

Attachment B

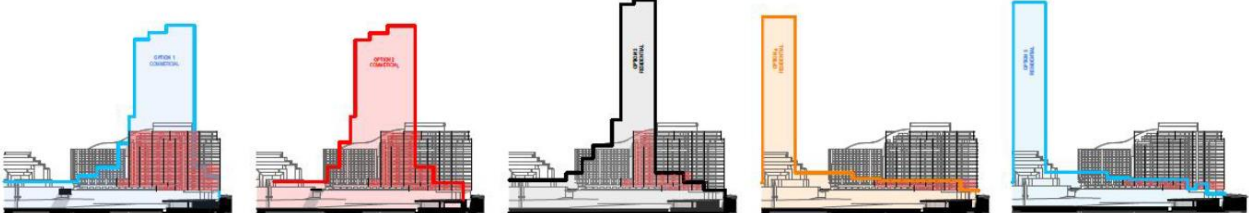
Response to Public Submissions

The following is a response to all forty five (45) submissions made by the general public, including that of individuals and organisations. Points raised have been categorised into 13 different issues, alongside a summary of points raised for each issue and the amount of times the issue was raised. The proponent's responses have been informed by input by the expert consultant team and should be read in conjunction with the Response to Submissions Covering Letter to which this document is appended.

General Public Submissions

Summary of key issue raised	Proponent's response	No. of times raised
Overshadowing		
Overshadowing impact on Darling Harbour excessive	<p>As noted within the previous RtS package, the public domain located to the east and south of the site and more broadly within Darling Harbour will continue to be provided with direct sunlight under the proposed development throughout the morning period on June 21 (the winter solstice) before shadow resulting from the proposed envelope occurs after midday. There are still vast areas of accessible sunlight available in the Darling Harbour public domain notwithstanding the proposed development, including during the key lunchtime period of 12:00pm to 1:00pm when the general public is most likely to use and appreciate the space.</p> <p>It is reiterated that overshadowing of the waterfront promenade during the afternoon period on the winter solstice would be expected with any reasonable built form outcome on the site, given the proximity of the promenade on the eastern side of the building form. The proposal also offsets additional overshadowing to the public domain, including through Guardian Square (total area of 1,500sqm), a publicly accessible open space that will be accessible 24/7 and have direct northern solar access across the entire day for all periods of the year.</p> <p>The overshadowing expected to result from the tower envelope is restricted to a small proportion of the overall Darling Harbour public domain and is limited to the western and southern side of the public domain. A significant area of waterfront public domain within and surrounding the site is still within direct sunlight between 1:00pm and 3:00pm on the winter solstice. Due to the slender design of the building floorplate, any additional overshadowing will not be significant owing to the slender and fast-moving nature of any shadows and would generally be consistent with the development as originally exhibited.</p> <p>No applicable height limit applies to the site under the relevant environmental planning instruments. It should be noted that the proposed height of the tower is commensurate with that of the recently released draft Pyrmont Peninsula Place Strategy which identifies the Harbourside shopping centre as a key site with a maximum height level of RL 170 metres, which is higher than the RL 166.95m proposed for the site. The basis under the Draft Strategy for supporting development of such scale is the expectation that impacts will be balanced against the significant public benefits to be delivered by the project.</p> <p>Finally, the Concept Proposal represents the maximum building envelope for the future podium and tower development. The detailed designs of the building will be contained within the proposed maximum envelope, with opportunities to further minimise overshadowing impacts to be considered during the future detailed design stage.</p>	13
Lack of overshadowing analysis on South-West of site, including Pyrmont Street and Bunn Street	The shadow diagrams prepared by FJMT and attached to the previous RtS package at Appendix D include a full analysis of the area in which the additional shadows cast by the proposal will fall and include intervals at 15 minutes as requested by the Department and Council. By virtue of existing shadows cast by existing development, there is limited additional shadows cast on surrounding streets to the west of the site. It is also noted that any shadows present are associated with the proposed tower, which by virtue of its slim profile results in a fast-moving shadow.	1
Impact on views		
Impact on views and skyline of the area (general)	The updated Visual and View Impact Analysis prepared by Ethos Urban and attached to the previous RtS package at Appendix E reinforces previous conclusions that the proposal results in acceptable view impacts from both the public domain and from surrounding buildings. The release of the Draft Pyrmont Place Strategy and the identification of Harbourside as a key site capable of accommodating strategic change reinforces the acceptability of the proposal, including in terms of any impacts on views.	7

