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Attention: Chris King  
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Dear Chris,

**Amended Concept Proposal for Cockle Bay Wharf (SSD 7684), 17-27 Wheat Road, Sydney**

I refer to your invitation to comment on SSD 7684 relating to the amended Concept Proposal for Cockle Bay Wharf. It is understood that the Concept Proposal seeks approval for the demolition of existing structures, building envelopes and commercial land uses, publicly accessible open space and car parking, and has been amended as follows:

- The proposed tower has been relocated further south and the height and bulk reduced;
- The total gross floor area (GFA) has been reduced from 85,000sqm to 75,000sqm;
- The scale of the podium has been reduced and setbacks to Pyrmont Bridge and the waterfront increased;
- Publicly open space has been consolidated;
- A section of promenade adjacent to the site is to be extended, projecting over the harbour;
- The site area has been increased to include a pedestrian connection from Druiitt Street; and
- Connectivity provided to the Crescent Garden.

Despite the amendments made to the proposal, the City objects to the amended proposal. The reasons for this are outlined below.

**Statutory and Strategic Context**

The City submits that the statutory and strategic context of the proposed development has changed significantly since the Secretary's Environmental Assessment Requirements (SEARs) were issued for the Concept Proposal in June

2016, with the publication of the following key NSW Government and City of Sydney planning documents:

- Directions for a Greater Sydney 2017-2056 (Directions);
- Draft Greater Sydney Region Plan, October 2017 (Region Plan);
- Revised Draft Eastern City District Plan, October 2017 (District Plan);
- Draft Future Transport Strategy 2056, October 2017 (Future Transport);
- Greater Sydney Draft Services and Infrastructure Plan, October 2017, and (Greater Sydney Infrastructure Plan); and
- the proposed City of Sydney Central Sydney Planning Framework, including:
  - draft Central Sydney Planning Strategy, July 2016
  - Planning Proposal: Central Sydney
  - draft Sydney Development Control Plan 2012: Central Sydney Planning Strategy Amendment, and
  - draft Central Sydney Affordable Housing Program

In order to enable an accurate assessment of the proposed development within a meaningful context, amended SEARs should be issued and an updated Environmental Impact Statement (EIS) prepared, to address these key planning documents. In the absence of a contemporary Environmental Planning Instrument that addresses contemporary land use and planning issues facing the Harbour CBD (see Attachment A), together with *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (the Harbour SREP), these documents should form the basis for determining the appropriateness of the Concept Proposal.

While these documents are not mandatory matters for consideration in the determination of a development application under Section 79C of the *Environmental Planning and Assessment Act 1979* (the Act), a consent authority may consider them to the extent that they relate to the objects of the Act being to (as relevant to the proposal):

- facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;
- promote the orderly and economic use and development of land; and
- promote good design and amenity of the built environment.

Whether the Concept Proposal promotes the objects of the Act should be tested against these contemporary evidence based planning documents. Any determination of the Concept Proposal without appropriate consideration of these key documents and would not be in the public interest.

#### Infrastructure and Public Benefits

As the proposal relates to the redevelopment of public land it provides a unique opportunity to deliver or facilitate the delivery of social, cultural and community

infrastructure to support the growing population of residents, workers and visitors in Central Sydney. To effectively align infrastructure with growth, and to support the orderly development of the site, infrastructure provision must be appropriately addressed by the Concept Proposal and not deferred to a future Stage 2 application. This is required to be considered at this stage because the consent authority must be satisfied that the additional density, and therefore demand, that the proposal generate is being equitably matched through the provision of additional public infrastructure and benefits.

There are no forms of infrastructure funding that apply within the Darling Harbour precinct. This is a product of having an outdated environmental planning instrument (Darling Harbour Development Plan No.1) that fails to respond to or address contemporary land use and planning issues facing Greater Sydney (see Attachment A).

