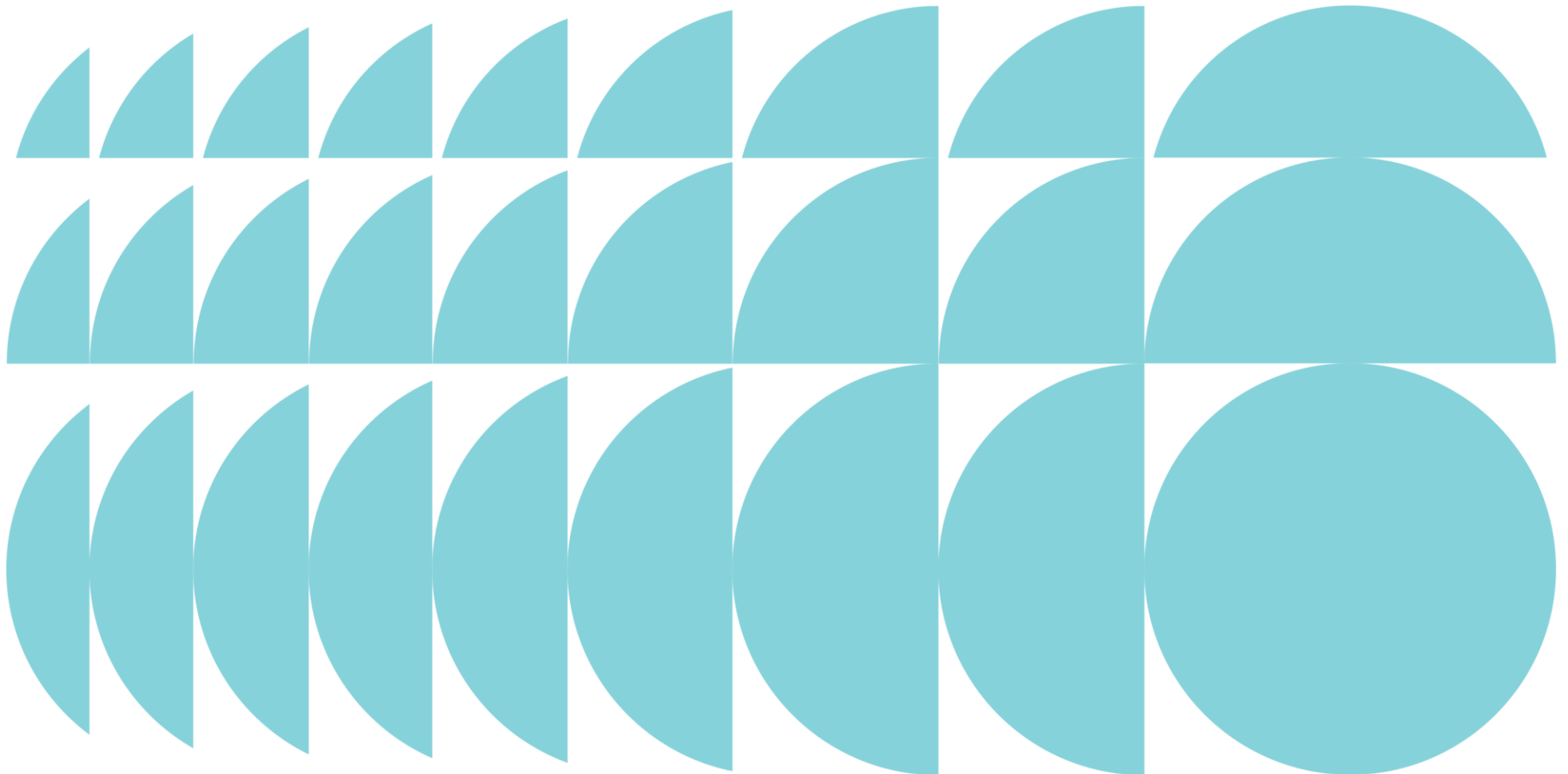


## Response to Agency Submissions

Harbourside Shopping Centre Redevelopment

Submitted to Department of Planning, Industry and  
Environment

12 October 2020 | 14657



# Appendix A

## Response to Government and Agency Submissions

The following is a summary response to the submissions provided by State and local government agencies. 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.

The relevant agencies can be found at the following page references:

1.	DPIE Key Issues Letter – August 2020	3
2.	City of Sydney Council	10
3.	Heritage Council of NSW	24
4.	Sydney Trains	24
5.	Sydney Water	24
6.	Transport for NSW	25

Issue	Response
<b>1. DPIE Key Issues Letter – August 2020</b>	
<p><u>A – Department's Key Issues</u></p> <p><u>Northern Podium</u></p> <p>1. The Department supports lowering the height and increasing the setbacks of the northern podium as presented to the Department at the meeting of 28 July 2020 to:</p> <ul style="list-style-type: none"> <li>• improve its relationship with Pyrmont Bridge</li> <li>• provide the opportunity for a significant area of publicly accessible and useable open space on the podium roof</li> <li>• reduce view impacts to 50 Murray Street.</li> </ul> <p>The Department notes this space is set out over a number of levels and includes stairs, ramps and the like which may limit its function as quality public open space. The Department requests that you demonstrate that a sufficient area of functional and useable public open space can be delivered on the lowered northern podium.</p> <p>The Department also requests that you demonstrate that view impacts to 50 Murray Street are equivalent to that shown at the second meeting on 7 July 2020.</p>	<ul style="list-style-type: none"> <li>• Mirvac has formalised those further amendments to the northern podium as part of this second Response to Submissions and Amended Proposal package. This includes a reduction in the height of the northern podium by one-three storeys, from RL 25m to part RL 17.6m and part RL 13.75m. In its place, the rooftop of the northern podium will become a new additional public open space, 'Guardian Square' that is directly accessible from Union Street and integrates well with the heritage fabric of the Pyrmont Bridge without overpowering it, being similar in height.</li> <li>• These further amendments reinforce Mirvac's commitment to deliver a project that balances the needs and requirements of all stakeholders, including the adjacent residents within 50 Murray Street, the broader local community, workers, visitors, and tourists.</li> <li>• The new northern podium rooftop area of public open space, referred to as 'Guardian Square', will provide some 1,500sqm of functional, activated and high-quality open space that will be accessible 24/7. The new space is the equivalent size of 6 tennis courts and larger than the Australia Square plaza.</li> <li>• Refer to RTS Report, Landscape Design Report and Architectural Design Report for detailed discussion and response.</li> </ul>
<p><u>Residential tower</u></p> <p>2. The Department notes that the proposal presented at the meeting of 28 July 2020 seeks to increase the height of the residential tower to RL 166.25 m, which generally aligns with the height of the originally exhibited proposal in the EIS.</p> <p>Your RtS must include urban design justification for the increase in height having regard to the existing character of Darling Harbour set by existing and approved towers around Cockle Bay as well as the future character within the draft Pyrmont Peninsula Place Strategy dated July 2020.</p>	<ul style="list-style-type: none"> <li>• The height of the residential tower as its original height (RL166.35), first revised height (RL153.75) and now second revised height (RL166.95) is considered to have remained acceptable from a built form and urban design perspective.</li> <li>• The tower forms a coherent relationship with its immediate context, i.e. the ICC Hotel. The stronger urban design position is one where the towers relate but are not the same. It establishes a similar strategy as the eastern edge of Cockle Bay, with tower height increasing from the south. The desirable distinction in character between the eastern and western skyline of Cockle Bay can be maintained if the development of the western side of Cockle Bay is based upon on a reduced number of well proportioned, slender towers which are well spaced apart. A slender residential tower will best ensure the intent of well proportioned, well-spaced towers can be achieved, with the opportunity for an iconic tower design.</li> <li>• The recent \$15 billion wave of investment and renewal that has occurred across Darling Harbour also establishes an existing character of both low-medium scale podium buildings along with taller towers of heights commensurate with that proposed (Cockle Bay: RL183, the Ribbon: RL93.5, Darling Square: RL138.83, and Four Points/Hyatt Regency: RL93.6).</li> <li>• The position of the tower in the central widest part of the site, setback 32m from the waterfront, reduces the perceived bulk, scale and dominance of the tower as viewed from the public domain.</li> <li>• Consideration of environmental impacts (primarily overshadowing) also support the proposed approach to the tower envelope, with impacts to public space and neighbours less with the taller and smaller tower footprint. To mitigate against view impacts, the tower adopts an elongated plan, with the narrow facade oriented to the east and west, with wider facades to the north and south.</li> </ul>

