



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: THE STAR MOD 18 - CHANGES TO MUEF (MP08_0099-MOD-18)

DEPARTMENT MEETING

COMMISSION PANEL: DIANNE LEESON (Panel Chair)
 ADRIAN PILTON
 DR PETER WILLIAMS

OFFICE OF THE IPC: JANE ANDERSON
 OLIVER COPE
 HEATHER WARTON

DPE: AMY WATSON
 THOMAS PIOVESAN

LOCATION: VIA VIDEO CONFERENCE

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MS LEESON: Before we begin, I would like to acknowledge that I'm speaking to you from Ngarigo Land and I acknowledge the traditional owners of all the country from which we virtually meet today and pay my respects to their Elders past and present.

Welcome to the meeting today to discuss The Star Casino Complex Mod 18 - changes to the MUEF case currently before the Commission for determination. The applicant, Foundation Theatres Pty Limited, is seeking consent for alterations and additions to the multi-use entertainment facility in the northern part of The Star Casino Complex. These include conversion of the MUEF into a two-theatre complex, construction of a new fly tower, construction of new dressing room and plant and equipment areas and internal alternations to foyer and pre-event spaces.

My name is Dianne Leeson, I'm the Chair of this Commission Panel. I'm joined by my fellow Commissioners Adrian Pilton and Dr Peter Williams. We are also joined by Jane Anderson and Oliver Cope from the Office of the Independent Planning Commission and Heather Warton who is assisting the Commission. In the interests of openness and transparency and to ensure the full capture of information today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website. This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination.

It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you're asked a question and not in a position to answer please feel free to take the question on notice and provide any additional information in writing which we will then put up on our website. I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they do not speak over the top of each other to ensure the accuracy of the transcript. So we will now begin.

We've forwarded you an agenda that we'd like to loosely follow today or follow today. You kindly sent through a short presentation last night which will go up onto our website and it will form the basis for discussion, I think, around some of the key issues of interest to the Commission and I think if we can just then - I'll invite my panel members, my fellow Commissioners to pop in with question whenever they feel they need to, so it will be reasonably informal, I think, then we'll get our way through the agenda. If we can start with strategic context. I'd invite the Department to make a couple of comments around the fit of this proposal in the strategic context.

MR PIOVESAN: Sure. I might start. My name's Tom Piovesan, I'm a Senior Planner at the Key Sites Assessment Team in the Department of Planning. In terms of

the strategic context for this site the most recent development is the Pymont Place or Pymont Peninsula Place Strategy which was finalised by the Department in December 2000 and it's a strategy that looks to create a 20-year growth plan for the peninsula including a number of new jobs and homes. Within that strategy The Star site overall is a site that was identified as being capable of change and it was also identified as a key site in that strategy which also aligns with a couple of the big moves in the strategy, one of which is to create a vibrant 24-hour cultural and entertainment destination and we see or are satisfied that the proposal to enhance the cultural facilities on the site aligns with that objective of the strategy.

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The next, I guess, strategic layer below that was the Pymont Place Peninsula Sub-Precinct Master Plan. The Department late last year progressed a number of planning control changes within the peninsula for The Star site in addition to the UTS site and two Pymont Metro station sites and that was part of the next step in realising the overall Pymont Place strategy and as part of that, The Star presented the Department strategic team with a master plan which led to the assessment and development of the controls including additional height for the MUEF here and changes to the FSR, amongst others.

20 MS LEESON: Thanks, Tom. And so that master plan that was submitted has formed the basis of the height controls that are now in place, is that correct?

MR PIOVESAN: Yes.

MS LEESON: Yes. Okay. Thank you. We might keep moving through. I know, Peter, you're having trouble with some background noise from time to time but please, whenever you have a question just unmute and we can take it from there but we'll keep moving through. You mentioned the controls and the permissibility we see from the assessment report, it's zoned B3 and that contemplates entertainment facilities which we agree this clearly is. In terms of the amendments to the controls though we'd like you to take us through the applicability of the controls in the amended LEP given that the application was lodged before those controls were in place.

