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By email: [Annika.Hather@planning.nsw.gov.au](mailto:Annika.Hather@planning.nsw.gov.au)

Dear Annika,

### **Harbourside Shopping Centre Redevelopment – SSD 49653211 (Public Domain & Bridges) – Advice on EIS**

Thank you for your correspondence dated 28 August 2023 inviting the City of Sydney Council (“the City”) to comment on the above application.

It is understood that the application seeks consent for the following:

- Fit out and use of the public domain surrounding the tower and podium development on site;
- Fit out and use of the Bunn Street Steps through-site link, Waterfront Steps, Pyrmont Bridge Steps, and Waterfront Garden;
- Works to North and South Walks;
- Construction and operation of the new Bunn Street Pedestrian Bridge, and works to North Bridge;
- Opportunities for heritage interpretation, wayfinding signage, and public art; and
- Associated ancillary works.

As per the City’s advice regarding the detailed design podium and tower application (SSD 49295711), there is ongoing concern regarding the separation of the built form and public domain works; as well as the available width of the public promenade area caused by the retail outdoor spill out areas albeit with an improved arrangement.

The City has reviewed the information submitted for the subject public domain and bridges SSD and provides the following comments for your consideration. The City request to provide recommended conditions for any unresolved matters, should the Department grant consent to the application.

#### **1. Pedestrian access and amenity**

All existing (or previous) public domain elements on site, excluding Pyrmont Bridge and its connections, are proposed to be replaced. This will change pedestrian and vehicular access throughout the site and will also impact upon accessibility. Consideration is to be made regarding the following areas of the development:

### **Waterfront Promenade:**

- Access between levels will be via a series of stairs and ramps, with the latter access restricted compared to the current situation. Generally, the proposed arrangement does allow for less equitable access between the levels.
- At most, there is 140m between ramps to allow access between levels for those unable to use stairs, which includes elderly as well as wheelchair, pram, and bicycle access.
- An additional ramp should be considered in the landscape zone opposite South Walk, to provide equitable access to the foreshore from the Darling Drive drop off and shorten the distance between ramps on the promenade.
- The width of the lower walkway (closest to the water) has been restricted to around 6m in width, a decrease on the previous walkway width. The upper level walkway is proposed to become a semi-private area, largely serving licensed seating areas and retail.
- It is recommended that additional seating and canopy cover options along the lower walkway be provided for, with an increase in permeability through the planter beds, with at least one more ramped access point.
- It is also recommended that the bike racks that impede pedestrian travel be relocated to within the planters.

### **Pymont Bridge:**

- Access to the Waterfront Garden at the northern end of the development is from two stairways. The first is a wide stairway off Pymont Bridge.
- Although tactiles are shown, there are no handrails shown mid-stair which would signal the presence of stairs or an obstacle from greater distances. This is recommended from Pymont Bridge, particularly to assist cyclists approaching at speed.
- The single accessible level area will not be readily visible. Clear wayfinding signage wayfinding may be required.
- Detail of the proposed bike racks to be installed on the bridge is to be provided to demonstrate that no infrastructure will be affected.

## **2. Flooding**

The flood study includes an assessment of proposed floor levels with all entries/floor levels meeting the requirements of the flood policy. The Civil plans appear acceptable, and it is noted that the roads are in the custodianship of Place Management NSW. However, it appears the cycleway is proposed to be realigned as it comes off the roundabout towards the north, which should be clarified on plans to illustrate any treatment or upgrades.

## **3. Trees and landscaping**

### **a) Canopy cover**

The submitted EIS indicates that the proposed landscaping achieves a tree canopy cover of 30%, which favourably compares with the City of Sydney's Green Sydney Strategy target of 27% tree canopy cover by 2050.

### **b) On-structure planting**

The on-structure planting relies on soil mounding and some slab set-downs to provide adequate soil depth and volume for canopy tree planting. Levels have been provided to confirm the walls and upstands to the planter edges, however Section 2/3003\_00 is the only detail to confirm the extent of mounding and overall soil depth to the planters. There are two issues with this Section. Firstly, the mounding is steep and only reaches the

ultimate height at or near the tree stem; and secondly the ultimate soil depth reaches 1750mm. This may be an attempt to maximise soil volumes, however, may result in anaerobic soil and subsidence. In addition, although small slab set-downs are provided, they do not necessarily correlate with the location of tree planting, and their value is reduced. It is recommended that:

- Clear soil depths be limited to 1200mm.
- All garden beds should be profiled to minimise the height of mounding, and to reach the ultimate soil depth as quickly as possible (i.e., not at or near the root ball, but some way away from it).
- Confirm the overall soil depths for all planters using contours and/or spot levels.
- Confirm the available soil volume for each tree.
- Trees should be positioned above slab set-downs wherever possible.
- If adequate soil volumes aren't achievable without significant (>200mm) mounding, planter wall heights will need to be increased.

The garden edges are consistently detailed to have a balustrade set in from the building edge, with shallow, inaccessible planting to the building edge. Section 03/3003\_00 and Section 04/3003\_00 both show edge planting on unviable soil depths (<100mm) that is inaccessible for maintenance. As per the Sydney Landscape Code, soil depths should be a minimum of 300mm for grasses and groundcovers, and 500-600mm for shrubs. It is recommended that:

- Clarification be provided on how the planting beyond the balustrade to the edge of the waterfront garden will be accessed for maintenance.
- Suggest removal of the planting to the areas with a soil depth of less than 300mm and replace with an architectural or hard landscape solution.
- Alternatively, remove the edge planting and position the balustrade to the outer edge of the building.