Summary of key issue raised	Proponent's response	No. of times raised
	Harbourside and the broader Pyrmont Peninsula is planned to be transformed into the next jobs hub and economic driver of Sydney, with tall towers in key strategic locations (including the Harbourside site) interspersed by low-medium rise development.	
Impact on views from Ibis Hotel	<p>As noted in previous RtS submissions, impacts to private views from Hotels are valued less than impacts to private views from residential buildings as a general rule of thumb. The position is supported by the Department and its Independent Urban Design Advisor.</p> <p>The interruption of existing private views from hotel rooms that are currently unimpeded by any development is inevitable in the context of an urban renewal project and is not unreasonable having regard to the highly urbanised global CBD environment of Sydney within which the land is situated and the evolving future character of the Pyrmont Peninsula. Notwithstanding, the proposed development has accommodated view sharing between and above buildings, and has sought to retain a reasonable level of water, Pyrmont Bridge, and CBD skyline views by the positioning of the building footprints and configuration of the public domain spaces and connections through the site.</p> <p>A further factor to consider in supporting the conclusion that the change in views from surrounding buildings is reasonable is the fact that foreground views will be immeasurably improved as a result of the proposal. The existing Harbourside Shopping Centre presents as a dominant, bland, tired, and unattractive building. Mirvac plans to undertake a design competition for the project which will deliver a future building of the highest standard of architectural, urban and landscape design. Landscaping is expected to be a key feature used across the podium rooftop, providing a soft and green outlook for hotel rooms.</p> <p>The proposal will also deliver significant benefits to the surrounding area, including hotels, through features such as significantly improved retail offerings, improved connectivity and accessibility to the waterfront and CBD more broadly, and significantly improved and new areas of open space in which to visit and appreciate one of Sydney's most valued and celebrated natural resources (Sydney Harbour).</p>	1
Impact on views from Novotel		1
Impact of views from 50 Murray Street (One Darling Harbour)	<p>A number of submissions, although acknowledging that design improvements provided under the previous RtS package (including reduction of the podium from RL 25m to part RL 17.6m and part RL 13.75m) have resulted in an improvement to views, argued that the resultant visual impact on views from 50 Murray Street are still excessive, especially with regards to easterly views and views from lower-level apartments. In this regard, it is reiterated that the interruption of existing private views that are currently unimpeded by any development is inevitable in the context of an urban renewal project and is not unreasonable having regard to the highly urbanised global CBD environment of Sydney where the site is situated, and the evolving future character of the Pyrmont Peninsula.</p> <p>Notwithstanding this, ensuring that the view impacts of the proposed development on 50 Murray Street (One Darling Harbour) are minimised has been a significant priority throughout the design process of the proposed development. The concept design has now reached a point now where the tower has been moved as far south as realistically possible and the northern podium has been lowered as much as realistically possible. Evidence of the exhaustive steps and successive substantive improvements the proponent has made throughout the planning process in order to minimise view impacts to 50 Murray Street is clearly demonstrated in the below diagram.</p>	20

Summary of key issue raised	Proponent's response	No. of times raised
	 <p>The previous RtS package submitted included an updated Visual and View Impact Analysis prepared by Ethos Urban (appended to that package at Appendix E), which included a comprehensive assessment from each affected apartment with an easterly and north-easterly orientation, which totals 104 apartments. In summary, the document found that there will only be 4 apartments that will experience severe view impacts (limited to the Level 2 apartments only). There will be no apartments that experience any devastating view impacts. The remaining 100 apartments affected will have view impact ratings ranging from negligible to moderate. This level of impact is considered reasonable for the reasons detailed within the Visual and View Impact Analysis.</p> <p>Therefore, the overall impact on views to 50 Murray Street is reiterated to be appropriate from a planning perspective when the unique context and location of the site adjacent to the CBD; consistency with the relevant planning controls; and consistency with the objectives of the Pyrmont Peninsula Place Strategy is fully considered. The proposed development has accommodated view sharing between and above buildings, and has sought to retain a reasonable level of water, Pyrmont Bridge, and CBD skyline views by the positioning of the building footprints and configuration of the public domain spaces and connections through the site. The replacement of the existing tired Harbourside Shopping Centre with its expansive and dominant metal roof with a new high quality podium with green roof will also further offset any view impacts.</p> <p>Finally, it should be reiterated that the proposal (including podium and tower elements) is considered to continue to provide for a good 'outlook' – despite there being a change in 'view', which is consistent with current planning objectives, strategies, principles and development controls for the CBD recognise that outlook, as distinct from views, is the appropriate measure of residential amenity within a global CBD context. Outlook is retained from all affected apartments with an appropriate distance separation and with space / daylight provided.</p>	
Impact on visual privacy of 50 Murray Street residents	The site's location, relationship and the overall design adopted assures significant separation is achieved which will afford appropriate visual privacy to surrounding residential and hotel developments. Specifically, there is a typical separation of some 40m between the proposal and 50 Murray Street.	2
Traffic & pedestrian circulation		
Expected traffic / congestion impact excessive	The previous RtS package included a comprehensive Traffic and Transport Impact Assessment (TTIA) prepared by Arcadis (and appended to that package at Appendix F), which demonstrated that the traffic impact of the Harbourside development will not impose conditions on surrounding intersections worse than what would have otherwise occurred through existing traffic and modelled future traffic; and the operational performances of the intersections relevant to the Harbourside development have been demonstrated to be satisfactory.	12