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So we know Urbis has relied on the fact that there are no transitional provisions in the LEP amendment but can you explain to us how these controls are actually the relevant controls that we should be taking into account rather than the old controls which was the 28-metre height, we're now looking at the 51.8-metre height, I believe it is, and whether your reliance is in part on section 4.15 of the Act.

40 MR PIOVESAN: Sure. So as I mentioned previously, the master plan controls that were considered as part of the sub-precinct master plan were informed by The Star's

intended growth opportunities for the site and part of that was, I guess, the Department identified that there was opportunity to rationalise some of the development that had happened within The Star site over time and that resulted in, I guess, the current amendment where - known as, I guess, Area A under the Sydney LEP which was a contour defined specifically around MUEF site to potentially facilitate a change of height specifically for entertainment facility. Yeah, so that was how the height element was progressed.

10 MS LEESON: Thank you. Thanks. We understand how the height change was arrived at and it was formally gazetted in July last year after the amendment had been lodged. So when the amendment was lodged the prevailing instrument was the existing Council LEP and DCP which had a different height control. What I'm trying to understand is did the Department under its mandatory considerations of section 4.15 which requires consideration of draft or proposed instruments, was that which was giving you the technical capability to assess this under the current heights that are proposed?

20 MS WATSON: I might jump in. I'm Amy Watson from the Department of Planning. So the applicant addressed the height controls at the time of lodgement of their application in the modification report. So they addressed the current - the then current height control of 28 metres and addressed the statutory requirements in their modification report. We can probably take that on notice and provide some additional information to you after the meeting on our detailed consideration of that if you like.

MS LEESON: We'd appreciate that, Amy, unless one of my fellow Commissioners can explain our - it's not a conundrum, it's just a clarification we'd like - - -

MS WATSON: Yep, yep.

30 MS LEESON: - - - that we're able to use the height controls that are currently there when the application was lodged prior to those controls coming into place. We think that section 4.15 is probably, you know, the relevant instrument - the relevant section of the Act to relate to given that we need to consider, you know, proposed amendments. Peter, did you have your hand up?

40 DR WILLIAMS: Yes. Thanks very much, Di. Yes, just in a nutshell I think the - what the view we're developing is that despite the lack of savings or transition provisions in the amendments, the SEPP and then the LEP, nonetheless they still apply but virtue of, I think, section 30 of the Interpretation Act. So what that means is the old instrument which was the instrument that was applicable at the time the DA was lodged still applies even though there's no savings and transitional provisions.

However, by virtue of section 4.15 when you come to assess the application you also have to obviously assess any draft amendments and the fact that this draft amendment at the time of the lodgement of the DA was imminent and, in fact, subsequently was, in fact, made, therefore, it's given significant determining weight. So it's fine to assess it by giving weight to the provisions of - the now current provisions but we just want to make it clear that we can use those instrument - those provisions on the basis they are contained in an imminent significant draft instrument at the time of application - of lodging the application.

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MS LEESON: Thanks, Peter, that's much more clearly put than I had managed to do it and I hadn't referred to the administration and savings legislation so thank you for that.

DR WILLIAMS: Sorry, but that's sort of - - -

MS LEESON: No, that's - - -

DR WILLIAMS: So we just wanted to clarify that. Thanks, Di.

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MS LEESON: That's fine. So is that clear for you now at the Department to take that on notice?

MS WATSON: Yeah, we can take that on notice and come back to you with some further clarifications on that.

MS LEESON: Thank you. And if that's not the only clarification or the only issue that we need you to come back to us on. We do want to deal with this quite expeditiously so we'd very much like to have any responses - I know tomorrow's a public holiday but if it's humanly possible by close of business Friday, otherwise Monday. Just give you a heads-up now that we'd like to deal with it quite quickly.

