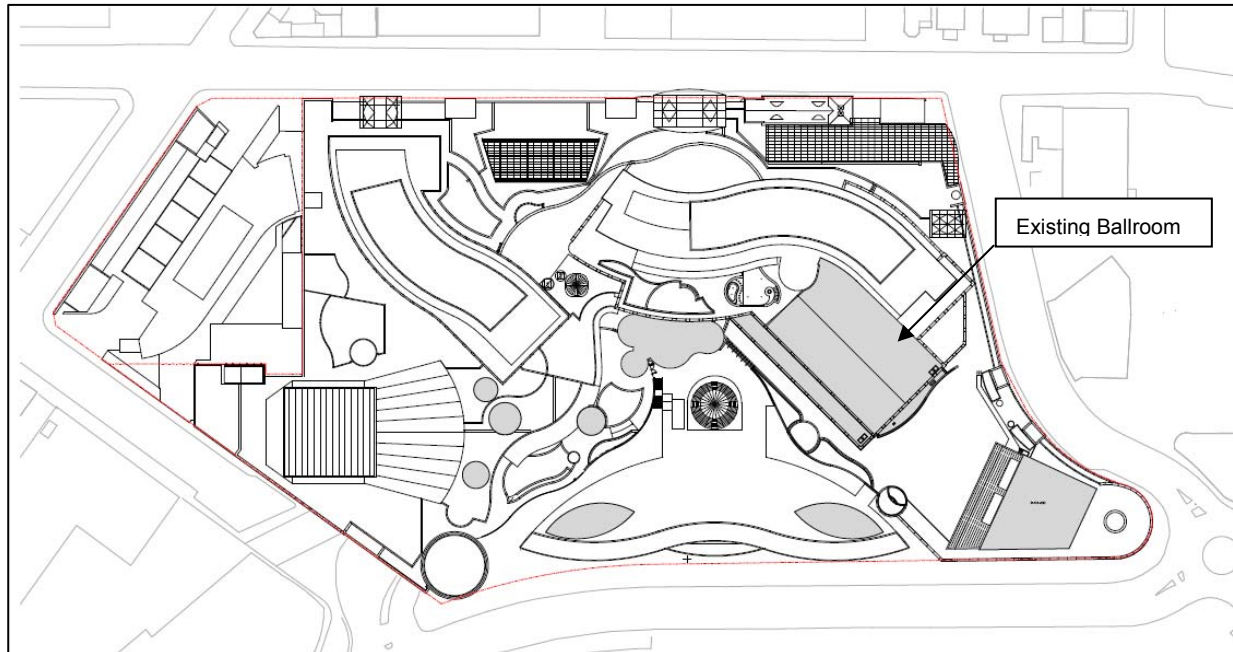
- Demolition of part of the existing outdoor terrace adjoining the Sovereign Room (Level 3) and associated raised planter beds, store room and stairs.
- The partial enclosure of the outdoor terrace with a permeable screened enclosure comprising a series of fixed white glass louvers with a new concrete roof and splayed concrete base. The proposed structure will have a circular design wrapping around the existing Sovereign Room and will be connected by new door openings accessed through an air lock strip.
- Transfer of the mature trees currently located within the existing planter boxes to storage for replanting.

2.3 Existing Star City Ballroom

The existing ballroom is located on level three of Star City casino as shown by **Figure 1** below. The existing ballroom, including the adjoining pre-function area, has a floor area of 1,200m² and can seat up to 900 people in a theatre or banquet format and accommodate 1,200 people standing. The ballroom can also be divided into three sections to accommodate smaller functions when required.

There are also three meeting rooms adjacent to the pre-function area which form part of the existing Star City ballroom. They have a combined area of 290m². An additional three meeting rooms, located on level two, were also previously available to groups using the ballroom. However, these rooms have been converted to gaming space as part of the casino upgrade. The loss of these rooms has reportedly resulted in a loss of bookings by groups requiring more meeting room space.

In 2009 to 2010, only 157,000 people attended a function at the existing Star City ballroom.

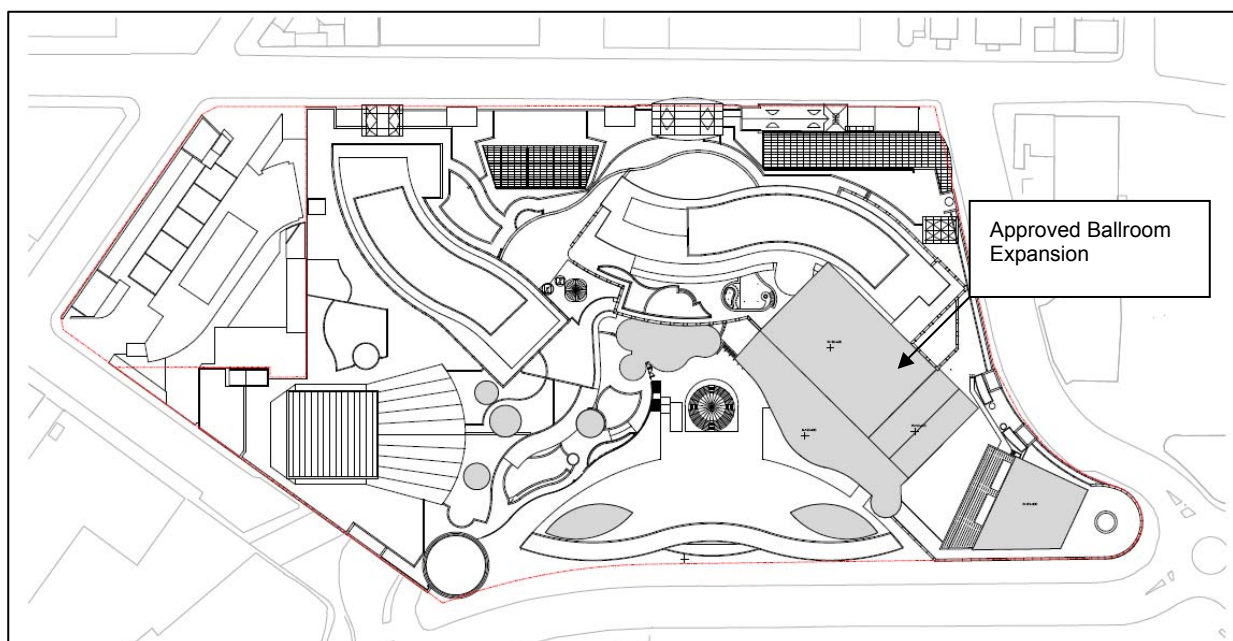
Figure 1 – The Existing Star City Ballroom

2.4 Approved Star City Ballroom

MP08_0098, approved on 27th January 2009 included an extension to the existing ballroom and pre-function area in the same location, located on Level 03 of the casino building on the building podium.

The approved ballroom expansion included the extension of the existing ballroom to the north and the incorporation of the existing pre-function space to the east including and a new glazed pre-function space added to the east, with Harbour outlook and access to a landscaped open deck. The approved ballroom expansion is shown below by **Figure 2**.

The approved expanded ballroom represented an increase in the existing capacity of the ballroom from a 900 seat venue (1,200 standing) to a 1,200 seat venue (1,500 standing) for the approved ballroom.

Figure 2 – Approved Star City Ballroom Expansion (MP08_0098)

2.5 Closure of former Star Theatre

In 2008 Star Theatre ceased to function and was closed as an entertainment and function venue. Rather, the theatre space became converted into a Sports Bar incorporating several large screens transmitting sporting events with theatre seating for patrons. The theatre space now converted to a Sports Bar is open to the adjoining casino floor and includes a TAB.

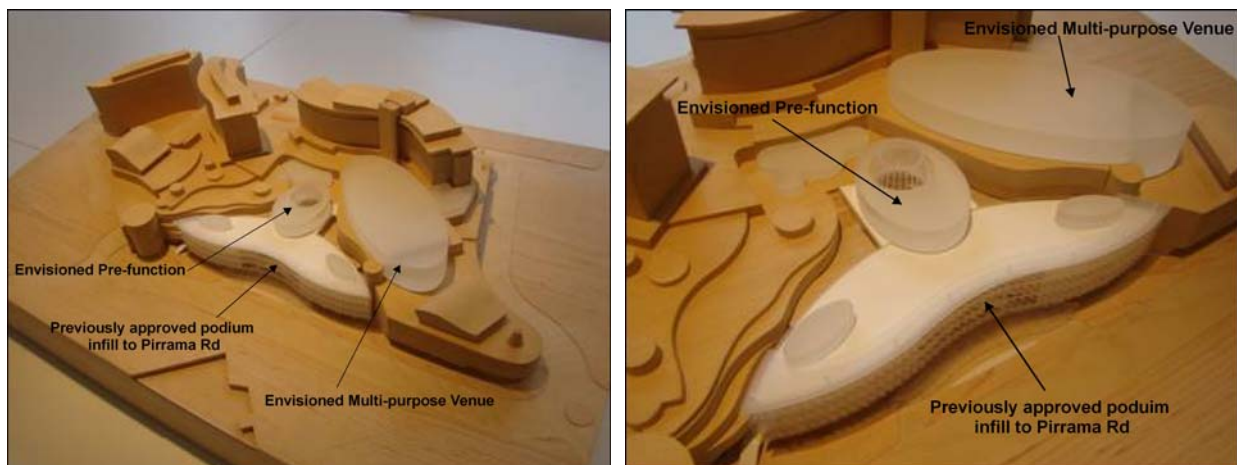
This change has resulted in a loss of venue capacity for Star City of 900 seats and 1,200 standing.

2.6 Consultation with Department of Planning and City of Sydney

On the 9th August 2010, the proponent met with the Department of Planning (DoP) to discuss a preliminary design of the proposed modifications and the application process and lodgement requirements. The preliminary scheme was also presented to the City of Sydney on 17 August 2010.

A draft Preliminary Environmental Assessment (PEA) was subsequently submitted to the DoP on 18 August 2010. Photographs of the model of the preliminary design discussed with the DoP and City of Sydney are shown by **Figure 3** below.

Figure 3 – Physical Model of Preliminary Proposal presented to DoP and City of Sydney

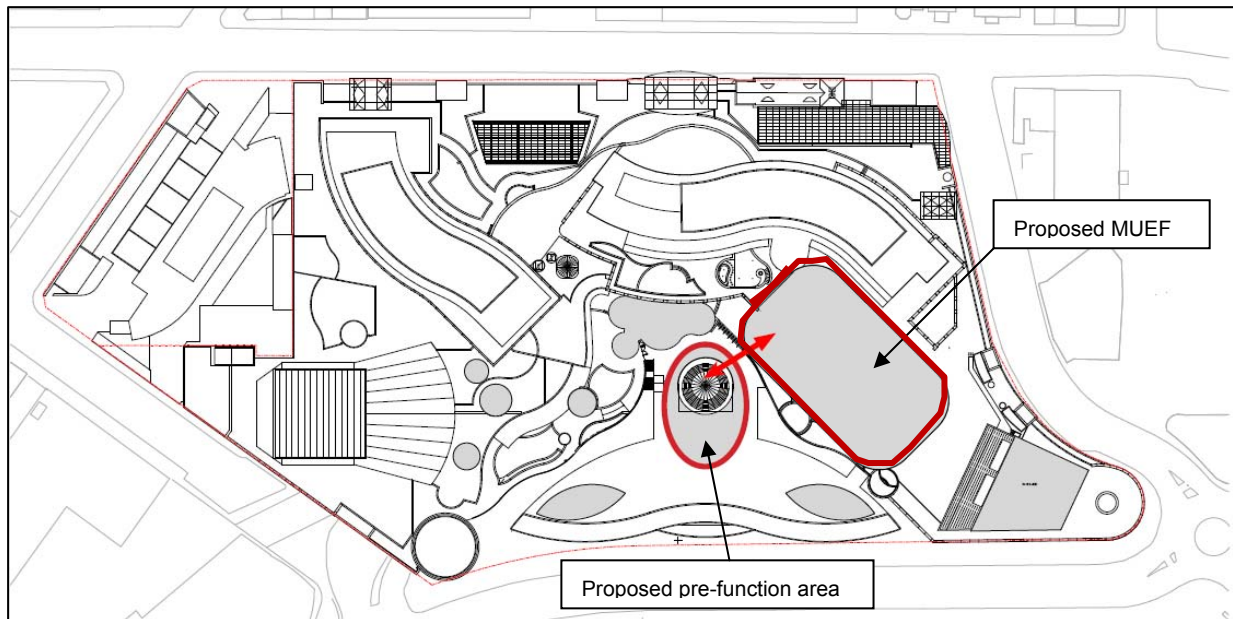


On the 2nd September 2010 the DoP confirmed by letter that the proposal would be considered as a Section 75W modification application under Part 3A of the Environmental Planning and Assessment Act 1979 (EPA Act) and required that a revised PEA be submitted to reflect subsequent changes to the proposed design.

The DoP also advised that new Director General Requirements (DGRs) would be prepared. A revised PEA based on a scheme developed in response to view loss concerns raised by the DoP and City of Sydney was included into the final PEA, which was submitted on 3 September 2010.

DGRs for the proposed modifications were issued by the Director General on 28 September 2010.

The development concept described in the final PEA is included at **Figure 4**.

Figure 4 – Revised Concept included in PEA

2.7 Casino Patronage Rates

In the last ten years the patronage levels to Star City Casino have decreased markedly. The average daily visitation has dropped from around 34,000 people in 1997-1998 to 23,500 people in 2007-2008. In particular, the average daily visitation on Saturdays (typically the busiest day of the week) has decreased from around 53,000 people in 1997-1998 to around 31,500 people in 2007-2008.

For this reason, Star City Casino is well placed to increase its patronage levels as the site and the existing servicing infrastructure already in place are designed to service the higher patronage levels that has typified previous years. The increased patronage resultant from the proposed MUEF is not anticipated to be greater than the average level of patronage in 1997-1998 and therefore, the proposal will not place undue pressure on the existing services and infrastructure servicing the site.

The declining patronage numbers for Star City are one of the primary motivators for the alterations and additions to the casino and the casino revitalisation.

3 The Site and Context

The site comprises the irregularly shaped street block bounded by Edward Street, Pyrmont Street, Union Street, Pirrama Road and Jones Bay Road, Pyrmont. It accommodates the existing Star City Casino, which comprises:

- A 10,500m² main gaming floor.
- 3,800m² of retail space.
- 11 restaurants and 10 bars.
- 1 theatre (Star Theatre now ceased operation).
- 480 hotel rooms / serviced apartments.
- A 900 person ballroom / conference facility.
- Basement parking for 2,500 cars.

The site also accommodates the light rail line and the 'Casino' light rail station and bus interchange, which are all housed within the Casino building, adjacent to the Pirrama Road frontage.

Figure 5 – The Locality (Aerial View)



3.1 Legal Description

The site is leased by Sydney Harbour Casino Properties Pty Ltd from the Casino Control Authority, and has a total area of 39,206m², including the 4,756m² switching station site that is currently being developed to provide a 300 room hotel, retail arcade and 500 additional car space to be used in association with the casino. The consent of the Casino Control Authority to the lodgement of this application is provided as **Appendix B**.

The site is legally described as:

Lot 121 DP828957, Lots 300, 301 and 302 in DP 873212, Lot 1 DP 867854 and Lot 201 DP 867855

3.2 Local Context

The immediate context of the site is highly varied in terms of its land use mix, built form and character. Historically, Pyrmont's urban pattern has been characterised by smaller residential forms on the ridge, with larger industrial and now commercial building footprints occupying the flatter areas around the shoreline.

This is consistent with the role of the Pyrmont precinct as an inner urban mixed use area, providing an immediate transition zone between the high-rise commercial core of the CBD and the suburban expanse to the west.

North

To the north of the site across Jones Bay Road is a precinct of high density, predominantly residential development of typically eight storeys in height.

In particular, an eight storey residential flat building known as 2 Jones Bay Road is located to the north west of the site with a number of units orientated to the south east across the existing roof top of the casino building toward Darling Harbour and the CBD.

East

To the north-east of the site are Jones Bay Wharf, Darling Island and Darling Harbour Wharf 10, which comprise a number of new buildings and refurbished former maritime/storage buildings. These buildings are now used for a mix of commercial office and residential uses, and are set amongst a number of landscaped foreshore open spaces adjoining the waters edge.

To the south-east is a street block of mixed retail and commercial uses characterised by the modern 5 and 8 storey office buildings on the opposite side of Edward Street, and a lower 3 storey office building, remnant heritage listed pubs and terrace house buildings on Union Street. Further east is Darling Harbour and the Sydney CBD, which has a direct visual connection to the Casino.

