

23 November 2020

Lachlan Attiwill  
Development Manager  
Mixed Use & Major Projects  
Level 28, 200 George Street  
Sydney NSW 2000

Dear Mr Attiwill,

**RE: Harbourside Redevelopment, Heritage NSW Response to Submission (RTS)  
Comments and Recommendations**

Curio Projects Pty Ltd has been commissioned by Mirvac Projects Pty Ltd (Mircvac) (the proponent) to provide a response in form of a letter addressing the comments from Heritage NSW (included within Heritage NSW letters dated 27 October 2020- DOC20/853918 from Aboriginal Cultural Heritage Regulation; and 4 November 2020- DOC20/853943 from Specialist Services, Delegate of the Heritage Council of NSW) in regards to the amended Concept Proposal for the State Significant Development (SSD) Development Application (DA) for the redevelopment of the Harbourside Shopping Centre (Harbourside) (SSD 7874).

**Project Background**

SSD 7874 and accompanying Environmental Impact Statement (EIS) in support of a Concept Proposal for the Harbourside Redevelopment was lodged in December 2016, and subject to public exhibition for a period of 62 days from 15 December 2016 to 14 February 2017. Following this exhibition, a response to submissions was submitted to the Department of Planning, Industry and Environment (DPIE) in early 2020, and the SSDA included an amended concept proposal.

The amended Concept Proposal was subject to a second period of public exhibition from 2 April to 29 April 2020. During this time, six (6) submissions were received from government agencies and City of Sydney Council, and 57 submissions were received from the general public and organisations. Given the nature and range of submissions made from agencies and the public to the second exhibition, Mirvac again reviewed the overall approach and elements of the concept proposal, resulting in a further amended concept proposal.

Public exhibition of this further amended concept proposal for the Harbourside SSD DA was from 22 October 2020 to 4 November 2020. During this time, seven (7) submissions were received from government agencies and City of Sydney Council, and 43 submissions were received from the general public and organisations, including the responses (letters) from Heritage NSW to which this current letter responds.

## NSW Heritage Council (Built Heritage & Historical Archaeology) Response

In their letter dated 4 November 2020, Heritage NSW provided recommendations for conditions in determining the SSD Amended Concept Proposal.

The following table presents Mirvac and Curio Projects response to the Heritage NSW comments and recommendations for conditions of consent

| HERITAGE NSW RECOMMENDATIONS   | MIRVAC AND CURIO PROJECTS RESPONSE   |
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| <p><b>1- Final Harbourside Redevelopment Detailed Design to be sympathetic to the SHR listed values of the Pyrmont Bridge</b></p> <p><i>The proponent shall work on the final design detailed of the proposed Tower and its associated elements (including the northern podium), to be sympathetic in its aspect and final form (including colours and materiality) to the Pyrmont Bridge. This shall act to further reduce the visual impact of the new development to the item. The detailed design for the north podium should aim to retain the visual link of Pyrmont Bridge in its context within Darling Harbour when viewed from the west. The final design shall resolve and improve the interface between the Pyrmont Bridge and the new Harbourside shopping complex, including sensitively managing the relationship between the new development and the extant bridge approach, based on the SHR listed heritage values</i></p> | <p>Agreed. Mirvac and Curio Projects confirm that the detailed design of the proposed tower and its associated elements shall be further reviewed and adapted through final design stage, to preserve and enhance the visual links established by Pyrmont Bridge and broader Darling Harbour precinct. It is paramount that the chosen materiality is sympathetic with the overall Darling Harbour aesthetic, to preserve the heritage values and character of the place and ensure maintenance of significant view lines, in order to minimise the potential visual impact of the development, particularly in relation to the tower and northern podium.</p>                   |
| <p><b>2- Heritage Interpretation Strategy</b></p> <p><i>A Heritage Interpretation Strategy shall be prepared by the Proponent for the redevelopment and submitted within 6 months of the approval of the SSDA. The HIS shall include and outline of public domain artworks, interior as well as exterior design elements/features and approaches to interpret the site's history. The Strategy shall include details of on-site secure storage for relics recovered during the project, public information, images and stories on the site's history and evolution shall be provided in Stage 2 works. These shall include appropriate use of multi-media, digital resources, landscape works, and material (e.g., railway tracks).</i></p>  | <p>A two-stage Heritage Interpretation Strategy shall be prepared addressing the Heritage NSW recommendations. Stage 1 of the Heritage Interpretation Strategy will; identify possible locations within the site appropriate for integration and installation of heritage interpretation products; explore the potential products to be developed (multimedia screens, signage, artefact display, videos, etc); and will present initial concept designs for the overall heritage interpretation of the site including on-site secure storage. Stage 2 of the Heritage Interpretation Strategy will present final design, location, and development of the Stage 1 products.</p> |