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MS WATSON: Thanks.

MS LEESON: Thank you for that. Were there any other questions on the SEPP and LEP amendment? We're comfortable to move on? Yes. Okay. The next issue we had on the agenda under statutory matters was compliance management and responsibility and the split between Star and Foundation Theatres and we understand that Place Management New South Wales has granted - well, we understand from the applicant ground leases to both Star and to Foundation Theatres. Given there's a consolidated consent across the site, and this is an amendment to that and the

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application was made by Foundation Theatres we'd like to understand how compliance management issues would be dealt with through conditions of the consent.

So if there are complaint or there are compliance issues how do they get dealt with under the consolidated conditions, does it come back to Star, does it go to Foundation Theatres, does it go to Place Management New South Wales? And I say that quite, you know, in a convoluted way because we've heard from community a number of times about issues at the casino or at The Star complex and we've also heard from the applicant that a lot of those issues are not related to their part of the operation, they're related to, you know, the gaming areas or other part of the complex. So we'd just like to understand, if the Department can, how the consent's intended to work when there are compliance issues related to this application.

MR PIOVESAN: Sure. I might just start on that one. So, yeah, broadly there is several conditions within the consent as they stand that applies both an overall comprehensive site-wide operational management plan in addition to specific management plans for particular areas; namely, like gaming spaces, the porte-cochere and loading docks. The applicant's advised us in terms of this application that the Foundation Theatres staff themselves would oversee the management of the event spaces but there would be crossovers between Foundation Theatre staff and the staff at The Star in terms of things like waste management.

In terms of sort of complaints management, so far to our knowledge that we're aware their complaints have been direct and responded to by The Star Entertainment Group themselves. We aren't aware of any specific complaints that have been received on the entertainment facility. Yes.

MS LEESON: I mean, I imagine that most complaints are going to be about noise and behaviours out on the street which are not directly related to this venue themselves but did I understand you to say that Star Entertainment Group and Foundation Theatres have management - joint management arrangements for these sorts of issues particularly for, as you say, waste management and other activities inside the venue?

MR PIOVESAN: They've advised us of that in - as part of this application in terms of discussing how the venues would operate within The Star complex. That's not to say that that relationship doesn't come across as clearly in the consent partly because of the age of the consent and the entities as they existed back in 2008 where it was at the time Tabcorp who has progressed the application. So there is some extra complexity in terms of managing the different entities within the site presently than there was when the different entertainment facilities were developed within The Star complex.

MS LEESON: Okay. But the Department is satisfied that those management arrangements are adequate for external issues related to the site?

MR PIOVESAN: Yes.

MS LEESON: Okay. Thank you. Peter or Adrian, any - - -

MR PILTON: Nothing from me.

10 DR WILLIAMS: I'm fine, thanks. Thanks, Di.

MS LEESON: Okay. Thank you. Then we might move on to built form and this is, I think, where your presentation or the slides that you sent through last night will be particularly helpful.

MR PIOVESAN: Yes.

MS LEESON: Can you pull those up on a shared screen for us or is someone at my end doing that?

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MR PIOVESAN: I can try to do that.

MS LEESON: Sorry, we should've sorted this out earlier.

MR PIOVESAN: Can everybody see those slides?

MR PILTON: Yes.

DR WILLIAMS: Thank you.

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MS LEESON: Thanks, Tom.

MR PIOVESAN: So, yes, you're correct. So as part of - throughout the assessment and in response to the submissions received the applicant did amend the design of the proposal. With the slide on your screen now you have the as-lodged proposal on the left and the amended proposal on the right and this is showing the - an asymmetric perspective from Pirrama Road. So one of the key concerns that Council raised was around the bulk and scale of the proposal and particularly the enclosure that was proposed around the fly tower extension and as you can see, between the lodged and amended the applicant has since revised their proposal to encase the fly tower more tightly with their proposed aluminium cladding and that has the effect of, I guess,

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reducing the overall bulk significantly of that addition. Were there any specific elements on the amended design that you wanted to ask any questions upon?