South

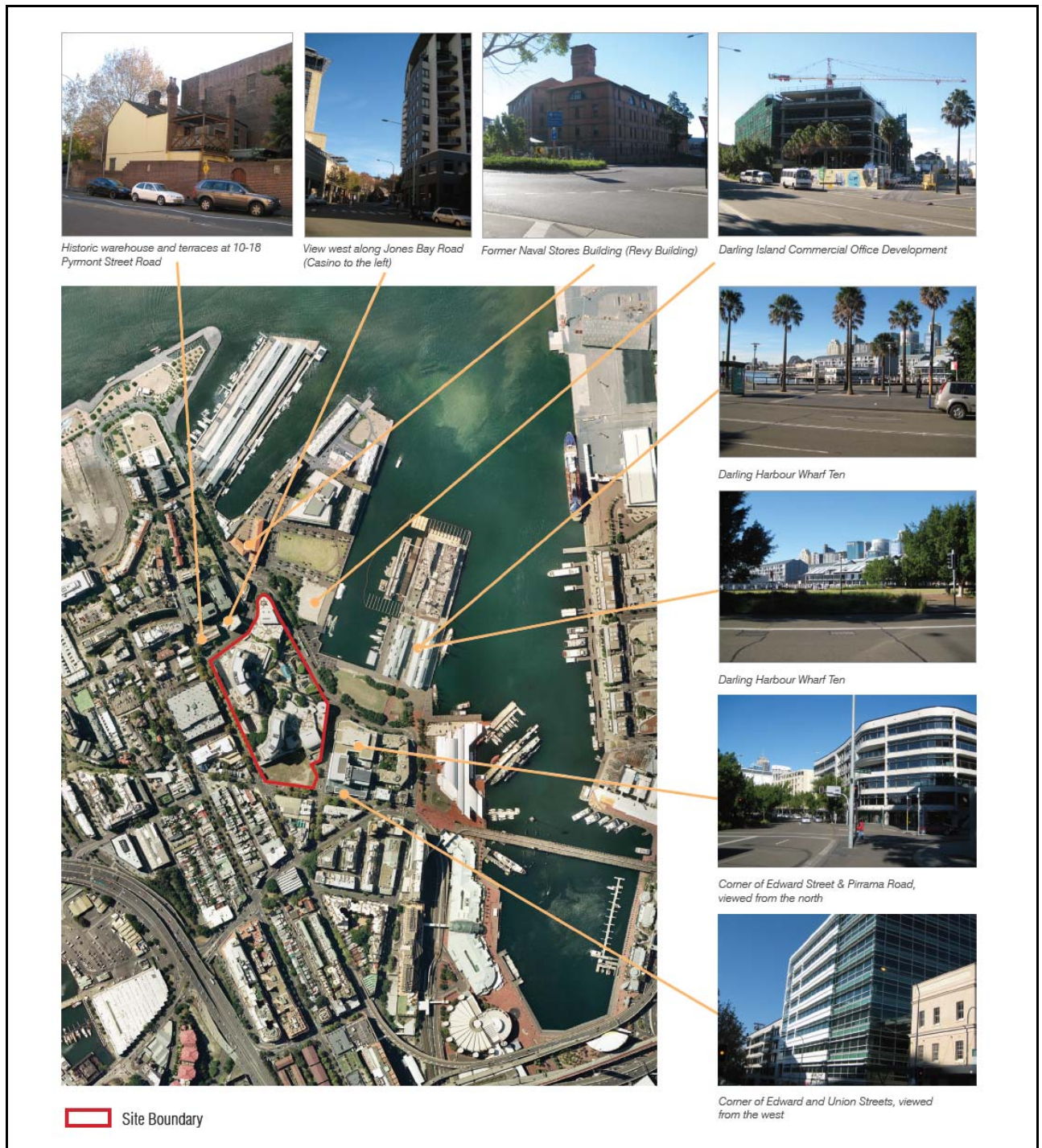
Union Street forms the southern boundary of the site. Its alignment extends from Union Square on Harris Street to Pyrmont Bridge, which provides direct pedestrian and monorail access to the Sydney CBD.

A low scale, predominantly residential precinct of two to three storey buildings with numerous active ground level uses exists on the southern side of Union Street. The terrace buildings on the southwest corner of Edward Street are heritage items.

West

A diverse range of building styles, heights and land uses exist to the west of the site across Pyrmont Street. A high proportion of these buildings are heritage listed, including the row of terrace houses occupying the entire length of the northern side of Union Street, west of Pyrmont Street.

Figure 6 – Site and Locality



4 Proposed Modifications

This application seeks approval for modifications to approved Major Project Approval MP 08_0098, comprising expansion of the approved ballroom and pre-function area on Level 03 of the Star City Casino building to create a Multi-Use Entertainment Facility (MUEF) to replace the existing ballroom facility adjoining the base of the northern tower. The proposed facility will accommodate a seated capacity of 3,000 persons or a standing capacity of 4,000 persons.

Specifically, the modifications involve:

- Expansion of the approved ballroom (capacity 1,200 seated - 1,500 standing) into a multi use entertainment facility (3,000 seated - 4,000 standing).
- Creation of a new 'pre-function' space surrounding the existing glass cone of the approved external entertainment deck on Level 03.
- The provision of associated services such as loading dock, lift and stair accesses, new substation and switch room, storage, plant room facilities and other related services.
- Additional patron access and amenity facilities to meet BCA and DDA requirements.
- Provision of service corridor between back of house areas and new plant and storage enclosure on Level 03.

It is also proposed to make the following incidental modifications to the larger approved project:

- Conversion of the existing Level 17 'Astral' Bar and Dining Room into Private Gaming Areas.
- Deletion of the previously proposed glazed cladding to the existing tower buildings.
- Addition of a pergola structure over the roof terrace to the Pirrama Road infill building.
- Replacement of the existing external lift, lift overrun enclosure and roof signage to the existing hotel tower.

The proposed modification is detailed by the drawings prepared by Fitzpatrick and Partners dated 7th October 2010 included as **Appendix E**. The proposed MUEF is shown by **Figures 7, 8 and 9**.

Figure 7 – Proposed MUEF Level 03

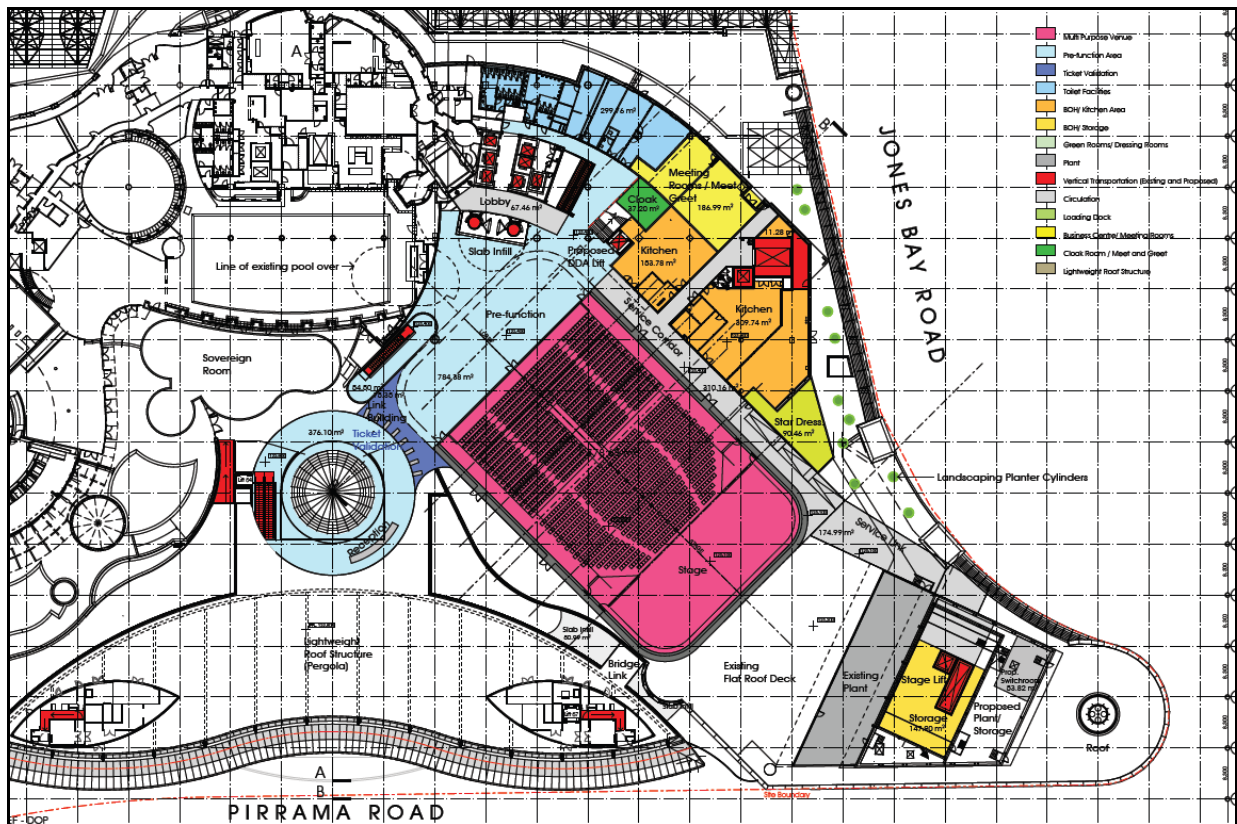


Figure 8 – Proposed MUEF Section

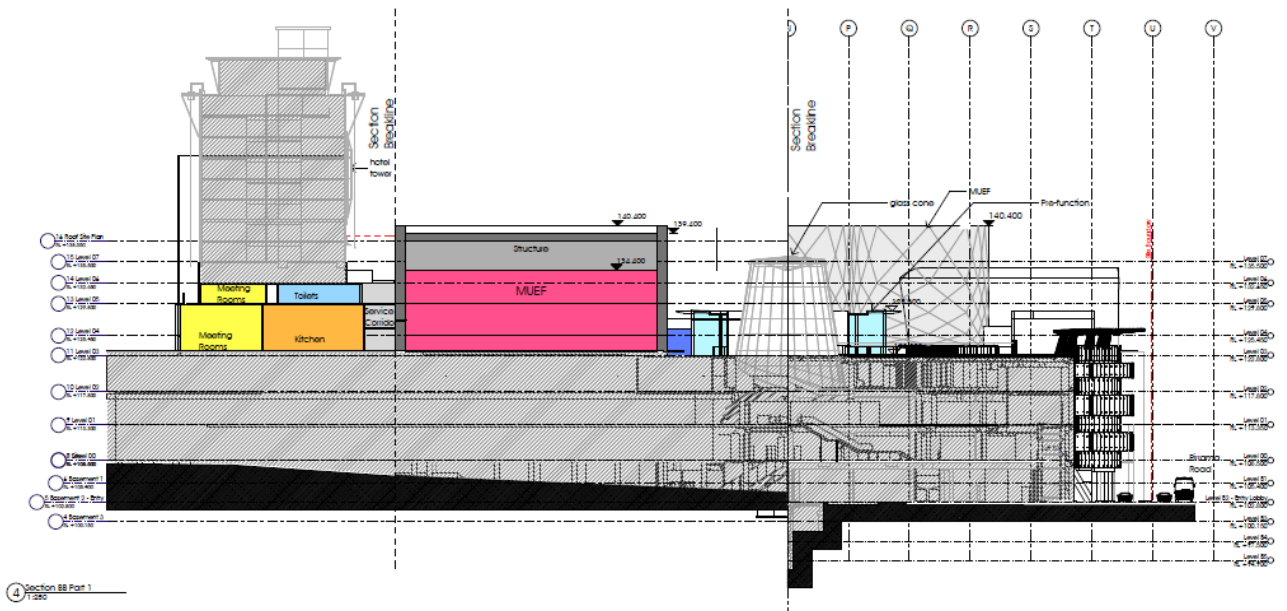
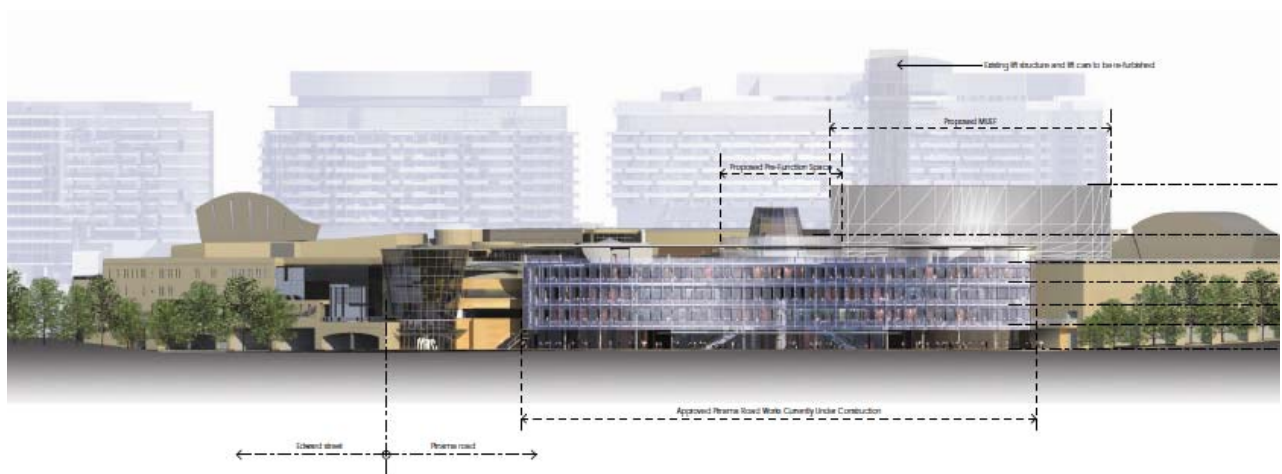


Figure 9 – Proposed Pirrama Road Elevation

4.1 Objective of the Modifications

The objective of the proposed modifications is to increase the 2,400 approved seats (i.e. 1,200 in the approved ballroom and 1,200 in the former Star Theatre) into a single flexible space capable of accommodating a range of formats up to 3,000 seated, or 4,000 standing in a concert performance format. The existing and proposed capacity of the ballroom and MUEF is shown by **Table 1** below.

The proposed increase to the capacity of the approved ballroom aims to boost the declining patronage levels to the casino and improve the availability of centrally located, medium sized entertainment and function venues within Sydney (where there is currently a gap in the market). In providing such a venue Star City will better position Sydney as a cultural destination and contribute to the attraction of visitors and tourists to the city.

The declining patronage numbers for Star City are one of the primary motivators for the alterations and additions to the casino and the casino revitalisation. In the last ten years the patronage levels to Star City Casino have decreased markedly. The average daily visitation has dropped from around 34,000 people in 1997-1998 to 23,500 people in 2007-2008. In particular, the average daily visitation on Saturdays (typically the busiest day of the week) has decreased from around 53,000 people in 1997-1998 to around 31,500 people in 2007-2008.

The decreasing patronage levels to Star City in recent years also coincides with the identified gap in the market in Sydney for venues with a seating capacity of 1,000 to 6,000 and especially venues located in or near the CBD. Further, Star City has seen the closure of one of its function venues (Star Theatre) in the last two years. This in conjunction with the increasing competition for quality venues in the area and the outdated nature of the existing ballroom and function centre on level 03 has resulted in a steady decrease in the revenue raised from the hire of function room and the associated provision of food and beverages.

Although Sydney is a major international city and the largest and most industrious Australian city it has a relatively low supply of well located Business Event venues and purpose built live performance venues. This proposal for the MUEF seeks to address the obvious gaps in the market relating to the relative shortage of venues with a seating capacity of 1,000 to 6,000 seats in Sydney and in particular, the relative shortage of such venues located in or near the CBD. Because of the constrained supply of such venues NSW has been losing market share to Victoria and Queensland and Sydney's market is also diminishing at an international level.

Providing such a venue will result in significant economic benefit to the state generated through larger and more frequent events which will attract participants from interstate and overseas.

Star City is a key tourism and entertainment venue, situated on a prime site on the foreshore of Sydney Harbour. It attracts more than 8.5 million visitors a year and is important to Sydney's reputation as a modern, vibrant city. To ensure Star City retain its status as a quality venue and remain competitive within the international casino market, Tabcorp and NSW Government obtained development approval to refurbish and expand the casino facility through a Major Project Application (MP08_0098) to the NSW Department of Planning (DoP). This development scheme entails the refocus of buildings toward the harbour side, refurbishment of the gaming floor, increasing the supply of hotel rooms and creation of a new restaurant, retail and entertainment precinct, which included an expansion of the existing ballroom facilities.

Since the approval of the Major Project Application, the potential for enhanced non-gaming entertainment opportunities within the casino facility have been reviewed. Given the important tourism and entertainment role of Star City relative to Sydney's domestic and international attraction, there is opportunity for Star City to further contribute towards the growth of the cultural vibrancy of Sydney.

The quality and range of large scale cultural facilities are critical to the cultural vibrancy and economic performance and competitiveness of cities, and 'creative cities' are increasingly being recognised as the most competitive and attractive to live in. The most valuable events for Sydney are the interstate and international ones, however, the ability of Sydney to currently host major performances and business events is compromised in this regard due to a limited capacity range of entertainment facilities, particularly in relation to competing cities, most notably Melbourne.

The current Star City ballroom facility hosts a limited range of entertainment options and has a capacity of only 900 seats (1200 standing). The Major Project Application increased the capacity of the ballroom to 1200 seats or 1500 standing. However, the previous Star Theatre, which had an additional capacity of 1,200 seats has been converted into the 'Sports Book' venue, which now provides video coverage of sporting events as an adjunct to the main gaming floor.