Summary of key issue raised	Proponent's response	No. of times raised
	This includes with regards to Darling Drive, which was noted specifically as a point of contention in a number of submissions. Specific traffic analysis was conducted within the TTIA for the Murray Street/Darling Drive, Darling Drive/Pier Street, and Darling Drive/Ultimo Road intersections, with the report concluding that the proposed development will not impose conditions on the intersections worse than what would have otherwise occurred.	
Excessive parking proposed	<p>The proposed development is considered to strike good balance in providing appropriate on-site parking which is neither excessive nor insufficient.</p> <p>In the absence of directly applicable parking controls for the site under the Darling Harbour Development Plan, guidance has been taken from what controls apply in Pyrmont. It is noted that the City in its submission on the original Concept Proposal for Darling Square recommended that the rates outlined in Sydney LEP 2012 be adopted. In this regard, the decision to adopt equivalent ('Category B') parking rates as consistent with the Sydney LEP 2012 is considered to be fair and reasonable. The City of Sydney are known as leaders in terms of promoting and reducing developments reliance on private vehicles.</p> <p>It is reiterated that the proposed parking is for residential uses only, with the arrangement that car parking spaces currently allocated to the site within the Novotel car park be retained for retail/commercial uses. The site is highly accessible by public transport, with the future Sydney Metro Pyrmont station to significantly boost capacity, further reducing reliance on private vehicles.</p>	1
Development will result in excessive increase of pedestrians	<p>It is acknowledged that the increase in floorspace brought upon by the redevelopment, including the provision of residential/commercial floorspace and significant improvements to the quality of retail floorspace, will result in an increase of the amount of pedestrians using the area. This is considered to be a positive outcome for Darling Harbour that would significantly improve the vibrancy and attractiveness of Sydney's premier entertainment precinct.</p> <p>To accommodate this additional pedestrian demand, there will be an overall increase in the waterfront promenade land as a result of the proposed development (by setting the built form back from the waterfront). Mirvac proposes to relinquish some 474sqm of its existing leasehold for the public good in terms of delivering an overall widened and more expansive waterfront promenade that will provide improved connectivity and integration and an overall superior waterfront experience. The widening is achieved by Mirvac reducing its built form back from the waterfront. The timber pontoon remains and will not be impacted. Mirvac will not only enable the widening of the waterfront promenade but will also fund and deliver a full upgrade and embellishment of this important space.</p> <p>This is in addition to other significant improvements to pedestrian permeability at the site and for the surrounding area, including the provision of new through-site links, and the provision of a new pedestrian bridge across Bunn Street.</p>	2
Lack of public transport in area	The site is highly accessible by public transport, including through the Inner West Light Rail and Sydney Harbour ferry services. As noted in previous RtS responses, the service frequency of the Light Rail has improved to approximately 8 minutes for the whole day; this increased frequency is expected to absorb any additional patronage that may arise. Ferry services have also been upgraded and improved, with Pyrmont Bay Wharf now linking with the eastern suburbs (Rose Bay / Watsons Bay route) as part of a cross harbour service to Pyrmont. It is expected that this service will be able to accommodate additional capacity and an increase in patronage use at the wharf. Finally, the slated new Sydney Metro West station at Pyrmont will provide a significant boost in additional capacity, which is expected to further reduce the reliance on private vehicles as the primary mode of transport.	2
Built form & urban design		

