



## COMMISSION SUPPORTS PLANNING DEPARTMENT'S RECOMMENDATION TO REFUSE CASINO REDEVELOPMENT

20 November 2019

Plans for a new luxury hotel and apartment tower at The Star casino complex in inner-Sydney have been rejected by the state's Independent Planning Commission.

Star Entertainment Group Limited (the Applicant) sought planning approval to demolish part of the The Star complex at Pyrmont and construct a new RL 237-metre tower and podium, comprising a 220-room, six-star Ritz-Carlton hotel and 204 residential apartments, basement car parking and a neighbourhood centre.

The Department of Planning, Industry and Environment's whole-of-government assessment concluded the \$529-million proposal should be refused because it is "inconsistent with current strategic planning for the site and locality and fails to promote the orderly use and development of land".

It added the new tower form would be "inconsistent with its immediate context" and "result in unacceptable visual impacts due to its scale, isolation and visual dominance of the existing Pyrmont character and fails to promote good design and amenity of the built environment."

The modification application was referred to the Commission for determination due to objections from City of Sydney Council and the community.

Commissioners Dianne Leeson (Panel chair), Stephen O'Connor and Adrian Pilton were appointed to consider the merits of the application and make a final decision. The Commissioners met with the Applicant, Department and Council to discuss the application and held a public meeting to listen to the community's views.

Concerns raised by speakers at the public meeting and in written submissions to the Commission centred around the bulk and scale of the proposed development, its incompatibility with the existing surrounding low-scale development, unacceptable visual impacts, view loss, overshadowing, lack of infrastructure to support the development, increased traffic and anti-social behaviour.

Supporters of the proposed development cited its high-quality design and positive economic impacts, including job creation and its contribution to the tourism industry, as reasons it should be approved.

After considering all the evidence and weighing the community's views, the Commission has today (Wednesday 20 November 2019) determined to refuse the modification application – agreeing with the Department's assessment that "on balance the public benefits do not outweigh the impacts associated with the Application."

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In its published Statement of Reasons for Decision, the Commission found the Application is not in the public interest because it:

- lacks strategic justification, particularly given that:
  - the Commission does not accept arguments related to the Application being located within the Darling Harbour precinct
  - strategic planning and related controls for the Bays Precinct and the Western Harbour Precinct are not yet finalised and cannot be used to justify the scale of the development
- is inconsistent with the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* and therefore would also be inconsistent with the draft *State Environmental Planning Policy (SEPP)*
- is inconsistent with the design principles of *SEPP No. 65 – Residential Apartment Development* relating to context, built form and scale, and density
- will result in unacceptable built form, including a tower of a height which is overly obtrusive and that will result in unreasonable and unacceptable impacts with respect to view loss, visual impact, and overshadowing
- is inconsistent with objects (c) and (g) of the *Environmental Planning & Assessment Act 1979*, in that it does not:
  - promote the orderly and economic use and development of land
  - promote good design and amenity of the built environment

The Commission also found the Application is inconsistent with the outcomes of the Greater Sydney Commission's (GSC) *Western Harbour Precinct including the Pyrmont Peninsula Planning Framework Review*, which has recommended a holistic place-based masterplan to be prepared promoting a place-based approach over a project-based approach to planning in Pyrmont.

In August this year, the Minister for Planning and Public Spaces asked the GSC to review the effectiveness of the planning framework to deliver the Government's vision for the Western Harbour Precinct and Pyrmont Peninsula, as the western gateway of Sydney's CBD.

The GSC delivered its findings and recommendations to the Premier and Minister on 30 September. The Commission considered the outcomes of the GSC's Review in determining the modification application.

"The Commission acknowledges that the Application is located within a precinct which is evolving in terms of strategic context," its Statement of Reasons for Decision noted. "The Commission considers that the primary outcomes from the Pyrmont Review relevant to the assessment of the Application are the GSC's identification of:

- the negative aspects of planning for the area being undertaken on a project-by-project basis
- the recommendation that a holistic place strategy be undertaken over a 9 to 12-month period for the Pyrmont Peninsula.

"The Commission takes the view that the outcomes of the Pyrmont Review support an assessment of the Application on merit against the existing statutory framework and strategic context of the area, as opposed to a potential future context which at this stage is not yet known," it concluded.

**The Commission's Statement of Reasons for Decision is available:**

<https://www.ipcn.nsw.gov.au/projects/2019/07/star-casino-site-mp-08-0098-mod-13>

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