Issue	Response
	<ul style="list-style-type: none"> <li>• It is also noted that no applicable height limit applies to the site under the relevant environmental planning instruments.</li> <li>• Furthermore, 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 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.</li> <li>• Refer to RTS Report and Architectural Design Report for detailed discussion and response.</li> </ul>
<p>3. Further consideration should be given to how the future building within the proposed envelope will address the concerns raised by the Department's independent design advisor about the potential visual bulk caused by the width of the tower. This should include the proposed maximum volumetric fill of the envelope and built form controls to ensure an appropriate design is achieved.</p>	<ul style="list-style-type: none"> <li>• The tower envelope minimises impacts on the public realm and neighbours, with the narrow facade oriented to the east and west, with wider facades to the north and south. Whilst ensuring opportunities for daylight, outlook, view sharing, ventilation and privacy, the proposed envelope also allows for opportunities for varied built forms to reduce the perceived building bulk during the design excellence process.</li> <li>• In order to ensure the final design of the tower reduces the bulk and scale of the northern and southern elevations, it is proposed for a condition to be imposed similar to that enforced for the Cockle Bay approval, where a maximum 80% control will be applied to which the final tower design can utilise within the approved envelope. Additional supporting controls are also included within the updated Design Guidelines.</li> <li>• Refer to RTS Report and Architectural Design Report for detailed discussion and response.</li> </ul>
<p><u>Public benefits</u></p> <p>4. Confirm the public benefits that will be secured by the Concept Proposal, including commitments in relation to the amount, design and function of the publicly accessible open space at the northern podium.</p>	<ul style="list-style-type: none"> <li>• Refer to RTS Report and Public Benefit Offer for detailed discussion and response.</li> <li>• The public benefits to be secured by the Concept Proposal includes:             <ul style="list-style-type: none"> <li>A. A minimum total area of 8,200sqm of publicly accessible open space that will be provided/upgraded across and adjoining the site. Within this total area, there is a commitment to deliver:                 <ul style="list-style-type: none"> <li>— Guardian Square (1,500sqm)</li> <li>— A widened and upgraded waterfront promenade (4,800sqm)</li> <li>— Bunn Street Bridge (concept, with final details/area subject to competitive design process);</li> <li>— Event Stairs (concept, with final details/area subject to competitive design process);</li> <li>— Ribbon Stairs (concept, with final details/area subject to competitive design process);</li> <li>— Central through-site link (concept, with final details/area subject to competitive design process);</li> <li>— Upgrade of existing northern pedestrian bridge (concept, with final details/area subject to competitive design process); and</li> </ul> </li> </ul> </li> </ul>

Issue	Response
	<ul style="list-style-type: none"> <li>— New paving to entry to Pyrmont Bridge ((concept, with final details/area subject to competitive design process and consultation with Heritage Council NSW).</li> <li>— Activation works (establishment of a fund with final works is to be agreed with Place Management NSW during detailed design phases and include items such as specialist lighting, public art, WIFI, AV &amp; PA, lasers &amp; CCTV etc within the immediate area).</li> </ul> <p>The Design Brief that informs the future design excellence process will specify all these concepts need to be incorporated within the final scheme. The final design and areas will be the subject to a future Stage 2 DA.</p> <p>All public domain works within Mirvac's boundary will be managed by Mirvac, with a commitment to provide for 24/7 public access, including:</p> <ul style="list-style-type: none"> <li>• Guardian Square</li> <li>• Central Through site link</li> <li>• Event steps</li> <li>• Ribbon stairs</li> </ul> <p>B. A monetary contribution towards affordable housing (\$5.2 million)</p> <ul style="list-style-type: none"> <li>• It is noted that the project is subject to an Unsolicited Proposal process, which also includes formal arrangements to secure these above and more public benefits. Additional public benefits not specifically captured under the Concept Proposal includes a substantial fund for future activation of the surrounding public domain within Darling Harbour. The scope of these future activation works is to be agreed with Place Management NSW during detailed design phases and include items such as specialist lighting, public art, WIFI, AV &amp; PA, lasers &amp; CCTV etc within the immediate area.</li> </ul>
<p><i>B – Additional information required</i>  <u>Pyrmont Peninsula Place Strategy</u>            5. Address how the proposal is consistent with the vision, directions, opportunities for public benefits and specific considerations for Harbourside set out in the draft Pyrmont Peninsula Place Strategy dated July 2020.</p>	<ul style="list-style-type: none"> <li>• Refer to RTS Report for detailed discussion and response.</li> <li>• The concept proposal exhibits a high level of consistency with all aspects of the Draft Pyrmont Peninsula Place Strategy, including the opportunities for public benefits and specific design considerations identified for the Harbourside "key site". This consistency includes:               <ul style="list-style-type: none"> <li>• A tower below the identified maximum of RL 170m in height;</li> <li>• Prioritising commercial/retail land uses, with the some 52% of the total amount of GFA allocated to these land uses – supporting jobs, tourism and activation;</li> <li>• Excellence in open space outcomes through the delivery of additional accessible public open space;</li> <li>• Improved east-west connections from wider Pyrmont precinct to the waterfront through new through-site links;</li> <li>• A safe, activated and inviting streetscape interface at all boundaries of the site; and</li> <li>• An appropriate built form outcome to Pyrmont Bridge, including a reduction in height to the northern podium to create 'Guardian Square' (a new 1,500sqm public open space) under the further amended concept design.</li> </ul> </li> </ul>

Issue	Response
<u>Design Guidelines and Indicative Scheme</u> 6. Provide updated design guidelines and an updated indicative scheme for the proposed tower, podium and open space areas.	<ul style="list-style-type: none"> <li>Refer to updated Design Guidelines appended to the RTS report.</li> <li>Refer to updated indicative design included within the Architectural Design Report appended to this RTS report.</li> </ul>
<u>Design Excellence</u> 7. Provide an amended Design Excellence Strategy addressing the Government Architect NSW comments on the proposal.	<ul style="list-style-type: none"> <li>An updated Design Excellence Strategy addressing the comments received from the GANSW is appended to the RTS report.</li> </ul>
<u>Overshadowing impacts</u> 8. Provide an updated solar analysis of private residential properties to the west and south west affected by the revised proposal against the Apartment Design Guide (ADG) minimum solar access guidelines.	<ul style="list-style-type: none"> <li>Refer to RTS Report and Architectural Design Report for detailed discussion and response.</li> <li>The analysis undertaken by fjmt confirms that overshadowing impacts to surrounding residential development is minimal.</li> </ul>
9. Provide a detailed overshadowing analysis of the Darling Harbour foreshore/ promenade in 15-minute intervals.	<ul style="list-style-type: none"> <li>Detailed 15 min interval shadow diagrams have been prepared by fjmt and included within the Architectural Design Report appended to the RTS Report.</li> <li>Refer to RTS Report and Architectural Design Report for detailed discussion and response.</li> </ul>
<u>Private view impacts</u> 10. Provide additional analysis of the view impacts to 50 Murray Street (ONE Darling Harbour) and the Novotel hotel including:  a) identification of levels and units at 50 Murray Street where water view and views to Pyrmont bridge will be affected by the proposal, including additional view analysis assessment against the principles established in <i>Tenacity Consulting v Warringah Council</i> (2004) NSWLEC 140  b) a detailed response to the submission received from ONE Darling Harbour and associated view analysis  c) additional view analysis from Novotel hotel rooms including north-east and east facing rooms at lower, middle and upper levels within the northern and central sections of the building.	<ul style="list-style-type: none"> <li>Refer to RTS Report and updated Visual and View Impact Analysis for detailed discussion and response. Additional view analysis has been undertaken for 50 Murray Street (covering every apartment potentially affected by the proposal) and Novotel as requested.</li> <li>A detailed response to the submissions from One Darling Harbour is also appended to the RTS.</li> </ul>
<u>Open Space/Public domain</u> 11. Provide the area breakdown of proposed additional on-site and off-site public domain /accessible open space provision.	<ul style="list-style-type: none"> <li>Refer to RTS Report and Landscape Design Report for detailed discussion and response.</li> <li>There is a combination of both new additional public domain/open space to be provided on-site and off-site along with the embellishment of existing areas of public domain/open space. In total there will be some 8,200sqm of public domain/open space that will be delivered/upgraded as part of the proposal.</li> <li>Spaces to be provided within the boundary of Mirvac's 'site' will be managed and maintained by Mirvac with external areas and spaces to be managed and maintained by Place Management NSW</li> </ul>
12. Provide further clarification regarding the proposed access restrictions to podium roof levels including the amenity impacts to both on-site and surrounding residential apartments.	<ul style="list-style-type: none"> <li>Details regarding access restrictions will be finalised during the detailed design phase and in consultation with Place Management NSW.</li> </ul>