Summary of key issue raised	Proponent's response	No. of times raised
Height / bulk of residential tower is excessive	<p>As noted within the previous RtS package, the residential tower of the proposed development has specifically been designed to be slim in presentation and not present excessive bulk and scale to the Darling Harbour waterfront. It is commensurate with the surrounding existing (including Sofitel) and desired future built form of Darling Harbour and the broader Pyrmont Peninsula.</p> <p>It is reiterated that in the absence of applicable height limit applies to the site, the proposed height of the tower is has been designed to be consistent with the recently released draft Pyrmont Peninsula Place Strategy which identifies the Harbourside shopping centre as a key site with a maximum height level of RL 170 metres. This is higher than the RL 166.95m, and therefore the proposed tower is entirely consistent with the Strategy with respects to height.</p> <p>The Strategy reflects the NSW Government's vision to revitalise and transform Pyrmont and western parts of Darling Harbour (including the Harbourside site) into a jobs hub and economic driver of Sydney, recognising that Pyrmont and the Western Harbour precinct is a gateway to Sydney's Global CBD. As an identified key site under the Draft Strategy, Harbourside is recognised as a place capable of accommodating strategic change along with delivering significant additional public benefits.</p> <p>To further address potential concerns around the bulk and scale of the tower, it is proposed for a maximum volumetric control to be imposed on the future detailed design (set at 80%).</p>	14
Height / bulk of podium is excessive	<p>The height of the northern podium was significantly reduced from RL 25m to part RL 17.6m and part RL 13.75m under the previous RtS package, with the rooftop of this section of podium forming a new public space (Guardian Square). This represented the second decrease in the height of the podium since the lodgement of the original proposal, and is part of a suite of design improvements aimed at improving views (including to 50 Murray Street), including the relocation of the residential tower to the centre and widest part of the site</p> <p>Nevertheless, it is acknowledged that submissions have been received requesting a further height reduction of the northern podium, or that the height of the podium remains excessive. In this regard, the proponent reiterates that the current proposed podium height is considered to be appropriate and commensurate with the desired future character of Darling Harbour and that of the surrounding area. The proposed podium will remain a low scale feature along the waterfront (marginally higher than the existing building) and sit comfortably with the surrounding built form character, including the ICC, Sofitel podium and Maritime Museum.</p> <p>Any further reduction to the height of the podium is considered to not be appropriate. One of the key drivers for the podium height is accommodating floor to floor heights suited to modern retail and commercial office development. The height of the podium and the quantum of floor space to be accommodated also responds to a number of key strategic drivers. The nature of the site and indicative location for the proposed office space enables large campus sized commercial floor plates that are favoured by large multinational tech, finance, and professional services companies. This offering will be able to take advantage of the site's location and context within the Innovation Corridor and more broadly the core Harbour CBD.</p> <p>This proposed employment generating floorspace to be accommodated within the podium also responds to the need to increase and maximise economic activity associated with the planned new Sydney Metro West station slated for Pyrmont. This investment in rapid public transport will have a catalytic effect on the Pyrmont Peninsula and challenges any premise that strategic sites like Harbourside should remain and not evolve.</p>	15
Height of development excessive for a waterfront site	<p>As noted in previous RtS packages, the overall height of the development is considered to be commensurate with its surrounding built form and geographical location. The development is consistent with the anticipated future character of Western Sydney</p>	12

Summary of key issue raised	Proponent's response	No. of times raised
Height of development not commensurate with surrounding built form / 'open' nature of Darling Harbour, Pyrmont, and Ultimo	<p>Harbour, i.e. that of well-proportioned and suitably spaced towers. This is confirmed by the proposed development's consistency with the draft Pyrmont Peninsula Place Strategy which identifies the Harbourside shopping centre as a key site with a maximum height level of RL 170 metres, which is higher than the RL 166.95m proposed for the site. Other key sites identified within the Draft Strategy establish heights ranging from RL186 for the Star, RL156 for Blackwattle Bay, and RL243 for UTS.</p> <p>Furthermore, the height of the tower provides a visually coherent relationship to the ICC Hotel (Sofitel) at RL 133.55 and other towers around the Cockle Bay foreshore, both under construction and as proposed/approved. Tower 3 (C5) of the International Towers at Barangaroo adopts an RL of 168.00, with adjacent towers increasing in height to the north. The Cockle Bay Wharf proposal has since been approved with a height of RL183. The Ribbon development to the south of Cockle Bay adopts a maximum of RL 93.50 as noted in the EIS and is nearing completion.</p>	11
Precedent for more waterfront towers in future	Any future development at Darling Harbour will be assessed on a case-by-case basis with regards to their individual planning merit. The release of the Draft Pyrmont Place Strategy provides guidance around the NSW Government's vision for the revitalisation and transformation of the peninsula (including Harbourside, Blackwattle Bay and Star Casino), with tall towers in key strategic locations interspersed by low-medium rise development.	5
Redevelopment should be limited to the existing Harbourside Shopping Centre envelope	<p>It is reiterated that the position and premise that a benchmark for redeveloping the site is to put back in its place a building of the same height is considered unreasonable. Cities by their nature evolve; for example, the site where 50 Murray Street is located was once a low scale goods shed associated with the former Darling Harbour Railway Goods Yard prior to its eventual renewal and redevelopment into a large 17+ storey residential apartment building. The time has come where the existing Harbourside Shopping Centre has reached the end of its life and requires renewal in order to meet modern standards and respond to the \$15 billion wave of investment and renewal that has and continues to occur across Darling Harbour.</p> <p>The <i>Draft Pyrmont Place Strategy</i> acknowledges sites like Harbourside are strategically positioned for redevelopment and provide a significant opportunity to unlock the next wave of jobs and investment. The proposal is well aligned with this strategy, providing:</p> <ul style="list-style-type: none"> • A truly mixed-use development – retail, commercial and residential. • The prioritisation of commercial/retail floor space, creating 2,100 construction and 4,400 additional long term jobs. • Significant public domain improvements (8,200sqm). • A tower height less than RL170. • Significantly improved connectivity and accessibility. <p>Replacing the existing Harbourside Shopping Centre with an equivalent development of the same scale is therefore directly contradictory to the identified need for uplift at the site as identified under the Draft Pyrmont Place Strategy, and would represent a significant missed opportunity, in addition to being extremely economically unviable.</p>	2
Amount of floorspace/scale of development is inappropriate		8
Removal of monorail station should allow for preservation and adaptive re-use elsewhere	Demolition works, including that of obsolete monorail infrastructure, will be undertaken in accordance with the Construction & Environmental Management Plan prepared by Mirvac and submitted with the previous RtS package at Appendix S. All demolition works will be undertaken in a sustainable and environmentally appropriate manner. Waste targets are >95% diversion of waste from landfill by recycling, reuse, design, or other methods.	1
Potential for 2 nd tower to be built on northern building podium	There is no intention for a 2 nd tower to be built on the podium of the building.	1
Public domain and open space		

