



**Planning &
Infrastructure**

ATTACHMENT B – MODIFICATION OF MINISTER’S APPROVAL

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

The Planning Assessment Commission of New South Wales, having considered all relevant matters prescribed under Section 75W of the *Environmental Planning and Assessment Act 1979* (the Act), including those relevant matters prescribed by Section 7W(3) as contained in the Director-Generals Environmental Assessment Report determine:

- (a) to grant approval to Modification 7 of Major Project 08_0098 as described in the attached Schedule 1 subject to the terms of approval and modifications in Schedule 2.

These modifications are required to:

- prevent and minimise adverse environmental impacts of future development;
- ensure that appropriate access to future development is established; and
- set future ongoing environmental management for the site.

Member of the Commission

Member of the Commission

Sydney

2011

SCHEDULE 1

Project Approval	MP08_0098 granted by the Minister for Planning on 27 January 2009
Carrying out of	Construction of a new hotel and podium level extension on the Switching Station site and alterations and additions to the existing casino building.
Modification	<p>MP08_0098 (MOD 7): Expansion of ballroom to create a Multi-Use Entertainment Facility (MUEF), creation of a pre-function area, and alterations and additions.</p> <p>The proposed changes include:</p> <ul style="list-style-type: none"> • The expansion of the existing ballroom to create a Multi-Use Entertainment Facility (MUEF) from an approved 1200 (seated) and 1500 (standing) to 3000 (seated) and 4000 (standing). The proposed MUEF will be a 'gemstone' shape with external cladding treatment using large faceted planes. • Alterations to service facilities within the existing building including stage lifts, plant rooms, new switch room and substation, back of house storage and the refurbishment of existing green rooms and office space; and utilising the existing loading dock, as modified on basement Level 2. • Alterations to Level 3 including storage, proposed stage and theatre area, pre-function area including cloak room, merchandise area, front of house and bar, theatre facilities including toilets, break out rooms, kitchen, table stores and dressing room. • Alterations to Level 4 to include seating area, plant area, pre-function area; and alterations to Level 5 to include seating area, pre-function area, bar, toilets, store and plant area, including an upper plant level. • A proposed change of use and internal fit-out to Level 17 of the approved hotel from existing 'Astral' Bar and dining room to private gambling rooms, deck, bar, toilet facilities and back of house. • Cladding of back of house and plant building to match casino building and inclusion of landscape edge.

SCHEDULE 2

The approval MP08_0098 is modified as follows:

1. In Part A - Administrative Conditions, delete the table in condition A2 in its entirety and replace it with the following:

Drawing Number	Revision	Name of Plan	Date
DA – 016	1	Perspective Rendering View – Pirrama Road Entry Daytime	14.08.2009
DA – 017	01	Perspective View of Pirrama Road	14.08.2009
DA – 002	01	Level Basement B05 Floor Plan	14.08.2009
DA – 003	02	Level Basement B04 Floor Plan	19.11.2009
DA – 004	02	Level Basement B03 Floor Plan	19.11.2009
DA – 005*	02	Level B02 – Pirrama Road & Entry Water Front Works	19.11.2009
DOP – 01*	02	Level B02 – Pirrama Road & Entry Water Front Works	17.01.2011
*Note: Drawing Numbers DA-005 Rev 02 and DOP – 01 Rev 02 are to be read in conjunction with one another. In the event of any inconsistency, DOP – 01 Rev 02 prevails in relation to the extent of inconsistency.			
DA – 006	01	Level B02 – Pirrama Road & Entry Water Front Works	14.08.2009
DA – 007*	01	Level B01 – Pirrama Road & Entry Water Front Works	14.08.2009
DA – AC.204*	07	Level B01 – Pirrama Road & Entry Water Front Works	May 2010
*Note: Drawing Numbers DA-007 REV 01 and DA-AC.204 REV07 are to be read in conjunction with one another. In the event of any inconsistency, DA-AC.204 prevails in relation to the extent of inconsistency.			
DA – 008*	02	Level 00 Pyrmont Street Floor Plan (Retail)	19.11.2009
DA – AC.205*	06	Level 00 Pyrmont Street Floor Plan (Retail)	May 2010
A - 1102*	07	Level 00 Pyrmont Street Floor Plan (Retail)	29.04.2011
*Note: Drawing Numbers DA-008 Rev 02, DA- AC.205 Rev 06 and A - 1102 Rev 07 are to be read in conjunction with one another. In the event of any inconsistency, A - 1102 Rev 07 prevails in relation to the extent of inconsistency. In the event of any inconsistency specifically between DA-008 Rev 02 and DA- AC.205 Rev 06, DA- AC.205 Rev 06 prevails in relation to the extent of inconsistency.			
DA-009*	03	Level 01 Floor Plan (Main Gaming)	19.11.2009
DA – AC.206*	06	Level 01 Floor Plan (Main Gaming)	May 2010
A - 1103*	07	Level 01 Floor Plan (Main Gaming)	29.04.2011

***Note:** Drawing Numbers DA-009 Rev 03, DA- AC.206 Rev 06 and A - 1103 Rev 07 are to be read in conjunction with one another. In the event of any inconsistency, A - 1103 Rev 07 prevails in relation to the extent of inconsistency.

