



6 November 2015

Ms Caroline McNally  
Secretary  
Department of Planning & Environment  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Mr Daniel Keary

Dear Daniel

**HARBOURSIDE SHOPPING CENTRE DARLING HARBOUR - REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS**

We are writing on behalf of Mirvac, the leasehold owner of the Harbourside Shopping Centre (the Site). The purpose of this letter is to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) to accompany a Staged Development Application (DA) for a proposed redevelopment of the Site. The Staged DA will be made under section 83B of the *Environmental Planning & Assessment Act, 1979* (EP&A Act).

The Harbourside Shopping Centre, which was opened in 1988 is now outdated. The functionality and experience of the Centre as a shopping destination is in decline. The building lacks a quality interface to the Darling Harbour public domain with a poor address and pedestrian connectivity to the waterfront and surrounding streets. It further does not integrate well with immediately adjoining developments, in particular the recently approved Sydney International Convention Exhibition and Entertainment (SICEEP) facilities.

Mirvac is considering its options for the site, including a significant new retail shopping centre and commercial office tower. Harbourside is a key location within the Darling Harbour precinct. Together with Darling Quarter, Darling Square and the SICEEP facilities (including the Sofitel Sydney Darling Harbour Hotel) the redeveloped Harbourside site will provide a cultural entertainment destination completing the revitalisation of the broader Barangaroo-Darling Harbour-Pymont 'loop'. There is a significant opportunity to link Harbourside directly into the street network of Pymont and also to the Pymont Bridge, and in doing so facilitate a comprehensive reconfiguration of the public domain through this part of Darling Harbour. Improved public domain and pedestrian connectivity will be a fundamental aspect of the redevelopment scheme.

The Staged DA will seek consent for land uses, gross floor area, building envelopes, public domain concept, pedestrian and vehicle access and circulation arrangements, and associated car parking provision. Future separate DAs will be lodged for the detailed design and construction of the development.

The Site is located within the Darling Harbour precinct, which is identified as a State Significant Site in Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. As the proposed development will have a capital investment exceeding \$10 million, it is declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

To support the request for the SEARs, the following information is provided:

- A description of the site and its local context;
- A summary of the proposal, including a discussion of the key parameters and anticipated matters for consideration;
- A summary of the key environmental planning instruments applicable to the proposal;
- An outline of the expected key deliverables associated with the proposal; and
- Proposed parties to be considered for consultation.

It is requested SEARs be issued for Harbourside Shopping Centre to ensure a comprehensive assessment of the proposed development is achieved. Your consideration and support with the proposed approach to issuing and structuring the SEARs is appreciated.

Should you have any queries about this matter, please do not hesitate to contact either me on 9956 6962 or at [lbull@jbaurban.com.au](mailto:lbull@jbaurban.com.au).

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Lesley Bull', is written on a light yellow rectangular background.