Contributions described by the Proponent are limited to:

- the Proponent's lease;
- an undisclosed financial contribution to the NSW Government for an undisclosed purpose;
- undefined public open space upgrades, with no commitment to areas of upgrades, timing, delivery, dedication, quality and with mainly references to privately owned areas;
- undefined public art;
- undefined maintenance agreements; and
- a number of "potential" land uses and "possible" sited, "some of which" will provide "community benefit".

None of these contributions are secured by way of a planning agreement and the proposal fails to address the appropriate provision of public benefits, services, and infrastructure. Public benefit infrastructure contributions should take into consideration the infrastructure demands created by the proposal and the planning gain associated with new planning controls that apply to the site, based on an assessment of value sharing. In this regard the Region Plan states (page 29):

*Value sharing is about identifying and raising funds additional to those which come through business-as-usual development activities. Value sharing assessments should be undertaken as part of the business case development process.*

No value sharing assessment has been made available for the proposal. Value sharing is essential in ensuring that the planning gain resulting from the introduction of new planning controls will be equitably distributed between the developer and the public. To defer the consideration of infrastructure contributions to a future Stage 2 development application is to defer certainty on the quantum and delivery of infrastructure contributions, which is contrary to the public interest and inconsistent with the District Plan.

No documented attempt has been made to demonstrate how the value created by the proposal will be equitably shared with the community through the provision of supporting infrastructure. The proposed financial contribution and delivery of public open space and public art may be a very valid form of public benefit. But without disclosing their value or purpose and documenting how, what and when they would be delivered, the public and the consent authority have no way of determining whether or not the contributions offered offset any of the additional demand that the 89,000m<sup>2</sup> of additional floor space places on existing local services, or whether the contributions come close to offsetting the external impacts the proposed envelope has on the surrounding public domain.

Any contributions must be secured via a legal agreement in the public interest and in accordance with Section 93F of the Act. It is suggested that any reasonable public benefit contribution should include at a minimum:

- pedestrian and cycle connections (see Pedestrian and Cycle connections)
- social, cultural and community infrastructure (see Social, Cultural and Community infrastructure)
- an affordable housing contribution (see Affordable Housing), and
- delivery and use of public open space.

The City should be a party to any agreements where they are a land owner or proposed end owner of the subject space.

### Overshadowing

The amended Concept Proposal still results in unacceptable additional overshadowing of the Future Town Hall Square and the western frontages of the Darling Harbour foreshore. The protection of sunlight to public spaces is a key principle of a liveable city.

In this regard it is noted that The District Plan states (page 54):

*High liveability for workers and visitors and clean, safe and attractive public places and natural environments contribute to the productivity of the Harbour CBD. They generate business investment from around the world, leading to economic and jobs growth and a globally enhanced reputation. These considerations are detailed in Planning Priority E6 and Planning Priority E16.*

The Central Sydney Planning Framework provides Sun Access Plane controls for Darling Harbour that seek to protect solar access to publicly accessible areas all year, between the hours of 11am and 5pm, and a No Additional Overshadowing Control (at any time of year) to the Future Town Hall Square (Attachment B). The intent of these controls is two-fold: to protect sun access to public places and to provide a built form relief to the density of the city.

The subject proposal overshadows the Future Town Hall Square putting at risk the business investment, jobs growth and reputational benefits generated by this space in addition to detrimentally impacting on the amenity of this public space.

The value of maintaining solar access was recognised in Department of Planning and Environment's 17 June 2016 Gateway determination for 48 Macquarie Street, Parramatta (see Planning Team Report, page 7):

*Given the critical importance of overshadowing to the usage and success of the public domain within Parramatta Square, which is the focal point for Sydney's second CBD, it is recommended that there should be no additional overshadowing of the protected area of the public domain*

The stereographic maps provided at Attachment B detail the overshadowing impact of the proposed Concept Plan envelope on Future Town Hall Square which is protected by a proposed No Additional Overshadowing Control (at any time of year) under the Central Sydney Planning Framework. A stereographic map is a fish-eye view looking up at the sky from Future Town Hall Square – taken from 2 locations. The Concept Plan envelope (shown in red) appears in the left of the view. The blue date lines that run over it indicate the date range that Future Town Hall Square will be directly affected by the proposal.

