



Appendix B

Response to Public Submissions

The following is a response to all fifty seven (57) submissions made by the general public, including that of individuals and organisations. Points raised have been categorised into 46 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 Report to which this document is appended.

As requested by the Department of Planning, Industry and Environment in the key issues letter, a detailed response to the submissions received from 50 Murray Street residents (ONE Darling Harbour) prepared by Beatty Legal and RLA has been provided at **Appendix C**.

General Public Submissions

Summary of key issue raised	Proponent's response	No. of times raised
Overshadowing		
Overshadowing impact on Darling Harbour excessive	<p>Under the proposed development, 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 throughout the morning period on June 21 (the winter solstice) before shadow resulting from the proposed envelope occurs after midday.</p> <p>It is noted that 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>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 the creation of a new northern Guardian Square (total area of 1,500sqm) that will be accessible 24/7 and have direct northern solar access across the entire day for all periods of the year. The creation of Guardian Square also provides an improvement to the waterfront in terms of overshadowing through the reduction in the height of the northern podium compared with the previous amended concept proposal.</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.</p> <p>Although it is acknowledged that under the development as further amended, there have been an increases to the height of the residential tower to RL 166.95m, 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. Furthermore, it should be noted that the proposed height of the tower is commensurate with that of the recently released draft <i>Pymont Peninsula Place Strategy</i> 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>Further, the Concept Proposal represents a 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 next detailed design phase.</p>	18
Lack of overshadowing analysis on South-West of site, including Pymont Street and Bunn Street	The shadow diagrams prepared by fjmt 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.	3

Summary of key issue raised	Proponent's response	No. of times raised
Impact on views		
Impact on views and skyline of the area (general)	The updated Visual and View Impact Analysis reinforces previous conclusions reached that the proposal will result 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. 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.	12
Impact on views from Ibis Hotel	It is noted that as a general rule impacts to private views from Hotels are valued less than impacts to private views from residential buildings. The position is supported by the Department and its Independent Urban Design Advisor.	3
Impact on views from Novotel		3
Impact on views from Sofitel Hotel	<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 in 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 plan 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, 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 of views from 50 Murray Street (One Darling Harbour)	<p>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. Significantly, under the further amended concept proposal, additional design refinements have now been made that further reduce view impacts of the Harbourside redevelopment on 50 Murray Street.</p> <p>The northern part of the podium has now been reduced by one-three storeys, from RL 25m to part RL 17.6m and part RL 13.75m. This is in addition to the relocation of the residential tower to the most southern point possible as part of a suite of changes made under the previous RtS package, with the tower having a slender floorplate that minimises view loss and promotes view sharing to 50 Murray Street and all surrounding buildings. Accordingly, the tower has been pushed as far south as possible and the northern podium reduced in height as much as possible.</p> <p>It is acknowledged there will be impacts to private views at 50 Murray Street, including as a result of the podium envelope being marginally higher than the existing building on the site. The change in view varies across the building and between apartments. The updated Visual and View Impact Analysis finds that only 4 will experience severe view impacts (limited to</p>	32