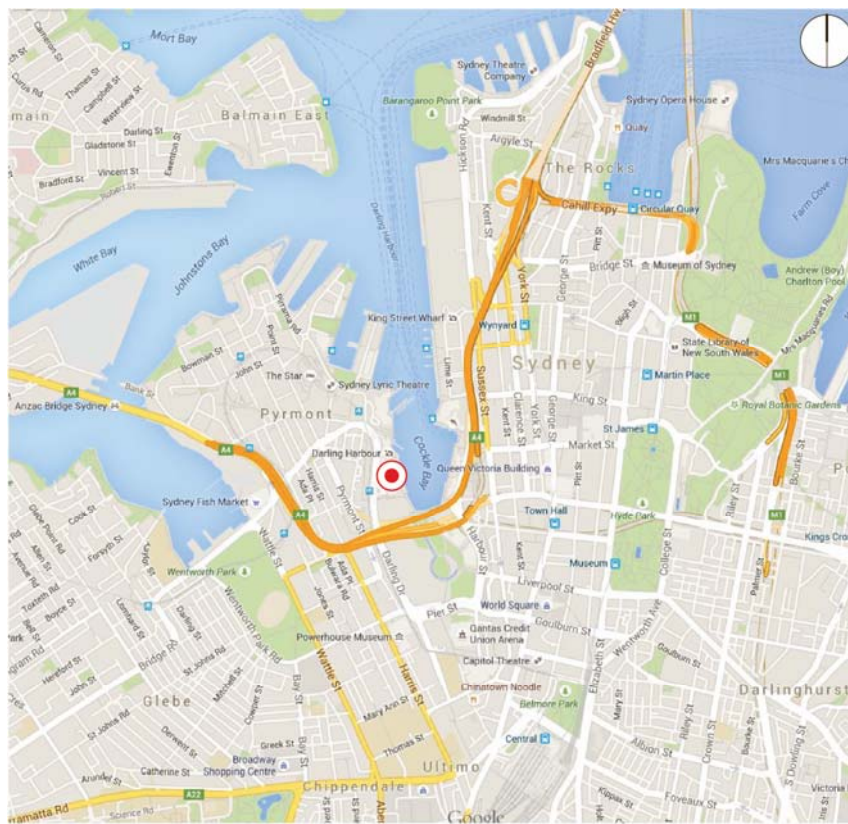
Lesley Bull  
Director

## 1.0 THE SITE

The Site is located within the Sydney CBD on the western side of the Darling Harbour precinct. It is located to the immediate south of Pyrmont Bridge and north of the Sydney International Convention, Entertainment and Exhibition Centre / Sydney Sofitel Hotel. The site is bounded by Darling Harbour Drive and the alignment of the Light Rail to the west, and the waterfront promenade to Darling Harbour to the east.

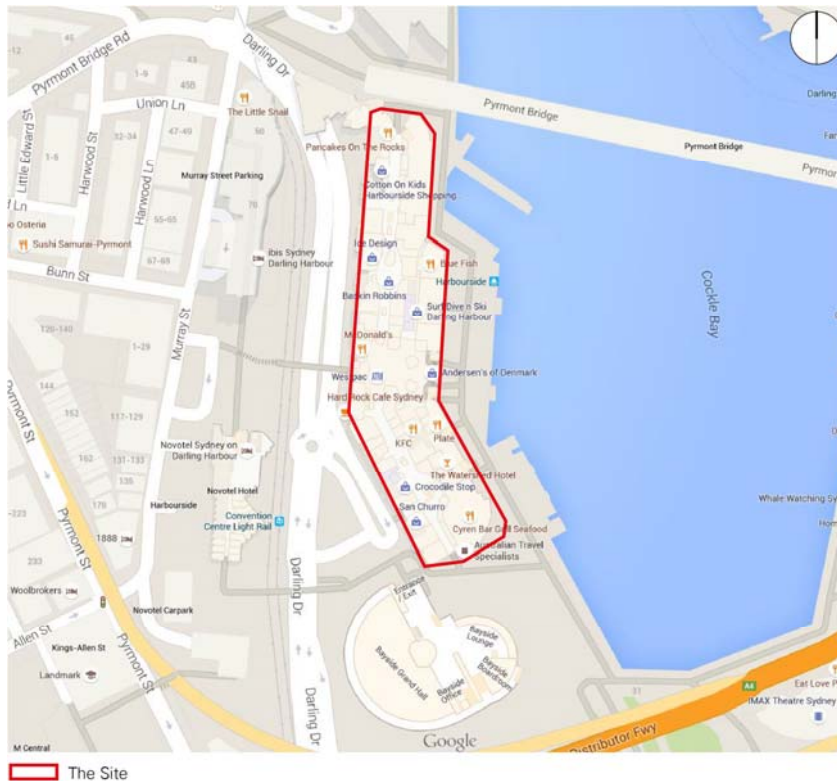
The Site is located within the City of Sydney local government area (LGA). A locational context area plan and location plan are provided at Figures 1 and 2 below.

The Darling Harbour precinct is undergoing significant redevelopment as part of the SICEEP and Darling Square renewal project. The urban, built form and public transport / pedestrian context for Harbourside will fundamentally change as these developments are progressively completed.



● The Site

**Figure 1.** Locational Context Area Plan.



**Figure 2.** Site Location Plan

## 2.0 THE PROJECT

Preliminary concept drawings illustrating the Harbourside redevelopment proposal (to an indicative level of detail) are included at **Attachment A**.