In this regard Star City Casino is well placed to host the proposed MUEF and revitalise its use to accommodate a medium sized, quality function and entertainment venue.

Table 1 –Existing and Proposed Seating and Standing Capacity for the MUEF

Proposed Seating and Standing Capacity	Seating	Standing
Star Theatre	1200	1200 (seated only)
Existing Ballroom	900	1200
Approved Ballroom (MP)	1200	1500
Proposed MUEF	3000	4000
Net Increase in Capacity (from Existing ballroom + Star Theatre)	900	1600
Net Increase in Capacity (from Approved Ballroom + Star Theatre)	600	1300

4.2 Detailed Description of Proposed MUEF

A summary of the proposed modifications to the existing ballroom pre-function area and adjoining buildings include:

- Rationalisation and minor expansion of the footprint of the approved ballroom.
- Increase in the height of the approved ballroom ceiling from 19.78 metres (RL129.8) to 29.38 metres (RL139.4) measured from ground level (RL110.02).

- Increase to the approved ballroom capacity of 1,200 seats or 1,500 standing to a maximum 3,000 seats or 4,000 standing.
- Relocation of approved pre-function area on level 03 into a new elliptical structure surrounding the existing glass cone on the approved external entertainment deck on level 03.
- Direct access into the modified pre-function area from Pirrama Road, without entering gaming areas.
- The provision of associated services such as loading dock, lift and stair accesses, new substation and switch room, storage, plant room facilities, refurbished kitchen, office space and other related services.
- The inclusion of the proposed “back of house” service areas within the base of the existing hotel tower and within an additional storey on the adjacent low-rise structure.
- Modification of existing loading facilities within the existing bus interchange area to accommodate the loading demands of the expanded MUEF facility.
- Additional patron access and amenity facilities to meet BCA and DDA requirements.
- Provision of service corridor between back of house areas and new plant and storage enclosure on Level 03, to allow the transfer of performance equipment from the existing lift into the expanded facility.

The proposed MUEF is a rectangular shaped structure with rounded corners, generally reflecting the footprint of the approved ballroom, located to the north of the existing, central glass cone adjacent to the northern casino tower.

The proposed MUEF will have a total height of 16.6 metres as measured from the level of the podium below (RL 122.8) to the exterior roof (RL 139.4) and the total building height as measure from the ground level at the Pirrama Road frontage (RL 102.8) to the roof of the proposed building (RL 139.4) will be a maximum of 36.6 metres.

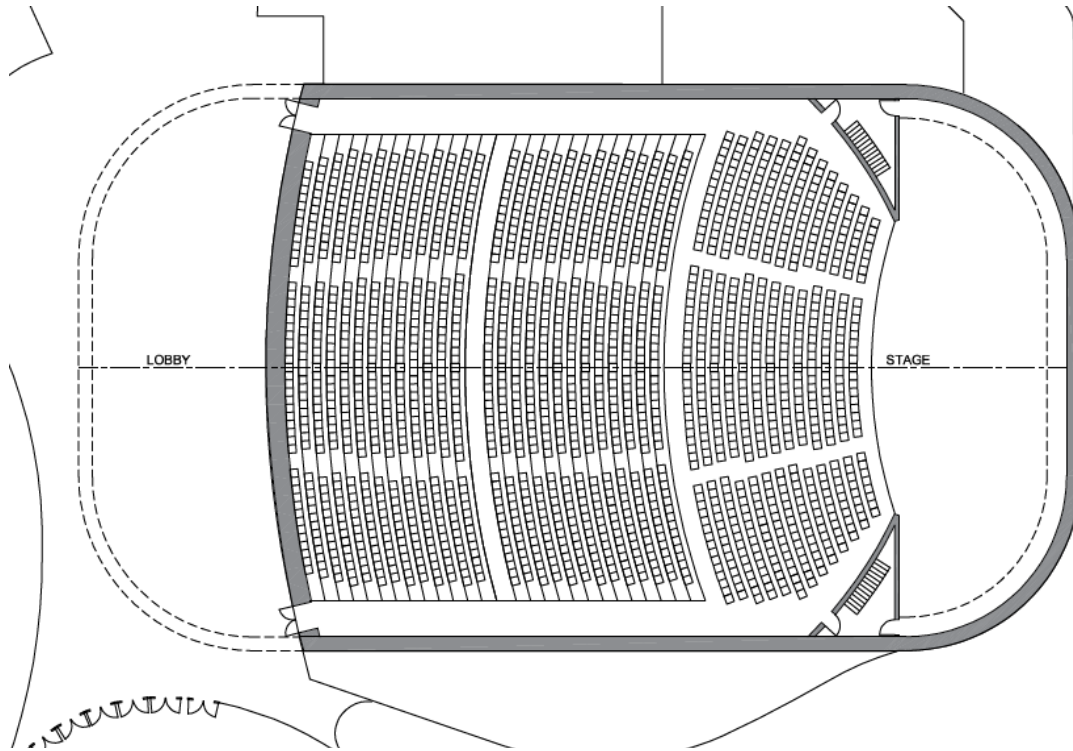
In accordance with the applicable definition of building height as per the SLEP 2005 however the building height will be calculated to the underside of the internal ceiling. In this instance the ceiling will constitute a suspended platform housing the theatre seating and will be 5 metres lower than the actual roof. Therefore, building height as measured from the podium and from the Jones Bay frontage (in accordance with this definition) will be 11.6 metres and 24.38 metres respectively.

The MUEF will be able to function in “concert” mode or “ball room” mode and the internal layout will be adjusted to accommodate each use. The default weekday configuration of the MUEF will be the ball room mode, with the facility being converted to concert mode primarily on weekends.

Internally, the MUEF will comprise four levels including the following in concert mode:

- Floor level – comprising a performance stage at the front, a lobby to the rear, seats angled from the stage to the rear to allow each seat a view to the stage, access corridor from the lobby either side of the seating.
- Mezzanine level – comprising a rear lobby, rear mezzanine seating, bar tables and standing room aligning the western and eastern walls with views to the stage.
- Low Balcony Level – comprising a rear lobby, rear seating, bar tables and standing room aligning the western and eastern walls with views to the stage.
- Upper Balcony Level – comprising rear seating, bar tables and standing room aligning the western and eastern walls with views to the stage.

The proposed internal configuration for the concert mode of the MUEF is shown by **Figures 10**.

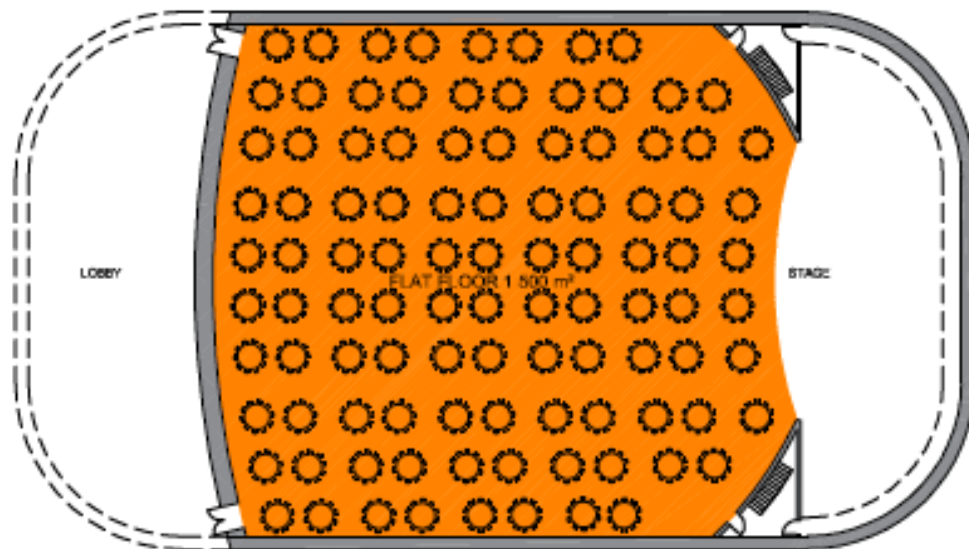
Figure 10 – MUEF Concert Mode, Floor

In ballroom mode for a banquet function the proposed MUEF will include:

- Orchestra level – comprising a performance stage at the front, a lobby to the rear and floor space for between 830-1250 people seated at tables.
- Mezzanine level – comprising a rear lobby, rear mezzanine table seating and western and eastern table seating for between 100-150 people.
- Low Balcony Level – comprising a rear lobby, rear table seating for up to 150 people.

The proposed internal configuration of MUEF for the ballroom (default) mode is shown by **Figure 11**.

Figure 11 – MUEF Ballroom Mode, Orchestra Level



4.2.1 Proposed Foyer and Pre Function Venue

The proposed MUEF includes a pre-function area encompassing the existing cone on level 03 of the casino building. The pre-function area will be an elliptical, enclosed glass space including an entry area and bar area. It will mark the arrival of patrons to the MUEF and will be linked to the rear lobby of the MUEF building to allow a seamless flow of patrons to the entertainment and function venue.

Access to the pre-function area will be from Pirrama Road via a central system of escalators up through the centre of the existing cone.

4.2.2 Proposed Service and Loading

The proposed MUEF will also include the expansion of the existing services to the ballroom as well as upgraded access and loading.

The proposal includes the following aspects for servicing and loading:

- A new service corridor and plant rooms aligning the northern elevation of the MUEF building along linking the new plant area and stage lift located with the service area and the performance area.
- A new kitchen area and toilet facilities at level 03 to be incorporated into the base of the existing northern tower and the existing services building adjoining the existing ballroom.
- A new two level “back of house” theatre (BOH Theatre) and dressing rooms to replace the existing services building adjoining the existing ballroom and incorporated into the base of the northern tower.
- A new lobby lifts and escalators adjoin the pre-function area and MUEF lobby providing access to the back of house and service area.
- Green Rooms occupying the base of the northern tower and adjoining a new terrace above the services building below. The terrace will capture views to the north and east across Darling Harbour and towards the city.

- New plant rooms to replace the area occupied by the fly tower at level 03 which is no longer required due to the closure of the Star Theatre.
- New loading areas designated in the basement level.

4.3 Other Modifications Proposed

In addition to the proposed MUEF, the following other modifications are also proposed:

4.3.1 Conversion of 'Astral' Bar and Dining Room into Private Gaming Areas

The existing top floor (Level 17) of the main Casino Tower is currently used as the 'Astral' Bar and Dining Room. As the Major Project approval to create an infill building to the Pirrama Road frontage provides a new consolidated area of bars, cafes and restaurants, the existing 'Astral' bar and dining room functions are proposed to be relocated into this area, and the existing floor space at Level 17 converted into private gaming spaces. No external alteration is proposed, merely a redesign of the internal fitout.

4.3.2 Deletion of the previously proposed glazed cladding to the existing tower buildings

MP08_0098 includes approval to reclad the existing tower buildings with glazed panels. However, continued design development has resulted in a more subtle approach, and the previously approved glazed panels are now proposed to be deleted, and a revised lighting concept to the existing pre-cast concrete façade panels provides. This lighting will involve a matrix of fine pin point LED light fittings with approximately one fitting per hotel room. The intention is to create a discrete grid of white light fittings across the both existing hotel/ serviced apartment towers (east side only), that can be programmed to provide a subtle animation. They are low wattage LED with minimal energy consumption.

In addition, the uppermost horizontal sun awning is to be light washed for its full eastern length by a blue LED strip light. This blue lighting strategy shall be part of a consistent theme around the site, whereby all primary horizontal surfaces such as canopies and awnings are to be washed is a discrete blue hue, which will serve to unite a number of otherwise disparate elements into a consistent whole.

4.3.3 Addition of a pergola structure over the roof terrace to the Pirrama Road infill building

The roof deck of the approved Pirrama Road infill building provides a useful outdoor recreation space to compliment the more intensive internal activities of the casino. In order to provide all weather utility, it is proposed to add a pergola structure capable of supporting sail cloth sun shading.

4.3.4 Replacement of the existing external lift, lift overrun enclosure and roof signage to the existing hotel tower

The existing external lifts to the main tower building, and the lift plant enclosure and neon signage at the top of the lifts is a key element of the visual presentation of the development, particularly as viewed from the Sydney CBD at night. However, the visual style of the signs and lifts is now almost 15 years old, and is proposed to be updated to provide a subtler, more contemporary expression. However, while stylistically updated, the new lift and signage will not be fundamentally different to that which exists.

4.4 Architectural Design

The architectural expression of the proposed MUEF and indicative pre-function is described by the following excerpt from the Design Statement prepared by Fitzpatrick and Partners, and detailed further in Section 6.2 below:

“The proposed Multi Use Entertainment Facility (MUEF) is located on Podium Level 04 of the existing Star City Casino complex in Pyrmont. It is to be of the highest international standards and is to be an adaptable and flexible venue capable of hosting a wide variety of different entertainment events including concerts, conferences and gala balls.

Approximately 60m by 30m, it is to be located in the same position as the existing ballroom facility and utilises much of the existing support infrastructure including kitchens, offices, stores and lobby areas.

Recent market and customer analysis by Tabcorp revealed a need for a significant new live music venue as a part of their entertainment programme. Following a period of design feasibility, it was found that the best approach was to expand the approved ballroom design to include a taller ceiling height, allowing for international live rock concert acts to perform. In addition, it was clear that the same facility would also need to operate effectively as a ballroom and conference venue, suitable for corporate events. For the project to be economically feasible, it had to allow for 3000 seated patrons in concert mode, and 1500 people in ballroom mode.

The result was the multi-use design concept, allowing a flexible venue that could accommodate both modes quickly and efficiently with minimum turnaround times – a first for Sydney.”

4.5 Proposed Use

This proposal seeks modification to the existing approval (MP 08_0098) for the following uses:

- The expansion of an existing ballroom facility into a 3,000 seat multi-purpose venue (4,000 standing capacity).
- Creation of a new ‘pre-function’ space surrounding the existing glass cone on the approved external entertainment deck on level 03.
- The provision of associated services such as loading dock, lift and stair accesses, new substation and switch room, storage, plant room facilities and other related services.
- Conversion of the existing Level 17 ‘Astral’ Bar and Dining Room into Private Gaming Areas.

The proposed multi-unit entertainment facility is designed to encompass a generous internal space and volume to enable a wide range of entertainment options from concert performances to general corporate and private banquet style events, as currently hosted within the existing ballroom facilities.

Star City’s proposed multi-use venue would provide suitable space and facilities for a range of different events, which can be broadly categorised as:

- Live performance events: live music and theatre performances; and
- Business events: conferences, exhibitions, trade shows and incentive program events

Proposed MUEF Capacity

The proposed MUEF to be situated in the location of the existing Star City Ballroom and provides seating capacity for 3,000 people, and standing capacity for 4,000 people.

Tabcorp has previously obtained approval to increase the ballroom capacity to 1,200 people seated and 1,500 people standing through it’s previous Part 3A Application. Therefore, this proposal relates to an increase of 1,800 for the seating capacity and 2,500 for the standing capacity to what was previously approved.

However, taking into account the closure of Star Theatre in 2008, which resulted in a loss of 1,200 seating spaces and 2,400 standing spaces, the new multi-use venue would actually result in an increase of 900 seating spaces and 1,600 standing spaces to what was previously available at Star City when both the Star Theatre and existing ballroom were operating.

The proposed change to the capacity of the ballroom and the overall change to capacity given the closure of the Star Theatre is shown by **Table 1** included in Section 4.1 above.

4.6 Gross Floor Area (GFA)

Whilst the proposal will entail some additional areas of Gross Floor Area the net GFA proposed will represent a reduction from the approved scheme as a result of:

- The subsequent approved Section 75W for the reduction of one level of the approved hotel tower.
- Reduced GFA resultant from the Condition of Consent requiring the deletion of one level of the approved hotel tower.
- Other minor reductions resultant from subsequent approved modifications.
- The more efficient utilisation of some existing floor space generally.

Therefore, the proposed GFA will be 131,245m² (FSR of 1:3.435) and will represent a reduction of the approved GFA from 133830.7m² (3.5:1) by 2585.7m².

The additional GFA included as part of the proposal will be primarily be attributable to:

- MUEF level 4 due to an additional mezzanine level (+1238m²).
- MUEF level 5 due to additional area for back of house area and meeting rooms (+1228.5m²).

However, as noted, these additional areas will be offset by the reduction in GFA which has occurred since the approval of the MP08_0098.

The reduction in areas since the approval of MP08_98 is primarily due to:

- The proposed MUEF uses less GFA than the current configuration on level 3 (private gaming area) (-318.7m²).
- The deletion of Level 14 of the hotel on the switching station site as per Modification 6 approval (-1125.4m²).
- The deletion of Level 15 of the hotel on the switching station site in accordance with the condition of consent (-1125.4m²).
- Changes to basement parking level 1 as per Modification 5 approval (-1340.4m²).
- Changes to back of house, level 00 as per Modification 5 approval (-787m²).
- Changes to main casino level (-577.8m²).
- Changes to mezzanine level (-678.1m²).

These areas are reconciled by the floor space area table and plans included as **Appendix G**.

The applicable GFA and FSR for the site is determined by the Pyrmont Bay Master Plan, which despite having no statutory force under the SLEP 2005, affords the site a total FSR of 3.5:1. The current approval for Star City Casino realises a total FSR of 3.5:1.

