

Summary of Submissions and Proponents Response (20/01/11)

AGENCY SUBMISSIONS		
Agency	Issues or Comments	Response
Casino Liquor & Gaming Control Authority 29/11/10	Requests the Consent Authority to give full consideration to emergency evacuation, crowd control and safety requirements associated with the number of patrons using the facility.	<p>A Security Management Plan (SMP) is operational for Star City and was approved as part of the DA for Star City PoPE licence (lodged in March 2009). The current SMP will be updated to reflect the additional facilities prior to the operation of the MUEF</p> <p>We also note that the facility will be accessed through the existing managed facilities and therefore will adopt the same entry and exit procedures.</p> <p>A Construction Noise Management Plan will be prepared prior to commencement of works in respect to the MUEF.</p> <p>The casino currently also has a Life Safety Plan and Emergency Management Plan, which will be updated to accommodate the new facilities.</p>
NSW Maritime 26/11/10	No comments or issues.	Noted.
Railcorp 08/12/10	<p>RailCorp HV (11kV) cable located along both Pirrama Road and Jones Bay Road. Request that no works take place in these areas without prior written approval from Railcorp.</p> <p>Light Rail corridor and stop located in Star City basement. Railcorp forwarded information to Veolia for comment.</p> <p>Request Department of Planning forward a copy of development consent to Railcorp to monitor compliance with rail-related conditions of consent.</p>	Noted.

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<p>Roads and Traffic Authority</p> <p>09/12/10</p>	<p>The proposed development does not result in a significant traffic impact on the classified road network.</p> <p>The plans submitted for the modification do not show adequate details of the proposed loading areas and compliance of these areas with AS 2890.2 – 2002 for heavy vehicles or AUSTROADS requirements for vehicle swept paths. Request plans demonstrating compliance be submitted to the Department of Planning.</p> <p>Layout of all vehicle accessible areas to be in accordance with AS 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.</p> <p>Request a Construction Traffic Management Plan be submitted prior to construction detailing construction vehicle routes, access arrangements and traffic control.</p> <p>All vehicles to enter and leave the site in a forward direction.</p> <p>All works are to be at no cost to the RTA.</p>	<p>Further details from ARUP relating to servicing and loading facilities have been submitted with this Response to Submissions (refer Appendix C) and are discussed in the attached letter.</p> <p>In addition the architectural plans have been amended to show further detail, refer DOP-01, Issue 02, and dated 17th January 2011.</p> <p>Construction of the MUEF will be in accordance with a Construction Traffic Management Plan for the MUEF if required, prior to commencement of construction.</p>
<p>Sydney Water</p> <p>30/11/10</p>	<p>Water – the existing water system has capacity for the proposed development, however the developer will need to design and construct an extension to the 150mm water main on the East side of Pymont St in accordance with the relevant codes.</p> <p>Wastewater - the existing wastewater system has capacity for the proposed development, however the developer will need to design and construct an extension to the 225mm wastewater main in accordance with the relevant codes.</p> <p>Trade waste - a trade waste permit or agreement is required before any discharge of trade waste is made to the sewer system.</p>	<p>Noted</p>