The proposed development will comprise approximately four (4) levels of retail / restaurant floor space with a commercial office tower above. The design of the office tower is still in its preliminary stages, however it is proposed to be located towards the northern end of the Site adjacent to Pyrmont Bridge and will comprise a total of 45,000 m<sup>2</sup> of commercial GFA. The commercial floor plates will likely range between 1,500 m<sup>2</sup> and 1,800 m<sup>2</sup> in size and the tower will have a minimum height that accords with that of the adjoining Sofitel Sydney Darling Harbour. Retail / restaurant GFA will comprise approximately 52,500 m<sup>2</sup>.

A fundamental component of the redevelopment proposal will be to establish a public domain concept that integrates with the Sofitel Sydney Darling Harbour and adjoining SICEEP facilities, revitalises the pedestrian interface to Darling Harbour and provides for new connections between Darling Harbour and both Pyrmont and the Sydney CBD (via Pyrmont Bridge).

As stated above, it is intended to lodge a Staged DA under Section 83B of the EP&A Act for the development. The Staged DA will seek consent for land uses, gross floor area, building envelopes, public domain concept, pedestrian and vehicle access and circulation arrangements and associated car parking provision. It will also incorporate strategies to a concept level of detail with respect to utilities services provision, drainage and ESD. Future separate DAs will be lodged for the detailed design and construction of the development.

The redevelopment of the site is expected to contribute to the overarching *Metropolitan Plan for Sydney 2036*, which is a long-term planning framework, the objectives of which are to sustainably manage Sydney's growth and strengthen its economic development to 2036.

The proposal is consistent with the broad objectives and vision of the Plan as it will deliver retail and office floor space, further contributing to Sydney as a global entertainment, tourist, cultural and commercial precinct.

### 3.0 PERMISSIBILITY AND STRATEGIC PLANNING

The following are the key relevant legislation and environmental planning instruments that will apply to the proposed development:

- Environmental Planning and Assessment Act, 1979;
- State Environmental Planning Policy (State & Regional Development) 2011;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No.55 – Remediation of Land;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Harbour REP); and
- Darling Harbour Development Plan No. 1 (DHDP).

The *Environmental Planning and Assessment Act, 1979* (EP&A Act) establishes the assessment framework for State Significant Development. Under Section 89D of the EP&A Act, the Minister for Planning is the consent authority for State Significant Development. Section 78A(8A) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS).

Pursuant to Section 83B of the EP&A Act a Staged DA may be made setting out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs.

#### 3.1 State Environmental Planning Policy (State and Regional Development) 2011

The Site is located within the Darling Harbour precinct, which is identified as a State Significant Site in Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. As the proposed development will have a capital investment exceeding \$10 million, it is declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).



**Figure 3 – The Site**

Source: Darling Harbour State Significant Development Site Map (State and Regional SEPP 2011)



### 3.1 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The Harbour REP applies to the Site. The Site is not zoned under the Harbour REP, however is located within the City Foreshores Area Strategic Foreshore Site and is also within the Foreshores and Waterways area. The consent authority is required to take into consideration a number of matters when assessing any development application for this area. These matters are generally as follows:

- Biodiversity, ecology and environmental protection;
- Public access to, and use of, foreshores and waterways;
- Maintenance of a working harbour;
- Interrelationship of waterway and foreshore uses;
- Foreshore and waterway scenic quality; and
- Maintenance protection and enhancement of views.

### 3.2 Darling Harbour Development Plan No. 1

The principle environmental planning instrument applicable to the Site is the Darling Harbour Development Plan No. 1 (DHDP). Clause 6 in conjunction with Schedule 1 of the DHDP specifies land use permissibility, which includes development for the purposes of commercial/retail facilities. The proposal is permissible with consent and considered to satisfy the objectives of the DHDP. There are no height, FSR or other development controls contained within the DHDP.

### 3.3 Other relevant considerations

Other relevant policies and guidelines considered to be of particular relevance to the future redevelopment of Harbourside include:

- A Plan for Growing Sydney;
- Sustainable Sydney 2030;
- Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines;
- Development Near Rail Corridors and Busy Roads – Interim Guideline;
- Planning Guidelines for Walking and Cycling;
- NSW Bike Plan 2010;
- Cycle Strategy and Action Plan 2007 – 2017; and
- Crime Prevention Through Environmental Design Principles.