The stereographic maps however do not include the approved and under construction hotel/serviced apartment development at 230 Sussex Street (corner of Sussex Street and Drutt Place). The bulk of this approved building is shown marked "A" and a black hatched on both stereographic maps.

Taking 230 Sussex Street into consideration, the additional overshadowing created by the proposed Concept Plan is still significant with overshadowing from September 1 to 23 and March 21 to April 15.

Without amendment the proposal is inconsistent with to Planning Priority E6, and the public interest and cannot be supported by the City.

In considering the impacts of the Concept Proposal on Darling Harbour, the City has conducted a comparative analysis of overshadowing on 21 June that includes:

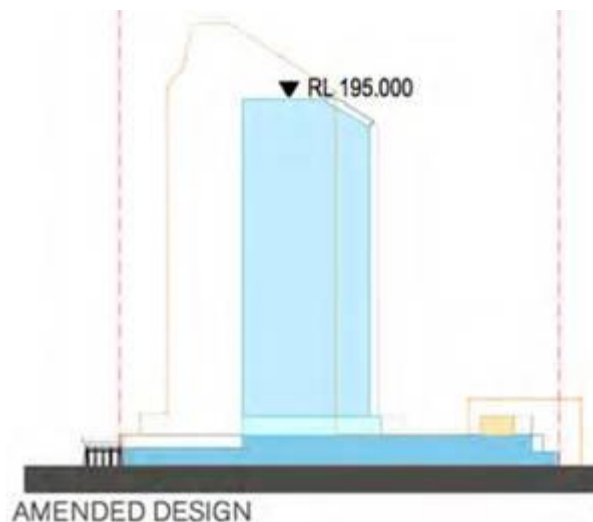
- the existing situation
- the Concept Proposal as currently proposed
- a modified Concept Proposal with a 12m tower setback to Darling Harbour (currently 8m. weighted average)
- a modified Concept Proposal with a 12m tower setback to Darling Harbour and an envelope reduced in height as shown in Attachment C (NB This reduced envelope equates to an approximate 15,000sqm reduction in GFA).

The analysis conducted by the City confirms that a 12 metre tower setback to Darling Harbour would eliminate overshadowing of the foreshore area to the development from 11am for the length of the site. It would also assist in providing built form relief to the density of the city. Appendix C of the Proponents EIS explores different massing options including a low rise options that would have significantly less overshadowing impacts on Future Town Hall Square and Darling Harbour than the Concept Proposal. Despite this, the low rise option was dismissed as it limited private 'view sharing' (from the Proponents other office towers). The site's surrounding context includes successful low to mid rise buildings including Darling Walk, the Novotel and the Convention Centre.

### Bulk and Scale

It is acknowledged that the Concept Proposal has been amended to reduce the overall height of the tower by 40m and the tower floor plate has been reduced by 315m<sup>2</sup>. The City considers that the amended tower floorplate of 3,575m<sup>2</sup> is still excessive and does not support a floor plate greater than 3,000m<sup>2</sup>. Concerns raised in the City's original submission dated 15 February 2017 remain regarding the filling of the floorplate resulting in an overly bulky development that creates detrimental impacts on the locality in terms of overshadowing and visual impacts. Furthermore, the City does not support any request under the Concept Proposal for architectural roof features to exceed the proposed building envelope at the Stage 2 SSD application. This request is pre-emptive and any such request should be subject to the detailed assessment of impacts and demonstrated design excellence at the Stage 2 SSD application.