MS LEESON: I think we note that Council has withdrawn its objection based on the height and bulk and that they're not satisfied. I think our primary issues are around the design excellence requirements and the view loss impacts of surrounding residential areas. So I invite the other Commissioners to ask questions as well but if you can take us through - we understand that the built form has been amended and that's a significant improvement, I think, all concerned would agree but if you can take us through the design excellence requirements now the Department has satisfied themselves of those, that would be helpful.

MR PIOVESAN: Sure. Yes, so our - we did consider, we considered both the design excellence provisions in the Sydney LEP as well as the design guidelines that form part of the Pymont Place strategy and the Pymont Place sub-precinct master plan. Due to the relationship of the proposal to the street sort of located above a podium there is a somewhat more limited street relationship than if, for example, it was a completely new construction from like, you know, ground level.

So in that regard, you know, we note that some of the requirements in the LEP relate to, you know, street relationships and we're satisfied that due to the position and setback nature of the existing structure that the amended proposal responds positively to the street scope relationship and helps in the adaptive reuse of the existing structure. Likewise, because of the raised nature of it is quite a limited relationship between it and any sort of street landscaping or public domain around the surrounding area in terms of design excellence.

MS LEESON: It does seem to us that the applicant's made significant efforts to address some of Council's concerned in relation to, you know, how many falls, built forms there are along the street that now integrated that - those dressing rooms and the reconfigured kitchen areas to appear as a similar built form, that they've, in fact, done as much as they can to reduce the size of the fly tower. Does the Department agree that they've done - gone as far as they can in mitigating the size and bulk of the fly tower?

MR PIOVESAN: Yes. So, I guess, partly the key driver is the - the fly tower is the key element, I guess, for the type of productions Foundation's wanting to show here at the site and, yeah, the Department is satisfied that the amended design, I guess, makes the greatest possible change to the proposal whilst still making sure that performance requirement is met.

MS LEESON: Yes. Thank you. Thank you. And materials and finishes, Council also raised issues around those. Can you explain to us what changes you've made?

MR PIOVESAN: Yes. So the main change of materiality from the lodged proposal was around the dressing room extension. Previously it was a range of a darker grey aluminium screenings with sort of long horizontal windows and as you mentioned that Council raised some concerns around a multitude of built form and so on. The applicant has since come back and revised that element of the proposal to match the height of the extension with the existing plant room along Jones Bay Road and also to amend the finishes in a way where it will carry across the aluminium louvres and as well the sandstone panelling from that element and I'll just go to slide number 2 which shows that element. This top right picture here, this is the existing plant room and the amended design was seeking to, I guess, carry this design language across - across the face of the partial façade of the MUEF you can see here rather than create a distinct design language.

MS LEESON: Thank you. Any other questions from the Commission?

MR PILTON: No, not from me.

DR WILLIAMS: Sorry, Tom. The - just for my own complete understanding, with the assessment of design excellence and the built form materials and so on and when the Department was undertaking its assessment that's been just purely an internal assessment? Was there a need for any referral to the government architect or any design body as part of this process?

MR PIOVESAN: We - it's primarily been internal but we have liaised with the government architect as part of this proposal.

DR WILLIAMS: Right. No, thank you. And just one other question. It might be on one of these slides too, I'm not sure, but - as well but in the assessment - the Department assessment reports there's two figures there, I think it's figures 4 and 5 and on the plans it refers to - and I think it's shown in a dotted red line from memory as well but it's the improved height plain, is labelled on those figures. Yes.

MR PIOVESAN: This one here?

DR WILLIAMS: Yes, yes.

MR PIOVESAN: One of these two, yep.