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	Sydney Water Servicing – Sydney Water will further assess the impact of the development when the proponent applies for a Section 73 certificate.	
City of Sydney Council 15/12/10	<p>Question Regarding the Methodology Adopted to Determine Height</p> <p><i>Ground Level</i> - calculated using the ground level at Jones Bay Road (RL110.02) which is over 7 metres higher than the ground level at Pirrama Road (RL102.8). An assessment of height needs to be made having regard to the operation of the controls on both frontages.</p> <p><i>Ceiling Height</i> - The justification relies on a low ceiling height (5 metres below the roof). Detailed plans should be provided and documentation to address:</p> <ul style="list-style-type: none"> the type and size of equipment and/or structures to be accommodated within the 5 metre zone between the roof and ceiling; what amount of that equipment and structure could be accommodated elsewhere; the footprint of the structural zone/ceiling: does it span the entire footprint of the roof? a detailed section plan like the figure included in the acoustic report should also be provided. <p><i>Overall Height</i> - More than 50% of the MUEF is located in the 21m height control zone. Based on the Sydney LEP controls, the MUEF is between 3.6m and 10.6m over the maximum height controls. Based on the proposed (not yet Draft) controls the</p>	<p>As the entire site has been excavated and the proposed structure has a complex relationship to several irregular frontages, Arterra have been engaged to use survey data of ground levels at all points around the entire site to digitally create an inferred original ground surface for all points on the entire site. This irregular inferred level (3 dimensional surface mesh) was then extruded 21 or 28 metres up as relevant to the applicable height standard. This is the only meaningful way of relating the various frontage heights of the site to the proposed structure.</p> <p>The proposed height relative to the inferred ground level is shown by a revised height control diagram, which is based upon the levels at all points of the site and is included as Appendix G.</p> <p>Given the irregular form and variable function modes of the proposed building, it is difficult to define one specific ceiling height. While we note that most buildings have significant roof structure, parapets and roof plant (e.g. lift overruns and chillers) above the height of their topmost ceiling, we have taken the very conservative approach of analysing the visual impact of the topmost structure of the building relative to a height control applicable to the topmost ceiling.</p> <p>Whilst our previous submission identified what we considered to be the ceiling height of the structure, all of our analysis was and is based upon the actual impacts of the topmost points of the structure, which houses all the plant typically provided above roof level. Regardless of what level one defines the ceiling of the</p>

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	<p>MUEF is between 2.38m and 9.6m (at Jones Bay Rd and Pirrama Rd, respectively) over the maximum height controls.</p> <p>Careful consideration should be given to whether a variation to the height controls is reasonable given the resultant significant view loss to nearby residents and the visual impacts to the public domain.</p>	<p>structure be, this level is clearly well below the topmost point of the roof structure upon which our merit assessment of visual impact and view loss has been based.</p> <p>It is acknowledged that the proposed structure does not wholly comply with the applicable 21 and 28 metre building height standards. However, we submit that in the circumstances a purposive consideration of compliance is warranted in terms of the underlying objectives of the standard.</p> <p>Issues of skyline impact, streetscape and overshadowing are not relevant in this case. From most distant locations the proposed structure will be read in the context of the significantly taller casino towers immediately behind. The salient issues with regard to height compliance in this case are therefore visual impact from surrounding sensitive locations and view loss – specifically from apartments within No. 2 Jones Bay Road.</p> <p>As detailed in the attached letter and the Visual Impact Assessment included as Appendix D, the proposed development is entirely satisfactory in these regards, and we therefore submit that the significant entertainment benefits of the project to the state considerably outweigh a minor issue of technical non-compliance.</p>
	<p><i>Visual Impact and View Loss</i></p> <p>Detrimental impact on views from the Heritage Walk.</p> <p>It is considered that the MUEF, rising above lower scale historic development, will also have a detrimental impact upon the character of the views from areas that have not been included in the Visual Impact Assessment at:</p> <ul style="list-style-type: none"> Union Square 	<p>The impact of the MUEF upon the current view from the Heritage Walk is acceptable as the proposed MUEF will not occupy a large portion of the sky nor will it have a detrimental impact on the expansive views across and above the existing Casino building included in the assessment. Within the revised Visual Impact Assessment (VIA) GMU Design further note that the proposed amendment to the original MUEF form provides further articulation of its apparent bulk and scale (refer Appendix</p>