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Insufficient open/public space proposed	<p>As per the previous RtS package, it is reiterated that the proposed development will provide a significant quantity and quality of publicly accessible open space at the site. The proposed public domain and open space works are substantial and cover a total area of some 8,200sqm, representing a significant improvement over current site conditions.</p> <p>An updated Public Domain Design Report was prepared by Aspect Studios and attached to the previous RtS package at Appendix H. It provided comprehensive details on what the open space offering entails. This includes through the following elements:</p> <ul style="list-style-type: none"> • A 1,500sqm publicly accessible open space area (called 'Guardian Square') that is adjacent and directly accessible from Pymont Bridge; • Waterfront Promenade: Widening of the waterfront promenade and embellishments to provide much improved connectivity and waterfront experience (an increase in area of 474sqm). • Event Steps and east-west through-site link: Generous space for people to meet and greet and enjoy the northern sun as well as providing a direct link through to the new Bunn Street bridge. • Ribbon Stairs: providing improved and generous pedestrian access to Pymont Bridge/waterfront. • Pymont Bridge: An upgrade of the paving at the western entry to the bridge and enlarged entry to bridge. • Bunn Street bridge: A new pedestrian bridge providing a vital and direct link from Pymont through to the waterfront. • 50 Murray St bridge: Retention of the existing bridge. • Green roofs: Opportunities for Landscaping of roofs to provide attractive and embellished spaces. 	5
Size/area/design of Guardian Square insufficient	<p>A number of submissions noted that the size of Guardian Square (1,500m²) is insufficient, or that its design does not provide adequate open space for events. In this regard, it is the underlying intention of the development that Guardian Square is provided in tandem with a suite of other new high-quality public open areas throughout the Harbourside Shopping Centre. As noted above, this includes the widened Waterfront Promenade, Event Steps, and Ribbon Stairs.</p> <p>The Square has specifically been designed to strike a good balance between trafficable areas for pedestrians and aesthetically pleasing landscaping/vegetative elements to improve amenity and allow for respite. It is not the intention of Guardian Square to host larger gatherings and events. This function is instead provided predominantly through the Event Steps, which provides significant seating for larger events (such as Chinese New Year, Tai Chi and Vivid), and the widened promenade.</p>	8
Need for more community facilities / entertainment uses	<p>As listed above, the proposed development provides for significant public domain and open space outcomes. There is planned to be a range of spaces from small and intimate to open and spacious to cater for a diverse range of gatherings and overlays of festivals and events.</p> <p>In terms of the existing provision of community facilities in the area, it is noted that the new Ultimo Public School includes new and expanded community facilities and multi-purpose spaces for wider community use for after hours and weekend use by the community, a new 40 space child care centre and a public school for up to 800 students. There is accordingly considered to be sufficient provisioning of community facilities in the local area to meet any additional demands generated as a result of the proposed development.</p>	1
Heritage impacts		
Excessive proximity to / impact on Pymont Bridge	<p>As addressed in previous RtS packages, the design of the proposed development has undergone successive amendments and refinements over time to ensure that adverse impacts on Pymont Bridge is minimised, whilst maximising opportunities to improve the appreciation and interpretation of the Heritage item. The built form of the current shopping centre provides only a minimal setback from the bridge and does not represent a good urban design outcome.</p>	18