DR WILLIAMS: Yes, that's right, that's - they're the ones. So that's the approval height plain. By that you mean the height controls now in the LEP amendment, the - that's the 51.8-metre height control now?

MR PIOVESAN: Yeah. So this - this blue line in particular is from the applicant's documentation and, yeah, we understand it to be that's the RL51 point 8.

DR WILLIAMS: Great. Good. Thanks, Tom.

10 MS LEESON: Thank you. If there's nothing else we might then move onto the visual impact and particular view loss and there's quite a few slides that you've got in the package here. My primary questions relate to the Watermark Tower development and levels 8 and 9 which you've pulled up. The camera locations, it's not particular material, but you've got camera locations on the Watermark Tower building and, yet, Watermark owners didn't allow consent to put noise loggers there for the purpose of noise assessment. Are these locations from previous application for the casino - for The Star facility, do you know?

20 MR PIOVESAN: I might have to take that on notice just so we can review the methodology.

MS LEESON: Look, I wouldn't worry about doing it, it was more a curiosity, it's not material to our determination but it's a working assumption of ours that that's probably the case. One thing that wasn't clear to me in the assessment report, and I haven't got the visual impact assessment of the applicant with me, is, in fact, how many apartments are impacted with view loss on levels 8 and 9 in the Watermark Tower? Does the Department have that information?

30 MR PIOVESAN: We have some of the information but I might have to take that on notice just so I can give you an exact number, that's possible.

MS LEESON: If you could clarify in these buildings, particularly related to the slides that you've got on the screen how many apartments there are that have impacted and I know you've rated the impact, you know, from negligible to minor, moderate, et cetera, but it would be handy to have some correlation about the numbers of apartments in those categories.

MR PIOVESAN: Sure.

40 MS LEESON: And I don't, in having said that, I don't think we need - I'll open it up to the Commissioners, but I don't think we need that information for the Rockdale

Towers, I think it's probably just the Watermark Tower and Watermark Pavilion, if you could do that for us.

MR PIOVESAN: Sure.

MS LEESON: Terrific. And then if you can just quickly take us through your assessment of the view loss. I mean, the diagrams are quite clear in their presentation but if you could take us through your analyse quite quickly that would be helpful.

- 10 MR PIOVESAN: Sure. So within our assessment we considered, I guess, the greatest level of impact for those from levels 8 and 9. Levels 8 and 9 are, sort of they're mezzanine units so the entry point to them is from level 8 but they do have an internal mezzanine within most of those units on that level.

MS LEESON: Sorry. So does that mean they're two-storey units?

MR PIOVESAN: Yes.

MS LEESON: Yes. Great. Thank you.

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MR PIOVESAN: And within that we considered the greatest impact was from the south-facing units within that level. The key driver behind that being that the proposal would remove existing views of Centrepont Tower from those currently enjoyed. That would diminish as you move down the tower to level 7 where just due to the existing built form within the view cone is already obscuring the CBD views to the point where the view loss would be limited to open sky view removal.

MS LEESON: Yes.

- 30 MR PIOVESAN: The other key elevation in the Watermark Tower were those units facing the east where we found that the impact was more moderate partly because again of the existing MUEF structure but the view removal would've been limited to the tops of sort of non-iconic CBD buildings that were already impacted by the MUEF and again as with the units on the southern elevation we concluded that the most - the greatest level of impact was at the units level 8 and 9 and from 7 downwards that impact would reduce, again due to the existing presence of built form from The Star site.

- 40 MS LEESON: And just to confirm, that yellow-shaded area, north tower concept envelope that's the envelope that's now been approved under the LEP amendment, is that right?

MR PIOVESAN: Correct, that's the - - -

MS LEESON: Subject of a future application, no doubt.

MR PIOVESAN: Yes, it is.

MS LEESON: Yes. Okay. Thank you. Peter or Adrian, any questions on visual impact from what we've seen so far?

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MR PILTON: No, thank you.