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	<ul style="list-style-type: none"> ▪ Harris Street ridge of the Pymont Conservation area ▪ Mount Street which is the setting of a number of LEP heritage items dating from the mid Victorian period, including Nos 73-75 ▪ 96 Ways Terrace at 12-20 Point Street, another LEP heritage item. <p>To mitigate the negative impact of the proposal on views from the heritage contexts on the Pymont peninsula listed above, the proposed MUEF should be reduced in bulk and the design should adopt an approach that provides for a more sculptural and articulated massing reducing its prominence on the horizon.</p>	<p>D).</p> <p>The proposal will not restrict views to Darling Harbour in respect to medium range views from Harris Street (at the northern extremity of the conservation area), Mount Street or Ways Terrace as none of the views look across the proposed extension towards Darling Harbour and the CBD.</p> <p>Existing taller buildings currently obstruct views from these areas such that there is no possibility to view the proposed MUEF. In particular:</p> <ul style="list-style-type: none"> – The views from heritage items (73 – 75) located along Mount Street and item 74, being McCaffery's Building towards the MUEF are obstructed by the existing Star City Casino Hotel and fly tower. – The views from heritage items 95 and 96 (Way's Terrace at 12-20 Point Street and Cottage at 4 Way's Terrace) will not be impacted on given that views towards the City or Darling Harbour are directly east and away from the proposed MUEF. An existing medium density residential development between these terraces and the proposed MUEF also blocks the view corridor through to the Casino extension. – There will be no significant view impacts from the northern extremity of the Pymont Conservation Area due to limited view corridors from this area towards Darling Harbour or iconic CBD buildings; the view line to the city skyline is to the south-east and the MUEF is situated more directly south; the Star City Casino Hotel towers block the view towards the MUEF from this location. <p>Amendments to the originally proposed modifications are now</p>

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		<p>proposed including a reduction in height of the MUEF and a change to the building bulk resultant from a design change to the building façade (refer revised plans at Appendix E).</p> <p>The visual impact of the amended scheme will be appropriate within the context of the varied surrounding building heights and will represent a transitional height from most vantage points. In particular as the MUEF is in the foreground to the existing casino towers behind the structure will appear as an intermediate built form from most perspectives.</p> <p>The specific visual impact issues raised in submissions have been assessed in detail by GMU Design in the supplementary visual impact assessment attached as Appendix D.</p>
	<p><i>Impact on Private Views:</i></p> <p>The proposal will result in the loss of views currently enjoyed by existing residential apartments on floors 3 to 8 facing south east at 2 Jones Bay Road. The impact to apartments located on apartments 5 and above is considered significant.</p> <p>If the Department supports the proposed height, it is suggested that the recommendations of the Visual Impact Assessment be adopted as consent conditions.</p>	<p>The revised external form of the MUEF façade results in chamfering to the upper roof perimeter of the MUEF which will lower the perimeter height as viewed from the upper levels of the adjacent apartment building at 2 Jones Bay Road. This design enables an improvement of views towards the south-east in comparison with the previously submitted scheme in October 2010.</p> <p>Revised photomontages and a revised visual impact assessment have been prepared and illustrate that the impact upon views from the two most affected units on the opposite side of No. 2 Jones Bay Road will be less than that of a compliant scheme. Refer Appendix F.</p>
	<p><i>Design Details</i></p> <p>No details were found in the documentation regarding key design elements of the proposal, including:</p>	

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	<ul style="list-style-type: none"> ▪ Photomontages of the existing towers that are now proposed to be 'lit-up' rather than clad with glazing as per the original consent; ▪ Detailed drawings of the MUEF façade; and ▪ Detailed drawings of the 'Lightweight Roof Structure (pergola)' which spans 100m in width at the Pirrama Road frontage. 	<ul style="list-style-type: none"> ▪ The only change proposed to the existing towers is the deletion of the previously proposed cladding. The towers are already lit and no additional lighting is proposed as part of this Section 75W application. ▪ Revised detailed drawings of the MUEF façade are now attached. ▪ The pergola structure has been deleted from the scheme.
	<p><i>Amenity</i></p> <p>Robust management and security plans will need to be implemented to ensure that potential impacts from the mass exit of up to 4,000 patrons will be properly mitigated and managed.</p> <p>It is also recommended that consideration be given to restricting the type of pre-function entertainment in the unenclosed areas of the podium to minimise potential noise impacts.</p>	<p>A Security and Event Management Plan will be prepared with respect to the MUEF prior to the MUEF becoming operational. . This document will form part of the overall security management plan for Project Star.</p> <p>External pre-function areas will be limited to the gathering of patrons of the MUEF. It is not envisaged to utilise this area for separate entertainment.</p>
	<p><i>Traffic</i></p> <p>The traffic report submitted states that the existing loading dock will be sufficient for the proposed (more intense) use, but there is little information to demonstrate that this is the case. More information requested for expected servicing of the new facility having regard to the events, equipment and trucks to be catered for.</p> <p>It is also recommended that a condition be imposed requiring</p>	<p>Additional transport and loading details have been prepared by ARUP and are attached as Appendix C.</p> <p>A Construction Traffic Management Plan for the MUEF will be prepared prior to construction and can be implemented as a</p>