Issue	Response
13. Clarify the location and extent of external awnings, outdoor dining/seating areas and planting barriers shown in the indicative proposal, in relation to the concept envelope, waterfront promenade and existing lease boundary (including additional sections).	<ul style="list-style-type: none"> <li>• Refer to RTS Report and Landscape Design Report for detailed discussion and response.</li> <li>• The proposed design has been developed in consultation with Place Management NSW.</li> <li>• Further it is reinforced that there will be an overall increase in the waterfront promenade land with Mirvac proposing to relinquish some 474sqm of its existing leasehold by setting the built form back from the waterfront. This widened and more expansive waterfront promenade will provide improved connectivity and integration and an overall superior waterfront experience. 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.</li> <li>• 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.</li> </ul>
14. Clarify the width of the proposed promenade, free of all encroaching uses and structures.	<ul style="list-style-type: none"> <li>• Refer to Landscape Design Report for indicative sections of the waterfront promenade. The width varies depending on the location, with 15m 'clear' width achieved at central and southern sections and 11m at the northern section. Mirvac has worked closely with the landowner (PMNSW) to reach agreement on this width.</li> </ul>
15. Review the design guidelines to provide more specific consideration to achieving the proposed open space outcomes and waterfront setbacks along the length of the promenade.	<ul style="list-style-type: none"> <li>• Refer to updated Design Guidelines appended to the RTS report.</li> </ul>
<p><u>Land Use</u></p> <p>16. Clarify how the proposed residential use will not prejudice the 24-hour operation of the public domain and wider precinct, or special events at Darling Harbour. This should include consideration of potential light and noise associated with special events (including Vivid, fireworks and other events within the SICEEP).</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• During the next detailed design phase measures are able to be investigated that will contribute towards dealing with these reverse amenity impacts.</li> <li>• Refer to RTS Report, Architectural Design Report, and Acoustic Report for detailed discussion and response.</li> </ul>
17. Clarify the potential future noise mitigation strategies/ measures and provide details of the proposed alternative noise criteria.	<ul style="list-style-type: none"> <li>• Refer to RTS Report, Architectural Design Report, and Acoustic Report for detailed discussion and response.</li> </ul>

Issue	Response
18. Demonstrate the types and effectiveness of potential façade and acoustic treatments available and how effective mitigation measures can align with ADG requirements for natural ventilation.	<ul style="list-style-type: none"> <li>Refer to RTS Report, Architectural Design Report, and Acoustic Report for detailed discussion and response.</li> </ul>
<p><u>Wind Impacts</u></p> <p>19. Provide a wind impact assessment including a wind tunnel assessment or detailed computer modelling, clearly demonstrating the wind impacts of the proposal and likely mitigation requirements.</p>	<ul style="list-style-type: none"> <li>An updated Wind Assessment has been prepared by Cermak Peterka Petersen (CPP) and is attached to this RtS response. In response to comments from the Department and Council, Mirvac commissioned CPP to complete a wind tunnel test.</li> <li>The wind tunnel assessment was undertaken based on the previous amended concept proposal, however CPP have confirmed (refer Addendum letter) that there is no change to the pedestrian wind environment as a result of the further amendments now proposed (i.e. reduction in height of the northern podium in order to accommodate the new Guardian Square and increase in tower height to RL166.95).</li> <li>The wind tunnel assessment includes an assessment of the existing development, proposed envelope and indicative design. CPP find that the wind environment at ground level near the development site under the proposed envelope and indicative design configurations is generally suitable for pedestrian standing and walking and mostly similar to conditions at the existing Harbourside Shopping Centre, particularly along the waterfront promenade.</li> <li>A number of upper level locations (e.g. southern podium accessible rooftops) were found to be exposed to strong wind conditions, however these spaces are now no longer proposed (i.e. replaced with the new Guardian Square).</li> <li>Overall, CPP confirm that the envelope for both the podium and tower results in acceptable wind conditions and that further wind tunnel testing.</li> </ul>
<p><u>Transport and Access</u></p> <p>20. Provide further justification for the proposed car parking rate and how this aligns with strategic policy directions to encourage active transport and reduce reliance on private vehicle trips, particularly given the availability of public transport in the surrounding area.</p>	<ul style="list-style-type: none"> <li>The proposed parking rates align with the rates that apply to other land nearby which have similar levels of public transport accessibility.</li> <li>The approach to adopt equivalent City of Sydney LEP parking rates 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. 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 should be adopted.</li> <li>Refer to the revised Traffic and Transport Report prepared by Arcadis for further details.</li> <li>Overall the right balance is considered to be achieved with the proposed parking rates that acknowledges the site has access to good public transport, but also reflects market demands and the existing level of car ownership within the locality.</li> </ul>
21. Clarify the proposed bicycle parking provision.	<ul style="list-style-type: none"> <li>Bicycle parking and end of trip facilities for the retail/commercial component of the proposal are proposed within the L1 basement area and level 1. The provisioning is considered suitable for this concept stage of the development process, with final details to be developed as part of the Stage 2 DA.</li> <li>Residential storage (including the ability to accommodate bicycles) is provided within the indicative design across each of the residential parking basement levels.</li> <li>This will be assessed further in the Stage 2 DA.</li> </ul>



