



***MODIFICATIONS TO STAR CITY
CASINO COMPLEX AND NEW HOTEL,
PYRMONT***

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

MP 08_0098 (MOD 5)

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

July 2010

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1. INTRODUCTION

This is a report on an application seeking to modify the project approval (MP 08_0098 MOD 5) for alterations and additions to the Star City Casino complex and new hotel on the Switching Station site, bounded by Pirrama Road to the north-east, Union Street to the south and Edward Street to the east (see **Figure 1**).



Figure 1: Site Location

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

- Construction of a 10 storey hotel above a 3 storey podium containing ancillary retail, gaming and conference facilities on the currently vacant Switching Station site;
- Additional basement car parking, to a maximum of 3,000 car parking spaces across the whole site, to be accessed via the existing Casino complex car park;
- The redevelopment of the eastern (Pirrama Road) frontage; and
- Works to the exterior of the existing Casino tower buildings.

1.1 Previous Modifications

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

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

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

MP 08_0098 MOD 4 was approved by the Minister on 1 December 2009, for modifications relating to alterations and additions to the existing casino building on the Pirrama Road frontage.

2. PROPOSED MODIFICATION

On 26 May 2010, Urbis acting on behalf of Sydney Harbour Casino Properties Pty Ltd (the proponent), submitted an application to modify the Part 3A project approval pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

The proponent seeks to:

- Relocation of the kitchen to basement level 1;
- Relocation of the Union Street retail outlets;
- Minor reconfiguration and change the use of retail arcade to the food court;
- Change of use from conference facility to day spa;
- Changes to the levels above the hotel porte cochere;
- Relocation of the main plant room; and
- Extending Saturday construction hours until 3.00 pm.

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

3. STATUTORY CONTEXT

3.1 MODIFICATION OF A MINISTER'S APPROVAL

Section 75W(2) of the EP&A Act provides that a proponent may request the Minister to modify the approval of a project. The Minister's approval is not required if the project as modified will be consistent with the original approval. As the subject modification seeks to change the terms of the Minister's determination through amending the conditions of approval, the modification requires approval.

3.2 ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGR'S)

Section 75W(3) of the EP&A Act provides the Director General with scope to issue environmental assessment requirements (DGRs) that must be addressed with respect to the proposed modification. As the modification application largely relates to minor design amendments, the Department considered it unnecessary to re-issue the DGRs.

3.3 CONSULTATION AND EXHIBITION

While section 75W of the EP&A Act does not require a modification application to be publicly exhibited, the application was placed on the Department's website in accordance with section 75X(2)(f) of the EP&A Act and clause 8G of the Environmental Planning and Assessment Regulation 2000.

City of Sydney Council, the RTA and the Casino Liquor & Gaming Control Authority (CLGCA) were notified of the modification request. The RTA and the CLGCA did not raise any issues in respect of the modifications. No submission was received from City of Sydney Council.

4. CONSIDERATION OF PROPOSED MODIFICATION

4.1 INTERNAL AND EXTERNAL ALTERATIONS

The relocation of the kitchen to the basement level 1 is an operational decision and will be supplemented by a new link from the kitchen to the back-of-house area and lift core servicing the apartments. The relocation of the entry door and awning of one of the three Union Street retail outlets towards the centre of the Union Street frontage will enhance the street frontage by introducing a sense of symmetry to the façade and to spread the Union Street entrances more evenly across the frontage.

The configuration the retail arcade at ground floor level of the hotel on the Switching Station site as a combined retail arcade and food and beverage court will develop the retail street through-link as an ancillary entertainment and leisure venue rather than solely as a shopping precinct, and will provide more interest and better service the needs of its patrons.

The alteration of a section of floor area at the hotel podium on level 2 from conference room to day spa will create a more active interface to Union Street from a use that would otherwise be utilised less frequently, and the creation of a void above the approved hotel porte cochere will improve the amenity of the space and the floor area below.

The proposed relocation of the plant rooms from the southern part of the main casino building at level 3 to above the Union Street hotel podium at level 2 will not be visible as they are located behind the hotel tower.

The Department considers that there will be no additional impacts arising from the internal alterations. The proposed external alterations are relatively minor and will maintain the building's façade as approved.

4.2 CONSTRUCTION HOURS

The proponent seeks to amend the hours of construction that are currently restricted between 8.00 am and 1.00 pm Saturdays to 7.00 am and 3.00 pm. The requested hours of construction are consistent with the City of Sydney's standard hours of construction.

The Department considers that the proposed amendment is a reasonable request as it is consistent with approved construction times for buildings in the CBD, and would not have an amenity impact on adjoining or surrounding properties.

5. CONCLUSION

The Department has reviewed the proposed modifications in the context of the original major project proposal. As the proposed modifications are confined to minor internal and external alterations, the Department considers the modifications acceptable.

6. DELEGATION

Under the Instrument of Delegation dated 25 January 2010, the Minister delegated his functions under section 75W of the EP&A Act to the Director General, where there are fewer than 25 public submissions in the nature of objections in respect of the modification request. As there were no public submissions, the Director of Government Land and Social Projects can determine the modification.

7. RECOMMENDATION

It is recommended that the Director, Government Land and Social Projects:

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

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