The GFA for the proposal has been calculated in accordance with the relevant definition as per Clause 6 of the Sydney LEP 2005, as follows:

*“gross floor area of a building within Ultimo-Pyrmont, means the sum of the areas of each floor of the building, where the area of each floor is taken to be the **area within the inner faces of the external enclosing walls** as measured at a height of 1,400 millimetres above each floor level...*

The following table (**Table 2**) shows the GFA calculations resultant from the floor space ratio survey conducted by Hard and Forester (refer **Appendix G**).

Table 2 – GFA Calculations

Aspect	Existing	Approved	Proposed	Change
<u>Land use Composition</u>	Ballroom pre-function and associated service area	Modified ballroom, pre-function and associated service area	MUEF including expanded ballroom and pre-function and associated service area	
<u>Gross Floor Area</u>	102,551m ²	133,831m ²	131,245.3m ²	-2585.7m ²
<u>Floor Space Ratio*</u>	2.68:1	3.502:1	3.435:1	-0.067:1
* site area = 38,206m ²				

Although the proposal will result in some additional floor space in the location of the existing ballroom the MUEF has been designed and sited to minimise the bulk of the structure and any impact resulting from the proposed intensification of use.

Gross Floor Area is discussed in greater detail in relation to the planning controls in Section 6.1 below.

4.7 Building Height

The proposed MUEF will have a total height of 16.6 metres as measured from the level of the podium below (RL 122.8) to the roof of the podium (RL 139.4) and the total building height as measured from the adjoining ground level at the Jones Bay Road frontage (RL 110.02) to the roof of the proposed building (RL 139.4) will be a maximum of 29.38 metres. This entails an increase of 9.6 metres above the existing and the approved ballroom structure.

However, the legal definition of building height in this context (see Section 6.1.2) refers to the difference between the level of the natural ground at the closest point in the public domain and the underside of the building ceiling. In accordance with this definition, the proposed ‘building height’ is 24.38 metres.

4.8 Summary of Proposed Changes to Approved Scheme

As outlined below, the proposed modifications will result in the following changes to the approved project:

Table 3 – Summary of Changes

Aspect	Existing	Approved (MP08_0098)	Proposed
<u>Land use Composition</u>	Ballroom pre-function and associated service area	Modified ballroom, pre-function and associated service area	MUEF including expanded ballroom and pre-function and associated service area.
	"Astral" Bar and Dining Room	N/A	Private Gaming.
<u>Gross Floor Area</u>	102,551m ²	133,831m ²	131,245.3m ²
<u>Floor Space Ratio*</u>	2.68:1	3.502:1	3.435:1
<u>Building Height**</u>	19.78m (RL129.8)	19.78m (RL129.8)	To external roof: 29.38m (RL139.4) To top ceiling: 24.38m (RL 134.4)
<u>Car Parking</u>	2500	3000	No change
*site area = 38,206m ² **as calculated from the existing ground level (RL 110.02).			

4.9 Proposed Modification to the Existing Determination (MP 08_0098) Conditions

The proposed modifications will result in amendments to the following two approval conditions of MP 08_0098 as shown below (note additional text is underlined>).

Amendment to Condition A2 of MP 08_0098 to include the insertion of the following words:

- *Condition A2 Development in Accordance with Plans*

The development will be undertaken in accordance with the Environmental Assessment dated September 2008 prepared by Urbis, subsequent Preferred Project Report dated December 2008 prepared by Urbis, the Section 75W Application dated 8th October prepared by Urbis, and the following drawings prepared by Fitzpatrick + Partners, The Buchan Group, Cox Richardson Architects and Tract Consultants.

The amendment of Condition A2 of MP 08_0098 also should include the insertion of the following plan details in addition to the plans listed in the existing table to Condition A2:

Table 4 – Amendment of plan reference in Condition A2 of MP 08_0098

Drawing Number	Revision	Name of Plan	Date
DOP-01	01	Plan Level B2	07/10/2010
DOP-02	01	Level 00	07/10/2010
DOP-03	01	Level 01	07/10/2010

Drawing Number	Revision	Name of Plan	Date
DOP-04	01	Level 02	07/10/2010
DOP-05	01	Level 03	07/10/2010
DOP-06	01	Level 04	07/10/2010
DOP-07	01	Level 05	07/10/2010
DOP-08	01	Roof Plan - Existing	07/10/2010
DOP-09	01	Roof Plan - Approved	07/10/2010
DOP-10	01	Roof Plan - Proposed	07/10/2010
DOP-11	01	Section A-A Existing	07/10/2010
DOP-12	01	Section A-A Approved	07/10/2010
DOP-13	01	Section A-A Proposed	07/10/2010
DOP-14	01	Section B-B Proposed	07/10/2010
DOP-15	01	Street Elevations	07/10/2010
DOP-16	01	Street Elevations	07/10/2010
DOP-17	01	Street Elevations	07/10/2010
DOP-18	01	Shadow Diagrams	07/10/2010
DOP-19	01	Shadow Diagrams	07/10/2010
DOP-20	01	Shadow Diagrams	07/10/2010
DOP-21	01	Project Sky – Level 17	07/10/2010

▪ *Condition A3 Development in Accordance with Documents*

In addition, Condition A3 of MP 08_0098 should be amended to include the addition of the following words at the end of the existing condition:

As amended by the Section 75W Application prepared by Urbis dated 8th October 2010 and the following documents:

- (1) Architectural Drawings prepared by Fitzpatrick + Partners, 7th October 2010
- (2) BCA Review prepared by Phillip Chun & Associates, dated 6th October 2010
- (3) View Impact Assessment prepared by GM Urban Design & Architecture Pty Ltd dated October 2010;

- (4) Economic Impact Assessment of Star City's Proposed Multipurpose Venue, prepared by Urbis, dated October 2010
- (5) Traffic Impact Assessment prepared by ARUP, dated October 2010
- (6) Acoustic Assessment prepared by AECOM, dated 7th October 2010
- (7) Crime Prevention Through Environmental Design report prepared by Urbis dated October 2010
- (8) Ecological Sustainable Development Statement, prepared by Cundall, dated 7th October 2010
- (9) Accessibility Report prepared by MGAC, dated 7th October 2010
- (10) Fire Engineering Statement prepared by AECOM, dated 5th October 2010
- (11) Letter of Assessment of Solar Reflection from Facades, prepared by AECOM, dated 7th October 2010.

5 Statutory Context

5.1 Part 3A of the Environmental Planning & Assessment Act

Part 3A of the EP&A Act requires that major projects obtain approval from the Minister for Planning. Development is defined as a 'Major Project' to which Part 3A applies either by being identified within a State Environmental Planning Policy (see SEPP Major Projects below), or by order of the Minister published in the Gazette.

The Major Project approval process provides for the Minister for Planning to undertake a co-ordinated, whole of government assessment of the merits of a proposal that has significance to the State or region.

5.2 Section 75W Modification of Project Approval

Section 75W of the EP&A Act relates to the process of seeking the Minister's approval for modifying an approved Part 3A Major Project. Of particular relevance, Section 75W (3) provides that the Director – General may notify the proponent of environmental assessment requirements (DGRs) with respect to the proposed modification that must be met as part of the 75W Modification application.

On 30 September 2010, DGRs were issued (**Appendix A**) and form the basis of this Environmental Assessment.

6 Environmental Assessment

The following environmental assessment addresses the key issues raised in the DGRs dated 30th September 2010.

6.1 Statutory Compliance

The DGRs require consideration of the following Environmental Planning Instruments (EPIs) and guidelines:

1. **Relevant EPI's, Policies and Guidelines**

- *Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including:*
 - SEPP 41 – Casino Entertainment Complex
 - SEPP (Major Development) 2005
 - SEPP (Infrastructure) 2007
 - SEPP 55 – Remediation of Land
 - Sydney Local Environmental Plan 2005
 - Ultimo-Pyrmont Urban Development Plan
 - NSW Government's Metropolitan Strategy and the draft Sydney City Subregional Strategy
- *Address provision of public infrastructure with regard to the Ultimo-Pyrmont Section 94 contribution Plan;*
- *Address the nature and extent of any no-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.*

6.1.1 Metropolitan Strategy and draft Sydney Subregional Strategy

The Metropolitan Strategy was adopted in 2005 and is the State Government's strategy for the future planning of the Greater Sydney Metropolitan Area. The broad principles of the Metro Strategy are refined into more regionally specific draft subregional plans, including the draft Sydney Subregional Plan, which states:

"Sydney's CBD is Australia's iconic face to the world. Over half of all international visitors come to Sydney as do almost half of all international business visitors"

...

"Sydney's position as a global city requires continuing development and renewal".

Star City Casino is recognised in the subregional strategy as a key cultural/recreational cluster of the city, and specifically of Ultimo/Pyrmont as shown by **Figures 12 and 13**:

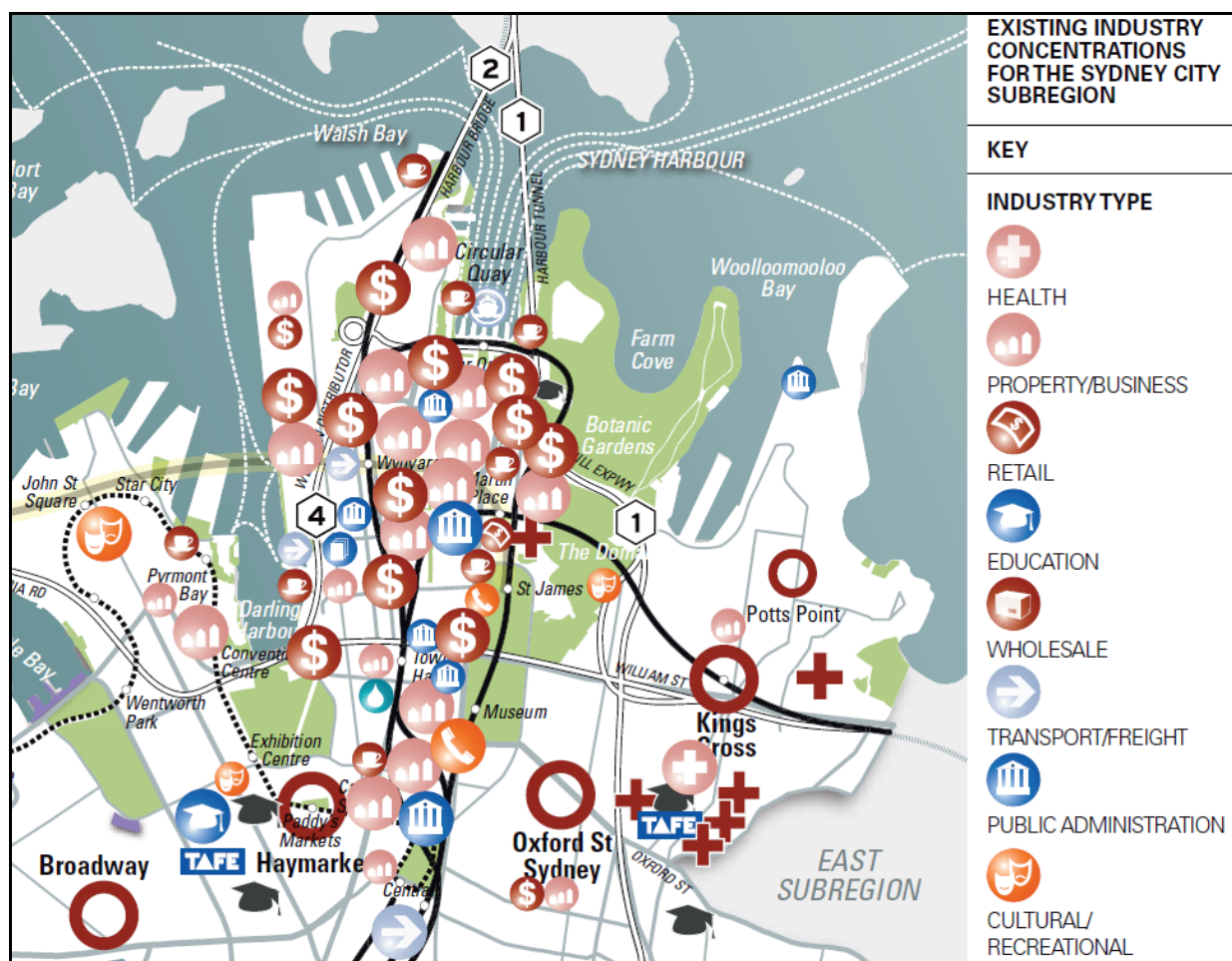
Figure 12 – Metro Strategy, Excerpt from Sub-regional strategy for Ultimo-Pyrmont**Figure 13** – Extract – draft Sydney Subregional Strategy (Figure 9)

Figure 19 of the Strategy “Pyrmont-Ultimo Centres and Corridors” identifies the following ‘Key Assets and Drivers’ of the Precinct:

- *Concentration of multi-media firms.*
- *Entertainment and cultural precincts including Star City Casino and Sydney Fish Markets.*

The strategy also includes Action B4.2 - Support centres with transport infrastructure and services:

“Accessibility by public transport is a key consideration in assessing the suitability of corridors and centres for intensification and specialisation”.

Given the location a light rail station within the site, the proposed specialised intensification of the entertainment functions is consistent with this aspect of the strategy.

Overall, the reinforcement of the role of Star City as a magnet for entertainment uses is consistent with State Government Strategy and the proposed MUEF will reinforce Sydney’s status as a ‘global’ city.

6.1.2 Local Environmental Plan (SLEP) 2005

Zoning and Permissibility

The land is zoned ‘Residential Business’. The proposed modification to expand the ballroom facility into a multi-use entertainment facility is consistent with objective (a) of the residential-business zone and is therefore permissible. This objective states:

“(a) to promote a wide range of uses, particularly business development including tourist, leisure, commercial, retail and office development consistent with Ultimo-Pyrmont’s proximity to the Sydney CBD, harbour locations and transport infrastructure”.

In any event, as detailed at 6.1.5 the permissibility of a ‘casino entertainment complex or complementary development’ is established under SEPP 41, which prevails to the extent of any inconsistency with SLEP 2005.

‘Complimentary development’ includes:

“... development for any of the following purposes:

- *car and coach parking*
- *community facilities*
- *conference and convention centres*
- ***cultural and entertainment facilities***
- *hotels*
- *public recreation areas*
- *public transport purposes and interchange facilities*
- *restaurants, bars and cafes*
- *retail shops*
- *serviced apartments*
- *sporting and recreation facilities (such as a health centre, gymnasium, swimming pool and tennis courts)*
- ***theatres***
- ***and any other purposes that are ancillary to development for the purpose of a casino”.***
(our emphasis)

The proposed MUEF is clearly a permissible form of ‘complementary development’.

Building Height

Clause 93 of SLEP 2005 calls up the Ultimo-Pyrmont Height Map. The achievement of maximum building height must result in a design consistent with the urban design principles contained within SLEP 2005.

The Ultimo-Pyrmont Height Map specifies:

- 15 metre street edge height for the Switching Station site,
- 21 metre height limit applying to a wide zone along Pirrama Road,
- 28 metres across the rest of the site.

Clause 95 (also by way of the Ultimo-Pyrmont Height Map) specifies 'landmark sites' which may accommodate building heights in excess of the underlying height standards. In this instance, the height map identifies a site specific building height of 66 metres (utilised by the hotel tower fronting Union Street) as shown by **Figure 14** below.

Figure 14 – Height Control Map



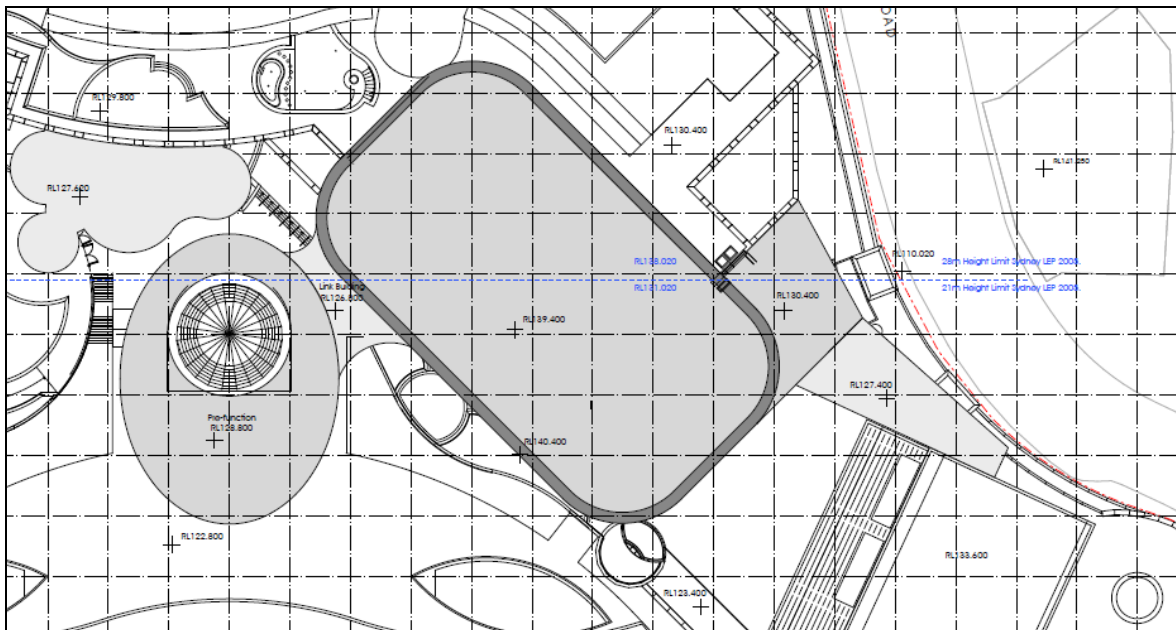
Pursuant to Clause 93 of SLEP 2005 and the associated Ultimo Pyrmont height Map, the site's eastern frontage of the site is subject to a 21 metre height standard and the majority of the site is subject to a 28 metre height standard, with a specific exception relating to the tower buildings.