To deliver a slender tower, it is proposed that a future tower would only occupy a maximum of 60% of the envelope. This is understood to mean 60% of the blue envelope shown in the figure below (from Appendix G – Visual and View Impact Analysis). Capping the portion of the envelope that can be occupied is critical if a slender tower is to be delivered. While this intention is relatively clear throughout the EIS, the Visual and View Impact Analysis refers to the eventual tower form occupying *an average 60% of the envelope*. It is unclear what the addition of “average” as a qualification means. Concern is raised that this could lead to the delivery of a built form that is inconsistent with what is being assessed and what may eventually be approved. Any Concept Proposal determination and Strategy should be certain and explicit about the portion of the tower envelope that can be occupied.



### View Impacts

The design of the pedestrian and axial approaches along Market and Druitt Streets must be developed in detail and tested to ensure that views to the harbour are preserved and improved. The demolition of the existing bridge and ‘Spanish steps’ on the Druitt Street axis is supported in principle, however all new bridges and structures on this axis must be located north of the extension of the Druitt Street alignment in order to enhance water views from the City. It is recommended that the demolition of the existing large and functionally unnecessary projecting pier on the

south edge of the existing Darling Park project should also be investigated in order to further enhance the Druitt Street axial views and the pedestrian approach to the harbour along this axis.

### Heritage Impacts

The proposed connection from the amended terraced public landscape to Pyrmont Bridge had been amended. It now connects to the east bridge abutment added in the 1990s and is potentially acceptable. However, the submission mainly uses photo montages and sketch plans to describe this work. Some of these images appear to indicate that the new bridge will cut much closer to the historic Corn Exchange building than existing bridges. This would not be acceptable. In particular, the detailing of the north edge/road portal of the proposed land bridge requires careful detailing as it will be seen as a road portal along the axis of Market Street from the east. The alignment, design and detail of the Market Street land bridge link to Pyrmont Bridge must be resolved to enhance the setting of the Corn Exchange and ensure a high quality and resolved design of the north edge of the new bridge. The detailed design of the connection to of Pyrmont Bridge must be resolved with the input of heritage architects and articulated in the heritage impact statement.

### Publicly Accessible Open Space

It is understood that publicly accessible open space under the Concept Proposal is not intended to be dedicated to or managed by the City. It is considered that publicly accessible open spaces should be accessible at all times, and that the City's standard palette of paving, furniture, lighting and wayfinding signage should be extended throughout the public areas of the development to maximise legibility and connectivity with the City's streets and spaces.

It is noted that the proposal indicates an intention for new publicly accessible spaces to be used for events. In light of this the following is recommended:

- Pedestrian through-routes and connections through the development to Cockle Bay via the terraces, and to Pyrmont Bridge from Market Street must be maintained at all times;
- A clear path of travel to and on both Pyrmont Bridge and the Cockle Bay terraces must not obstructed by events at any time;
- Event areas should be restricted in order to maintain some degree of access to publicly open spaces at all times; and
- Consideration should be given to the suitability and durability of proposed materials on the land bridge for events.

The design of the consolidated area of publicly accessible space extending over the Western Distributor must include the provision of lawn, shrub plantings and trees on structure. All planting should be set down within the land bridge and not within raised planters. Raised planters are not supported in the public domain due to their impact in dividing the space, additional technical requirements for irrigation, and limitation on tree growth. In addition, ventilation stacks from any infrastructure or building uses should not be located within the main area of publicly accessible open space.



The proposal represents a significant opportunity to increase Central Sydney's urban tree canopy in line with the District Plan. It is recommended that Concept Proposal provides the following:

- a canopy cover target should be included in the Precinct Vision Statement of more than 15% canopy coverage of the site, within 10 years from the completion of development.
- a mix of tree heights;
- Preference of locally indigenous species to be used where possible and in accordance with the City's Landscape Code;
- Soil volume requirements for different tree sizes (figures from City Greening & Leisure):
  - Large Trees (canopy diameter of up to 16 metres at maturity) require a minimum soil volume of 39 cubic metres.
  - Medium Trees (canopy diameter of up to 8 metres at maturity) require a minimum soil volume of 38 cubic metres.
  - Small Trees (canopy diameter of up to 4 metres at maturity) require a minimum soil volume of 36 cubic metres.
- Permeable surfaces incorporated where possible (e.g. pathways in vegetated areas).