Issue	Response
22. Confirm the pedestrian capacity of the Bunn Street connection and strategies to ensure the connection can accommodate the proposed pedestrian volumes.	<ul style="list-style-type: none"> <li>Refer to Pedestrian Report appended to the RTS.</li> <li>The new Bunn Street bridge will ensure local residents, visitors and workers enjoy upgraded access and connectivity from the wider Pyrmont Peninsula to Darling Harbour and by extension the Sydney CBD. Modelling undertaken by Urbis in relation to this proposed new pedestrian bridge confirms it will achieve a Level of Service A (free circulation) in 2056. The new bridge will therefore fulfil an important role and is expected to easily accommodate future pedestrian volumes.</li> </ul>
23. Update the revised Transport Impact Assessment to include a comparison of existing and proposed vehicle trips to and from the site during peak periods.	<ul style="list-style-type: none"> <li>Refer to the revised Traffic and Transport Report prepared by Arcadis for further details. Arcadis confirm that there is an overall reduction in the number of traffic generated trips when comparing the existing development to the proposed development scheme. This is largely due to the proposed reduction in retail floor space between existing and proposed (indicative design).</li> </ul>
<u>Other Matters</u> Revise Plan No. SSDA 1-105 to show the proposed basement depth RL.	<ul style="list-style-type: none"> <li>Plan No. SSDA 1-105 has been updated to include the basement depth. Refer to Architectural Design Report.</li> </ul>
Provide a breakdown of the proposed floor space (GFA) of the indicative scheme.	<ul style="list-style-type: none"> <li>Refer to Architectural Design Report for indicative GFA schedule of the indicative design.</li> </ul>
Provide an accurate axonometric view of the proposed envelope to match the proposed envelope plans (images 77 & 78 in Amended Design Report).	<ul style="list-style-type: none"> <li>Refer to Architectural Design Report for details of the proposed envelope. It is noted that the anomaly has been resolved as a result of the proposed amendments to the northern podium.</li> </ul>
Clarify the proposed public views and viewing platforms to be provided in the proposal.	<ul style="list-style-type: none"> <li>While acknowledging the design is indicative and subject to a competitive design process, the proposed areas of the site expected to support public viewing of Cockle Bay, Pyrmont Bridge, CBD Skyline etc include Guardian Square, Event Steps, Ribbon Stairs, central through-site link, and widened waterfront promenade.</li> </ul>
Clarify how the proposed affordable housing contribution has been calculated.	<ul style="list-style-type: none"> <li>The proposed monetary contribution being proposed as part of the Concept Proposal and outlined within the Public Benefit Offer has been informed by the City of Sydney's existing affordable housing regime that applies to the adjacent Pyrmont area.</li> <li>The final figure has already been negotiated and agreed as part of the separate Unsolicited Proposal (USP) process.</li> </ul>
Confirm the proposed mechanism to secure the public benefits proposed, including public access to open spaces, through site links and event steps.	<ul style="list-style-type: none"> <li>Refer to response to item #4.</li> <li>Public benefits are to be secured through a combination of implementing the development consent, Voluntary Planning Agreement (affordable housing) and the final agreement reached between Mirvac and the NSW Government as part of the Unsolicited Proposal process.</li> </ul>
Clarify the proposed amount of communal open space provided for residential apartments in the indicative proposal.	<ul style="list-style-type: none"> <li>As noted within the Architectural Design Report and Landscape Design Report, the indicative design provides an allowance for some 3,200sqm of communal open space (approx. indoor 2,100sqm) and approx. 1,000sqm outdoor) for residents. These numbers are indicative only and to be developed during the detailed design phase and Stage 2 DA.</li> </ul>

Issue	Response
<p><b>2. City of Sydney Council</b></p> <p><u>1. Land Use – Residential Accommodation</u></p> <p>The City reiterates that Darling Harbour is a precinct for all of greater Sydney with a network of open spaces that encourage various leisure activities within the harbour foreshore. The assertions made for the provision of residential accommodation (i.e. contribute towards housing targets) are not meaningfully substantiated and do not warrant the conversion of public land for private use.</p> <p>The development contradicts the principles of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 in recognising that Sydney Harbour is a public resource, owned by the public and is to be protected for the public good. Further, it is also stipulated in the SREP that the public good has precedence over the private good and whatever change is proposed for Sydney Harbour or its foreshores.</p> <p>It is acknowledged that residential accommodation is permitted on the site under the Darling Harbour Development Plan No. 1 1985. Notwithstanding this, the permissibility cannot be solely relied upon to permit the use and development of the site for residential purposes. The concept proposal is inconsistent with the objectives of the Plan, which is “to encourage the development of a variety of tourist, educational, recreational, entertainment, cultural and commercial facilities within that area”.</p> <p>Irrespective of the above and as stated in our previous response, the City submits that the Darling Harbour Development Plan No. 1 1985 fails the contemporary test by virtue of its age and lack of strategic alignment with the Greater Sydney Commission’s District Plan. Further, it fails to respond to and address the contemporary land use and planning issues of Central Sydney, notably strategic goals contained within the draft Central Sydney Planning Strategy and targets stipulated by Sustainable Sydney 2030.</p> <p>The District Plan and the Central Sydney Planning Strategy suggest that the site should be reserved for employment related land uses that consider the long term public benefit and longevity of Sydney as a global city with a strong economic core.</p> <p>Introducing residential development results in short-term financial gain that is contrary to the priorities the Strategy and Plan. More importantly, permitting residential accommodation in public land of Darling Harbour is a direct contravention to the objects of the Environmental Planning and Assessment Act (EPA Act) 1979.</p> <p>The proposed residential use would diminish the enjoyment of the foreshore and Darling Harbour as a public asset and precinct for leisure, recreation, entertainment, culture, education and commerce, which is not in the public interest.</p>	<ul style="list-style-type: none"> <li>Residential uses are permitted under the relevant Darling Harbour Development Plan No. 1 controls. The provision of housing at the site is expected to improve affordability, and crucially improve the variety and availability of housing in close proximity to public transport and a 10-minute walk away from the Sydney CBD. The boost to housing supply is just one of the many compelling reasons for why residential is considered to be appropriate.</li> <li>There is no change proposed to the tenure of the subject land. The NSW Government will retain freehold ownership of the land. Mirvac will extend its existing long term leasehold. This arrangement is consistent with other urban renewal projects approved and delivered over the past 10 years that have contributed to the revitalisation and transformation of Darling Harbour. Without private investment, the significant public benefits that have been delivered right across the precinct would never have materialised.</li> <li>The City’s statement that the proposal is inconsistent with the objectives of the Darling Harbour Development Plan is factually incorrect. The proposal is fully consistent with the objects of the Plan, first and foremost due to the proposed uses being permissible and not prohibited.</li> <li>The City’s comments that the Darling Harbour Development Plan fails the contemporary test are refuted. Darling Harbour has since the 1980s been carved out and afforded special planning provisions to ensure its critical tourist, entertainment and commercial contribution to NSW and Australia is protected and that its continued evolution and success assured. The controls are considered as relevant and pertinent today as they were back when they were original adopted.</li> <li>The NSW Government has identified the need to establish a new vision and strategic placed based plan for the Pyrmont Peninsula, including parts of Darling Harbour (such as the Harbourside Site). This has culminated in the release of the Draft Pyrmont Peninsula Place Strategy. The Strategy represents the next detailed planning layer in supporting the achievement of Council’s LSPS, the Eastern City District Plan and the Greater Sydney Region Plan. Of significance is the Draft Strategy’s overarching objective to revitalise and transform this key inner-city precinct into a jobs hub and economic driver of Sydney. The premise for this vision is the recognition that Pyrmont and the Western Harbour precinct 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. In line with the strategy, employment floor space is prioritised as part of the Concept Proposal (with 52% of floorspace allocated to non-residential, i.e. retail and commercial). The Draft Strategy also supports residential development for the Tumbalong Park Sub-precinct (in which the Harbourside site is located), subject to not compromising the areas tourism, entertainment and commercial functions.</li> <li>Contrary to the City’s suggestion, nowhere in any planning instrument or strategic planning document does it assert that the Harbourside site should be reserved for employment related land uses.</li> <li>To enhance Sydney’s global competitiveness requires attracting global talent, with the delivery of high-quality housing within the Harbour CBD a key factor. The proposed</li> </ul>