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	<p>As noted above, the proposed development has now reached a point now where the tower has been moved as far south as realistically possible and the northern podium has been lowered as much as realistically possible. This refocusing of mass away from the northern frontage of the development ensures that there will be only minimal obstruction of the heritage item. The reduction of the height of the northern podium from RL 25m to part RL 17.6m and part RL 13.75m ensures that the height of the podium is roughly the same height as that of the bridge, and does not in any way 'tower over' the bridge. The provision of Guardian Square above the podium reinforces the dialogue between modern and heritage fabrics, and encourages people to occupy the publicly accessible plaza while admiring the Darling Harbour setting and the Pyrmont Bridge historic features; from which the heritage item can be viewed, interpreted and celebrated.</p> <p>Furthermore, the Heritage Impact Statement prepared by Curio Projects and submitted with the previous RtS package at Appendix J confirms that the proposed complementary public domain improvements, including the new paving to Pyrmont Bridge, will ensure that a positive visual impact is established between the new building envelope and the bridge. The need to ensure the future detailed design appropriately respects and sympathetically responds to Pyrmont Bridge will be a key design objective for the competitive design brief and which future competitors will need to address. Opportunities for heritage interpretation and public art will also be a key component of the future public domain.</p>	
Impact on Goldsbrough Building (243 Pyrmont St)	As confirmed in the previous RtS package, impacts on the Goldsbrough Building (243 Pyrmont St) will be limited. Overshadowing onto the building will be limited to a 1-2 hour period between 9am and 11am on June 21, and the affected apartments will continue to receive solar access well in excess of ADG guidance.	1
Economic impacts		
Loss of property value at 50 Murray Street	Property values are not a valid planning consideration. Successive amendments to the design of the proposed development have minimised impacts on 50 Murray Street, including with respects to views.	1
Overdevelopment of the site will negatively impact tourism / income of nearby hotels	<p>The redevelopment of the Harbourside Shopping Centre will catalyse significant economic benefits in the area and bring about an increase in tourist numbers, many of whom will be looking for a hotel locally, thereby increasing demand. An early economic analysis report by EY estimated the potential value of each component as follows:</p> <ul style="list-style-type: none"> Enhanced food, beverage and retail experience at Harbourside: \$79m per year; Additional tourism expenditure at Harbourside from new visitors: \$27m per year; Additional tourism expenditure at Darling Harbour from new visitors: \$170m per year; and Total additional expenditure at Darling Harbour: \$394m per year. 	1
Land use		
Residential land use in Darling Harbour is inappropriate	<p>Residential uses are a permitted and expected form of development under the relevant <i>Darling Harbour Development Plan No. 1</i> controls. Residential land uses have long been a common feature throughout Darling Harbour, and developments such as 50 Murray Street (where the same planning controls apply) are evidence that residential development on the edge of Darling Harbour can co-exist with the diverse range of activities that occur across the precinct.</p> <p>The residential component will guarantee that the redevelopment supports a truly mixed-use precinct. The residential component will add vibrancy by injecting local residents into Darling Harbour and ensure that Darling Harbour supports Sydney as a 24-hour global city (i.e. residents of the new tower are expected to bring in additional patronage to nearby retail, tourist and entertainment</p>	7

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	<p>premises). The mix of land uses also complements the \$15 billion of surrounding investment and development, further contributing to a whole of precinct and place-based approach, while also supporting the business case for a potential metro station at Pyrmont.</p> <p>Enhancing Sydney's global competitiveness requires attracting global talent, with the delivery of high-quality housing within the Harbour CBD a key factor. The proposed delivery of around 357 dwellings on the doorstep of the Harbour CBD and within the Innovation Corridor will provide a significant boost to supply. There are a limited number of sites which have such locational advantages at the Harbourside site and therefore it provides an ideal opportunity to further diversify the city fabric. It will also bolster housing diversity.</p> <p>As noted in previous RtS submissions, the residential use will not undermine the functionality or experience of Darling Harbour as a tourism and entertainment precinct. Design measures will be implemented in the detailed development stage to ensure there would be no adverse impact from both the commercial/retail components of the proposal to future residents along with consideration of the broader entertainment and tourism activities that take place across Darling Harbour. The location of the new apartments would also be obvious to prospective buyers and thereby would only attract those who wish to live in close proximity to one of Australia's premier entertainment districts, and the unique lifestyle and convenience it offers.</p>	
Lack of on-site affordable housing inappropriate	<p>The proposal does not involve the formal provision of "affordable housing", nor is there any legislative basis for it to be provided. Instead, a monetary contribution towards the provision of affordable housing 'off-site' is proposed.</p> <p>A number of submissions, whilst acknowledging this monetary contribution, regarded it as inappropriate and instead advocated for affordable housing to directly be provided within the tower. In this regard, City West Housing (CWH), the registered community affordable housing provider in the inner city area, noted in their submission to the Draft Pyrmont Place Strategy that their strong preference is to receive monetary contributions from developers which they can then pool together to deliver standalone affordable housing developments.</p> <p>CWH note a number of advantages and benefits of receiving funds as opposed to the dedication of apartments within developments. The generous proposed monetary contribution being proposed as part of the Concept Proposal and outlined within the Public Benefit Offer has been informed by the City's existing affordable housing regime that applies to the adjacent Pyrmont area. Overall and when considering the totality of public benefits to be delivered the proposed affordable housing contribution is considered to be reasonable and acceptable.</p>	3
New residential use may become 'stealth hotel inventory' (i.e. AirBnb)	As noted in previous RtS responses, future potential use of an individual resident's dwelling for short term accommodation is not a relevant planning matter in relation to the proposal. The planning system also has separate controls and regulations that deal with short term accommodation, such as AirBnB.	1
Residential tower should comprise commercial floorspace instead	<p>The design of the proposed development continues to prioritise appropriate commercial and retail land uses. Under the development as currently envisioned, some 52% of the total GFA at the site has been allocated to commercial/retail uses. Locating these uses in the building podium is considered to be sufficient to meet market demand, and also allows large campus sized commercial floor plates that are favoured by large multinational tech, finance, and professional services companies to be provided on-site.</p> <p>Conversely, the provision of commercial floorspace in the tower instead would preclude the provision of these large-style floorplates. It would also result in a significantly bulkier tower (by virtue of the nature of commercial floorplates) that would result in unacceptable views loss from surrounding developments. A commercial tower option was investigated by the proponent during the</p>	2