The relevant definition of height under the Sydney Local Environmental Plan 2005 is:

"height of a building on land within Ultimo-Pyrmont means the vertical distance measured in metres between the natural surface level of the ground on which the building is sited or, where the natural surface has been excavated, the land of the adjoining public domain, and the ceiling of the topmost habitable floor of the building above that point."
(our underline)

That part of the site on which the proposed ballroom expansion is proposed is subject partly to a 21 metre, and partly to 28 metre height standard as shown in **Figure 15**.

Figure 15 – Height Controls shown in Plan



In accordance with the applicable definition of building height in SLEP 2005, building height is calculated to the underside of the topmost ceiling and as the land below has been excavated should be measured from “*the land of the adjoining public domain*”, which in this case relates to the land adjacent on the Jones Bay Road frontage (RL110.02).

While the proposed MUEF will have a total height of 16.6 metres as measured from the level of the podium (RL 122.8) to the exterior roof (RL 139.4), the relevant definition of height is measured to the topmost ceiling. The proposed building height as measured from the adjoining ground level at the Jones Bay Road frontage (RL 110.02) to the ceiling of the proposed building (RL 134.4) is 24.38 metres.

The proposed ballroom structure will therefore site 3.62 metres below the 28 metre height standard, but will extend 3.38 metres above the 21 metre standard, effectively averaging the two standards.

Strict compliance with the 21 metre standard in the current circumstances would result in a stepped roof form that would have an awkward appearance and could not accommodate the functional requirements of the proposed performance venue. The proposed MUEF has adopted a uniform building height to better integrate with the existing forms above the casino podium and create a simple, uncluttered addition.

Whilst the proposed variation to the 21 metre height standard will result in some view loss to the south-east facing residential apartments at levels 3 – 8 of No. 2 Jones Bay Road, this loss of lower level views will be offset by the retention of more city skyline views below the 28 metre standard.

In this regard, the Visual Impact Assessment prepared by GMU Design (refer **Appendix I**) states:

"It is reasonable therefore to state that only a portion of the south eastern part of the facility creates a view impact beyond that which could be expected to occur given the allowable height ie. the true impact is for the views that are further constrained above RL 131.020."

Further, the amended controls included within the draft Sydney City LEP (not yet exhibited, but referred to the Department of Planning for Section 65 Certification) applies a revised “Commercial Core” zoning to the site and provides a uniform 28 metre height standard across the casino site (recognising 65 metres for the casino towers). While an unexhibited draft LEP is not a matter for statutory consideration, it indicates that the proposed roof line is consistent with Council’s forward planning intent.

Floor Space Ratio (FSR)

Clause 98 specifies the maximum area of business floor space permitted on the land in master plan areas as a maximum FSR of 2.5:1. However, pursuant to Clauses 98(2) and 115, a greater FSR may be adopted for the site by way of a Master Plan.

The applicable GFA and FSR for the site is determined by the Pyrmont Bay Master Plan, which despite having no statutory force under the SLEP 2005, affords the site a total FSR of 3.5:1.

In accordance with the relevant definition as per Clause 6 of the Sydney LEP 2005, the relevant definition for Gross Floor Area is as follows:

*“gross floor area of a building within Ultimo-Pyrmont, means the sum of the areas of each floor of the building, where the area of each floor is taken to be the **area within the inner faces of the external enclosing walls** as measured at a height of 1,400 millimetres above each floor level...*

Whilst the proposal will entail some additional areas of GFA the net GFA proposed will represent a reduction from the approved scheme as a result of a subsequent approved Section 75W for the reduction of one level of the approved hotel tower, a reduced GFA resultant from the Condition of Consent requiring the deletion of one level of the approved hotel tower and the utilisation of some existing floor space.

Therefore, the proposed GFA will be 131,245m² (FSR of 1:3.435) and will represent a reduction of the approved GFA from 133830.7m² (3.5:1) by 2585.7m².

The following table (**Table 5**) shows the GFA calculated in the Floor Space Ratio Survey conducted by Hard and Forester (see **Appendix G**).

Table 5 – Gross Floor Area Proposed

Aspect	Existing	Approved	Proposed	Change
<u>Land use Composition</u>	Ballroom pre-function and associated service area	Modified ballroom, pre-function and associated service area	MUEF including expanded ballroom and pre-function and associated service area	
<u>Gross Floor Area</u>	102,551m ²	133,831m ²	131,245.3m ²	-2585.7m ²
<u>Floor Space Ratio*</u>	2.68:1	3.502:1	3.435:1	-0.067:1
* site area = 38,206m ²				

Although the proposal will result in some additional floor space in the location of the existing ballroom the MUEF has been designed and sited to minimise the bulk of the structure and any impact resulting from the proposed intensification of use.

The proposed MUEF is located in between the northern tower and the existing glass cone on level 03 of the casino building and therefore partially concealed by those elements and appearing to integrate within the existing forms atop the casino podium. The MUEF will also be a glass structure clad in an “exoskeleton” structure which will afford the structure a light weight appearance and further minimise the perception of building bulk.

The proposed MUEF will add a vital and vibrant use to the area and will act as an economic stimulus for the City of Sydney and providing a greater benefit to the public domain. The gross floor area of the proposed structure is a necessity of its function and therefore the minor exceedance in FSR is well justified in this case.

Heritage

The site is not located within a conservation area, and while Item 70 (Pymont Power Station, Building A at 42 Pymont Street, on the corner of Jones Bay Road) is technically located on the site, this heritage item has been incorporated in the overall development of the Casino site.

Master Plans

Notwithstanding that 'Master Plans' are no longer recognised under the EP&A Act, and must be dealt with as 'Deemed DCPs', Clause 106 of SLEP 2005, and the Map thereto (see below), requires the preparation of Master Plans prior to the development of certain land, including the subject site. While the Pymont Bay Master Plan was prepared Pursuant to the former SREP 26 (Amendment 1 related specifically to the Switching Station site), this plan was not recognized in the list of adopted Master Plans carried forward into Clause 106 of SLEP 2005. Clause 106 also states that the Minister may waive this requirement.

6.1.3 Urban Development Plan for Ultimo Pymont

Clause 83(2) of SLEP 2005 requires the consent authority to have regard to the Ultimo Pymont Urban Development Plan (UDP) endorsed by the Council on 25 March 2004.

The provisions of the UDP relate to design based development criteria and in particular the provisions relevant to this proposal refer to Façade Treatment, View Sharing and Roof Design.

Table 6 below outlines and addresses those provisions in the UDP which are relevant to this application:

Table 6 – Development Plan for Ultimo Pymont

UDP Provision	The Proposal	Consistent
<i>Façade Treatment</i>		
<i>Facades of new development should relate sympathetically to existing buildings in the vicinity, particularly if they have heritage or streetscape value.</i>	Although the façade of the proposed MUEF is a contemporary addition, it is sympathetic to the existing buildings in the vicinity and has been proportioned and sited to respect the immediate context of the newer casino buildings and adopting the circular motif characterising the casino podium. The Visual Impact Assessment (VIA) (refer Appendix I) concludes: "the proposal has no meaningful public domain view impacts and will site comfortably with the existing built form and scale of Pymont."	√
Buildings should be in plan and elevation to develop appropriate rhythm, proportions and depth in facades to articulate street edges.	The proposed MUEF will be located on the podium of the casino building and will not relate to any street edges being well setback within the site. Where the MUEF will be partially visible from some vantage points it will read as a contemporary structure with textual interest within the street.	√
<i>Building treatment must add interest to facades, for example patterned and textured treatment such as string courses, surrounds to openings and masonry detail.</i>	The unique, yet unobtrusive nature of the MUEF will add interest to the building treatment where the structure is visible from the public domain.	√
<i>New development must complement existing buildings in the vicinity in materials and colours.</i>	The proposed MUEF, being on the podium of the casino building will be separated visually from the	√

UDP Provision	The Proposal	Consistent
<i>Generally, facades should have a masonry or rendered character.</i>	majority of buildings in the vicinity and therefore, the façade treatment incorporating a point of difference will be appropriate.	
<i>Horizontal elements should relate to existing buildings...;</i>	<i>The flat roof of the proposed MUEF generally reflects the 28 metre height standard that predominates the area.</i>	√
<i>Facades should not contain large unbroken expanses of glass or curtain walling.</i>	<i>The MUEF will not contain any significant glazed elements and is articulated by an expressed exoskeleton.</i>	√
<i>Reflective glass must not be used.</i>	<i>No reflective glass is proposed and the proposal will achieve a satisfactory level of reflectivity (refer Section 6.6 below).</i>	√
<i>Site identified as a 'Retail and Leisure' node.</i>	<i>The proposed MUEF will greatly enhance the site as a retail and leisure node adding to the versatility of the casino as a venue for functions and a range of live entertainment.</i>	√
View sharing from within buildings		
<i>Development must be sited and designed to minimise impact on the views enjoyed by adjoining buildings by matching alignment, height and/or setbacks and appropriate planning measures.</i>	<i>View impact and sharing has been addressed by the View Analysis provided below, refer Section 6.4.</i>	√
Views and vistas from the public domain		
<i>Major existing views and vistas out from the precinct and to the precinct, should be maintained and new vistas and views should be opened up through the urban fabric, as indicated on Map 10.</i>	<i>View impact and vistas has been addressed by the Visual Impact Assessment provided below, refer Section 6.3.</i>	√
Roof design		
<i>Principle; Roofscapes must be attractive, enhance the skyline, and enhance views from adjoining buildings and the foreshore. Roofscapes must not dominate the skyline or be intrusive elements.</i>	<i>The proposal will greatly enhance the roofscape of the Star City casino building by addition visual interest to the casino podium which will enhance the skyline and views to Star City.</i> <i>The roofscape of the proposed MUEF and pre-function area will have a translucent and light weight quality being constructed from glass with an external shell of glass rods.</i>	√

6.1.4 Draft Sydney LEP 2010

A draft Sydney Local Environmental Plan (City Plan) has been prepared and is soon to be prepared to the DoP for S65 certification to permit public exhibition. Whilst the draft is essentially a translation of the existing controls into the state government's standard template it contains some updated and revised statutory considerations for the Sydney Council area.

While un-exhibited drafts are generally not a matter for statutory consideration and the draft is not raised in the DGRs the draft is nevertheless indicative of Council future planning intent for the site and locality.

The key relevant changes include:

- Rezoning of the land from “Residential Business” to “Commercial Core – B3”. Within the Commercial Core zone “Entertainment Facilities” are permissible within the zone within the meaning of the following definition:

“entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.”
- The following Revised zone objectives including:

To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.

To encourage appropriate employment opportunities in accessible locations.
- The height provisions pertaining to the site have been revised to abolish the 21 metre height restriction along the Pirrama Road frontage with a 28 metre height restriction applying to the site, excluding the northern and southern towers and the hotel tower where a 65 metre height limit still applies.
- The draft FSR controls for the site apply an FSR of 3:1 for the majority of the site and an FSR of 5:1 for the switching station site.

The Draft Sydney LEP is favourable to the proposal for the MUEF, including a revised zoning and zone objective which envisions development within the zone including theatres, concert halls and the like. Further the zone objectives recognise the need for the provision of a range of uses including entertainment uses which will service the needs of the wider community.

The Draft Sydney LEP also revises the building height control to permit a 28 metre height limit across the site (with the exception of the 65 metre limit for the building towers).

The draft LEP adopts the standard definition for building height as follows:

“Building Height means the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.”

In accordance with the definition the height of the building would be measured from the existing ground level at Jones Bay Road (RL110.02) to the highest point of the MUEF (RL139.4) which would result in a building height of 29.4 metres. This would represent an exceedance of the draft height control by a maximum of 1.4 metres.

However, as calculated in accordance with the current height definition (measured to the underside of the building ceiling) the proposed MUEF being a maximum of 24.38 metres would comfortably comply with the draft height controls.

In this regard the proposed MUEF is consistent with the revised zone and zone objectives contained with the Draft Sydney LEP and although not yet exhibited this is indicative of the future intention of the Council.

6.1.5 State Environmental Planning Policy 41 (Casino Entertainment Complex)

The objectives of the policy are:

“(a) to promote the social and economic welfare of the State through the generation of employment and other long term economic benefits, and

(b) to further the development of Sydney, in particular as a world class tourist destination, and

(c) to improve and enhance the cultural and recreational facilities of Sydney for the people of New South Wales, and

(d) to promote the orderly and economic use and development of land, in particular strategic land within the City of Sydney which is vested in the Crown, and

(e) to promote the development of the City West precinct of Sydney, by enabling land, including the site specified by Ministerial direction under section 7 (1) of the Casino Control Act 1992 as the permissible location for a casino, to be developed for the purpose of a casino entertainment complex with the consent of the consent authority"

SEPP 41 applies specifically to the site and requires its use for a casino or complementary development, despite the provisions of any other planning instrument.

Complementary development is defined as development for any of the following purposes:

"car and coach parking, community facilities, conference and convention centres, cultural and entertainment facilities, hotels, public recreation areas, public transport purposes and interchange facilities, restaurants, bars and cafes, retail shops, serviced apartments, sporting and recreation facilities (such as a health centre, gymnasium, swimming pool and tennis courts), theatres, and any other purposes that are ancillary to development for the purpose of a casino".

(our emphasis)

The proposed MUEF would be classified as "complementary development" within the meaning of SEPP 41 and therefore the proposed development is permissible pursuant to SEPP 41. The proposed modification of the approved ballroom will allow for better achievement of the above objects.

6.1.6 State Environmental Planning Policy (Infrastructure) 2007

SEPP Infrastructure provides a mechanism by which the Roads and Traffic Authority (RTA) is given the opportunity to comment on the impact of development proposals that meet certain criteria relating to potential traffic generation.

The subject proposal will not require this referral as it will not result in:

- Increased gross floor area greater than 4,000m² of shops / commercial premises; or
- Car parking for more than 200 vehicles.

6.1.7 State Environmental Planning Policy 55 (Remediation of Land)

SEPP 55 includes state-wide planning controls for the remediation of contaminated land. SEPP 55 requires that contaminated land be remediated before it is developed in accordance with the provisions of the policy.

It is assumed that reference to this EPI relates to the switching station site, the subject of the original application MP_0898, which was contaminated but has since been remediated.

As the land on which the MUEF, and other modifications will be situated is not contaminated it is considered that further assessment of SEPP 55 is not required.

6.1.8 State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007

This policy provides that development consent is required to use a building as a place of public entertainment.

Under the SEPP, the following matters are to be taken into consideration prior to the granting of consent for a place of public entertainment:

- (a) the maximum number of persons who should be permitted to be in the part of the building used as a place of public entertainment at any one time while entertainment is being provided and how that number should be monitored,*
- (b) the principles for minimising crime risk set out in Part B of the Crime Prevention Guidelines,*
- (c) any adverse impact on persons in the vicinity of any noise likely to be emitted as a result of the use of the building as a place of public entertainment and any proposed measures for limiting the impact,*
- (d) whether the hours during which the building is used as a place of public entertainment should be limited,*
- (e) any parking or traffic impacts likely to be caused as a result of the use of the building as a place of public entertainment,*
- (f) whether the use is proposed to be carried out on land that comprises, or on which there is:*
- (g) an item of environmental heritage that is listed on the State Heritage Register, or that is subject to an interim heritage order, under the Heritage Act 1977, or*
 - (ii) a place, building, work, tree, relic or Aboriginal object that is described as an item of environmental heritage or as a heritage item in another environmental planning instrument, or*
 - (iii) land identified as a heritage conservation area, an archaeological site or a place of Aboriginal heritage significance in another environmental planning instrument.*

In relation to the above matters for consideration:

- The maximum number of persons proposed will be 3,000 people (seated) or 4,000 people (standing) and this is described in detail in Section 4.1 above.
- The Crime prevention principles have been addressed by the CPTD report included as **Appendix O**.
- The potential acoustic impacts have been addressed by the Acoustic Report included as **Appendix M** and discussed in Section 6.11 below.
- The hours of operation proposed will be determined in advance on an individual basis before the event.
- The proposal being a modification to the existing approval will not impact on any items of heritage or archaeological significance.

