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Marcus Jennejohn
Senior Planning Officer
Department of Planning & Environment
Major Projects Portal

By email: Marcus.Jennejohn@planning.nsw.gov.au

Dear Marcus

Harbourside Shopping Centre Redevelopment – Advice on Modification 3

Thank you for your correspondence dated 3 March 2023 inviting the City of Sydney Council (“the City”) to comment on the above modification to the Concept Approval (SSD 7874, as amended).

The modification seeks consent for the following changes to the conditions set by the Independent Planning Commission (IPC) in their concept approval for the site:

1. Increase the tower envelope height by 3.05m
2. Modify the Terms of Approval to allow for the following:
 - a) Provision of awnings which extend beyond approved envelope
 - b) Provision of soft landscaping which extend above approved envelope
 - c) Provision of soil and increased height of deck level on northern podium
 - d) Amendment to northern podium extent in the podium identification plan
 - e) Removal of requirement for through-site link to be entirely open to the sky
 - f) Clarification on location of Waterfront Steps

The City has reviewed the submission and provides the following comments for your consideration regarding each of the proposed changes.

1. Increase the tower envelope height by 3.05m

It is understood that increased tower envelope height (from RL 166.95 to RL 170) is sought to allow for compliance with the increased floor to floor height requirements proposed within the National Construction Code 2022 (NCC 2022).

A review of the detailed design SSDA (SSD-49295711 / referred to as SSDA 2 in the EIS) indicates that floor to floor heights of 3.175m have been provided for the tower residential levels, whereas floor to floor heights of 3.2m are understood to be required under the NCC 2022 changes.

The Pyrmont Peninsula Place Strategy nominates a maximum height of RL170 for the site. To accommodate the required 3.2m floor to floor heights, the RL 170 maximum height must not be exceeded.

It is noted that the City raise no objection to the proposed envelope height, however it must not exceed RL 170, as although there are some minor additional overshadowing impacts at 9am to the housing located on Harris Street and the rear of terraces located on Jones Street, it appears that by 10am the shadow has passed, and that these sites are already in shade from surrounding buildings. It is also within the planning envelope.

2. Modify the Terms of Approval to allow for changes

a) Provision of awnings which extend beyond approved envelope

The proposed awnings at ground level (referred to as canopies in the EIS) reduces the amount of promenade available to the public not patronising the retail of the proposed development. The 5m awning includes structure and this area will not be contiguous with the promenade being raised and separated by planters and steps and ramps etc. In this manner, weather protection for pedestrians is not being provided, in that this area services the retail.

There is no objection to the provision of the 5m canopy structure, however it is required for it to occur within the IPC-approved building envelope and not reduce the width of the public promenade as approved.

b) Provision of soft landscaping which extends above approved envelope

The proposed detailed design of the podium landscaping includes soft landscaping within the southern podium, but projects beyond the approved building envelope for the central and northern podium.

Condition A16 allows for soft landscaping to protrude above the building envelope on the northern and central podium subject to a number of requirements, including where landscaping:

- is within publicly accessible open space and improves the amenity of this space, and
- will have minimal detrimental impact on views from neighbouring properties to the Pyrmont Bridge and harbour.

To enable flexibility and allow for landscaping to complement the podium as a whole, it is proposed to amend Condition A16 to allow for soft landscaping to extend above the building envelope if the current requirements are met. In recognition of the entire podium not being publicly accessible, necessary amendments to this phrase are also proposed for Condition A16. The City raises no objections to the proposed change to the condition wording.

c) Provision of soil and increased height of deck level on northern podium

The proposed public domain works (including the entirety of Waterfront Garden) for the development site are subject to separate individual SSD application (SSDA 3 in the EIS) to the detailed design SSD.

The 'Waterfront Garden' is located entirely on podium structure and within the site it will become an important green space for community use, rather than a rooftop privatised event space, which is a positive design outcome that the City supports.

The merits of the indicative Waterfront Garden design are gardens with medium to large sized canopy trees, natural shade and relief in an urbanised place. The success of landscape on structure requires good design with adequate soil depth and soil volume to support trees, coordinated services, drainage, watering systems and ongoing maintenance.

It is understood that SSDA 3 is yet to be lodged. As the City have not been able to review the detailed design for Waterfront Garden, we cannot assess the landscape design feasibility. The City are unaware of the proposed soil depth, soil volumes and extent of mounding will be and if the design is capable of supporting tree planting.

Further, it is unclear the number and extent of trees on slab that rely upon mounding to achieve minimum 1-1.2m soil depth and required soil volumes. As a guide to support the healthy growth of trees on structure, the required soil volume per tree for a medium sized tree is 35m³ per tree and large sized tree is 150m³. Soil is organic and subsides over time, which can result in bare root balls and plant failure. Mounding up to maximum 200mm is acceptable at installation.

The proposed RL 12.5 deck level can only be accepted if the podium structural slab design makes allowance for tree planter set downs or alternative. Required wet soil loads to support the healthy growth of medium and large canopy trees on structure should not rely on mounding of more than around 200mm max depth (as depicted in the artist impressions).

The City requests to comment on the future design and condition wording.

d) Amendment to northern podium extent in podium identification plan

The proposed modification to the podium identification plan to include the entirety of the site which is subject to the podium and to show the reduced northern podium extent required under Condition B2, may be supported subject to the submission of the amended podium identification plan, in full size.

The EIS shows an extract of the amended podium identification plan, however no actual plan has been submitted as part of the accompanying documents.

e) Removal of requirement for through-site link to be entirely open to the sky

The proposed amendment seeks to change the wording of the condition which requires the through-site link to be entirely open to the sky.

The wind report does not show that the through-site link to the Bunn Street bridge is overly affected by wind impacts. The wind report shows that even with the 3m additional height the through-site links achieve the wind comfort criteria for sitting. As such, covering the through-site link is not to mitigate against wind.

It is understood that the commercial floor plates will need to connect above the through-site link, ideally these would be of a minimum width and be 'bridge like' over the through-site link with minimal reduction of sky. We do not support the change to this condition without restriction. Were there to be bridge connections above, they should be reduced in the extent of cover and a minimum of 2-3 storeys vertically clear of the through-site

steps and landings to retain a sense of openness and a civic gesture. This will assist in the link being legible as a publicly accessible and attractive connection to the Bunn Street bridge. The overhead enclosing of spaces that are accessible 24/7 raises concerns of antisocial behaviour, if not considered this early stage.

It is also noted that it's not clear whether there will be any activation along the edges of the steps and landings of the through-site link to permit greater overlooking and passive security. The office floors should actively engage with the link at each level and provide a connection between floors. Perhaps planting / landscaping should be considered as an edge treatment to mark the route.

f) Clarification on the location of the Waterfront Steps

The proposed steps divide Waterfront Garden from adjacent buildings. The opportunities presented by opening these to the sky, and making the connection to the podium above, is generally supported.

Should you wish to speak with a Council officer about the above, please contact Mia Music, Senior Planner, on 9265 9333 or at mmusic@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'GJahn', with a stylized flourish at the end.

Graham Jahn AM LFRAIA Hon FPIA
Director
City Planning | Development | Transport