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	early design stages of the development in 2016, but was ultimately disregarded in favour of residential due to the significantly slimmer floorplate a residential tower entails.	
Commercial land use in Darling Harbour is inappropriate	<p>The provision of commercial floorspace at the site is also vital to facilitating a true mixed-use precinct visioned for Pyrmont. The overarching objective of the Draft Pyrmont Peninsula Place Strategy to revitalise and transform Pyrmont into a jobs hub and economic driver of Sydney. The premise for this vision is the recognition that Pyrmont and the Western Harbour is a gateway to the CBD. Key to the realisation of this vision and objective is the redevelopment of key strategic sites, with the Harbourside Site identified as one of 4 key sites.</p> <p>This offering will be able to take advantage of the site's location and context within the Innovation Corridor and more broadly the core Harbour CBD. The strength of the Harbour CBD relies heavily on the concentration of financial services industries and associated knowledge intensive industries and the proposal is therefore in full alignment with strategic planning objectives to make the Harbour CBD stronger and more competitive. This proposed employment generating floorspace also responds to the need to increase and maximise economic activity associated with the planned new Sydney Metro West station slated for Pyrmont.</p>	1
Amenity impact		
Negative impact on amenity of area (general)	<p>As aforementioned, the proposed development will significantly improve the amenity of the surrounding area. The existing Harbourside Shopping Centre presents as a dominant, bland, tired, and unattractive building. Mirvac plans to undertake a design competition for the project which will deliver a future building of the highest standard of architectural, urban and landscape design.</p> <p>The development will provide a positive contribution to Darling Harbour and will significantly assist in improving the selection of public open space at the area, including through that of a widened waterfront boulevard, 'The Event stairs' to provide seating for large events, the 'Guardian Square' atop the northern podium, an upgrading of the existing 50 Murray Street pedestrian bridge to integrate with the redevelopment, the provision of a new pedestrian street at Bunn Street, in addition to the provision of a new central through-site link, and green roofs.</p>	6
Inappropriate privatisation of a 'public' area gifted to the community	<p>As noted in previous RtS responses, the site will remain as public land owned by the NSW Government. The proposed renewal of the site, which Mirvac has a long term lease interest in, aligns with other transformative projects led by the private sector that have occurred across Darling Harbour.</p> <p>The development provides for significant tangible public benefits, including the provision of a new Bunn Street crossing connecting people from Pyrmont to Darling Harbour, a waterfront promenade widened to 20 metres for people to enjoy, new retail offerings which will result in social attractors and improved connectivity, generating significant social and economic returns, and a large number of public open spaces for the benefit of the public.</p>	7
Potential for increased crime and antisocial behaviour	The proposed development is for a Concept Proposal only. Opportunities for Crime Prevention Through Environmental Design (CPTED) will be investigated and implemented as part of a future detailed design stage DA. Furthermore, the refurbishment of the shopping centre and the provision of a true mixed-use precinct (including residential) will significantly improve opportunities for passive surveillance and act as a deterrent for antisocial behaviour and crime.	2
Excessive / lack of consideration towards noise impacts	The proposed development is for a Concept Design only. As a detailed design matter, noise will be further considered and addressed within the subsequent detailed design stage of the project. Notwithstanding this, an Acoustic Report was prepared by Renzo Tonin & Associates and included within the original submission, with subsequent amendments in the previous RtS package.	4