6.1.9 Ultimo-Pyrmont Section 94 Contribution Plan

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

- Gaming and Entertainment: \$123.7/m² site area
- Retail and Restaurant: \$113.80/m² of gross floor area
- Hotel (based on 5 star): \$4,721.00/room

The proposed modifications will result in a reduction of gross floor area and therefore, the developer contributions contained in Condition B12 of the approval will therefore remain unchanged.

6.1.10 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is not zoned under this plan, but is identified as being within the "Foreshores and Waterways Area". The proposed development is not of a type listed at Schedule 2 that requires referral to the Foreshores and Waterways Planning and Development Advisory Committee.

The relevant matters for consideration provided at Division 2 of the Plan are as follows:

“Foreshore and waterways scenic quality

The matters to be taken into consideration in relation to the maintenance, protection and enhancement of the scenic quality of foreshores and waterways are as follows:

- (a) the scale, form, design and siting of any building should be based on an analysis of:*
 - (i) the land on which it is to be erected, and*
 - (ii) the adjoining land, and*
 - (iii) the likely future character of the locality,*
- (b) development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries,*
- (c) the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores.*

Maintenance, protection and enhancement of views

The matters to be taken into consideration in relation to the maintenance, protection and enhancement of views are as follows:

- (a) development should maintain, protect and enhance views (including night views) to and from Sydney Harbour,*
- (b) development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items,*
- (c) the cumulative impact of development on views should be minimised”*

These matters are specifically addressed in relation to ‘Visual Impact’ at Section 6.3.

The following guidelines for land-based development are relevant to this proposal:

“Siting of Buildings and Structures

- Buildings should address the waterway;*
- Buildings should not obstruct views and vistas from public places to the waterway;*
- Buildings should not obstruct views of landmarks and features identified on the maps accompanying the DCP*

Built Form

- Buildings and other structures should generally be of sympathetic design to their surroundings; well designed contrasts will be considered where they enhance the scene.*
- Where would be of contrasting scale or design to existing buildings, care will be needed to ensure that this contrast would enhance the setting;*
- Bright lighting and especially floodlighting which reflects on the water, can cause problems with night navigation and should be avoided. External lights should be directed downwards, away from the water. AS/NZ1158.3:1999 and AS4282:1997 should be observed.*
- Use of reflective materials is minimised and the relevant provisions of the BCA are satisfied;*
- The cumulative impact of development along the foreshore is considered having regard to preserving views of special natural features, landmarks or heritage items.”*

As detailed throughout this assessment, and specifically in the visual impact assessment at Section 6.3, the proposed modification has been designed to be an attractive addition to the podium of the casino building which will complement the Pirrama Road frontage whilst not being visually obtrusive.

The proposal has been designed in sympathy to the scale, form, design and siting of surrounding buildings, including various heritage items, and will enhance the visual qualities of the harbour foreshore.

6.2 Architecture and Urban Design

The DGRs require consideration of the proposed urban design of the proposed development as follows:

2. Urban Design

- Analysis of proposed bulk and scale of the modification against the existing bulk and scale of surrounding development.
- Provide details on external treatment and finishes, including a materials samples board.
- An analysis of the proposal should include existing topography, bulk and scale of existing casino, building heights, view corridors and streetscape and entry points/access arrangements.
- Detail alterations to service arrangements and new plant and equipment.
- Include the proposed patron capacity (e.g. seating, standing, staff levels) of the ballroom and pre-function area during all event modes (e.g. function mode, concert mode) and whether capacity is limited.
- Include details on the increase in the site area and gross floor area.

Fitzpatrick and Partners have provided a design statement to address the proposed urban design and architecture of the proposed MUEF and the above DGRs are addressed therein:

“The proposed Multi Use Entertainment Facility (MUEF) is located on Podium Level 04 of the existing Star City Casino complex in Pyrmont. It is to be of the highest international standards and is to be an adaptable and flexible venue capable of hosting a wide variety of different entertainment events including concerts, conferences and gala balls.

Approximately 60m by 30m, it is to be located in the same position as the existing ballroom facility and utilises much of the existing support infrastructure including kitchens, offices, stores and lobby areas.

Recent market and customer analysis by Tabcorp revealed a need for a significant new live music venue as a part of their entertainment programme. Following a period of design feasibility, it was found that the best approach was to expand the approved ballroom design to include a taller ceiling height, allowing for international live rock concert acts to perform. In addition, it was clear that the same facility would also need to operate effectively as a ballroom and conference venue, suitable for corporate events. For the project to be economically feasible, it had to allow for 3000 seated patrons in concert mode, and 1500 people in ballroom mode.

The result was the multi-use design concept, allowing a flexible venue that could accommodate both modes quickly and efficiently with minimum turnaround times – a first for Sydney.

The existing rooftop site location was subject to a number of design constraints, all of which had to be carefully incorporated with a complex and technically challenging client brief:

- *To the north there was an existing 2m deep by 24m long reinforced concrete beam that could not be moved or modified (as it was holding up the hotel tower above). To the west there were limitations with the existing hotel swimming pool and associated infrastructure.*
- *To the south there were a number of existing columns that could be used to support the massive weight of the facility (equivalent to a 15 storey office block) with minimal disruption*

to the existing levels below, including the main gaming floor and the recently completed sports bar.

- To the east, there was an existing view corridor from the neighbouring apartments that had to be maintained. The decision was made very early that this was a key consideration of the design, and that the existing expanded ballroom footprint was to be maintained with the expansion to be vertical rather than horizontal.
- Vertically, it was essential to achieve a clear internal height of 12m above the finished stage level (1.5m above floor level) plus a 3m zone of long span structure, services and acoustic roofing.

The result was fundamentally a rectangular box which, by chance, was the perfect proportion for a flexible multi-use events centre. This simple box element was then refined into a more resolved and softened form by applying a radius to each corner, creating a form that settles into the site context more successfully along side the adjacent curved towers, canopies and fly-towers, all of which create a unified roof-scape consistent to the design ambitions of the original casino master plan.

The acoustic performance of this venue has been analysed in great detail with the intention to reduce an internal level of up to 112dba down to the existing external ambient noise level with zero noise impact upon neighbouring properties. This may be achieved through the ingenious use of a double walled envelope with a significant internal air gap. This system is being further refined in collaboration with specialist acousticians, structural engineers and facade consultants.

The acoustic walls can then be independently treated with an external architectural finish that explores the possibilities of structural expression, form and artificial lighting. The design reveals the structural forces required to hold the building up over three existing levels. Using parametric design software, the structure has been fragmented into a series of expressed truss forms which are revealed as a triangular pattern on the building facade. The resulting infill panels can then be lit from within to create a soft glow in contrast to the structure which frames them.

Internally, these concert hall and conference fit-out is being designed and developed by specialist consultants – Sceno Plus from Montreal – who have recently completed similar venues in Canada and the United States.

The Back of House areas from the existing ballroom are to be upgraded, adapted and expanded to accommodate the wider variety of uses. The existing kitchens are to be fully refurbished, and additional toilet facilities (beyond the base requires of code) are to be provided. Storage, support services and goods handling is to be located within the existing unused showroom fly-tower with direct undercover access into the rear of the auditorium. New lifts and fire stairs are also to be provided.

There are a number of complex design challenges involved with placing a venue of this quality five levels above street level, over an existing completed building. Principally, structural integration with the existing systems is a large component of the scheme with requirements for a number of transfer structures, trusses braces and cantilevers. Whilst these have been solved in principle, items will be further refined during the design development phase of the project.

In addition, internal circulation patterns have been addressed through the successful concentration of vertical escalator transportation within the central glass cone element which was a key ambition of the whole development. New escalators transport patrons from the existing level 2 lobby up to the roof top fully undercover within a new single level glass donut shaped pre-function staging area which wraps itself around the existing glass cone. There is direct access from this space into the events facility via a bank of new escalators nestled into the rear corner.

Seen as a composition, the two new primary building elements will be complementary through their contrasting materials, transparency and forms – the pre-function building being curved, light, transparent and animated, the MUEF being solid, reflective and angular.

This venue will be a culturally significant addition to Sydney's entertainment offering at it fills a gap in the large variety in venue sizes and locations. With its state of the art technology, design and flexibility, it is anticipated to attract the best international performers and acts, bringing a new vitality to both the city of Sydney and to New South Wales."

6.3 Visual and View Impacts

The DGRs require consideration of the proposed view impacts of the proposed development as follows:

3. View Impacts

- *Visual impact assessment is necessary. An appropriate methodology for conducting an appropriate visual impact assessment is detailed as follows:*
- *The consultant's methodology should be explicit. This shall include flow-chart indicating how the analysis is to be undertaken, or a narrative description of the proposed sequence of activities.*
- *As part of the methodology, explain the criteria for assessment relevant to the site, local context and proposed built form. A rationale should be provided for the choice of criteria. Criteria must include reference to the planning framework.*
- *Visual catchment should be defined and explained (see below).*
- *An assessment matrix should be produced including number of viewers, period of view, distance of view, location of viewer to determine potential visual impact – i.e. high, medium or low.*
- *Potential visual catchments and view locations, including contours (areas from which the development is visible) should be identified.*
- *Categories of views (e.g. from the water, from public open space, from key streets, from main buildings, from affected residencies) should be defined.*
- *Photos are required for representative view categories, plotted on a map.*
- *Provide key plan indicating where viewpoints are located and narrative explaining why these have been selected.*
- *The modified and approved built form should be illustrated in the context if the visual catchment to enable assessment of the visual impact.*
- *The location of the cross-sections should be clearly shown on a key plan and the choice of positions explained. The cross-sections should be shown in the context of the visual catchment.*
- *Vertical exaggeration should provide an accurate rather than 'flattened' impression of the buildings in the context of the visual catchment.*
- *A key plan must be provided for photomontages. In addition, the choice of locations should be explained. Photomontages should be provided for close as well as distant views.*
- *Assessment must benchmark against the existing situation and currently approved plans.*
- *Photomontages to be provided for key viewpoints from all directions, and from several positions within the visual catchment.*
- *As above, support visual evidence such as cross sections to be drawn to realistic scales and shown in context.*

A Visual Impact Assessment of the project has been prepared by GM Urban Design & Architecture (GMU Design) and addresses the visual and view impact points raised by the relevant DGR above (refer **Appendix I**).

The visual impact assessment finds that the visual impact of the proposed MUEF is acceptable from the public domain and the long distance, middle distance and immediate views to the site will not be compromised.

The findings of the report in relation to identified significant views to the site are summarised below:

"The visual assessment considers the potential impact of the proposed massing of new Multi-Use Entertainment Facility from distance, middle views and immediate and private amenity views within the surrounding context. The impact considers not only the Casino as it stands today but also the approved envelope for the podium extensions that have been supported by the Department in the current Part 3A Approval. The areas analysed include:

- *Long distance views including the western and north western fringe of the Sydney CBD and Millers Point with the most prominent views occurring along Erskine Street and the foreshore edge of the future Barangaroo towards the northern end of Millers Point.*
- *Middle distance views including the foreshore edge of the CBD with the most prominent views occurring from King Street Wharf near the termination of Erskine Street and King Street.*
- *Immediate views along Pyrmont Road, Pirrama Road, Pyrmont Bay Park, the foreshore boardwalks and the heritage walk near Jones Bay Road, Jones Bay Road itself and Darling Island Road near Wharf Crescent with the most prominent views occurring from the heritage walk, Darling Island Road and the foreshore boardwalks.*
- *Private views for the residential apartment building that is located at 2 Jones Bay Road immediately to the north of the proposed facility. The impacts on these views for the existing apartments facing south east will be considerable.*

The visual assessment shows that the proposal will generally have either no impact or a low and acceptable impact when viewed from:

- *Erskine Street corridor*
- *Millers Point*
- *Hickson Rd/High St*
- *King Street Wharf along its length*
- *Pyrmont Street*
- *Pirrama Road*
- *Pyrmont Bay Park*
- *Jones Bay Road*
- *Darling Island Road and Wharf Crescent*
- *The foreshore boardwalks*

The assessment shows that the proposal will have medium but acceptable impact for views from:

- *Heritage Walk*

The visual assessment shows that the proposal will have medium to high view impacts on the private views currently enjoyed by:

- *The existing residential apartment balconies and living areas for floors 3 to 8 facing south east at 2 Jones Bay Road.*

In conclusion the findings of the visual impact assessment show:

"that the proposal has no meaningful public domain view impacts and will sit comfortably with the existing built form and scale of Pyrmont. Its impacts are limited to the private views enjoyed from 2 Jones Street from levels 3-8 on the southern side of the building where the units currently enjoy city skyline views across the podium."

6.3.1 View Loss

In relation to view impact, the Visual Impact Assessment of the project prepared by GM Urban Design & Architecture (GMU Design) included at **Appendix I**, concludes that the view loss resultant from the proposal will be limited to the private views currently enjoyed by existing residential apartment balconies and living areas for floors 3 to 8 facing south east at 2 Jones Bay Road.

A discussion of the view loss to those apartments states that:

"The impacts on the apartment building occur due to the reduction in the existing view corridor available to these apartments over the existing podium structure towards the city skyline to the south east. In the majority of cases the impact will be to reduce the expanse of this view with the Centrepoint Tower either lost or partially lost in the views. All apartments do maintain some city skyline view.

The height controls for this portion of the site vary from 21 to 28m. The existing podium is below the 21m level so some loss of views for the lower units could be anticipated up to the 21m height. Further other existing and approved structures on the Casino already infringe on the 21m height control. Therefore infringements into this height plane have previously been supported by the department as part of the original master plan and further development applications for the site.

The proposal exceeds the 21m height control. The proposal introduces a height of RL 139.40 to the top of the roof. The height control applies to the underside of the internal ceiling which equates to an RL of 138.020 for the 28m height limit and RL 131.020 for the 21m height limit. The relevant height for comparison is therefore the proposed ceiling height which is RL 136.1. Therefore the proposal is compliant with the 28m height limit but exceeds the 21m height limit by 3.38m.

It is reasonable therefore to state that only a portion of the south eastern part of the facility creates a view impact beyond that which could be expected to occur given the allowable height i.e. the true impact is for the views that are further constrained above RL 131.020.

The envelope allowed under the existing Part 3A approval and the new plant enclosure, have both already reduced this view corridor. The approval of both of these incursions into the existing view corridor correctly places less weight on private views than public views and weighs up the benefits of a world class facility for Sydney against the personal impacts of additional built form. The Urban Development Plan which applies to this site does require view sharing for existing and future development. This suggests a balancing of both public and private interests in considering view impacts.

Given that this proposal still maintains a portion of skyline view including the landmark development at the MLC Centre the view for all reasonably affected apartments, it is considered that the proposal is a reasonable balance between private interests and the greater public interest of a world class facility in such a prominent public city location.

It is suggested that to ameliorate the impacts into the view for the lower floors that the service link between the main facility and service tower is kept as transparent as possible."

It is important to note that the largest extent of view loss to levels 3 – 6 would occur as a result of the those levels being well below the maximum permissible height for the casino building and therefore, whilst efforts have been maintain some part of the currently enjoyed views from those levels those views are temporary given the permissible height for the casino.

In conclusion, the visual impact assessment recommends some mitigation measures for the view loss to the relevant apartments at 2 Jones Bay Road as follows:

As discussed in the earlier sections the approved development for the Casino already reduces this available view particularly for the lower units and the units on levels 3-7 would be severely impacted even by a compliant development. The view impacts for all these units is mitigated by the design decision to leave a contained view corridor between the existing fly tower and the new facility that allows some city views to be maintained.

For these lower levels it is suggested that the proposed service corridor link be as transparent as possible to try and maintain lower unit views to the city. The greatest impact is to level 8 which is above the maximum likely height for a development and would reasonably not expect to have its views obscured. The impact for these top floor units is high so the impact on the private views of these 3 units needs to be weighted against the public benefit of such a facility for the city.

Mitigation measures are suggested for investigation including deletion of the parapet to the roof form to lower it as well as investigation into the reduction of the structural zone above the ceiling of the ballroom to lower the whole roof form if possible.

6.4 Overshadowing

Shadow diagrams have been prepared by Fitzpatrick + Partners to demonstrate the shadow impacts of the proposed additional building structure in December, June and March from 9am to 3pm. As can be seen below, the shadows fall within the Star City site and will not affect adjacent private properties or public domain areas during these periods.

