

6 February 2009

Mr Sam Haddad
Director-General
Department of Planning
23-33 Bridge Street, Sydney NSW 2000
GPO Box 39, Sydney NSW 2001

Attn: Jason Perica

Dear Mr Haddad,

Star City Pty Limited

ABN 25 060 510 410

80 Pyrmont Street

Pyrmont NSW 2009

Australia

Postal Address

PO Box Q192

QVB Post Office NSW

1230 Australia

Telephone 61 2) 9777 9000

Facsimile 61 2) 9657 8344

www.starcity.com.au

Star City Casino
Determination of Major Project MP08_0098
Alterations and additions to Casino Complex and Hotel Development on the
Switching Station site – Union St/Pirrama Rd, Pyrmont
Section 75W – Modification of Minister's approval

Reference is made to the Major Project determination and conditions of approval issued by the Minister for Planning on 27 January 2009 for the abovementioned development. Discussions have been held between the Department and Star City Pty Ltd concerning modification to certain conditions of approval to enable construction certificates to be issued and work to commence.

On behalf of Sydney Harbour Casino Properties Pty Ltd, Star City P/L are submitting this Modification of Minister's approval under Section 75W of the Environmental Planning & Assessment Act, 1979 (EPA Act). The Section 75W application seeks to modify the terms of the conditions of approval for Major Project MP08_0098 as detailed in the attached schedule which lists corrections to the conditions of approval.

The Section 75W modification is submitted on the basis of minor corrections to the wording of the conditions and does not seek to change the intent of the condition. In some cases the modification sought is to the timing for the provision of information to a latter stage in the construction instead of prior to the issue of construction certificates.

The Section 75W modification does not change the intent of the Minister's approval and is merely varying certain conditions of approval to enable works to proceed. The modification sought is consistent with the existing approval and under Section 75W(2) is considered a matter that the Director-General can determine.

An environmental assessment report is not considered necessary as the reasons given for the modification to the conditions is included in the attached schedule listing the corrections as minor in nature. Under Section 75W(3) the Director-General can determine whether an environmental assessment report

is required and it is considered that the modifications are self explanatory and do not require further environmental assessment as they are minor matters.

The appropriate fee of \$750 has been paid in accordance with Clause 245K of the EP & A Regulations to accompany this modification application.

Star City P/L is desirous to resolve the modification of the conditions as soon as possible to enable the construction works to commence on the redevelopment of the Casino and the new hotel development. If it is necessary this application to modify the conditions may be altered so as to ensure a quick resolution of some of the important issues.

Should you have any questions concerning the modification application please contact my Divisional Manager – Strategy & Commercial Development Michael Henry on 9657 7553.

Yours sincerely



Michael Henry
Divisional General Manager
Development & Property Management

Star City

Amendments to Conditions of Approval

Under Section 75W to Major Project No. 08_0098

(File No. S08/00820)

Alterations and additions to Casino Complex and Hotel Development on the switching stations site

Union Street/Parramatta Rd, Pyrmont

Requested corrections and amendment to conditions of approval:

A6 – External Signage

Proposed external signage ~~including video signage~~ does not form part of this approval and is to be subject to a separate development application lodged with Council.

Reason:

- This clarifies the intention of A6 and B1
- It is acknowledged that any other advertising signage requires Council approval

B1 – External art work and lighting

The Proponent is to commission a reputable and appropriately experienced artist to develop art work and feature lighting displays to the Pirrama Road frontage. Details are to be approved by the Department prior to the issue of a Construction Certificate for any **art work and feature lighting** works to the Pirrama Road frontage.

Reason:

- To clarify that the works referred to in the condition actually relate to art work and feature lighting only.

B9 – Public Domain

All works associated with the approval which encroach upon or are immediately adjacent to Council's public domain areas are to be designed and developed in consultation with Council. Details to be provided prior to issue of a Construction Certificate **for public domain works**.

Reason:

- To clarify the intent of the condition is in respect of works within the public domain area.

B 11 (6) – Sydney Water

Notice of Commencement is to be obtained from Sydney Water prior to issue of a Construction Certificate. A Section 73 Certificate is to be obtained from Sydney Water.

Reason:

- A section 73 cannot be issued unless the physical works have been completed.

B 17 – Consolidation of allotments

The Switching Station allotment (Lot 121 DP 828957) is to be consolidated into the allotments comprising the Casino development. A plan of consolidation prepared by a registered surveyor and six (6) paper copies are to be submitted to Council for signature prior to registration at the Lands and Property Information NSW (Department of Information and Land Management). Evidence of consolidation from the Lands and Property Information NSW shall be submitted to Council or the Principal Certifying Authority prior to the ~~**commencement of works on the Switching Station site or the release of the first construction certificate for the Switching Station site, whichever occurs first.**~~ **issue of the final Occupation Certificate.**

Reason:

- The consolidation of the allotments does not need to occur prior to commencement of works and should be prior to issue of final occupation certificate.