It is also noted that the existing Crescent Park will become almost constantly be overshadowed as a result of this proposal, and will be affected by wind effects from the three adjacent tall buildings. The building design should seek to minimise and manage the impacts of wind on this space to ensure the existing established vegetation of the space is able to be retained, and the space retains comfort and amenity for use by occupants. This is important to avoid the need to retrofit the space with a canopy later, as has already been seen at Barangaroo.

#### Expanded Boardwalk/ Circulation

The City strongly objects to any additional filling-in or expanded decking over the harbour. The proposed development should be required to maintain the existing width of the pedestrian thoroughfare between the harbours edge and the development site. Furthermore, the City maintains its previous comments that all outdoor dining must be contained wholly within the building envelope and should not impinge on the clear right of way of pedestrians.

#### Environmentally Sustainable Design (ESD)

The proposed development represents a significant opportunity to aid the State Government in its commitment to achieve net-zero emissions by 2050 and optimise water use and reduce waste in line with the District Plan. Any development that purports to display design excellence should include the delivery of exemplary ESD outcomes. The Department should ensure that any determination of the Concept Proposal reflects robust and innovative benchmarks and sustainability initiatives that are commensurate to the scale of the project, rather than minimum standards. In this regard it should be noted that a 5 star NABERS rating for the commercial tower and



compliance with BCA Section J for the retail component of the proposal represent the minimum standard requirements.

Furthermore, the use of high performance glazing for the commercial tower is not considered to be an acceptable substitute for external shading devices. The City strongly recommends that a commitment be made to utilising technological and design solutions to address water and energy consumption and waste, and thermal comfort, in accordance with the following:

- a 6 star Green Star Design & As Built rating and a NABERS Energy Commitment Agreement targeting a minimum 5.5 Stars ;
- a 6 star Green Star Design & As Built rating 4.5 star NABERS Water for the commercial office component;
- improving the health of Cockle Bay through a risk-based approach to managing the cumulative impacts of development including coordinated monitoring outcome;
- investigation of a dual reticulation recycled water system to reduce pressure on existing water and wastewater infrastructure; and
- a Precinct Vision Statement that include aspirational benchmarks such as to deliver zero net greenhouse gas emissions generated through the transport and treatment of waste from the precinct and to divert more than 80% of operational waste from retail and commercial buildings .

### Design Excellence Strategy

The proposal includes a commitment to undertake a competitive design process generally in accordance with the requirements of the *Director General's Design Excellence Guidelines (2010)*. It is noted that a Competitive Design Process Strategy, along with a Competitive Design Process Brief are proposed to be submitted for endorsement by Department following the determination of this application.

In order to provide certainty and a framework for the future competitive process, a robust Strategy should be submitted and assessed in parallel with the Concept Proposal. This is consistent with the SEARs which requires that the EIS demonstrate the process for achieving design excellence. While the EIS refers throughout to a design excellence process, no meaningful detail is provided about the process proposed to deliver design excellence.

The Competitive Design Process Strategy should address, but not be limited to:

- the type of competitive process;
- the scope of the competition;
- the number and composition of competitors;
- the composition of the jury (in accordance with *Director General's Design Excellence Guidelines*);
- design principles to guide the competitive process;

- ESD benchmarks;
- built form parameters; and
- the Strategy should be explicit that no additional height of floor space will be sought as a result of any competitive process.

It is recommended that the Strategy is reviewed and endorsed by the Government Architect's Office as part of any determination of the Concept Proposal.