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| <p><b>3- Management of State Significant Archaeological Resources (Historical, Maritime and Aboriginal)</b></p> <p><i>The project shall ensure that archaeological testing is used to inform the Stage 2 SSDA detailed design. The project shall use this information to minimise impacts to State significant archaeological resources (historical, maritime and Aboriginal) within the project area. Subsequent development application/s must demonstrate how the design has been informed by the results of the archaeological testing. The results of the archaeological testing must be documented in a report which outlines opportunities for conservation in situ (as a preference), development and interpretation.</i></p>   | <p>An Archaeological Research Design and Excavation Methodology (ARD + EM) report will be prepared for the development, to develop and outline a program of archaeological test excavation (including both historical and maritime archaeology, with provision for Aboriginal archaeology as required- noted that Aboriginal archaeological potential for the site is low) to be undertaken across the site to investigate the presence and likelihood of State significant archaeological resources against areas of proposed impacts in order to assist with the future detailed design of development impacts with potential to impact archaeology (including impacts for both structural elements and services).</p> <p>The results of the archaeological testing would be provided to HNSW in an excavation report.</p>    |
| <p><b>4- Maritime Archaeological Assessment</b></p> <p><i>The proponent shall engage a suitably qualified and experienced maritime archaeologist, with understanding of the effects of dredging and reclamation processes on former submerged maritime infrastructure sites, to prepare a maritime archaeological assessment for the project within 6 months of the approval of the SSDA. The Assessment shall be used to inform the testing and detailed design of the Stage 2 SSDA. This should include the following:</i></p> <p><i>a) Remote sensing and/or diver surveys of the seabed under any piled areas that currently form waterfront or paved areas of the proposed development.</i></p> <p><i>b) Any geotechnical and borelog information should be considered in this assessment and the maritime assessment should be used to better inform the testing program.</i></p> | <p>Agreed. A suitably qualified maritime archaeologist will be engaged in developing a maritime archaeological assessment of the area, including remote sensing and/or diver surveys and geotechnical/borelog information. This assessment shall be included in the overall Archaeological Research for the precinct Design (see response to HNSW Point 3 above), including identified areas of maritime archaeological potential, testing methodologies and the likelihood of archaeological material to be present on site. The maritime assessment shall include a specific historical background and context that considers the broader geomorphological information of the area, as well as the archaeological potential, background research and assessment of proposed impacts to submerged archaeological elements.</p> |

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| <i>HNSW reiterates that archaeological testing should be undertaken by the Proponent ahead of detailed design being confirmed for Stage 2 of the SSDA. This program may be undertaken under Heritage Act 1977 approval or through investigations to inform the EIS under s.4.41(3) of the Environmental Assessment and Planning Act 1979.</i> | The ARD + EM will outline guide a program of archaeological test excavation to be undertaken on site prior to Stage 2 detailed design. The archaeological testing would aim to identify the location and extent of any archaeological deposit present within the site, to inform and incorporate into Stage 2 design, with the aim of avoidance and/or minimisation of impact to State significant archaeology wherever possible. |

### Aboriginal Cultural Heritage Regulation- South (Heritage NSW) Response

Aboriginal Cultural Heritage Regulation of Heritage NSW also provided advice through a letter on 27 October 2020 (DOC20/853918) regarding the Aboriginal cultural heritage aspects of the amended Concept Proposal. These recommendations have been noted/addressed in the following table:

| HERITAGE NSW RECOMMENDATIONS   | MIRVAC AND CURIO PROJECTS RESPONSE   |
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| <i>While the proposed development appears to have low potential to impact on Aboriginal cultural heritage, we provide the following recommendations:<br/>We note the mitigation measures in Table 12 of the RTS states the benefit of undertaking historical archaeological test excavation prior to the finalisation of the Stage 2 DA in order to inform potential design outcomes. We recommend that any proposed historical testing include consideration of Aboriginal cultural heritage values to address whether the project area does have potential for Aboriginal objects.</i> | Noted. While the development area has low potential for Aboriginal archaeology to be present, this will be confirmed via revised assessment of specific development impacts, with provisions for Unexpected Aboriginal Finds to be considered/built within the historical Archaeological Research Design as appropriate. |
| <i>We support the preparation of an Unexpected Finds Protocol for Aboriginal objects as part of any Construction Management Plan for the site during all development works.</i>  | Noted. An Unexpected Finds Protocol will be developed as part of the construction phase of the project, to be integrated within the Construction Management Plan for the site.   |

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| <p><i>We support the preparation of a Heritage Interpretation Plan to address all heritage elements and values of the site, including built heritage items, historical archaeology and Aboriginal cultural heritage.</i></p> <p><i>We support detailed design and interpretation across the project area to acknowledge and celebrate Aboriginal cultural heritage consistent with the draft Pyrmont Peninsula Place Strategy.</i></p> | <p>Noted. The heritage interpretation strategy to be implemented at the site shall include Aboriginal cultural heritage values, art and design that shall be discussed and developed in conjunction with designated Aboriginal artists/designers, members of the Aboriginal community and the Local Aboriginal Land Councils, to be consistent with the draft Pyrmont Peninsula Place Strategy.</p> |
| <p><i>Heritage NSW also recommends that the Aboriginal Participation in Construction Policy (APIC) is considered for this development.</i></p>   | <p>Noted.</p>   |

We trust that the information provided above is sufficient to respond to the comments from Heritage NSW. If you require any further information, please do not hesitate to contact us.

Yours Sincerely,



**Natalie Vinton**  
CEO  
Curio Projects Pty Ltd.