DA-010*	03	Level 02 Floor Plan (Terrace)	19.11.2009
DA – AC.207*	06	Level 02 Floor Plan (Terrace)	May 2010
A - 1104*	07	Level 02 Floor Plan (Terrace)	29.04.2011

***Note:** Drawing Numbers DA-010 Rev 03, DA- AC.207 Rev 06 and A - 1104 Rev 07 are to be read in conjunction with one another. In the event of any inconsistency, A - 1104 Rev 07 prevails in relation to the extent of inconsistency.

DA-011*	02	Level 03 Covered Deck & Roof Plan	19.11.2009
DA – AC.208*	06	Level 03 Covered Deck & Roof Plan	May 2010
A - 1105*	07	Level 03 Covered Deck & Roof Plan	29.04.2011

***Note:** Drawing Numbers DA-011 Rev 02, DA- AC.208 Rev 06 and A – 1105 Rev 07 are to be read in conjunction with one another. In the event of any inconsistency, A – 1105 Rev 07 prevails in relation to the extent of inconsistency. I

DA – AC.209*	02	Level 04 Covered Deck & Roof Plan	02.12.08
A - 1106*	07	Level 04 Covered Deck & Roof Plan	29.04.2011

***Note:** Drawing Numbers DA- AC.209 Rev 02 and A - 1106 Rev 07 are to be read in conjunction with one another. In the event of any inconsistency, A - 1106 Rev 07 prevails in relation to the extent of inconsistency.

DA – AC.210*	02	Level 05 Roof Level Plan	02.12.08
A - 1107*	07	Level 05 Roof Level Plan	29.04.2011

***Note:** Drawing Numbers DA- AC.210 Rev 02 and A - 1107 Rev 07 are to be read in conjunction with one another. In the event of any inconsistency, A - 1107 Rev 07 prevails in relation to the extent of inconsistency.

DA – AC.211*	02	Level Roof Plan	02.12.08
SK-010*	D	Roof Plan	08.09.2010
DOP – 10*	02	Level Roof Plan	17.01.2011

***Note:** Drawing Numbers DA- AC.211 Rev 02, SK-010 Rev D and DOP – 10 Rev 02 are to be read in conjunction with one another. In the event of any inconsistency, DOP – 10 Rev 02 prevails in relation to the extent of inconsistency.

DA – 012*	01	Pirrama Rd Street Elevations	14.08.2009
DOP – 15*	02	Pirrama Rd /Edward Street Elevations	17.01.2011
DA – 3001*	04	Edward/Union Street Elevations	12.08.2010

***Note:** Drawing Numbers DA- 012 Rev 01, DOP – 15 Rev 02 and DA -3001 Rev 04 are to be read in conjunction with one another. In the event of any inconsistency, DOP – 15 Rev 02 prevails in relation to the extent of inconsistency.

DA- AC.402*	02	Jones Bay Rd – Pyrmont Street Elevations	02.12.2008
DOP – 17*	02	Jones Bay Rd – Pyrmont Street Elevations	17.01.2011
DOP – 16*	02	Union Street / Pyrmont Street Elevations	17.01.2011

***Note:** Drawing Numbers DA- AC.402 Rev 02, DOP – 17 Rev 02 and DOP – 16 Rev 02 are to be read in conjunction with one another. In the event of any inconsistency, DOP – 17 Rev 02 and DOP 16 Rev 02 prevails in relation to the extent of inconsistency.

DA-AC.403	02	Edward – Union Street Elevations	02.12.2008
DA-016	01	Pirrama Road Rendered Elevations	14.08.2009
DA- 014*	02	Sections A-A & B-B	19.11.2009
DOP – 13*	02	Section A-A	17.01.2011

***Note:** Drawing Numbers DA- 014 Rev 02 and DOP – 13 Rev 02 are to be read in conjunction with one another. In the event of any inconsistency, DOP – 13 Rev 02 prevails in relation to the extent of inconsistency.

DOP – 14*	02	Section B-B	17.01.2011
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***Note:** Drawing Numbers DA- 014 Rev 02 and DOP – 14 Rev 02 are to be read in conjunction with one another. In the event of any inconsistency, DOP – 14 Rev 02 prevails in relation to the extent of inconsistency.