## 4.0 PRELIMINARY KEY ISSUES IDENTIFICATION

The following potential impacts and anticipated key issues have been identified.

- **Built Form and Design Excellence** : The proposed development will establish a significant new built form element on the Harbour waterfront. The height, bulk and scale of the development with respect to surrounding context will therefore be a key issue to be addressed. This will include a comprehensive response in relation to:
  - The interface with existing development and adjoining development under construction, and public domain;
  - Design excellence and the design quality of the proposal, including site layout, siting and design, vistas and connectivity, street activation, pedestrian spaces, building massing, articulation, materials and finishes;

- Relationship of maximum building height to other development including the Sofitel Sydney Darling Harbour, Darling Square, Barangaroo and the western edge of the CBD generally, as well as to existing development in Pyrmont; and
- Visual impact when viewed from the public domain and key vantage points around the site.
- **Heritage Impacts:** Pyrmont Bridge is listed as a State Heritage Item for its aesthetic, historical and scientific cultural values. A Heritage Impact Statement will accompany the EIS to address how the proposal relates to the Bridge, given its proximity to this Item.
- **Public Domain and Urban Design:** The proposed development will include a public domain concept, both around the site as well as connections into, and out of, Darling Harbour via Pyrmont Bridge and across Darling Drive / Light Rail to Pyrmont. The EIS will provide an assessment of building interface with Pyrmont as well as the impact of the proposal upon pedestrian connectivity and sight lines to and from the proposal and the Darling Harbour precinct. All aspects of the public domain including pathways, cycle connections, landscape concept, public art, lighting will be addressed to concept level of detail. Crime prevention through environmental design principles will also be addressed.
- **Traffic, Access, Parking & Public Transport:** A traffic and parking assessment will be prepared by a specialist traffic consultant and accompany the EIS. The report will consider site access arrangements and the design and operation of the proposed car park. The report will also assess the following:
  - Pedestrian desire lines;
  - Accessibility to public transport;
  - Existing and proposed car parking demand;
  - Existing and proposed impacts of car parking and vehicle movement on the surrounding street network and environmental capacity;
  - Loading and servicing arrangements; and
  - Accessibility to public transport infrastructure.
- **Ecologically Sustainable Development:** How ESD principles will be incorporated in the design of the development and potential for sustainable technologies and/or renewable energy will be addressed in an ESD strategy.
- **Amenity:** Solar access, potential acoustic impacts, visual privacy, view loss, wind impacts, and overshadowing impacts to the surrounding area will be included in the environmental assessment.
- **Drainage, Flooding, Climate Change and Sea Level Rise:** A drainage concept for the site will be prepared and will address groundwater, flooding and sea level rise risk, and measures to ameliorate any impacts.

## 5.0 EXPECTED DELIVERABLES

To assist in confirming the SEARs, the following are the expected deliverables to support the EIS:

- Owner's Consent
- DA Fees
- QS Certificate
- Site Survey Plan
- Architectural Design Statement/Report
- Architectural Plans
- Physical Model
- Visual and View Impact Analysis
- Heritage Impact Assessment
- Archaeological Impact Assessment
- Wind Impact Assessment

- Shadow Diagrams
- Traffic, Parking and Access Assessment
- Public Domain Plan/Landscape Plan and Design Statement
- ESD Statement/Strategy
- Services and Infrastructure Report
- Flooding, Stormwater and WSUD Report and Plans
- Contamination Report/Site Audit Statement/Remediation Action Plan (as relevant)
- Desktop Geotechnical Report
- Stakeholder and Community Engagement Report
- CPTED Assessment
- Accessibility Report

## **6.0 CONSULTATION**

In preparing the EIS, it is expected the developer will undertake consultation with the following organisations and agencies:

- Sydney Harbour Foreshore Authority;
- Infrastructure NSW;
- Railcorp;
- Roads and Maritime Services;
- City of Sydney Council;
- Transport for NSW;
- Existing Harbourside Shopping Centre retail and office tenants;
- Other major Darling Harbour head lessee's; and
- Surrounding residents and business.