Summary of key issue raised	Proponent's response	No. of times raised
	<p>Level 2 apartments). There will be no devastating view impacts experienced from any apartment. 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 revised Visual and View Impact Analysis.</p> <p>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 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. 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>A detailed response to concerns raised by 50 Murray Street (One Darling Harbour) residents has been prepared by Ethos Urban and is attached to this RTS response at Appendix C.</p>	
Impact on visual privacy of 50 Murray Street residents	<p>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. For example, there is a typical separation of some 40m between the proposal and 50 Murray Street and over 77m between the proposed and Sofitel tower.</p> <p>Typically a detailed design considered, this is able to be further resolved during the detailed design phase. The indicative design responds to potential visual privacy concerns through limiting the extent of the trafficable green roof to mitigate noise, privacy, etc.</p>	5
Impact on visual privacy of Sofitel users		1
Impact of views from Bunn Street	The Visual and View Impact Analysis prepared by Ethos Urban concludes that the visual impact from Bunn Street to be low.	2
Traffic and parking		
Expected traffic / congestion impact excessive	The Traffic and Transport Impact Assessment prepared by Arcadis demonstrates 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.	15
Excessive parking proposed	<p>There is more often than not a balancing of needs and requirements with respect to the provision of parking, with local residents more often than not wanting more parking provided within developments while consent authorities want less parking provided. The right balance of parking is considered to be achieved in this instance, noting there are no statutory controls in place in terms of setting minimum or maximum numbers. In the absence of controls, guidance has been taken from what controls apply in Pyrmont. The existing provision of car parking spaces that are currently allocated to the site within the Novotel car park will remain for retail/commercial use.</p> <p>It is also noted that the site is highly accessible by public transport, and with the slated new Sydney Metro West station at Pyrmont, there will be a significant boost in additional capacity, which is expected to further reduce the reliance on private vehicles as the primary mode of transport.</p>	2
Insufficient parking proposed		3
Reliance on traffic data taken during COVID-19 pandemic and/or bushfire season inappropriate	The most recent traffic surveys undertaken and used for the purposes of the Traffic and Transport Impact Assessment were undertaken in January 2020, prior to the impacts of COVID-19 being felt in Australia. The devastating bushfires that ravaged	3

Summary of key issue raised	Proponent's response	No. of times raised
	NSW (in particular regional areas of NSW) in 2019/2020 are not expected to have had any material impact on the traffic survey data.	
Pedestrian accessibility		
Reduction of promenade width inappropriate / will inhibit pedestrian circulation	<p>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>Mirvac, drawing on its significant experience in delivering and curating successful and vibrant spaces and guided by its design team, propose for the waterfront promenade to support pedestrian movement while at the same time support activation that makes the most of the site's exceptional waterfront location.</p>	7
Built form & urban design		
Height / bulk of residential tower is excessive	<p>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. As discussed in 'Impact on views' above, the visual impact of the residential tower as currently proposed is considered to be appropriate, and commensurate with the surrounding existing (including Sofitel) and desired future built form of Darling Harbour and the broader Pyrmont Peninsula.</p> <p>No applicable height limit applies to the site under the relevant environmental planning instruments. Furthermore, the proposed height of the tower is commensurate with that of the recently released draft <i>Pyrmont Peninsula Place Strategy</i> 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 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>	21
Height / bulk of podium is excessive	<p>As part of a series of design refinements made as part of the further amended concept proposal, the height and bulk of the northern part of the podium has been significantly reduced by one-three storeys, from RL 25m to part RL 17.6m and part RL 13.75m. The rooftop of this section of the podium will instead comprise a new public space, 'Guardian Square', for the benefit of the community. This reduction in height is expected to further significantly improve views from surrounding sensitive receivers, in particular 50 Murray Street, as well as further improve the development's integration and setting with the State Heritage listed Pyrmont Bridge.</p> <p>These latest changes also need to be considered in the context of the other substantial refinements made as part of the previous RtS package, which included the relocation of the tower to the centre and widest part of the site and reductions in the height of the podium.</p>	28

Summary of key issue raised	Proponent's response	No. of times raised
	<p>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>One of the 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. 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 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>	
Height of development excessive for a waterfront site / Inconsistent with 'stepped' built form	As noted above, the overall height of the development is considered to be commensurate with its surrounding built form and geographical location. It will also be consistent with the anticipated future character of Western Sydney Harbour, i.e. that of well-proportioned and suitably spaced towers. This is confirmed by the proposed development's consistency with the recently released draft <i>Pyrmont Peninsula Place Strategy</i> 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.	19
Height of development not commensurate with surrounding built form / 'open' nature of Darling Harbour	<p>Specifically, 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>	27
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.	4
Provision of tower form inappropriate / redevelopment should be limited to podium only	Cities by their nature evolve, the site where 50 Murray Street is located for example 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.	3
Redevelopment should be limited to the existing Harbourside Shopping Centre envelope	Existing surrounding development has benefited and borrowed a significant amount of its amenity (i.e. solar access and views) from the fact that the existing Harbourside Shopping Centre is of a relatively low scale. The time has come though where the existing building 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. 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.	5