DA-015	02	Section C-C	19.11.2009
DA-019	01	External Materials and Finishes	14.08.2009
DA-20	01	Pirrama Road Façade Details	19.08.2009
DA-L.201	F	Landscape & Urban Design Landscape Plan Streetscape & Roof Terraces	19.08.2009
DA-1500	00	Existing Tower Facades	27.6.2008
DA-1002	00	Site Plan	27.6.2008
DA-1011	00	Basement Level 1 Plan	27.6.2008
DA-1012	00	Basement Level 2 Plan	27.6.2008
DA-1013	00	Basement Level 3 Plan	27.6.2008
DA-1014	00	Basement Level 4 Plan	27.6.2008
DA-1020	01	Ground Floor Plan	01.07.2008
DA-1021	01	Level 1 Floor Plan	01.07.2008
DA-1022	01	Level 2 Floor Plan	01.07.2008
DA-1023	01	Level 3 Floor Plan	01.07.2008
DA-1024	00	Level 4 & 5 Floor Plan	27.6.2008
DA-1025	01	Level 6 & 7 Floor Plan	02.07.2010
DA-1026	01	Level 8 & 9 Floor Plan	02.07.2010
DA-1027	01	Level 10 & 11 Floor Plan	02.07.2010
DA-1028	02	Level 12 & 13 Floor Plan	17.08.2010
DA-1030	00	Roof Plan	27.06.2008
DA-3001	04	Edward/ Union Street Elevations	12.08.2010

DA- 3002*	04	Edward / Union Street Elevations	12.08.2010
DOP 16*	02	Union Street / Pyrmont Street Elevations	17.01.2011

***Note:** Drawing Numbers DA- 3002 Rev 04 and DOP – 16 Rev 02 are to be read in conjunction with one another. In the event of any inconsistency, DOP – 16 Rev 02 prevails in relation to the extent of inconsistency.

DA-4001	01	Section A-A	01.07.2008
DA-4002	01	Section B-B	01.07.2008
DA-4003	01	Section C-C	01.07.2008
DOP 21	02	Project Sky Level 17	17.01.2011
DOP 22	02	Aerial Perspective	17.01.2011
DOP 23	02	Perspective	17.01.2011
SK-001	C	Level 3 Existing	07.08.2010
SK-002	K	Level 3 Floor Plan	07.08.2010
SK-003	K	Level 3 Floor Plan	07.08.2010
SK-004	E	Building Section	07.08.2010
SK-005	D	Sections	07.08.2010
SK-006	D	External Perspectives	07.08.2010
SK-007	E	Bird's View Axo – no ceiling	07.08.2010
SK-012	D	Extent of Proposed Work	07.08.2010
SK-013	B	Elevations	07.08.2010
SK-014	B	Design Statement	07.08.2010
A-1001	03	Plans – Site Overall Site Plan	29/04/2011
A-1010	08	Plans – Early Works/Demolition B5	29/04/2011
A-1011	08	Plans – Early Works/Demolition B4	29/04/2011
A-1012	08	Plans – Early Works/Demolition B3	29/04/2011
A-1013	09	Plans – Early Works/Demolition B2 Loading Dock	29/04/2011
A-1015	09	Plans – Early Works/Demolition Level 00	29/04/2011
A-1016	09	Plans – Early Works/Demolition Level 01	29/04/2011
A-1017	09	Plans – Early Works/Demolition Level 02	29/04/2011
A-1018	09	Plans – Early Works/Demolition Level 03	29/04/2011
A-1019	09	Plans – Early Works/Demolition Level 04	29/04/2011
A-1020	09	Plans – Early Works/Demolition Level 05	29/04/2011
A-1021	03	Plans – Early Works/Demolition Level 06	29/04/2011
A-1108	06	Plans – General Arrangement Level 06/Catwalk	29/04/2011
A-1109	04	Plans – General Arrangement Level 07/Truss	29/04/2011

A-1110	06	Plans – General Arrangement Roof Plan	29/04/2011
A-1200	03	Elevations Pirrama Rd & Edward St	29/04/2011
A-1201	03	Elevations Union St & Pyrmont St	29/04/2011
A-1202	03	Elevations Jones Bay Road	29/04/2011
A-1250	03	Sections General Section	29/04/2011
A-1251	03	Sections General Section	29/04/2011
A-1252	03	Sections General Section	29/04/2011
A-1405	03	Plans Reflected Ceiling Level 03 MUEF	-29/04/2011