In addition to the tower/podium envelope, the amended Concept Proposal proposes a new public pedestrian land bridge and up to 15,000m<sup>2</sup> of public open space. The EIS confirms that a design competition would include the public domain elements and be for all components of the development. Inclusion of the public domain elements in the Competition Scope is supported and will ensure that the competitive process is set up to select the highest quality architectural, public domain, urban design and landscape design solution for the site. The competition should be supported by a performance brief for the public domain and interface components (park, terraces, promenade, footbridge, Sussex Street and Market Street interfaces) that is prepared by the State (Office of the Government Architect) in consultation with the City. The performance brief would stipulate specific and measurable objectives and design requirements for the public spaces and interfaces to be delivered by the project. This is essential that the appropriate spatial, technical and servicing requirements are accounted for in the competition design, to ensure the interface conditions and quality of public areas are properly considered and addressed in a holistic, urbanist, design proposal for the site.

Moreover, the competitors should be constituted of teams (rather than a single architectural firm) collaborating to deliver a cohesive design between all design disciplines including architecture, urban design and landscape design.

All of this should be reflected in any determination issued by the Department and the Strategy.

With regard to jury composition, the guidelines provided in the EIS should be expanded to adhere to the *Director General's Design Excellence Guidelines* which requires that jury members must:

- not have a pecuniary interest in the development proposal;
- not be an owner, shareholder or manager associated with the proponent or proponent's companies;
- not be a staff member or with an approval role in the development assessment process.

As the Department is the consent authority, in accordance with the *Director General's Design Excellence Guidelines*, the City is to nominate a jury member. This should be explicit in any determination of the Concept Proposal and should be reflected in the Strategy.

ESD benchmarks should be reflected in the Strategy and in the competition brief. The brief should include specific requirements for the facade treatments to be passively

designed to include management of summer solar access and in particular mid-summer western sunlight, including:

- shading strategies and devices to be integral to the architecture; and
- extensive glazing that is unprotected from mid-summer sunlight to be avoided and reliance on high performance tinting or glazing as a midsummer sun control is not appropriate.

#### Transport and Servicing

The reduction in proposed car parking from 200 spaces to 150 spaces is a welcomed amendment, however any approval granted to the Concept Proposal should not include any quantum of car parking. Any approval should contain a conditional requirement for the preparation of a Precinct Parking, Access, Loading and Adaptability Plan, that addresses the following:

- investigation of opportunities for precinct-based provision of adaptable car parking and infrastructure in lieu of private provision of car parking
- ensure parking availability takes into account the level of (existing and future) access by public transport
- consider the capacity for places to change and evolve, and accommodate diverse activities over time, and
- demand for centrally located resources for parcel deliveries

It should be noted that the City encourages the provision of zero staff parking for new developments in the CBD, and a further reduction from the proposed 150 parking spaces is encouraged. The proposed development should seek to encourage Sustainable Transport (and Active Transport) in a manner which aligns with the targets and objectives set out in *Sustainable Sydney 2030*. Other strategies for which the project should align includes:

- City's Cycling Strategy and Action Plan 2007-2017
- Walking Strategy and Action Plan 2014-2030
- Connecting Our City Transport Strategies and Actions (2012)
- Sydney City Centre Access Strategy (TfNSW 2013)

Appropriate car parking rates should be based on recommendations of the Precinct Parking, Access, Loading and Adaptability Plan and not exceed the maximum car parking rates in *Sydney Local Environmental Plan 2012*.

Concern is also raised regarding the adequacy of the proposal in terms of servicing and loading arrangements for the site. The City considers that a comprehensive Transport Study including a traffic report is required to address the following issues:

- Detailed information is required on the design, capacity and operation of the realigned Wheat Road, including coach/taxi/private vehicle set down/pick up, off street car parking, public disability parking and loading and servicing.