Figure 16 – Shadow Diagram, 9.00am – 22nd June (Winter Solstice)

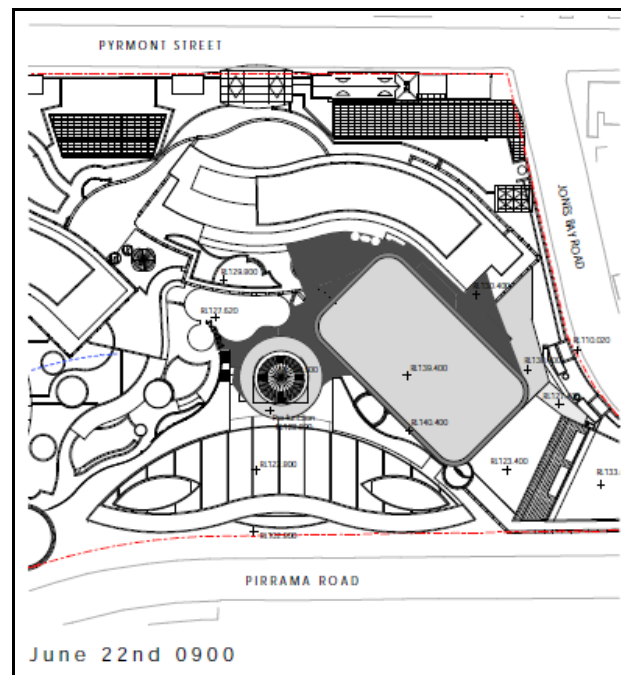


Figure 17 – Shadow Diagrams, 12.00pm Noon – June 22nd (Winter Solstice)

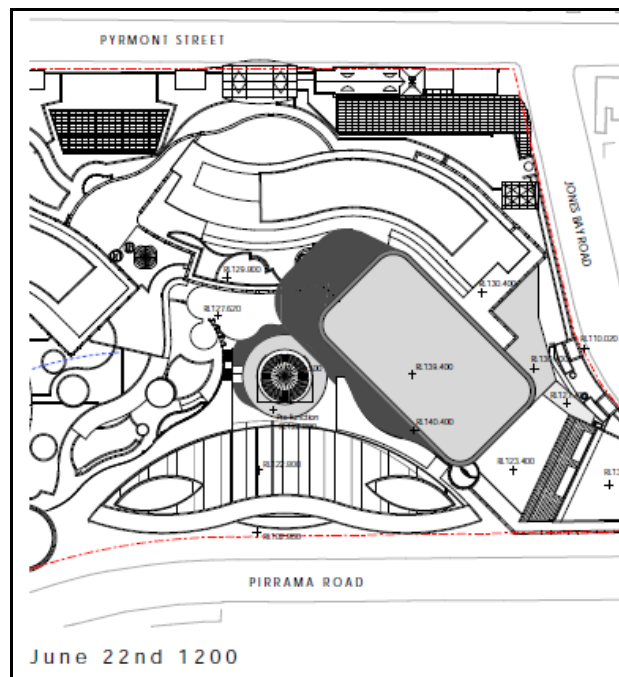
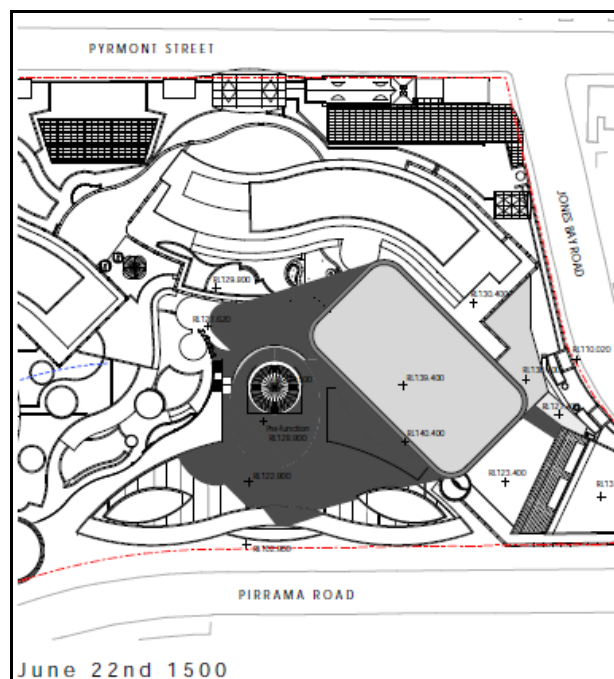


Figure 18 – Diagram, 3.00pm - June 22nd (Winter Solstice)



6.5 Reflectivity

The reflectivity levels associated with the proposed MUEF, and the pre-function area have been assessed in detail in the Draft Assessment of Solar Reflection of Facades report and the letter of Solar Reflection prepared by AECOM and attached as **Appendix S**.

A description of the proposed surfaces which may impact upon the levels of solar reflection is as follows:

“Pre-Function Space Façade:

The pre-function space is circular in plan with a glass façade which means the façade will consist of a series of vertical planes of glass with each consecutive plane changing in orientation. The angular changes in azimuth between vertical planes will be regular. Any one aspect will present only a small reflective area as each plane will be quite small in angular width relative to the observation locations. The result is that any one plane is very small in the field of view and therefore towards any one observation point the reflection will last for minutes only at that time of day and period of the year. However, as the sun changes apparent position the reflection may move to the adjacent plane of glass which from a distance will seem to be similar to the previous position which means the reflection from a general location on the façade may seem to last for a longer period of time.

A motorist at the junction of Pirrama Road and Edward Street facing towards Project Star is not able to view the pre-function space façade. A ferry operator approaching the public wharf adjacent the Accenture building and travelling directly towards Project STAR may be potentially affected at that point for a few minutes in the morning providing they are looking in that direction rather than looking at the wharf whilst docking. Pedestrians on the wharf would be exposed to the same potential solar reflection. If the ferry operator approaches the wharf in the opposite direction travelling in a loop before docking there is unlikely to be any effect.

Residents between locations Wharf 9 and part of Wharf 8 will experience flash from different plane aspects of the glass façade of the pre-function space for a few minutes towards any one location in the morning at different times of the year.

MUEF Facade:

The proposed façade will be opaque material of metallic appearance, tessellated pattern and matte reflective finish. The rectangular plan of the MUEF has rounded corners the sum of which provides a diversity of azimuth planes further complicated by the tessellated panels producing a complex arrangement of orientations to analyse. However, as the finish is proposed to have matte characteristics, a matte surface produces virtually equal reflection in all directions which means the orientation of any one panel and the angle of incidence of direct sunlight will not produce the reflected brightness and or potential reflected glare that a semi-specular (semi-gloss) or specular (gloss) surface would produce. Towards any one observer location the tessellation will produce different patterns of brightness and that pattern will also change with time as the sun moves creating visual interest. It is not anticipated that any matte surfaced opaque panel will produce disability glare by solar reflection.”

6.6 Transport and Accessibility

The DGRs require consideration of the proposed transport and accessibility of the proposed development as follows:

5. *Transport Management and Accessibility Impacts*

- *Details of daily and peak traffic movements likely to be generated, including impact on nearby intersections and the need, and associated funding, for upgrading or road improvement works (if required).*
- *Details of proposed access and parking provisions including compliance with the requirements of the relevant Australia Standards (i.e. turn paths, sign distance requirements, aisle widths, etc.).*
- *Proposed number of car parking spaces and compliance with the appropriate parking codes.*
- *Details of service vehicle movements including vehicle type and likely arrival and departure times and servicing requirements including swept paths for entry, exit and internal manoeuvring for the largest proposed vehicle that will service the site. Any swept paths for the public road must include all on-street car parking spaces being fully occupied.*
- *Impact on non-car travel modes including public transport use, walking and cycling, and the provision of facilities to increase the use of non-car modes for travel to and from the site.*
- *Provision of a Traffic Management Plan for all demolition / construction activities.*
- *Details of changes to pedestrian alignments and access points to the development site and associated impacts during construction and operation.*
- *Details of the potential impacts to access and manoeuvring in the bus interchange resulting from modifying the loading areas.*

6.6.1 Traffic and Parking

The traffic and parking implication of the proposed MUEF and pre-function area have been assessed in detail in the Traffic and Transport report prepared by ARUP and the above DGRs are addressed therein (attached as **Appendix K**).

The assessment includes the following recommendations:

Existing Commitments

Recommendations made in the Arup Transport Report still remain:

- *Mainly to monitor the parking situation both on site at Star City and surrounding parking areas, controlling parking usage with modifications to pricing if required.*
- *Reinforce sustainable transport measures mentioned in the Transport Report such as proposed Light Rail Extension services and pedestrian facilities.*

Parking strategy

- *Investigate Subsidies for offsite parking*
- *Investigate Free or subsidised Shuttle buses to off-site car parks*
- *Advertise the Light Rail connection from Convention Centre Car park*

- Investigate “early bird” of preshow dinner parking schemes to encourage early arrival and off-site car parking
- Maintain remote coach parking and layover, as existing
- Review of parking charges, with a view to reducing average parking duration of stay in peak periods for non-essential parkers.

Green Travel Incentives

- Investigate additional bike parking for staff and customers
- Investigate subsidies for public transport use for staff and customers
- Implement encouragement programs for “healthy lifestyle” programs such as Walk to Work Day, Walking buses for staff
- Investigate Car Pooling Incentives and Programs, particularly for staff
- Maintain excellent, clean, safe, well-lit Pedestrian Facilities
- Investigate Free Star City coaches from suburban regions

The Assessment of the Traffic and Transport concludes:

The Proposed MUEF will increase traffic and parking generation, but within the capacity of the existing and proposed traffic and parking facilities. Recommended works and measures will improve the overall performance of the multi-modal transport system.

6.6.2 Accessibility

The accessibility of the proposed MUEF and other modifications has been assessed in detail in the Access Review prepared by Morris-Goding Accessibility Consulting and is attached as **Appendix Q**.

The accessibility assessment includes the following conclusion:

“The development has been reviewed to ensure that ingress and egress, paths of travel; circulation areas and sanitary facilities comply with relevant statutory guidelines.

In general, the development has accessible paths of travel that are continuous throughout. In line with the reports recommendations, the proposed development has demonstrated a reasonable degree of accessibility. The Development Application drawings indicate that compliance with statutory requirements, pertaining to site access, common area access, and accessible sanitary facilities, can be readily achieved.”

6.7 Social and Economic Impact

6.7.1 Economic Impacts

An assessment of the likely economic impacts of the proposed facility, in terms of visitor expenditure, output, employment, wages and impacts on local businesses has been undertaken by Urbis and is attached under **Appendix J**. As part of the assessment, existing gaps in the market between Sydney and other major cities in Australia, primarily Melbourne were identified where it was concluded that Sydney currently experiences a loss in market share due to a limited venue range in type and capacity size for business events and live performance events.

The facility is proposed to accommodate the above types of events:

- Business events – comprising corporate meetings, gala dinners, conventions, exhibitions and incentive travel reward program events.
- Live performance events – comprising music, theatre, festivals and dance.

The key findings of the assessment of the current market relating to business events and live performance events are:

“Business Events Market

Business Events generate significant economic benefits for host destinations. Increasing the value of Business Events to New South Wales can primarily be achieved by hosting more and / or larger events that attract visitors from interstate and overseas. This is because expenditure by local event participants is relatively static, and market share is simply distributed across local business event service providers. To this end, our assessment focuses on the value generated by events which attract interstate and international visitors to New South Wales.

There were 7.3 million international and domestic Business Event travellers to Australia in 2008. New South Wales was the most popular Business Event destination, attracting 2.6 million travellers (36%). Melbourne and Brisbane were the next most popular markets, both attracting 1.6 million travellers (22%).

These interstate and international business event visitors spent \$5.7 billion on event registration and other items including, accommodation, food and drink, transportation and entertainment. New South Wales captured an estimated \$1.94 billion (33%) of this expenditure. Victoria and Queensland captured 22% and 20% of expenditure respectively.

Whilst New South Wales is currently the largest Business Events market in Australia it has actually lost market share to Victoria and Queensland since 2003, when market share was at an estimated 40%. New South Wales’ (Sydney’s) market share is also diminishing at the international level, and it’s ranking as an international Business Events destination fell from 17 in 2005 to 24 in 2009.

New South Wales’ (Sydney’s) loss of market share at the national and international level has been largely attributed to the lower rate of development of Business Event venues compared to other markets. This view is captured in numerous reviews of Sydney’s Business Events infrastructure.

For example, the banquet style event capacity of Sydney’s largest business event venue – the Sydney Convention and Exhibition Centre – is smaller than the largest Business Event venues in Melbourne, Adelaide and Perth; and the classroom style capacity ranks eighth out of the largest Business Event venues in the 14 competing markets.

Based on a detailed review of Business Event venues in Sydney and Melbourne – Sydney’s major competitor – the major gap in Sydney appears to be venues located in or near the CBD which can accommodate more than 800 people in a banquet style format. Sydney has 11 such venues with a combined banquet seating capacity of 16,250; Melbourne has 18 comparable venues with a combined seating capacity of 42,850.

Significant investments in Business Event infrastructure are being made throughout Australia by both the public and private sectors, in efforts to capitalise on the economic value of Business Events. The value of planned and commenced development for the period 2008 to 2010, as documented by Business Events Australia in its October 2009 New Business Events infrastructure report was \$8.1 billion – with \$873 million of this attributed to convention centres. Interestingly, none of this investment occurred in NSW – though we note that in May 2010 the NSW Government announced plans to increase the Sydney Convention & Exhibition Centre’s capacity. An initial \$1 million in Government funding has been allocated for development of a Masterplan for the expanded facility.

In addition to significant Government investments in Business Event infrastructure, other recent initiatives also demonstrate the Federal and State Governments’ increased level of support for the Business Events sector. Examples of such initiatives include establishment of dedicated Business Events marketing bodies, increased marketing budgets and development of a national Business Events Strategy.

Live Performance Market

A study commissioned by Live Performance Australia (LPA) – the peak body for the Live Performance industry in Australia – revealed that in 2008 Australia’s Live Performance sector generated \$1.88 billion in revenue and supported 13,800 full time equivalent jobs.¹

In 2008 New South Wales had the largest Live Performance market accounting for \$734.1 million of national industry revenues. Victoria was the next biggest market, with revenues of \$542.6 million.

Non-classical (contemporary) music events generated by far the most revenues, followed by musical theatre and classical music. The MUEF at Star City would be well equipped to accommodate these types of Live Performance events.

Compared to Melbourne, Sydney has a high provision of large ‘stadium’ format venues, but a significantly lower provision of smaller, theatre style venues with seating capacity in the range of 1,000 to 6,000 – Sydney has 11 such venues with combined seating capacity of 23,700, while Melbourne has 14 comparable venues with combined seating capacity of 32,200.

Moreover, Melbourne’s venues are comparatively more concentrated, resulting in agglomeration of activity, and the presence of a so-called ‘entertainment precinct’. Sydney’s venues are more dispersed and achieve a comparatively lower level of activity agglomeration.

Several studies on Sydney’s Live Performance market note a reduced provision of live performance venues in Sydney and the role that this has played in restricting the industry’s growth.

Having regard to the proposed facility, the economic impacts of the proposal are assessed to be positive and will achieve:

The proposed MUEF at Star City would contribute toward addressing Sydney’s constrained supply of Business Event venues with a banquet seating capacity of at least 800, located near the CBD; and custom built live performance venues with theatre seating capacity of between 1,000 and 6,000.

Real economic value would be generated as a result of the MUEF increasing Sydney’s capacity to host more/larger events that attract visitors from interstate and overseas. We have assessed the economic benefits of the MUEF on this basis, only taking into account additional interstate and international expenditure that New South Wales would capture as a result of the MUEF, as opposed to domestic expenditure which is redistributed within the state.

The actual construction of the facility would generate an estimated \$280 million in additional output and \$81 million in additional wages, and would support approximately 1,247 full time jobs throughout the period of construction. These impacts would be realised throughout all industries of the economy.

Once operational, the facility would generate an estimated additional \$758.3 million in output and \$246.5 million in wages annually, and would support an additional 3,792 full time equivalent jobs. To clarify, this is the additional value that would be generated by the MUEF, above and beyond what is currently generated by the existing Star City ballroom. These economic impacts incorporate direct and indirect impacts, and therefore they would be realised throughout all industries of the economy.

Increased interstate and international visitation resulting from the MUEF would drive demand for an estimated additional 877,655 hotel room nights annually. This is equivalent to approximately 3.5% of hotel room nights currently available in Sydney. Therefore, the MUEF could drive a 3.5% increase in average hotel occupancy rates across Sydney.

Additional retail expenditure generated by additional interstate and international visitors would be in the order of \$90 million annually, while an estimated additional \$56.3 million would be spent by the extra visitors on transport services, including public transport, taxis, airlines, and care hire services.

Given existing under-provision of venues, we do not expect that the MUEF would have an adverse impact on existing venues – rather, we expect that it would contribute to Sydney increasing its share of the national Business Events and Live Performance markets, attracting additional events which can not currently be accommodated due to space limitations. In order for the MUEF to have a zero impact on existing venues, Sydney would need to increase its share of the Business Events and Live Performance markets (combined) by an estimated 2-3%. This seems very achievable, considering that in 2003 Sydney's (New South Wales') share of the national Business Events market was 6% higher than it currently is.

Considering that purpose-built Convention facilities are generally funded by State Government's, the estimated \$100 million investment by Tabcorp represents a potential saving of public funds which might otherwise need to be invested in a new venue if the Star City MUEF were not developed."

6.7.2 Social Impacts - Social Impact Assessment (SIA)

A Social Impact Assessment (SIA) has been prepared by Urbis in relation to the proposed MUEF and is included as **Appendix M**.

The methodology adopted by the SIA has included the assessment of the socio-demographic profile for the area, review of the relevant state and Council strategies and policy documents, assessment of relevant studies relating to traffic and parking, visual impact, mobility and access and acoustics and assessment of the potential social impacts resultant from the redevelopment.

The assessment concludes that the proposed MUEF will result in range of beneficial social impacts and some other impacts which will require management through mitigating measures.