DR WILLIAMS: Tom, just to clarify that point that Di asked. So when you say impact on levels 8 and 9, a unit on level 8 also is being two storeys is also level 9 as well?

MR PIOVESAN: Yes.

20 DR WILLIAMS: So it's not like it's - all the residents on level 8 and all the residents on level 9, it's the residents on, if you're on level 8 you're also on level 9?

MR PIOVESAN: Correct.

DR WILLIAMS: Yes. Okay. In terms of numbers of impacted. Okay. Thanks.

MS LEESON: Yes.

DR WILLIAMS: Thank you.

30 MS LEESON: Okay. The public view impacts, if we're finished with residential impacts. You did do some analysis on those terraces down the corner of Pymont Road - - -

MR PIOVESAN: Yes.

MS LEESON: - - - Jones Bay Road.

MR PIOVESAN: Down here. Yes, so just to clarify, would you like me to start from the impacts from those dwellings or from public open spaces around the site?

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MS LEESON: We'll go to public open spaces - - -

MR PIOVESAN: Okay.

MS LEESON: - - - because I think the assessment report's quite clear and from you've already explained about levels 7 and below on the Watermark Tower it's difficult to imagine that the terraces are going to lose much more than sky view, they'll probably be predominantly looking at the building - the complex as it stands anyway.

- 10 MR PIOVESAN: Sure. So the applicant did present us with a couple of vantage points in their impact assessment from surrounding vantage points. This one on your screen now is from the corner of Jones Bay Road and Pirrama Road looking back towards the site. We are satisfied that the additional fly tower and dressing room extension doesn't detract from any significant public domain views towards the site and it's limited again to open sky views or views that sit against the backdrop of the existing hotel tower and then the second vantage point that was presented to us was from the wharf - just near the Sydney Wharf apartments and next to Pyrmont Bay Park and in this one in our assessment report we were satisfied that the amended design allows and presents a stepped design from the hotel tower down to the podium and
20 then to the sports theatre enclosure which is that curved form on the far right of the site.

MS LEESON: That's the wave-shaped building?

MR PIOVESAN: Correct.

MS LEESON: Thanks. And we did have the benefit of a site visit last week and with the applicant and they took us to those same vantage points so we have a good feel for those. Thank you. Peter or Adrian, any questions on public view?

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MR PILTON: No, thank you.

DR WILLIAMS: No, thank you.

MS LEESON: Okay. Then we might move through to the noise assessment if we can and I touched on earlier that the Watermark Tower people were - didn't provide permission to put noise loggers there and so the loggers were provided on the complex itself. Can you just take us through how you believe that those logger points are
40 respective of the noise likely to be received at Watermark tower?

MR PIOVESAN: Sure. So in their noise assessment the applicant, yeah, has mentioned placed them there as they consider they're representative of the background noise levels and worse case background noise from the residential and commercial receivers respectively. Given the elevated nature of the site and where plant and equipment would be, we're also satisfied that those locations of where noise readings were taken from are representative of the surrounding environment.

10 MS LEESON: And would that mean that you believe they would be representative of the worst noise impact, I mean, being that adjacent to the MUEF and the plant areas, in particular?

MR PIOVESAN: We are satisfied that in terms of the residential element and where they've been placed that it would present a worst case scenario, the conservative worst case scenario in terms of potential noise impacts to the Watermark Tower and that receivers outside of that would experience lower noise levels as you move away.

20 MS LEESON: Thanks, Tom. And I think the applicant themselves when we walked around site last week was impressing upon us the need for acoustic separation between their theatres themselves and noise appears to be as much an issue for them internally and in an operational sense as it does externally for residents and commercial businesses nearby. Okay. Peter or Adrian?

MR PILTON: No, I'm fine, thanks.