2. In Part A - Administrative Conditions, insert the following words at the end of Condition A3:

As amended by the Section 75W Application prepared by Urbis dated 8th October 2010, the Response to Submissions Letter dated 20th January 2011 and the following documents:

- (1) The supplementary Star City MUEF Architectural Design Statement prepared by Fitzpatrick + Partners dated 8 June 2011;
- (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 and Revised Visual Impact Assessment, prepared by GMU, dated 14th January 2011 (including revised photomontages by Arterra);
- (4) Economic Impact Assessment of Star City's Proposed Multipurpose Venue, prepared by Urbis, and dated October 2010;
- (5) Traffic Impact Assessment prepared by ARUP, dated October 2010, Arup Transport Report, dated 14 January 2011 and Arup response to PAC comments on MUEF Loading Dock dated 10 June 2011;
- (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 and supplementary letter from AECOM entitled 'Star City – Egress from MUEF' dated 3 June 2011;
- (11) Letter of Assessment of Solar Reflection from Facades, prepared by AECOM, dated 7th October 2010; and
- (12) BCA Capacity Statement prepared by Phillip Chun & Associates, dated 10 May 2010; and

3. In Part A - Administrative Conditions, delete Condition A6 in its entirety and replace with the following condition:

A6 External Signage and Lift Overrun

The proposed replacement of existing lift, lift overrun enclosure, LED lighting scheme and roof signage to hotel do not form part of this approval and are to be subject to a separate application lodged with Council.

4. In Part B - Prior to Issue of Construction Certificate, after Condition B5(2) insert the following words:

- (3) In relation to the MUEF Project and the works shown on the drawings approved as part of Modification 7, a separate Noise Management Plan is to be prepared in consultation with the City of Sydney Council. The report shall detail how the noise mitigation measures recommended in the Acoustic Report prepared by AECOM dated 7 October 2010, will be implemented. The Plan is to be submitted to the Department for approval prior to the issue of a Construction Certificate for the MUEF works.

5. In Part B - Prior to Issue of Construction Certificate, at the end of Condition B6 (1) insert the following words:

- (2) Prior to the issue of a Construction Certificate for the MUEF works approved under Modification 7, the Proponent shall submit to the satisfaction of the Certifying Authority, drawings and documentation demonstrating that the construction and fit out of the building incorporates the recommendations of the Acoustic Assessment Report prepared by AECOM dated 7 October 2010, and will compliance with condition F5.

6. In Part B - Prior to Issue of Construction Certificate, after Condition B26 insert the following additional condition:

B27 Design of Service Link

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Director-General, design details demonstrating that the transparency of the service link is maximised as per the recommendations of the Visual Impact Assessment, Multi Use Entertainment Facility – Star City Casino, prepared by GMU Urban Design and Architecture, dated October 2010.

7. In Part D - During Construction, after Condition D21 insert the following additional condition:

D22 RailCorp HV (11kV) Cable

No works are to take place around the RailCorp HV (11kV) cable located along both Pirrama Road and Jones Bay Road without prior written approval from RailCorp.

8. In Part E - Prior to Occupation or Commencement of Use, after Condition E1 insert the following additional condition:

E1 (A) Certification of Noise Mitigation Measures

Prior to the issue of an Occupation Certificate for any stage of the approved development, a report is to be prepared and submitted by a qualified acoustic engineer confirming that the development has been constructed in accordance with the recommendations of:

- (a) The Acoustic Assessment Report prepared by ARUP, September 2008;
- (b) Addendum Report prepared by Acoustic Logic Consultancy dated August 2009; or
- (c) Acoustic Assessment Report prepared by AECOM dated 7 October 2010 as may be relevant to the completed works.

9. In Part E - Prior to Occupation or Commencement of Use, after Condition E11 insert the following additional conditions E12 and E13:

E12 Loading Dock Management Plan

The Proponent shall prepare a Loading Dock Management Plan outlining all management measures required to ensure the operation of the loading dock and loading bay located on Level B2 will not adversely impact on Sydney Bus' operations. This plan shall be prepared in consultation with Sydney Buses and to the satisfaction of the Director-General prior to the issue of an Occupation Certificate for the Multi Use Entertainment Facility.

E13 GFA Certification

A Registered Surveyor is to certify that the Gross Floor Area (GFA) of the Star City Complex prior to the issue of an Occupation Certificate for the Multi Use Entertainment Facility.

10. In Part F – Post Occupation & On Going Operational Conditions, delete part (2) of Condition F2.



11. In Part F – Post Occupation & On Going Operational Conditions, after Condition F8 insert new condition F9:

F9 Loading Dock Management Plan

The Proponent shall implement the provisions of the Loading Dock Management Plan required under Condition E12 of this approval at all times.