The beneficial social impacts identified include:

- *"Provide a state-of-the-art venue that provides a diverse range of social, cultural and entertainment facilities for the wider community*
- *Provide increased activity on the subject site during a longer period of the day thus increasing passive surveillance and safety and security to the immediate vicinity particularly the car park area*
- *Provide a significant stimulus to the local economy, with the potential to create a range of employment opportunities for members of the local community."*

The following mitigation measures are suggested for the MUEF design and management to maximise the positive benefits and minimise the potential negative impacts:

- *"Consideration of future consultation with local residents, community groups and key stakeholders*
- *Ensure the visual impacts of the development on neighbouring residential buildings is adequately addressed*
- *Provide adequate lighting, noise minimisation devices and appropriate security and safety measures*
- *Provide adequate information for patrons on access routes and emergency exits*
- *Ensure the appropriate level of public transport continues to be easily accessible and available to patrons*
- *Ensure traffic impacts resulting from an increase in vehicle movements within and around the site are adequately addressed.*

Overall, it is considered that the proposed MUEF will have a positive social impact not only the area but the greater community by providing a tourist destination and desirable cultural destination and the social impact assessment observes the following conclusion:

“Overall, we believe that the proposed redevelopment of the MUEF at Star City Casino will have limited social impacts on the immediate, local or wider community. Ultimately, it is considered that the proposed development has the potential to bring significant benefits to the community subject to further consultation, good management, lawful practice and the licensee’s attention to the duty of care. Star City Casino is a social, cultural and entertainment precinct for local residents, regional and interstate visitors. The proposed MUEF development seeks to provide an improved function and theatre space within a revitalised Star City complex.

While extensive consultation was undertaken in accordance with the Department’s Major Project Community Consultation Guidelines October 2007 as part of the original Part 3A application for Star City Casino (2008), we believe further consultation would be desirable and would assist in implementing the recommendations included in this report.”

6.7.3 Crime Prevention through Environmental Design Report (CPTED)

A Crime Prevention through Environmental Design Report (CPTED Report) has been prepared by Urbis in relation to the proposed MUEF and is included as **Appendix N**.

The CPTED assessment has been undertaken through out the design development of the MUEF in order to influence the design the building by:

- *“Increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture*
- *Increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended*
- *Reducing the potential rewards of crime by minimising, removing or concealing ‘crime benefits’*
- *removing conditions that create confusion about required norms of behaviour.”*

The methodology adopted by the CPTED assessment has included:

- *“Review of key literature on CPTED and analysis of the applicability of this literature to the proposed MUEF*
- *Progressive review and input of the proposed plans and design with consultant team*
- *Collection and analysis of local and NSW state crime statistics from the Bureau of Crime Statistics and Research (BOSCAR)*
- *A safety audit including an assessment of the proposed design, to identify security and safety measures to increase community safety*
- *Conduction of a safety audit in the current NSW policy and practice environment involving consideration of the following regulation and assessment principles:*
 - *CPTED principles endorsed by NSW Police*
 - *Section 79C of the NSW Environmental Planning and Assessment Act, 1979 (EP&A Act), which includes guidelines for the consideration of safety issues in the development approvals process*
 - *NSW Department of Urban Affairs and Planning’s Crime Prevention and the Assessment of Development Applications (2001).”*

The assessment concludes that various design measures are considered necessary to ensure safety and conform for patrons to the MUEF, including the following key recommended design measures:

- *“Maintenance of clear and prominent signage that provides patrons with important information and guidance*
- *Consideration of use of adequate lighting within and around the complex*

- *Continuation of after hours management measures (ie CCTV, roving security patrols) to address potential loitering or malicious damage to property*
- *Use of robust materials be used in finishes to mitigate against potential malicious damage*
- *Use of traffic control personnel at the main entries and exits to marshal pedestrians during peak times or events.*

Further to the above recommendations, the CPTED assessment has advised:

“that a sufficient consultation process be undertaken to include the Local Area Command. The consultation process is both desirable and considered to be standard industry practice to allow complete recommendations as part of this CPTED assessment.”

6.8 Utilities

The DGRs require consideration of how the proposal will be serviced by utilities as follows:

6. Utilities

- *Consider how the modifications can be satisfactorily serviced for utilities and green infrastructure services such as the supply of potable and no potable water, sewerage, stormwater, gas and electricity.*

The proposed modifications will be satisfactorily serviced for utilities and green infrastructure and the Hydraulic Services Report prepared by the SPP Group dated the 7th October discusses the servicing details in this regard included as **Appendix O**.

6.9 Ecologically Sustainable Development

The DGRs require consideration of the ESD principles adopted by the proposed development as follows:

7. Ecologically Sustainable Development (ESD)

- *Identify how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the modifications.*
- *Address water quality management for the site including an “Integrated Water Management Plan” to include any proposed alternative water supply, proposed end uses of potable non-potable water, demonstration of water sensitive urban design and any water conservation measures.*

The ESD principles and targets are included in the ESD report prepared by Cundall and the above DGRs are addressed therein (refer **Appendix P**).

A summary of the key findings of the ESD report are as follows:

During the detailed design process the following ESD initiatives will be considered for inclusion in the design of the facility:

ESD Strategies

The key strategies to be developed for improving the building’s environmental performance include:

1. *Energy consumption reduction by optimising the building fabric, façade and HVAC(Heating Ventilation Air Conditioning) systems*
2. *Encouraging responsible energy management and waste management practices*
3. *Minimising Greenhouse gas emissions*
4. *Avoiding the use of ozone depleting substances*
5. *Minimising mains potable water consumption and harvesting rainwater for non-potable applications such as toilet flushing*
6. *Provision of a high quality of indoor environmental quality for guests, a thermally comfortable environment with good air quality and low levels of indoor pollutants*
7. *Environmentally responsible material selection*

To develop the ESD strategies further the following ESD targets and initiatives will be considered:

ESD Targets

The design of the new multi use entertainment facility will aim to achieve the following targets:

Energy:

1. *30% reduction in energy consumption in relation to a “base case” conventional design approach. This will be achieved by targeting a low energy design approach to the building fabric and HVAC (Heating Ventilation Air Conditioning) design.*
2. *A metering and sub metering strategy to monitor and track energy consumption. Provision for the sub-metering of lighting power, small power, HVAC power, Comms power and any other significant building system power consumption. The metering strategy is to incorporate the development of an Energy Management Plan (EMP) to continuously track and monitor the building energy usage and aim to carry out annual energy audits to target energy saving measures.*
3. *Utilisation of energy efficient light bulbs for the base build lighting systems.*

Regarding the water quality management for the site, the proposal will adopt the following water management principles:

Stormwater Harvesting

Use of the existing stormwater harvesting and recycled water system is proposed for the development. The recycled water from the system is being considered to supplement the greywater recycled system (currently under construction for Project Star) for toilet flushing & urinal flushing.

The 225 m³ existing stormwater harvesting tank that is located within the car park and receives rainwater run-off from the approximately 35% of the site was decommissioned 10 years ago due to occupational health and safety issues in maintaining the tank.

The reuse of the stormwater harvesting tank shall be investigated to supplement the recycled grey water system. It is proposed that the existing stormwater harvesting tank shall be used as a collection tank with harvested water transferred via water treatment plant to the treated greywater storage tank. This will result in reduced power consumption when stormwater is available instead of the power consuming greywater filtration plant.

Water shall be treated to Grade A+ quality for flushing and has been discounted for surface irrigation due to the potential health risks. This treatment would consist of multi-medium filtration using zeolite and UV disinfection.

Greywater Treatment Plant

A greywater treatment plant is currently under construction as part of Project Star. The system consists of a Membrane Bio-Reactor (MBR) biological system which will be configured to reduce total nitrogen through intermittent aeration. Aerobic treatment will occur in an aeration tank fitted with fine pore aerators. The membranes will be located in a single cell outside the biological system, Membrane Operating Systems (MOS). The membranes in the MOS will be completely isolated from the biological system, to enable a clean, maintenance-friendly and odour-free membrane cleaning process.

The filtrate from the MOS will be further treated with chlorine dosing or equal approved alternative. The treated water will be monitored for authority compliance and will not be delivered for re-use if outside the water quality specifications. The treated water will flow to a break tank where it will be used for toilet & urinal flushing.

The recycled grey water shall be extended to the Multi Use Entertainment Facility for toilet and urinal flushing.

Water Efficient Tapware

Potable cold water consumption for the proposed development can be further reduced via the installation of water more efficient fixtures and tapware. Fixtures and tapware selections for the proposed development will be selected to meet the following criteria;

- WELS 4 Star rated toilets, having an average volume per flush not more than 3.3 litres.
- WELS 5 Star rated urinals, having an average volume per flush not more than 1.0 litre.
- WELS 5 star rated tapware, having a flow rate of not more than 6.0 litres per minute.
- WELS 3 star rated showers, having a flow rate of not more than 9.0 litres per minute.

6.10 Noise Impacts

The DGRs require consideration of the noise impacts of the proposed development as follows:

6. Noise Impacts

- *Noise impact assessment is required to be undertaken. It should demonstrate that the proposed modifications will be designed, constructed, operated and maintained so that there is no unacceptable level of noise impacts on amenity in the locality and should include:*
 - *the identification of noise receivers potentially affected by the proposal;*
 - *the selection of a suitable assessment criteria from an appropriate Australian Standard, DECCW Guideline or similar document recognised by the acoustic consultants' profession;*
 - *assessment of the existing acoustic environment at the receiver locations in accordance with AS1055-1997 'Acoustic – Description and Measurement of Environmental Noise' and current DECCW Guidelines;*
 - *the identification of future and/or existing operations from the proposed use giving rise to the emission of noise and prediction of resultant noise at the identified receiver locations. The method of noise prediction shall be justified and include an evaluation of prevailing atmospheric or other conditions that may promote noise propagation; and*
 - *a statement that the proposed use is capable of complying with the design criteria together with details of any necessary acoustic control measures that will be incorporated into the development or use.*

The noise impact of the proposed MUEF and pre-function area have been assessed in detail in the Acoustic Impact report prepared by AECOM and the above DGRs are addressed therein (attached as **Appendix L**).

As the proposal is for a large multi-use venue during performance times or functions there is the potential for an increase in noise and vibration emission and noise and vibration intrusion.

The temporary sources of noise and vibration will relate to construction and additional traffic during the construction phase. The ongoing sources of noise and vibration will relate to internal noise levels in the venue generated by air conditioning and mechanical ventilation, environmental noise generated by patrons, activities within the multi-use venue and increased traffic related to the project and the operational noise resulting from the operation of the multi-use venue and the pre-function area.

The detailed acoustic assessment attached includes a range of recommendations to be adopted by the proposal in order achieve acceptable levels of noise and vibration emissions internally and externally.

6.11 Building Code of Australia

A BCA Capability Statement was prepared by Philip Chun Consulting and submitted with the project application for the redevelopment of the Casino. Philip Chun Consulting have prepared a BCA Capability Statement specifically addressing the impacts of the proposed modifications (see **Appendix H**).

The key finding of this assessment is provided below:

In relation to the existing fire engineering report there will be departures to the egress and smoke hazard management requirements of BCA. The existing fire engineering report prepared by AECOM is to be reissued with any additional items requiring justification as nominated in the above report prior to issue of a Construction Certificate.

It is proposed that the following (but not limited to) alternate solutions are to be compiled for the building works proposed:

- Compartment size will exceed the requirements of C2.2 i.e. large isolated building provisions to be considered
- Fire ratings of the Multi Use Entertainment Facility superstructure in unprotected steel reduced to 120/120/120 generically and nil in some areas.
- Fire ratings of Level 17 to be verified by structural engineer to ensure FRL 120/120/120 for the floor, internal walls and columns. Any departures to 120/120/120 FRL will be the subject of alternate solution.
- Fire separation to include glazed drenched components or fire curtain installation at level 03 overlooking void in lieu of fire rated walls.
- The aggregate exits from level 3 roof level will not be in accordance with the deemed to satisfy requirements of the Building Code of Australia for the populations to be sustained.
- Some points on the floors will fall outside the 20metres to a point of choice, the 40metres distance of travel to an exit and also exceed the distance of travel between exits of 60 metres.
- The complex will not be served by continuous fire stairs that lead directly to the street or open space.
- Smoke exhaust systems will vary from DtS provisions and not be installed in accordance with Specification E2.2b as following:
 - o Level 3 Multi Use Entertainment Facility and associated back of house areas

- o Level 17 Project Sky.”

In conclusion, the BCA assessment states:

“We have assessed the architectural building design to date and have reviewed the revised scheme with respect to the Building Code of Australia. The design is at a point where the inherent BCA philosophies have been checked and development consent can be sought. The finer details with respect to BCA 2010 compliance can be finalised prior to the issue of a Construction Certificate.”

6.12 Fire Engineering

A Fire Engineering Statement has been prepared by AECOM and is attached as **Appendix R** and includes the following statement:

With reference to the s75w drawings prepared by Fitzpatrick & Partners for the MUEF, we advise that the MUEF fire safety strategy will be developed to be consistent with that of new facilities under Project Star and the existing premises.

At this juncture, the following Alternative Solutions are proposed based on potential variations from the Deemed to-Satisfy (DtS) Provisions of the Building Code of Australia 2010 (BCA). The DtS variations will be based upon a BCA Compliance Report by the Certifying Authority, Philip Chun. The proposed Alternative Solutions will be formulated to comply with relevant BCA Performance Requirements for the Construction Certificate (CC) stage.

6.13 Developer Contributions

The DGRs require consideration of the required developer contributions for the proposal as follows:

7. Developer Contributions

- *Scope of developer contributions proposed.*

The proposed modifications will result in a reduction of gross floor area and therefore, the developer contributions contained in Condition B12 of the approval will therefore remain unchanged.

6.14 Community Consultation

The DGRs require consideration of community consultation for the proposal as follows:

8. Consultation

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

Extensive consultation activities were undertaken as part of the original Part 3A application for Star City Casino (2008) in accordance with the *Department’s Major Project Community Consultation Guidelines October 2007*. The collective community responses from the initial community consultation process have therefore informed the design of the proposed MUEF. Limited consultation has therefore been undertaken as part of this Section 75W modification submission.

7 Summary and Conclusion

The proposed MUEF represents a necessary alteration to the existing Star City Casino which will bolster the importance of Sydney as a cultural/entertainment centre, whilst respecting the relevant environmental and amenity considerations and presenting a modern yet sympathetic addition to the existing casino building.

The closure of the Star Theatre and the declining patronage levels to Star City Casino in recent years are the primary motivators for the alterations and additions to the casino and the casino revitalisation. Simultaneously a unique opportunity exists for Star City to provide an entertainment venue to service medium sized entertainment events and functions in Sydney. Currently there is an absence of such a venue in Sydney which is close to the city centre and highly accessible for visitors and tourists to the city. Accordingly this application for a multi-use entertainment facility (MUEF) seeks to fill the gap in the medium sized entertainment and function venue market and in doing so bolster the position of Sydney as a leading cultural centre by facilitating a broad range of cultural events and attract visitors and tourists to the city.

It is envisioned that the proposed MUEF will help boost the patronage levels to Star City Casino by the increased exposure of the casino due to the MUEF and the overflow of patrons into the casino from the MUEF. Further, the proposal will help increase the revenue stream resulting from the diversification of its business.

The design concept for the MUEF and the associated pre-function area includes a rectangular building with softened corners and a “exoskeleton” covering its form and an elliptical glass structure surrounding the existing glass cone central to the building podium. The proposed design will be a striking but appropriate addition to the casino podium, well suited to its context of the casino roofscape and the backdrop of the casino towers but sympathetic to the scale and design of the immediate area. The visual impact of the proposal will be satisfactory to all but a small number of private apartments to the north-west of the casino on Jones Bay Road and overall as stated in the Visual Impact Assessment *“the proposal is a reasonable balance between private interests and the greater public interest of a world class facility in such a prominent public city location”*.

The proposal has been assessed in accordance with the DGRs issued for the application and satisfies the relevant environmental considerations, demonstrating that levels of acoustic privacy, visual impact, reflectivity and traffic impacts will be consistent with reasonable expectations. The proposal is also assessed to have economic and social benefits by providing additional employment opportunities, business generation and opportunities for a diverse range of social, cultural and entertainment events for the wider community. In relation to ESD and CPTED design recommendations and mitigating measures have been made for inclusion in the final scheme.

Overall the proposed MUEF will add a much needed cultural venue to Sydney which will bolster Sydney’s position as a national and even global centre. The design of the structure is appropriately striking but still sympathetic to built form within the immediate area which includes some more modest and heritage buildings and also some commercial and residential buildings of greater scale. The visual impact resulting from the proposed MUEF will be limited to the loss of views from a small number of private dwellings located to the north-west of the site which would reasonably expect to have some view compromised given the applicable height controls. Further, the blanket 28 metre height limit contained within the draft Sydney LEP 2010 indicates Council’s intention to relax the 21 metre height control applying to the Pirrama Road frontage.

Overall, the proposed MUEF will significantly enhance the existing offer of Star City Casino and will reinforce the role of Sydney as a world class destination. The various other minor modifications proposed are incidental and will not significantly alter the approved project.

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