Summary of key issue raised	Proponent's response	No. of times raised
	<p>The Draft Pyrmont Place Strategy also 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"> • Truly mixed-use development – retail, commercial and residential. • Prioritising 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>The development of the site for a podium only building would also be in conflict with the objects of the <i>Environmental Planning and Assessment Act 1979</i>, which 'promotes the orderly and economic use and development of land'.</p>	
Retention of Monorail air bridge between Harbourside and 50 Murray Street inappropriate	It is proposed to remove the obsolete monorail infrastructure, while retaining and upgrading the existing pedestrian bridge. The bridge was originally proposed to be removed. However following strong community opposition to its removal feedback Mirvac have agreed to retain it. One of the biggest urban design challenges for Pyrmont and the broader western edge of the CBD is the poor east-east permeability. The existing bridge performs a pedestrian accessibility function that is considered worthy of retention.	2
Façade / design of development visually unattractive	<p>The redevelopment of the Harbourside Shopping Centre will provide for a high quality design that exhibits Design Excellence. The current proposal is for a concept design only and a future competitive architectural design competition will be held as part of a future Stage 2 Development Application.</p> <p>The proponent has elected to carry out an invited single stage competitive design process as the design excellence process associated with the development, with a minimum of three (3) invited competitors/design teams. The design excellence competition will integrate both the tower and the podium and public domain, in accordance with the revised Design Excellence Strategy prepared by Ethos Urban.</p>	4
Public domain and open space		
Insufficient open space proposed	<p>Disagree. The proposed development will significantly improve the quantity and quality of available publicly accessible open space at the site and surrounding the site. An updated Public Domain Design Report has been prepared by Aspect Studios which comprehensive details what the open space offering entails. In summary, the proposed public domain and open space improvements and embellishments are substantial and cover a total area of some 8,200sqm and include:</p> <ul style="list-style-type: none"> • A new over 1,500sqm publicly accessible open space area (called 'Guardian Square') that is adjacent and directly accessible from Pyrmont 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 Pyrmont Bridge/waterfront. • Pyrmont 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 Pyrmont 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 (non-trafficable). 	8

Summary of key issue raised	Proponent's response	No. of times raised
	<ul style="list-style-type: none">Activation of the public realm directly around Harbourside, such as public domain works to Pyrmont Bridge undercroft; architectural lighting, art installations & wayfinding; furniture, WI-FI, AV & PA, lasers & CCTV etc.	
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 (such as Chinese New Year, Tai Chi and Vivid).</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>	2
Heritage & historical significance		
Excessive proximity to / impact on Pyrmont Bridge	<p>As confirmed in the updated Heritage Report prepared by Curio Projects and appended to this RtS submission, additional refinements under the further amended concept design have now significantly improved the relationship of the proposed development with the Pyrmont Bridge. The height and bulk of the northern part of the podium has been significantly reduced by one-three storeys, from RL 25m to part RL 17.6m and part RL 13.75m, to be roughly the same height with that of the bridge. This ensures that the development does not in any way tower over the Bridge, or hinder the heritage interpretation or setting of the Bridge. Furthermore, the new Guardian Square open space atop the northern podium along with the widened waterfront promade will enable additional viewing angles to Pyrmont Bridge, allowing for more comprehensive appreciation of the Heritage item.</p> <p>It should also be noted that previous amendments to the concept design relocated the residential tower to the centre of the site, removing any visual relationship between the new tower and the bridge through a generous 135 metre separation distance.</p> <p>Furthermore, the Heritage Impact Statement confirms that the proposed complementary public domain improvements, including the new paving to Pyrmont Bridge, will ensure a positive visual impact will be established between the new building envelope and the bridge.</p>	34
Connectivity with Pyrmont		
Greater connectivity with Pyrmont required	As noted in the previous RtS package dated March 2020, the proposed development will significantly improve pedestrian movement and permeability at the site, including through the new 20m wide waterfront promenade and new Bunn Street bridge, ensuring that the residents of surrounding areas, including Pyrmont and Ultimo, enjoy an upgraded access and connectivity to Darling Harbour and by extension the Sydney CBD. The proposal is also recognised as the missing link in the \$15 billion transformation of Darling Harbour, enabling the site to better respond and integrate with this significant wave or renewal.	3
Development will sever Pyrmont from the CBD		1
Economic impacts		
Loss of property value at 50 Murray Street	Property values are not a valid planning consideration. Further refinements have been made to the concept design, including a lowering of the northern podium, to minimise impacts on 50 Murray Street.	3