### **c) Tree transplanting**

The submitted EIS indicates that the existing 20 *Livistona australis* (Cabbage Tree Palm) trees at the site will be transplanted within the Waterfront Garden and widened Waterfront Promenade once construction works are complete.

It is understood that a transplanting contractor is to be engaged prior the commencement of the tree transplanting operation as per the submitted transplant method statement recommendations. All methods of transplanting the 20 Cabbage Tree Palms must adhere to the tree transplant method statement and are to be indicated within a detailed Landscape Plan.

## **4. Transport and access**

### **a) Bicycle parking**

The submitted Traffic Impact Assessment is inconsistent about the number of bicycle parking spaces in the public domain citing 116 spaces on page 17, 100 spaces shown on the bike parking strategy diagram on page 18, and 152 spaces on page 27. The RtS package for the detailed design podium and tower SSD (SSD 49495711) also references 143 spaces.

Additionally, a recent modification lodged for the IMAX redevelopment (SSD 7388 Mod 17) seeks to reduce the visitor bike parking from 56 to 13 spaces in the public domain, with the difference being distributed across Darling Harbour including around Cockle Bay Wharf and Harbourside. No mention of this modification is made in the submitted EIS for the subject application as to whether Harbourside is accommodating these additional spaces in its public domain.

Please clarify how many visitor spaces are proposed, and how this meets the Sydney DCP 2012 requirements as well as any other agreements with Place Management NSW or the IMAX development.

#### **b) Darling Drive arrival and slip lane**

The Darling Drive arrival area is intended for vehicle, pedestrian and bike usage. Additional detail is required on the spatial allocation and detailing of this area to ensure that adequate space is provided for safe circulation. In the documentation provided, the footpath appears too narrow, particularly if intended to be a shared pedestrian and bike environment.

The driveway proposed off Darling Drive slip lane is 15m wide (as stated in the submitted Traffic Impact Assessment on page 24, as the scale is missing from the architectural plans). This is much wider than the City's maximum acceptable 6m under the Streets Code and impacts pedestrian amenity for people walking between the building entrances and the promenade. The width should be narrowed as much as possible given the swept path of the Council waste truck which is the design vehicle.

Concern is also raised regarding the length of the slip lane and potential blockages during peak periods.

#### **5. ESD measures**

Circularity hasn't been captured in the proposal. Reduced upfront emissions are a positive feature but aren't in themselves a circular outcome. It is recommended the proposal provide more context around circular design principles to be integrated in the project. Principles to include are designing out waste and pollution and keeping products and materials in use and regenerating natural systems. Initiatives could include retaining materials at their highest value as well as designing in flexibility, modularity, design for disassembly, demonstrating multi-use functional spaces.

The public domain areas of the project outside the building footprint will not be captured in Green Star and other rating reporting. The development should commit to reporting separately on public domain targets.

#### **6. Heritage impacts**

The submitted architectural plans indicate that works to the Pyrmont Bridge approach is subject to a future application, and the Pyrmont Bridge interface is subject to design coordination and requires additional survey information. Heritage NSW's submission to the detailed design podium and tower SSD (SSD 49495711) and concept modification application (SSD 7874 Modification 3) requested clarifications on the scope of works affecting the bridge. The City advise that it is difficult to make comment at this stage, given no scope of works to the bridge is specified.

The heritage interpretation strategy has been amended and the locations of the interpretation devices are shown on the proposed plans. However, the heritage interpretation strategy is still at its conceptual stage (Stage 1). It has not been further developed to its Stage 2 design where the contents, making materials and design details can be reviewed.

#### **7. Public art**

The public art consultant, together with Place Management NSW and Mirvac project team representatives, presented the Draft Public Art Strategy to the City of Sydney Public Art Advisory Panel on 4 April 2023.

The submitted Public Art Strategy has been amended to include required details on a proposed narrative for the site that recognises First Nations knowledge.

The plan outlines a process for the development of artists briefs and the selection and commissioning of artists, which includes the engagement of a broader team including First Nations cultural consultants Bila Group and Djinjama working with Mirvac and PMNSW.

Notably, the EIS documentation indicates that the State Planning Agreement (Planning Agreement) between Mirvac and the Minister for Planning for the site's redevelopment secures provision of public benefits including a public art and future activation contribution of \$7M.

The submitted Public Art Strategy is supported and a condition will be recommended for its implementation with any approval.

## **8. Waste**

The submitted Construction Environmental Management Plan (CEMP) provides a Waste Management Plan (WMP) with a 95% diversion from landfill target. The achievement of this target is to be placed on the waste contractors who are to be audited at 6 monthly intervals to ensure compliance with the WMP.

In addition to general waste and commingled recycling bins throughout the public domain, it is recommended that a small-scale return and earn machines be made available to increase the recovery of source separated glass and aluminium cans.

## **9. Construction noise**

The submitted acoustic report recommends respite periods between 7am to 8am and 1pm to 2pm for highly Intrusive noise machinery. The City recommend additional restrictions for Category A construction machinery within the City of Sydney Construction Code to 6 hours per day.

It is understood that an additional hour on Saturdays to 6pm is sought to permit construction activities on. The City do not object to this additional hour, subject to it being allocated for quieter works and that the relevant criteria of Background +3db is not exceeded during such times.

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](mailto:mmusic@cityofsydney.nsw.gov.au).

Yours sincerely,



**Graham Jahn** AM LFRAIA Hon FPIA  
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