30 DR WILLIAMS: I guess the only other issue as far as operational noise is concerned is just the movement of, you know, patrons going, you know, into and out of the facility. The - I would gather that the operational hours wouldn't be any different from what this facility is already and there hasn't been a history of complaints so - to your knowledge in terms of, you know, patron noise or things like that? I know it's hard to distinguish perhaps between, you know, these entertainment facilities and the casino but there - in your opinion would any significant or any worsening of any street noise or those sorts of noise from operation of the facility?

40 MR PIOVESAN: I think in terms of the existing entertainment facility use, no, we're not aware of any specific complaints against it. In terms of the management of patrons within the space there are three levels that are used for pre-function events and the applicant's advised that they will be refurbished as part of the proposal. Two of those levels would be allocated to the main theatre and the third level would be allocated to the small - the live room event. I think we're satisfied that most of those patron movements can be adequately catered for within existing travel paths within The Star site and the majority of patrons would probably be arriving to the site either by car or

existing means of transport that would internalise, I guess, any impact that might spill out onto the street, we think that's quite unlikely in terms of the type of events that would be held here.

DR WILLIAMS: Yes. Yes. Okay.

MR PILTON: Might I ask a question please. The theatre people seem to be of a view that everybody will access - excuse me - access the new theatres sort of from the direction of the existing Lyric Theatre. I'm just wondering if the Department's happy with that. It seems to me quite a convoluted pathway, whether it would be closer to go out onto Jones Bay Road which would mean that you'd have more people exiting at that point.

MS WATSON: Can I just add one thing? It's not directly in response to what you've just, the question you just asked, Adrian, but the modification actually seeks to reduce the overall maximum capacity of the theatre. So I don't know if we'll be able to answer your exact question about the likelihood of people using different paths. The Star's a very complicated place to find your way around but, I guess, overall we were satisfied that, you know, the general operation of the two theatres could be managed and, in particular, just noting that the overall capacity is less than the capacity of the theatre at the moment. So I thought that was a key point to make.

MS LEESON: And that's when it's operating even with both venues running at full capacity simultaneously, you've got a net reduction in number of patrons. I think the other thing that the applicant's advised us is they believe that patrons will arrive by the means they currently come, whether it's car, light rail or walking along Pirrama Road and Jones Bay Road coming through taxis and things like that. So they - and this is where I got to the question earlier about this compliance issue and where responsibility sits and particularly in terms of external areas and how these complaints are managed is very difficult to differentiate who's come out of the theatre and who's come out of a casino or a bar. So that's my question around the joint management arrangements which we will pursue with the applicant later but my question around that was the Department's satisfied that the conditions that you've drafted and put in place will accommodate that sort of management regardless of the source of the noise.

MS WATSON: And also - yes, yeah, we are. I think it's also important to note that because the whole Star precinct is an entertainment facility that you would expect that there may be more than one reason why people are visiting there as well. They may go to the theatre as well as then use other Star facilities before or after. There's obviously all the restaurants and the like. So, but, I guess, we are satisfied that as a whole there's site-wide management plans and operation plans and The Star has -

we've dealt with them on numerous modifications for different areas and they've got a complaints handling approach and we're confident that The Star and Foundation Theatres can manage their operations and the complaints through those existing conditions.

MS LEESON: Thanks. And I think you've also recommended a condition about updating the operational noise management plan, is that right?

MS WATSON: That's correct.

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MS LEESON: Yes. Okay. Thank you. Then we might move to traffic if there's nothing more on noise and I think our concern is around operational traffic and loading dock operations rather than general traffic in the area. I mean, taking your point earlier around the way, you know, the net reduction in patrons because of the amendment to this facility. Normal traffic's not an issue but we'd like to understand the operational traffic and the loading dock operations given that the Lyric Theatre and this facility will share the loading dock.