Summary of key issue raised	Proponent's response	No. of times raised
	The existing Harbourside Shopping Centre presents as a dominant, bland, tired and unattractive building. The time has come though where the existing building 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. Mirvac plan to undertake a design competition for the project to support the delivery of a world-class mixed-use precinct with the highest standard of architectural, urban and landscape design.	
Overdevelopment of the site will negatively impact tourism / income of nearby hotels	<p>There are no planning controls that apply to the site related to built form. A first principles approach to the project has accordingly informed the design. To ensure the development complements and enhances the area' 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. Significant amendments have occurred throughout the planning assessment process.</p> <p>The proposed scale of the development also aligns with the Draft Pyrmont Place Strategy, which acknowledges sites like Harbourside are strategically positioned for redevelopment and provide a significant opportunity to unlock the next wave of jobs and investment.</p> <p>The redevelopment of the Harbourside Shopping Centre will also 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 economic analysis report by EY for the previous amended concept proposal estimated the potential value of each component below:</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. 	2
Public consultation		
Lack of consultation with broader Pyrmont community	<p>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, first RTS and now second RTS.</p> <p>Mirvac'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.</p>	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. Developments such as 50 Murray Street are evidence that residential development on the edge of Darling Harbour can co-exist with the diverse range of activities that occur across the Darling Harbour precinct.</p> <p>The provision of housing at the site will crucially improve the variety and availability of housing in close proximity to public transport and a 10-minute walk away from the Sydney CBD.</p>	13

Summary of key issue raised	Proponent's response	No. of times raised
	<p>The residential component will also guarantee that the redevelopment supports a truly mixed-use precinct. The proposed residential use in a tower located above retail and commercial office space in Darling Harbour provides both functionality and connectivity as it is in close proximity to services, transport nodes, employment and optimises the distribution of people and goods in and out of space. The residential component will add vibrancy by injecting local residents into Darling Harbour and ensure that Darling Harbour supports Sydney as a truly 24-hour global city. 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>In this regard, the residential use will not undermine the functionality or experience of Darling Harbour as a tourism and entertainment precinct. Furthermore, it should be noted that a residential tower allows for a ~50% reduction in floor plate size compared to a comparable commercial tower, thereby allowing for a slimmer design that minimises perceived bulk and scale, as well as overshadowing impacts and view lines from the Harbour.</p>	
New residential use may lead to restrictions on night-time tourism and/or entertainment uses	<p>The residential tower is located a significant distance above the ground and is not expected to result in additional restrictions being placed on night-time tourism and entertainment uses. Residential is not a "new" landuse in the area, being already present in various existing developments such as 50 Murray Street in proximity to the site.</p> <p>Conversely, the residents of the new tower are expected to bring in additional patronage to nearby retail, tourist and entertainment premises, thereby improving the vibrancy and popularity of nightlife at Darling Harbour, and contributing towards 24-hour activation of the site. The location of the new apartments would be obvious to prospective buyers and thereby would only attract those whom wish to live in close proximity to one of Australia's premier entertainment districts, and the unique lifestyle and convenience it offers. This is also able to be reinforced through acknowledgement within sales contracts. During the next detailed design phase measures are also able to be investigated that will contribute towards dealing with these reverse amenity impacts.</p>	1
New residential use may become 'stealth hotel inventory' (i.e. AirBnb)	The proposal seeks approval for a mixed-use development, including residential. The future potential use of an individual residents 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
Amount of new retail land use proposed is excessive	<p>While the final mix of uses is still yet to be finalised in relation to the podium, the proposed envelope provides flexibility in order to potentially deliver some 28,000sqm of commercial NLA and 8,500sqm of retail GLA (within the proposed podium envelope of 45,000sqm of non-residential GFA). This quantum of floor space is crucial and 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. 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 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>	12
Commercial land use in Darling Harbour is inappropriate		7