Issue	Response
	<p>delivery of around 357 dwellings on the doorstep of the Harbour CBD and within the Innovation Corridor will be 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.</p> <ul style="list-style-type: none"> <li>• The proposal's strong consistency and alignment with relevant strategic plans and policies has been detailed extensively in the previous RTS and original EIS.</li> <li>• Residential land uses have been a common feature throughout Darling Harbour, as evident most recently within Darling Square (where the same planning controls apply).</li> <li>• The City's assertion that the proposal is in direct contravention of the Objects of the EP&amp;A Act is strongly refuted. With a full appreciation of the project it is clear that the proposal upholds all relevant objects.</li> <li>• The residential component will guarantee that the redevelopment supports a truly mixed-use precinct, which is a key tenet of the Draft Central Sydney Planning Strategy. The proposed residential use in a tower located above retail and commercial office space 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 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.</li> <li>• The residential use will not undermine the functionality or experience of Darling Harbour as a tourism and entertainment precinct. A residential tower also 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 and maximises view sharing to adjoining buildings. Residential Buildings are located in close proximity. 50 Murray Street, which is subject to the same planning controls as Harbourside, is a residential tower located some 50m away from the proposed tower. 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.</li> <li>• The proposal is considered to be in the public interest by virtue of: <ul style="list-style-type: none"> <li>— Providing 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;</li> <li>— Providing significantly improved and enlarged public domain (including the new Guardian Square), ensuring Sydney's most valued natural asset (its waterfront harbour) continues to be enjoyed and celebrated;</li> <li>— Provides for the widening of the waterfront promenade (with a net increase in overall waterfront land for the public) and embellishments to provide much improved connectivity and waterfront experience for the public;</li> </ul> </li> </ul>

Issue	Response
	<ul style="list-style-type: none"> <li>— Providing significantly improved pedestrian connectivity to the waterfront that will allow the broader community, city workers and tourists to more easily and directly enjoy the benefits of Sydney's waterfront;</li> <li>— Supporting the creation of commercial floor space to support the media, arts and tech jobs desired for the Innovation Corridor;</li> <li>— Delivering much needed jobs (EY estimated for the previous amended concept proposal that the redevelopment will deliver 2,100 construction job years and 4,400 additional long term jobs per annum);</li> <li>— Contributing \$15 billion for Central Sydney Gross Regional Product over 20 years;</li> <li>— Activating tourism (EY estimate the redevelopment will result in a 10% uplift in tourism);</li> <li>— Supporting additional affordable housing through provision of a monetary contribution;</li> <li>— Supporting the attraction of global talent through the delivery of high-quality housing on the doorstep of the Harbour CBD and within the Innovation Corridor; and</li> <li>— Enabling the orderly and economic development of the site, involving the replacement of a tired and no longer fit for purpose building with a modern development that will exhibit the highest standard of architecture, urban, and landscape design.</li> </ul>
<p><b>2. Affordable housing and Public Benefit Offer</b></p> <p>The RTS outlines that the residential component of the development will provide affordable housing as well as a public benefit offer for a monetary contribution of \$5,200,000 towards affordable rental housing.</p> <p>There is no explanation or justification for the affordable housing contribution amount.</p> <p>The RTS makes an unsubstantiated claim to provide affordable housing that does not address relevant strategic documents. Based on the insufficient details provided, the City has no confidence that affordable housing will be provided for this development.</p>	<p>For absolute clarity the proposal does not involve the formal provision of “affordable housing”, nor is there any legislative basis for it to be provided.</p> <p>As noted in the recent submission by City West Housing (CWH) on the Draft Pyrmont Place Strategy, their strong preference is to receive monetary contributions from developers which they can then pool together and deliver standalone affordable housing development. CWH note a number of advantages and benefits of receiving funds as opposed to the dedication of apartments within provide developments. Accordingly, the proposal will provide a \$5.2m monetary contribution.</p> <p>The 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.</p> <p>The final figure has been negotiated and agreed as part of the separate Unsolicited Proposal (USP) process.</p> <p>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>
<p><b>3.1 Wind Impacts</b></p> <p>The submitted Wind Assessment Report, prepared by CPP, is an opinion-based report that assesses the wind impacts by benchmarking against the original, rather than against the delivery of quantified wind speeds to ensure comfort levels for different activities.</p>	<ul style="list-style-type: none"> <li>• An updated Wind Assessment has been prepared by Cermak Peterka Petersen (CPP) and is attached to this RtS response. In response to comments from the Department and Council, Mirvac commissioned CPP to complete a wind tunnel test.</li> <li>• The wind tunnel assessment was undertaken based on the previous amended concept proposal, however CPP have confirmed (refer Addendum letter) that there is no change</li> </ul>

Issue	Response
Wind tunnel testing is critical and necessary for this development.	<p>to the pedestrian wind environment as a result of the further amendments now proposed (i.e. reduction in height of the northern podium in order to accommodate the new Guardian Square and increase in tower height to RL166.95).</p> <ul style="list-style-type: none"> <li>• The wind tunnel assessment includes an assessment of the existing development, proposed envelope and indicative design. CPP find that the wind environment at ground level near the development site under the proposed envelope and indicative design configurations is generally suitable for pedestrian standing and walking and mostly similar to conditions at the existing Harbourside Shopping Centre, particularly along the waterfront promenade.</li> <li>• A number of upper level locations (e.g. southern podium accessible rooftops) were found to be exposed to strong wind conditions, however these spaces are now no longer proposed (i.e. replaced with the new Guardian Square).</li> <li>• Overall, CPP confirm that the envelope for both the podium and tower results in acceptable wind conditions and that further wind tunnel testing.</li> </ul>
<p><b>3.2 Design Excellence</b></p> <p>The RTS outlines that the proponent has elected to carry out an invited single stage competitive design process with a minimum of three invited competitors/design teams. The City recommends that a full competition be carried out to commensurate with the scale, value and impacts of the development.</p>	<ul style="list-style-type: none"> <li>• The City's comments are noted, however Mirvac's proposed approach to design excellence is considered appropriate for the proposed development.</li> <li>• The project is and remains State Significant and the Strategy aligns with other State Significant Developments.</li> </ul>
<p><b>3.3 Public Domain Interface</b></p> <p>Insufficient and inconsistent information is provided for existing ground levels including the foreshore promenade and surrounding streets to adequately understand the relationship of the development and immediate context. Specifically, the anomalies include the kiss-and-ride on Level 1 associated with a commercial lobby located on Level 2. This lobby appears to be at the same level as the top of the existing stairs located south of the Pyrmont Bridge.</p> <p>The levels of the southern through-site link and Bunn Street are also missing and there is no indication of levels the Pyrmont Bridge stairs. Clarity is sought as to what is the driver of the southern through-site link, which is not indicated in the concept building envelopes as a deliverable public domain element. The plans also indicate that the proposed Ribbon Stairs are within the development boundaries and privatised with access via the southern podium. It should be public and connect the foreshore promenade to the corner of Darling Drive and Murray Street.</p> <p>Whilst the proposal includes a consistent width of 20m along the foreshore, the 519sqm increase to the existing 4,470sqm is not a substantive increase to the foreshore promenade. The existing foreshore provides an area with a width of up to 25m which enables different spaces to be created to accommodate different programs.</p>	<ul style="list-style-type: none"> <li>• It is reiterated that the subject DA relates to a concept and details such as levels will be further resolved during the next detailed design phase of the project.</li> <li>• In response to submissions the proposed vehicular drop-off has been reviewed and revised. The concept now involves a drop-off facility with an entry at the bottom of the down ramp and egress from the existing roadway adjacent to the Sofitel hotel. This more central location is considered to better serve the commercial lobbies as well as retail and residential.</li> <li>• The Ribbon Stairs have been reimagined in light of the proposed Guardian Square, which will now provide a crucial link from the waterfront to this significant new public open space and Pyrmont Bridge beyond.</li> <li>• It is noted that the proposal provides for a 20 wide waterfront promenade for the southern and central sections, with the northern section achieving 14m. The increase in the overall area of waterfront land (calculated at 474sqm) is considered to be significant amount in the context of the project, and the value of the land. When considering both the formal waterfront promenade extent and the design response within the site boundaries (such as the event stairs), the proposal is considered to suitably accommodate all expected activities to occur through-out the year. The design response has also been informed through close consultation and engagement with Place Management NSW, the owner and manager of Darling Harbour, who largely dictated the width.</li> </ul>
<p><b>3.4 Building Envelope</b></p> <p>Additional information is required regarding the setbacks to Darling Drive. The existing building is setback from the western boundary to allow for vehicular access. However, the proposed building envelope is almost the full length of Darling Drive from the Bunn Street</p>	<ul style="list-style-type: none"> <li>• The Visual and View Analysis included views along Darling Drive and found impacts to be acceptable (low).</li> <li>• There is not considered to be any strong case for adopting a setback to Darling Drive. The proposed street edge condition to Darling Drive is considered acceptable. Darling</li> </ul>