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MR PIOVESAN: Sure. So The Star and Foundation has advised us in terms of their operational management plan that the expanded facility would continue to use two of the existing loading docks at The Star. The main one in terms of delivering sets and props to the site would be access through the existing one-way service link that is off Pirrama Road or Edward Street through the site and then exists out from the service tank further down the road. Currently, or the intent in what happens currently is that production vehicles will - they park in the service loading zone and are able to unload their equipment into the loading dock and into the existing lift core that was a remnant from the former sports theatre, that's still being used for that purpose, transporting them up to the link bridge which then is transported across to the MUEF.

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The second loading dock is one that's accessed directly off Jones Bay Road and they've advised us that's primarily used for all the other operations things, so like food and beverage deliveries, waste collection, merchandising and the like and that one receives majority movements in terms of sort of ongoing management of the site, both of those loading docks have existing management plans under the existing conditions of consent and also have sort of dock managers as well to ensure that deliveries are timed and access is managed between varying demands as the production schedule may require.

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MS LEESON: Thanks. And the applicant on our site visit last week did explain that these shows, particularly for like the Lyric they come in for a number of weeks, if not a few months at a time and they may well have similar sorts of productions in the

Broadway-style theatre that's going to be here. So it's not as if these loading docks are being used to move sets in every day of the week or every other day so they did give us a fairly reasonable explanation of that and the path of travel within the building. Are we comfortable to move on, Adrian and Peter?

MR PILTON: Yes.

DR WILLIAMS: Yes. Thanks, Di.

10 MS LEESON: Yes. Okay. I only had one additional question this morning when I was having a quick look through the recommended conditions and it was around construction and construction hours. It notes that Saturday hours - and it relates to condition D11 in the consolidated consent and it relates to Saturday hours. So it says 8.00 to 3.00 for normal construction hours on a Saturday and then it has 8.00 to 4.00 for heavy demolition Monday to Saturday. Is there an inconsistency in that condition? It's an hour for the heavy demolition on a Saturday afternoon. This will require, you know, a reasonable amounts of demolition and new construction but does the Department see that as a potential issue? Perhaps that's one you can take on notice.

20 MR PIOVESAN: Yes, I think if we could that would be good only because the hours may have been changed as part of the previous applications where a range of other works have been done to the site in the past. So, yes, we can just check the history behind those hours in particular and get back to you if that's okay.

MS LEESON: It might just be a tidy-up, I'm not sure, but if you can come back to us that would be fine. I had no further queries of issues to go through with the Department today but I just need to check that there was nothing else from the Commission's end that we'd like to pursue with you.

30 MR PILTON: Nothing from me, thanks, Di.

DR WILLIAMS: Di, I'm struggling to think of something else but I can't.

MS LEESON: No, that's okay. It's just an opportunity. I'd hate to end the meeting and then discover that, oh, there was something else that we wanted to go through. So if that's all then so far as I've noted down, I think we've only got three matters for the Department to follow up on and we will send you a memo to confirm that. One was around the number of apartments impacted in particularly Watermark Tower and Pavilion on those levels 8 and 9 and clarifying that mezzanine apartment issue. The
40 LEP amendment and the controls being relevant controls that are driving the

determination of this and then that last issue, very minor issue is just is there an inconsistency in condition D11 around Saturday construction hours.

Other than that I don't think there was anything else for us to take on board today and I will apologise about the number 1 that comes up on my screen. I have to blame my young granddaughter who put that there some time ago and I don't know how to get rid of it. So it's not me big-noting myself, it's actually a small child who's taken a lot of entertainment at their grandmother's expense so just to explain that. All right. If there's nothing else or nothing else the Department would like to brief us on today we
10 can probably close the meeting. All good?

MS WATSON: No, thank you.

MS LEESON: Okay. Well, look, thank you very much for your time this morning, that's been most helpful. So we'll follow up with those couple of clarifications and if we can have those, I mean, ideally Friday but Monday at the latest would be most helpful for us to continue assessing this one.

MS WATSON: No problem.
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MS LEESON: All right. We'll close the meeting. Thank you very much.

MEETING CONCLUDED