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	that a 'Construction Traffic Management Plan' be submitted prior to works commencing for Council's approval.	condition of consent.
	<p><i>Additional Gaming</i></p> <p>No specific assessment is included in the application addressing the potential social impacts of additional gaming facilities within the casino. It is also considered regrettable that a publicly accessible area (Astral Bar) which provides impressive views to the City would be made into a private gaming area with restricted access.</p>	<p>The licensing of the casino is regulated by the Casino Liquor and Gaming Control Authority (CLGCA) which governs the extent of gaming machines available. The proposed gaming floor area may entail accommodating existing, relocated machines within the Casino facility to provide for more spacious casino floor areas. Notwithstanding, whether the proposal includes providing additional gaming machines, this is a matter under the jurisdiction of GLGCA.</p> <p>It is noted, that entry into the new gaming area will be via the existing entry means to Astral Bar, which is solely through the existing licensed gaming floor.</p>
	<p><i>Construction Noise</i></p> <p>The acoustic report submitted states that noise is likely to exceed the criteria by 11dBA on Jones Bay Road. Some mitigation measures are proposed, however, it is considered that a more robust response to minimising potential impacts to nearby residents is required. It is recommended that a condition be imposed requiring a 'Construction Noise Management Plan' specific to the proposed works prior to any works commencing.</p>	<p>Construction noise will be managed and minimised as much as possible. A construction noise management plan can be prepared prior to commencement of construction of the MUEF.</p>
<p>Tim Mancuso</p> <p>706/2 Jones Bay Road</p> <p>Pymont</p> <p>19/11/10</p>	<p>Impact on residents in Watermark building – loss of views and associated financial losses. Scale of the development is overbearing and unnecessary.</p>	<p>The revised Visual Impact Assessment (VIA) provides the following assessment relative to private view loss:</p> <ul style="list-style-type: none"> ▪ Levels 3 to 6 will be affected, and would be affected by a fully compliant development. ▪ With respect to Levels 7 and 8, as the floor level of the balcony is below the height of a 28m plane at the frontage of the site, the sightline from Level 7 and 8 to this plane is

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		<p>elevated from the horizontal such that it extends above the proposed MUEF structure, notwithstanding that the MUEF structure is higher than the height plane (Refer to the section drawing on page 8 of the VIA). Furthermore, the 28m height line regulates ceiling level and provides for roof structures and plant areas above. In this regard, we note that the proponent's assessment of visual impact of the MUEF structure considers all parts of the building and not just the ceiling height and can therefore be considered conservative.</p> <ul style="list-style-type: none"> Overall, the proposal maintains the existing water glimpses and the view of the Centrepont Tower and the MLC Building from Level 8. The retained view corridor available still delivers the iconic western elevation of the city skyline, which is also the case for Level 7. <p>Refer to the VIA for further assessment (Appendix D).</p>
<p>Peter Hall & Jennifer Mellet Hall</p> <p>401/14 Wharf Crescent Darling Island, Pyrmont</p> <p>07/12/10</p>	<p>Scale of development – unreasonable increase in capacity.</p> <p>Noise – request that any pre-function areas are treated with appropriate acoustic insulation, and that amplified music be prohibited in any external areas.</p> <p>Traffic – parking and traffic associated with 4000 patrons would exacerbate existing congestion and overwhelm local road and parking infrastructure.</p> <p>Anti-social behaviour – potential conflict between patrons and 'party boat' passengers. Request the Casino be required to pay for police presence in the area of Pirrama road, Star City Casino Wharf and Doltone house on Friday and Saturday evenings.</p>	<p>Star City is a major international tourist and recreational facility. The site is an appropriate location to host the MUEF, which entails an increase in capacity from 600 seated to 1300 standing relative to the approved ballroom and Star Theatre.</p> <p>The pre-function area is limited in size and will function primarily as a lobby area and passage into the facility. This area will operate as per the conditions of the Project Star consent with respect to the outdoor rooftop area.</p> <p>The "Green Travel Plan" for the Star City Casino facility will be updated to incorporate the MUEF facility. The Green Travel Plan aims to encourage the use of public transport to minimise traffic generation.</p> <p>There is no evidence that there will be conflict between patrons and 'party boat' passengers. The operations of Star City include the implementation of a SMP, which entails strict surveillance of</p>