Issue	Response
<p>connection going northwards. The building envelope implies that this area can be built from ground level to RL 26.5, 25 and 17.5. It is recommended that the podium height be lowered with an increased setback at this location to give a clear sightline to the existing stairs adjacent to the Pyrmont Bridge.</p> <p>The building envelope tower footprint is excessive for a residential tower. The dimensions are approximately 53m in length with a varied width between 27m and 29m. There appears to be no rationale as to why the depth tapers and overall, the dimensions imply non-compliances with the required building depths under the Apartment Design Guide (ADG).</p> <p>The location of the tower in the centre of the site is an improvement. However, the view analysis should be expanded and include the view corridors from streets in the CBD as well as Pyrmont. No tower setback is provided along Darling Drive. Effectively, this brings the tower to the ground and result in severe wind impacts to pedestrian safety along Darling Drive and the future through-site links.</p>	<p>Drive is not a key pedestrian thoroughfare, with relatively low pedestrian use. Pedestrians clearly favour more appealing and more convenient pathways. Notwithstanding, this design aspect, including consideration of wind impacts, is able to be further investigated as part of the future design competition. The further amendments to the northern podium that involve stepping down the height to align with the general height of Pyrmont Bridge will go some way to addressing Council's comments.</p> <ul style="list-style-type: none"> <li>• The tower form/footprint has been informed through the various workshops with the Department of Planning and its independent design advisor.</li> <li>• The tower envelope is considered acceptable for this stage of the planning process, and allow sufficient flexibility for design innovation and creativity for future competitors of the design competition. It is proposed that only 80% of the tower envelope will be utilised.</li> <li>• The City's comments that the tower footprint is excessive for a residential development also appear to contradict its own planning controls, with Sydney DCP 2012 establishing that residential floorplates up to 1,000sqm (GFA) are acceptable. The proposed indicative design accommodates a maximum tower floorplate of some 948sqm (GFA). The proposed tower footprint also provides flexibility for designers to design innovative and different schemes during the competitive design process. The indicative design of the residential tower has demonstrated a suitable level of consistency with SEPP 65 and the ADG, refer to Architectural Design Report for further details.</li> <li>• The public views analysed are considered to represent a comprehensive assessment of key views. The locations were also informed through consultation with the Department of Planning.</li> </ul>
<p><b>3.5 Overshadowing</b></p> <p>The revised shadow diagrams illustrate that the overshadowing of the foreshore is significant between 12-2pm. Whilst relocating the tower to the centre of site reduces the overshadowing to the foreshore, The City requires updated shadow diagrams at 15-minute intervals to be submitted to determine the degree and percentage of the foreshore promenade affected by the development. This is to ensure that the public realm receives solar access at the highly sought lunchtime hours.</p>	<ul style="list-style-type: none"> <li>• Detailed 15 min interval shadow diagrams have been prepared by fjmt and included within the Architectural Design Report appended to the RTS Report.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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 (1,500sqm) that will have solar access across the entire day for all periods of the year.</li> <li>• 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.</li> </ul>



Issue	Response
	<ul style="list-style-type: none"> <li>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.</li> <li>Further, 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.</li> </ul>
<p><b>3.6 Indicative Podium and Tower Design</b> The concept podium design is dissected by the southern through-site link. However, this link is not indicated as a deliverable in the concept building envelope. The southern podium is almost exclusively retail. At ground level, there is a retail street connecting the foreshore promenade to the southern through site link and either back to the foreshore or to the norther podium. The retail street is not open to the sky.</p> <p>Additionally, the RTS is unclear as to which level the residential use commences. More importantly, the tower envelope indicates non-compliance with the ADG with respect to the building depth and natural ventilation of lower floor apartments (indicated to be 57%). The indicative typical apartment floor plans suggest that there is a strategy to locate larger and fewer apartments on the three lower levels and up to 12 apartments on upper levels. This is contrary to the ADG design requirement of a maximum of 8 apartments off a circulation core. Solar access to the apartments must be confirmed through a sun's eye analysis.</p>	<ul style="list-style-type: none"> <li>The revised indicative design continues to illustrate a southern through-site link. Rather than dictate a predetermined design outcome, it will be left to the competitors during the design competition to determine how best to support accessibility, connectivity and to break up the overall mass and length of the podium.</li> <li>The indicative design of the residential tower is considered to have demonstrated a suitable level of consistency with SEPP 65 and the ADG, refer to Architectural Design Report for further details.</li> <li>The indicative design indicates that the first level of residential dwellings will be located on level 6.</li> <li>The City's comments regarding the maximum number of apartments off the core fail to acknowledge design guidance that confirm up to 12 is acceptable.</li> </ul>
<p><b>3.7 Pedestrian Amenity</b> The RTS stresses the need for the through-site links. If this is to be the case, they must be fit for purpose. As such, safe and comfortable wind conditions are paramount. Further, it appears that the southern through-site link is to connect to a porte cochere drop off to the foreshore. These drop offs are often used by people who are not as mobile including the elderly and children.</p>	<ul style="list-style-type: none"> <li>Noted and agreed. The conditions and overall amenity of future through-site links will be assessed during the detailed design phase.</li> </ul>
<p><b>3.8 View Impacts</b> The view impacts of the development must be expanded to include view catchment of the proposed building at Cockle Bay. It is also recommended that the vista along Market Street is clear for its width and not encroached by the development.</p>	<ul style="list-style-type: none"> <li>The approved Concept Proposal for Cockle Bay already features within the visual catchment assessed as part of the Visual and View Impact Analysis.</li> <li>While the proposed tower will be visible from Market Street, the Visual and View Impact Analysis found the overall visual impact to be low. The location of the tower has been the subject of intense scrutiny by a number of stakeholders, with Mirvac deciding on a final location that is on balance considered to be the most appropriate. Furthermore, it is noted that the tower is not able to be sited any further south due to an existing commercial agreement in place between the landowner (Place Management NSW/SHFA) and the Sofitel (struck prior Mirvac acquiring an interest in the site). This agreement limits redevelopment of Harbourside to a maximum height of RL23.1 in the southern portion of the site.</li> </ul>

