



Property Council of Australia

Australia's property industry

Creating for Generations

6 September 2019

Professor Mary O'Kane AC
Chair
NSW Independent Planning Commission
Level 3
201 Elizabeth Street
SYDNEY NSW 2000

Dear Professor O'Kane

Re: Star Casino Redevelopment MP 08_0098 (MOD 13)

I am writing to you concerning the subject development currently under consideration by the Commission.

As Australia's peak representative of the property industry, the Property Council's members include investors, owners, managers and developers of property across all asset classes, who employ 1.4 million Australians. The Property Council is not a lobbyist and therefore does not advocate for specific projects. Hence, our interest in this matter (and the focus of this submission) is the broader and systemic issues this case highlights about the current planning system in NSW.

With this in mind, we would submit that this is a textbook case study of the costs, delays and poor processes underlying the NSW planning system which both proponents and the community currently endure. Complex processes, statutory planning instruments which do not advance either the housing or economic needs of a global city like Sydney, extensive delays and mounting costs that lead to frustration as well as the uncertainty of outcome and lack of transparency the current system engenders.

The following specific comments are provided to assist the Commission in its deliberations:

- **Planning controls:** The subject site was initially developed under the provisions of *State Environmental Planning Policy No 41 – Casino Entertainment Complex* (SEPP 41) which was in force between September 1994 and December 2012. The aims of SEPP 41 included to further the development of Sydney, in particular as a world class tourist destination and to improve and enhance the cultural and recreational facilities of Sydney for the people of New South Wales. These objects remain should remain current for the site. The project approval (MP 08_0098) was approved in 2009 under the former Part 3A provisions of the *Environmental Planning and Assessment Act 1979*. Since December 2012, the relevant planning controls for the site fall within *Sydney Local Environmental Plan 2012*.

PROSPERITY | JOBS | STRONG COMMUNITIES

- **Strategic plans:** The strategic context for the site is under the *Greater Sydney Regional Plan* and *Eastern City District Plan*. These introduce the concept of the Harbour CBD. The success of the Harbour CBD is underpinned by a range of factors including “entertainment, cultural, tourist and conference assets”. Industry looks forward to the updating of Local Environmental Plans to give effect to these factors which will hopefully – in the longer term – reduce the likelihood of the mismatch of expectations that has occurred in this instance.
- **Delay:** The proponent obtained SEARS from the Department in February 2016 and May 2016. This project has been ongoing for more than 3 years despite a comprehensive design excellence process involving the Department and the NSW Government Architect. The proponent provided the Department a submission on 27 November 2018. The Department’s assessment was completed on 25 July 2019, being eight months after the proponent provided their response to submissions. It is a concern that this project has been the subject of such a lengthy assessment timeframe.
- **Jobs, growth and investment:** This project has a capital investment value of more than \$520 million and will provide for 265 operational jobs and nearly 490 construction jobs. The project will be required to make a contribution of \$5.6 million to the City of Sydney for the provision of local infrastructure and \$1.8 million towards affordable rental housing. Other public benefits have also been included in the project including a proposed neighbourhood centre (1,691sqm of gross floor area).

Should you have any questions in relation to this matter, do not hesitate to contact me on [REDACTED] [REDACTED]
[REDACTED]

Yours sincerely



Jane Fitzgerald
NSW Executive Director
Property Council of Australia