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		patron behaviour. The current SMP will be updated to reflect the additional facilities.
Sydney Harbour Association (Michael Rolfe – President) PO Box 265 Rose Bay 30/11/10	Redevelopment is out of scale with the design of the original building, as it dwarfs the central glass cone. Facility should be incorporated within the profile of the existing building.	The Star City Casino is currently undergoing significant design changes as per the Project Star redevelopment. The MUEF is an integral part of Project Star where it seeks to further enhance on the entertainment offerings at an international and national scale. The MUEF is designed to integrate with the approved Project Star design.
Sam Coco & Rebekah Nichol 09/12/10	<p>Visual impact – loss of views from Watermark building (especially Level 6), subsequent amenity impacts such as loss of natural light and solar access, shadowing. Visual impact assessment states ‘high impact’ but ‘no mitigation measures are considered necessary’.</p> <p>Change in character of the area since the Casino was originally built – it is now a residential area and the Casino should not be the priority, the proposal should give consideration to the residents and surrounding community.</p> <p>Proposed development is an expansion not a refurbishment – intended to increase gambling revenue. Proposal does not detail measures to deal with effects of increased gambling activity on the local community (eg. Noise, social problems, traffic).</p>	<p>Levels 3 to 6 will be affected but no more than a fully compliant development. Refer to attached VIA (Appendix D) for greater detail.</p> <p>Overall, the proposal maintains the existing water glimpses and the view of the Centrepont Tower and the MLC Building from Level 8. The retained view corridor available still delivers the iconic western elevation of the city skyline, which is also the case for Level 7.</p> <p>The locality is mixed use in character. Assessment of the proposal is based on the merits of the scheme and the impacts on the surrounding community.</p> <p>The licensing of the casino is regulated by the Casino Liquor and Gaming Control Authority (GLGCA) which governs the extent of gaming machines available. The proposed gaming floor area may entail accommodating existing, relocated machines within the Casino facility to provide for more spacious casino floor areas. Notwithstanding this, whether the proposal includes providing additional gaming machinery, this is a matter under the jurisdiction of GLGCA.</p> <p>It is noted, that entry into the new gaming area will be via the existing entry means to Astral Bar, which is solely through the</p>

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		existing licensed gaming floor.
<p>Peter & Leah Tsathas 44 Stuart Street Blakehurst 08/12/10</p>	<p>Visual impact – loss of views from Watermark building (especially Level 6), subsequent amenity impacts such as loss of natural light and solar access, shadowing. Visual impact assessment states ‘high impact’ but ‘no mitigation measures are considered necessary’.</p> <p>Change in character of the area since the Casino was originally built – it is now a residential area and the Casino should not be the priority, the proposal should give consideration to the residents and surrounding community.</p> <p>Proposed development is an expansion not a refurbishment – intended to increase gambling revenue. Proposal does not detail measures to deal with effects of increased gambling activity on the local community (e.g. Noise, social problems, traffic).</p>	<p>Refer above.</p>
<p>Robert Wirth, Warwick Saunders, Zena Vaasssen, Stafford Van Putten 14 & 16 Pymont St, Pymont 11/12/10</p>	<p>Proposed development will adversely affect the quality of life for residents of 14, 16 and 18 Pymont Street (as well as the Watermark Building). The increased height will result in loss of already limited sunlight access to the rear of these properties. The issue of loss of light and its impact on the community has not been addressed by the Casino developers.</p>	<p>These properties are located towards the north-west of the MUEF. Submitted shadow diagrams illustrate that the MUEF will not cause overshadowing to these terraces.</p>