Issue	Response
<p><b>4. Heritage</b> Notwithstanding the general improvement to the building envelope, the concern of the podium envelope remains from a heritage perspective. Whilst the amended design provides increased setbacks to the Bridge and a rationalised northern edge/sightline, the modifications to the podium and underbridge stairs are tokenistic and does nothing to ameliorate the unacceptable visual impact and curtilage to the Pymont Bridge.</p> <p>Overall, the updated proposal makes some improvements in terms of its heritage impact to the Pymont Bridge. However, the podium envelope and the northern end is remains unsatisfactory and unaddressed.</p>	<ul style="list-style-type: none"> <li>• A revised Heritage Report has been prepared by Curio Projects and is appended to the RTS.</li> <li>• The proposed modifications provide an extremely generous setback between the Pymont Bridge and the redevelopment. It allows for the complete removal of the intrusive elements that currently exist on-site and create major physical and visual impacts between the existing shopping centre and the bridge. The new design creates beautiful, low-scale public spaces (e.g. the new Guardian Square) from which the Pymont Bridge can be viewed, interpreted and celebrated. As stated by the Heritage NSW (HNSW), the amended proposal will reduce the visual and physical impacts to the Pymont Bridge.</li> <li>• The height reduction of the northern podium and creation of the Guardian Square 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 Pymont Bridge historic features.</li> <li>• The proposed amended proposal has reduced the height of the northern podium to RL 17.6/13.75, restoring a similar height proportion from the previous relationship between the Goods Line Workshop Shed and the Pymont Bridge.</li> <li>• This alteration preserves the significant view lines towards and from the bridge and improves the view sharing from 50 Murray Street, along with the creation of a new publicly accessible open space area, the Guardian Square.</li> <li>• The northern podium height has been reduced from RL 25 to part RL 17.6 and part 13.75. The amended concept scale and proportions of the podium create a clear separation, both physical and visual, between the Pymont Bridge and the redevelopment.</li> <li>• The amended concept proposal creates a clear distinction between modern and heritage fabric, introducing a sympathetic design to the overall context of the Darling Harbour foreshore, including the Pymont Bridge. The proposed design, heights, form and scale of the redevelopment do not detract visually or physically from any heritage item in the vicinity and will contribute significantly for the activation and celebration of the area. The new design neither impacts nor detracts from the modern c.1988 Maritime Museum.</li> <li>• The proposal does not involve any amendments to the Pymont Bridge and, therefore, the south-west balustrades will not be reinstated.</li> </ul>
<p><b>5. Transport and Access</b> <b>5.1 Access</b> The RTS provides no ability for the City to assess the number of driveway locations, distance of driveways from main street thoroughfares to confirm risks of queuing, driveway widths and impacts on pedestrian amenity and safety. It appears that access to the loading dock of the development is via truck hoist only, which is not supported.</p> <p>The City can only make assumptions with the information provided in the RTS. For instance, an indication on the loading and drop off/pick up arrangements is contained in the submitted 'Harbourside Pedestrian Study' as well as the 'Traffic and Transport Impact Assessment', which indicate two loading areas with the southern one accessed via a hoist, as previously mentioned. The lack of information for a development of this scale is unacceptable and is poor planning practice. There is no clear indication about how this proposal will be accessed</p>	<ul style="list-style-type: none"> <li>• A revised Traffic and Transport Impact Report has been prepared by Arcadis and is appended to the RTS.</li> <li>• There are no driveways located directly onto Darling Drive.</li> <li>• Access to the loading docks and basement car park is via the existing entry and exit roads that service the existing loading dock.</li> <li>• The space at the top of Darling Drive will remain and act as a lid over the loading dock but will no longer be used for vehicles. The lift hoists have been removed from the indicative design for the basement loading dock. Egress from this loading dock will now be via the basement access ramp, with larger vehicles using the turning plate at the top of the basement access ramp to then egress via the existing loading dock laneway onto Darling Drive.</li> </ul>



Issue	Response
<p>and serviced. The site's constrained nature and the reliance on Darling Drive to provide access, means it is critical that careful consideration of the transport and access related impacts are made to reduce the cumulative impacts and traffic generation that the proposal would have to the local road network.</p>	<ul style="list-style-type: none"> <li>• An improved drop-off facility is provided with the entrance located at the base of the Darling Drive southbound down ramp and egress via the roadway located between the Sofitel Hotel and the proposed development.</li> <li>• Figures are contained within the revised Traffic and Transport Report outlining these locations, along with swept path figures.</li> </ul>
<p><b>5.2 Car Parking</b> The proposal seeks to provide 306 car parking spaces within 3 basement levels. The number of car parking spaces proposed is unsupportable. There is no justification provided for the significant increase in parking from the existing parking provisions. Further, no justification is provided on how this level of parking can promote sustainable transport over a car-orientated development.</p> <p>A realistic consideration of the impact of parking and the traffic generation from the site on the Central Sydney is not made. The provision of additional car parking spaces is at odds to the contents of the Traffic Report, which highlight the locality's existing parking and transport arrangements. A zero increase in private parking should be mandated with appropriate parking for servicing and drop off/pick up.</p> <p>Overall, the parking supply for the development must be constrained to encourage sustainable transport such as public transport and active transport, including cycling and walking. Moreover, the development should seek to encourage sustainable and active transport in a manner that aligns with the targets and objectives set out under Sustainable Sydney 2030.</p>	<ul style="list-style-type: none"> <li>• The proposed parking rates align with the rates that apply to other land nearby which have similar levels of public transport accessibility.</li> <li>• The approach to adopt equivalent City of Sydney LEP parking rates 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. 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 ('Category B') should be adopted.</li> <li>• Refer to the revised Traffic and Transport Report prepared by Arcadis for further details.</li> <li>• Overall the right balance is considered to be achieved with the proposed parking rates that acknowledges the site has access to good public transport, but also reflects market demands and the existing level of car ownership within the locality.</li> </ul>
<p><b>5.3 Traffic Generation</b> The concept proposal provides excessive parking numbers with a cumulative impact to the traffic generation of the site and local road network. It is anticipated that more than 1,035 vehicles will be generated in the PM peak with the existing design. This would have a considerable consequence on amenity across Central Sydney and surrounding precincts.</p> <p>Consideration to the traffic generation impacts of the development is unsatisfactory. Some limited modelling has been undertaken and detailed in the Traffic Report. The modelling relates to a few intersections with concerning results, that overall, do not consider the impact on road space as well as impacts on pedestrian safety and amenity. This is not consistent with the TFNSW movement and place principles. Further, no information is provided on the impact of the development on the public domain and road network during peak event periods of adjacent facilities such as Darling Harbour and ICC.</p>	<ul style="list-style-type: none"> <li>• Preliminary traffic modelling has been undertaken, which indicates no significant change to traffic conditions from existing conditions.</li> <li>• Calculated traffic generated trips from the proposed development has decreased from the previous scheme, which is predominately a result in the decrease of retail use in the indicative design.</li> <li>• A comparison of trip generated rates from existing development conditions to proposed development indicates a decrease in overall generated trips.</li> <li>• Additional traffic modelling will be undertaken as part of the Stage 2 DA.</li> </ul>
<p><b>5.4 Sustainable Transport</b> As previously stated, the development should seek to encourage sustainable and active transport in a manner which aligns with the targets and objectives set out in Sustainable Sydney 2030. Further, the development should also align with other strategies including the City's Cycling Strategy and Action Plan 2007- 2017, Walking Strategy and Action Plan 2014-</p>	<ul style="list-style-type: none"> <li>• A comparison of trip generated rates from existing Development conditions to proposed development indicates a decrease in overall generated trips.</li> <li>• Numerous existing sustainable travel options are available for the development site including city rail (Town Hall station 15minute walk), light rail (Convention Centre stop, 3minutes walk) future Sydney Metro West, bus services (Maritime Museum stop, 5minute walk) Ferry Services (Pyrmont Bay stop, 5-10min walk).</li> </ul>