Summary of key issue raised	Proponent's response	No. of times raised
Excessive / lack of consideration towards wind impacts	An updated Wind Assessment by Cermak Peterka Petersen was attached to the previous RtS response at Appendix L. The report included a detailed wind tunnel assessment of the proposed envelope, which found that the wind environment at ground level near the development site is generally suitable for pedestrian standing and walking in most areas, and generally similar to existing site conditions.	1
Vegetation impacts		
Proposed tree removal inappropriate	The proposed development comprises a significant improvement with regards to site landscaping and vegetative elements as compared to current site conditions. Landscaping as currently proposed under the latest scheme is shown in the Public Domain/Landscape Design Report by Aspect Studios and attached to the previous RtS package at Appendix H. It should be noted that the proposed development currently comprises a Concept Proposal only, and the exact typology and species of vegetation to be used, as well as their final location, will be confirmed in the subsequent detailed design stage application. Significant site landscaping will be utilised along the widened promenade, which will provide a continuous canopy of trees; Guardian Square; and the green roofs atop the podium. In contrast, the existing Harbourside Shopping Centre presents only minimal site landscaping. Opportunities for the transplanting of existing trees will be investigated during the detailed design phase.	1
Additional tree planting and native vegetation required		1
Planning processes		
Lack of public consultation	As noted in previous RtS responses, Mirvac has completed over 3.5 years of extensive stakeholder consultation to develop its vision for the site. This has included consulting and collaborating with the landowner, adjoining landowners, residents, action groups, authorities, and agencies. Mirvac has listened to the feedback received and positively responded. Further details of the consultation undertaken and the evolution of the design of the project, including directly in response to the feedback made by the local community is provided within the original EIS and subsequent RtS responses. Mircav's strong commitment to engagement and consulting with the local community will continue throughout the planning process. Any future Stage 2 DA on the site will allow for further opportunities for consultation.	2
Development should be postponed until Pyrmont Peninsula Place Strategy is finalised	Disagree. Darling Harbour has since the 1980s been carved out and afforded special planning provisions (Darling Harbour Development Plan) to ensure its critical tourist, entertainment and commercial contribution to NSW and Australia is protected and that its continued evolution and success assured. This state significant planning framework does not establish any detailed planning controls nor require the preparation or adoption of any overarching master plan in which to inform or assess development against. There has been and there is in place significant guidance around the NSW Government's vision, aspirations, and objectives for Darling Harbour and which have been used to guide the renewal of Darling Harbour to date. Furthermore, there is clear alignment between the proposal and that envisaged by the NSW Government for the site under the Draft Pyrmont Place Strategy. The concept design exhibits a high level of consistency with the "additional public benefit opportunities" identified explicitly for Harbourside on page 79 of the draft Strategy, including: <ul style="list-style-type: none">• A tower below the identified maximum of RL 170m in height;• Prioritising commercial/retail land uses, with the some 52% of the total amount of GFA allocated to these land uses;• Excellence in open space outcomes through the delivery of additional accessible public open space;• Improved east-west connections from Harris Street to the waterfront through new through-site links;• A safe, activated and inviting streetscape interface at all boundaries of the site; and	1

Summary of key issue raised	Proponent's response	No. of times raised
	<ul style="list-style-type: none"> An appropriate built form outcome to Pyrmont Bridge, including a reduction in height to the northern podium under the further amended concept design. <p>An in-depth analysis of the proposed development's consistency with the 10 Directions of the Strategy, and each site-specific consideration for Harbourside, is provided in Section 2.8.2 of the Response to Submissions and Further Amended Concept Proposal report prepared by Ethos Urban within the previous RtS package.</p>	
Construction impacts		
Potential for excessive construction noise and vibration impacts	<p>Noise and vibration impacts during the demolition stage will be mitigated in accordance with the Demolition Acoustic Report prepared by Renzo Tonin & Associates and attached to the previous RtS package at Appendix X. The report confirms that following the adoption of recommended noise and vibration mitigation measures, the demolition works will be managed in a way that avoids potential building damage and mitigates impacts and land users in a reasonable and feasible manner.</p> <p>Noise and vibration impacts during construction will be managed in accordance with the current Construction & Environmental Management Plan prepared by Mirvac, submitted with the previous RtS package at Appendix S. Furthermore, an Acoustic Consultant will be engaged to prepare a detailed Construction Noise and Vibration Management Plan (NVMP) for the project as part of any subsequent detailed design Stage 2 development application.</p>	2
Proposed construction hours are excessive	<p>As confirmed in the Response to Submissions and Further Amended Concept Proposal report prepared by Ethos Urban within the previous RtS package, demolition works will occur between 7:00 – 18:00 weekdays, 7:00 – 17:00 Saturdays, with no works on Sundays or public holidays. Hours of work for construction will be confirmed as part of a subsequent detailed Stage 2 DA but are anticipated to be identical with that of the demolition work hours.</p> <p>These hours of work are consistent with the relevant guidelines and industry standards, and will not result in adverse impacts on surrounding receivers. It is acknowledged that certain works (e.g. demolition of the Darling Drive pedestrian bridge) will likely occur outside the standard hours of work for safety and road closure reasons.</p>	1
Need for clear directional signage during construction	Noted. As confirmed in the Construction & Environmental Management Plan submitted with the previous RtS package at Appendix S, all pedestrian and vehicular routes will be clearly delineated with signage throughout the demolition and construction process.	1
Lack of consideration towards pest control	The proposed development comprises a Concept Design only, and specific matters such as pest control will be investigated as part of a subsequent detailed design stage application.	1
In support of development		
Supports the proposed development	Noted.	3