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	The redevelopment of the site will provide new and improved retail (e.g. food and beverage) offerings that will attract visitors and contribute to their positive experience and appreciation of Darling Harbour.	
Amenity impact		
Negative impact on amenity of area (general)	<p>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 plan 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 the 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 new '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>	14
Inappropriate privatisation of a 'public' area gifted to the community	<p>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 widened waterfront promenade 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. The further amended concept proposal will additionally feature a new 1,500sqm public open space above the northern podium, 'Guardian Square', for the benefit of the public.</p>	9
Lack of consideration towards noise impact	<p>An Acoustic Report was prepared by Renzo Tonin & Associates in support of the original Concept Proposal submission. This Report has been further refined and revised and included as part of this further RTS submission. Additional reporting and assessment has also been undertaken in relation to potential noise impacts associated with the proposed demolition of the existing building, which now forms part of Stage 1 works.</p> <p>As a detailed design matter, noise will be further considered and addressed within the next phases of the project (i.e. Stage 2 DA).</p>	6
Lack of consideration towards wind impact	An updated Wind Assessment has been prepared by Cermak Peterka Petersen and is attached to this RtS response. The report includes a detailed wind tunnel assessment of the proposed envelope, which finds that the wind environment at ground level near the development site is generally suitable for pedestrian standing and walking in most areas. All ground level test locations were found to be mostly similar to conditions at the existing Harbourside Shopping Centre, although there is a slight increase in wind speeds at some individual locations, with detailed results and analysis provided in the report. Overall, CPP confirm that the proposed envelope (tower and podium) is acceptable from a win perspective.	2
Public transport accessibility		
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 the previous RtS, the service frequency of the Light Rail has improved to approximately 8 minutes for the	2

Summary of key issue raised	Proponent's response	No. of times raised
	<p>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.</p> <p>It is also noted that 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.</p> <p>The site being located on the western edge of the CBD also means there is easy access to all the services and amenities that the CBD provides, including heavy rail.</p>	
Strategic planning		
Development should be postponed until Pyrmont Peninsula Place Strategy is finalised	<p>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.</p> <p>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. Further, there is clear alignment between the proposal and that envisaged by the NSW Government for the site under the Draft Pyrmont Place Strategy. The proposed development has a high level of consistency with the draft Strategy, including its identified ten overarching directions, especially that of the following:</p> <ul style="list-style-type: none"> • 'Development that complements or enhances the area'; • 'Jobs and industries of the future'; • 'Centres for residents, workers and visitors'; • 'A tapestry of greener public spaces and experiences'; • 'Making it easier to move around'; and • 'Great homes that can suit the needs of more people'. <p>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:</p> <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 • An appropriate built form outcome to Pyrmont Bridge, including a reduction in height to the northern podium under the further amended concept design. 	10
Assessment of proposal during COVID-19 pandemic inappropriate	The current public exhibition and Response to Submissions process represents part of the ongoing assessment and design refinement of the Harbourside Shopping Centre Redevelopment that predates the COVID-19 pandemic.	3

Summary of key issue raised	Proponent's response	No. of times raised
	Harbourside remains one of the last remaining key foreshore sites in Darling Harbour that is in desperate need of renewal, more so than ever in light of the devastating impacts COVID-19 has had on society and economy. Despite the recent influences of COVID-19, Mirvac remains very optimistic about the long-term fundamentals of high quality, sustainable, accessible mixed-use development within the Harbour CBD.	