- Detailed information, including swept path analysis for all vehicles associated with the operation of the proposed development, is required for the realignment of Wheat Road. Turn paths should be provided to show that the largest vehicles and coaches accessing the site can turn left from Wheat Road onto Harbour Street to travel northbound. Turn paths should also be provided for the new road through the site illustrating that all types of vehicles accessing the site can use the turnaround facilities on the proposed site or adjacent Ribbon site.
- The entry to the new site car park requires 2-way access out of the Ribbon site's porte cochere. Given the Ribbon site has been designed to accommodate both 14.5m coaches and 19m semi-trailers, it does not appear 2-way traffic is possible. Any proposed changes to Wheat Road and the Wheat Road/Harbour Street intersection as part of the subject proposal need to be consistent with the approved Ribbon redevelopment.
- Insufficient information is provided to determine if the right turn/left turn movements on to Harbour Street from Wheat Street can work especially if traffic signals are provided. It should be noted that a right turn out onto Harbour Street southbound would appear extremely problematic under any scenario.
- Detailed information is required to assess queuing of vehicles on the Wheat Road approach of the Wheat Road/Harbour Street intersection and all access roads in and around Harbour Street. The assessment should ensure that no through traffic travelling north of the development site is impacted by vehicles associated with the operation of the development (coaches, taxis, private vehicles and loading and servicing vehicles), including any queuing around the proposed turning circle.
- Concerns are raised regarding safety and queuing of vehicles onto and off Harbour Street as a result of traffic generation from the combined site (this site and Ribbon site). The safety concerns also relate to access to the new site through the porte cochere of the Ribbon site due to vehicles turning from the porte cochere to access the Ribbon site basement car park.
- Details are required of taxi rank locations, service vehicle loading and unloading within Wheat Road.
- Further information is required to demonstrate the suitability of pedestrian access around Wheat Road and the proposed coach parking and porte cochere.

#### Cycling and Pedestrian Connections

The proposal provides a significant opportunity to rebuild and reconfigure two of Central Sydney's most important and poorly resolved pedestrian and cycling east-west connections, being the Market Street to Pyrmont Bridge connection, and the

Druitt Street to Cockle Bay/Western Distributor connection. Resolving these connections will improve business-to-business links, address local congestion and improve the viability of the Innovation Corridor's western precincts in Pyrmont/Ultimo and the Bays as locations for future innovation hubs. These connections should be designed in consultation with the City.

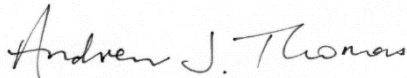
Subject to heritage considerations, the detailed consideration of cycleway access to and through the site as well as investigating the potential to widen the Market Street pedestrian bridge should be provided as part of the Concept Proposal, and not deferred to any future Stage 2 application. The proposal should optimise circulation and access through the site by providing clear and unambiguous routes that rationalise decision points and appropriate wayfinding strategies. It is recommended that the design should facilitate on grade access for cyclists and pedestrians at both connections, rather than stairs, lifts and escalators. It is also recommended that proposal incorporates suitable connectors to local cycling routes including but not limited to the provision of a connection at Market Street / Kent Street or King Street / Kent Street that provides for a right turn into Kent Street when travelling from Pyrmont Bridge.

#### Contamination

A Preliminary Environmental Site Investigation has been carried out for the proposed development. Historical activities show that the site has been used for various industrial purposes indicating that the presence of contamination is likely. The site is currently covered by a building slab and concrete which prevent the testing of soil and ground water. If a large structure is being installed it is likely that foundations would penetrate the existing concrete slab. Due to the likelihood of contaminants being present a detailed site investigation will need to be carried out.

Should you wish to speak with a Council officer about the above, please contact Rebecca Thompson, Senior Planner, on 9288 5926 or at [rthompson@cityofsydney.nsw.gov.au](mailto:rthompson@cityofsydney.nsw.gov.au)

Yours sincerely,



**Andrew Thomas**  
**Acting Director**  
City Planning | Development | Transport

#### **Enclosed**

Attachment A - Darling Harbour Development Plan No.1 1985  
Attachment B - Darling Harbour Overshadowing Comparison  
Attachment C - Recommended Modified Tower Envelope