Issue	Response
<p>2030, Connecting our City Transport Strategies and Actions (2012) and the Sydney City Centre Access Strategy (TfNSW 2013).</p> <p>The development does not support the TfNSW goals of balancing movement and placement. Instead, the development provides excess parking at the expense of place making as well as pedestrian safety and amenity with considerably negative impacts on the public domain and urban environment throughout the City centre. No Green Travel Plan (GTP) has been submitted for the development, which at a minimum, demonstrates to a degree that consideration to sustainable transport has been made. The high trip generation of the development challenges the modal targets for the site with an emphasis on car orientated development. The 666 retail trips at the PM peak hour is clearly unacceptable.</p>	<ul style="list-style-type: none"> <li>• The development proposal includes a range of works that will improve pedestrian permeability and connectivity across the site, promoting active modes of transport (i.e. walking).</li> <li>• The development proposal results in preservation of existing cycleways and includes a new pedestrian bridge link at Bunn Street.</li> <li>• A Green Travel Plan will be undertaken during the Stage 2 DA.</li> <li>• Bicycle parking and end of trip facilities have been provided for within the development proposal.</li> </ul>
<p><i>5.5 Bicycle Lanes and Connections</i></p> <p>The City's comments regarding bicycle lanes in the previous submission has not been adequately addressed in the RTS, nor is there an indication provided in with respect to the overall commitment to cycling. No cycleway connection improvements are proposed as part of the application and reliance is made on the improvements already made by other developments along Darling Drive.</p> <p>The City would expect an upgraded and separated cycleway connection from Murray Street/Union Street intersection (major cycleway) to the roundabout adjacent the site that is consistent with the design of the cycleway built south of the roundabout. Access is strongly preferred through an arrangement, which provides a dedicated bicycle entry/exit arrangement without stair access.</p> <p>The City considers that upgrades to all pedestrian access points should include the provision for bicycle users also. This includes but it not limited to the following:</p> <ul style="list-style-type: none"> <li>• Route 1 – CBD to Pyrmont Bridge</li> <li>• Route 2 – CBD to Cockle Bay Wharf (north bridge)</li> <li>• Route 3 – CBD to Cockle Bay Wharf (central bridge)</li> <li>• Route 4 – Druitt Street Bridge</li> </ul> <p>The City encourages the provision of innovative bicycle parking solutions in new development and recommends that the development provide a breakthrough in first class visitor/public bicycle facilities. These include providing a range of Class 2 and Class 3 visitor facilities with some showers and lockers to be located within the building face rather than the public domain with wayfinding signage to support these.</p> <p>Overall, it is disappointing that so little effort is made to encourage and provide bicycle facilities for a development of this scale.</p>	<ul style="list-style-type: none"> <li>• Acknowledging the nature of the subject DA is for concept only, the level of attention to bicycle facilities is considered to be acceptable.</li> <li>• As the project progresses into the detailed design phase additional details will be developed with respect to bicycle parking and end of trip facilities for the final mix and quantum of floorspace.</li> <li>• Bicycle parking and end of trip facilities for the retail/commercial component of the proposal are proposed within the L1 basement and Level 1. The provisioning is considered suitable for this concept stage of the development process.</li> <li>• Residential storage (including the ability to accommodate bicycles) is provided within the indicative design across each of the residential parking basement levels.</li> <li>• No improvements to cycleway connections is currently proposed.</li> <li>• A Green Travel Plan will be undertaken during the Stage 2 DA.</li> </ul>
<p><i>5.6 Bicycle Parking and End of Trip Facilities</i></p> <p>No commitment to bicycle parking and end of trip facilities or design is made, which is a disappointing and unacceptable. The rates in accordance with Sydney DCP 2012 should be</p>	<ul style="list-style-type: none"> <li>• Bicycle parking and end of trip facilities for the retail/commercial component of the proposal are proposed within the L1 basement and Level 1. The provisioning is considered suitable for this concept stage of the development process.</li> </ul>

Issue	Response
<p>used, which would require at least 532 x Class 2 bicycle parking as well as 88 x Class 3 bicycle parking to be provided.</p> <p>Lockers and showers should also meet the City's Sydney DCP 2012 requirements, estimating a minimum of 175 lockers and 20 showers. However, this is up to the proponent to be clarified and justified.</p>	<ul style="list-style-type: none"> <li>Residential storage (including the ability to accommodate bicycles) is provided within the indicative design across each of the residential parking basement levels.</li> <li>This will be assessed further in the Stage 2 DA.</li> <li>A Green Travel Plan will be undertaken during the Stage 2 DA.</li> </ul>
<p><b>5.7 Pedestrian Connections</b> The pedestrian through-site links are not detailed sufficiently in order to assess appropriate design or capacity to provide pedestrian amenity between the site and Pyrmont Bridge, Darling Harbour and Pyrmont.</p> <p>Pedestrian modelling is required for the site to improve pedestrian access given the significant constraints and barriers to access the sight, such as the light rail. Pedestrian links along the foreshore are not detailed to assess the capacity and amenity to cater for the proposed development. Width along the foreshore should be increased even more to accommodate additional pedestrian attraction as well as accommodating for cycling. This is consistent with the requirements of the Darling Harbour precinct under the Sydney Regional Environmental Plan No. 26 – City West. Pedestrian access must meet the requirements of the Disability Discrimination Act 1992 and avoid lift and stair access wherever possible.</p>	<ul style="list-style-type: none"> <li>The level of detail regarding new and upgraded existing links and connections is considered to be suitable for this concept design phase of the planning process.</li> <li>The new Bunn Street bridge will ensure local residents, visitors and workers enjoy upgraded access and connectivity to Darling Harbour and by extension the Sydney CBD. Modelling has been undertaken by Urbis in relation to this proposed new pedestrian bridge, confirming it will achieve a Level of Service A (free circulation) in 2056.</li> <li>The proposed pedestrian network will link up with the existing pedestrian network and the initiatives developed under the SICEEP development mainly consisting of the main waterfront promenade which will be increased in width by 474sqm. This will include widening the southern and northern ends. This widened promenade will provide sufficient capacity to cater for peak pedestrian demand anticipated during events at the precinct.</li> <li>The concept proposal, and in particular the areas of public domain, has been informed through close collaboration with the landowner, Place Management NSW who have overall responsibility for Darling Harbour.</li> </ul>
<p><b>5.8 Servicing and Coach parking</b> The burden of loading should not be left to the public domain. 15 spaces are proposed in the loading dock, which is an underestimation based on the rates of Sydney DCP 2012. In this light, it is estimated that a total of approximately 34 spaces is required as follows:</p> <ul style="list-style-type: none"> <li>Residential – 5 bays</li> <li>Retail – 22 bays</li> <li>Commercial – 7 bays</li> </ul> <p>Significant concern is raised regarding the queuing impact and impacts on pedestrian amenity, notably if a hoist is involved to access the loading dock. It is noted that coach parking will not be provided on-site but will co-utilise the coach parking of the ICC if required. There is no confirmation provided if this would be acceptable to the ICC.</p>	<ul style="list-style-type: none"> <li>The proposed servicing and loading approach outlined within the indicative design has been informed by Mirvac's operational requirements and is considered acceptable. The final approach and justification will be included as part of the future Stage 2 DA.</li> <li>Concerns regarding the vehicle lift hoist have been noted and this aspect has been removed from the concept design plans.</li> <li>It is not anticipated that coach parking will be required for the proposed retail element of the development, with the majority of the non-residential component of the indicative design being commercial office space. Opportunities also exist to utilise coach parking within Harbourside Place as required.</li> </ul>
<p><b>5.9 Construction Pedestrian Traffic Management Plan (CPTMP)</b> The preparation of a CPTMP in consultation with the City and the CBD Coordination Office with TfNSW will be crucial to addressing efficient functioning of business in the area surrounding the site, particularly due to the proximity of the site to existing motorways, pedestrian and cycling routes and adjacent to the ICC and other Darling Harbour sites.</p>	<ul style="list-style-type: none"> <li>Noted</li> <li>A Construction Pedestrian Traffic Management Plan (CPTMP) will be undertaken in future development stages of the development.</li> <li>With the Concept Proposal now including demolition as part of Stage 1 works, a Demolition Traffic Management Plan has accordingly been prepared and included as part of the RTS package.</li> </ul>
<p><b>6. Landscape</b></p>	<ul style="list-style-type: none"> <li>Noted and generally agreed/supported.</li> </ul>

Issue	Response
<p>The amended proposal involves the provision of a substantial green roof coverage. Whilst a positive gesture, it represents a missed opportunity. The green roofs are described as being accessible in part, and the remainder is accessible for maintenance only. The latter forms most of the large flat roof to the north of the podium. While this is purported to be for biodiversity purposes, there is no information provided on the intended soil depth of the green roof. The indicative plant list includes 5 shallow-rooting species only. This will provide negligible ecological benefit and is likely to rely on a shallow soil profile that will allow limited variation in planting structure. The result will be an aesthetically 'green' roof that has limited value to the urban ecology of the city.</p> <p>It is strongly recommended that the large extensive northern green roof be designed to allow for soil depths varying between 450mm to 1000mm with soil volumes in accordance with the Sydney Landscape Code Volume 2. It should also incorporate a diversity of plant species, forms, type and structure. The green roof should be designed by a landscape architect in conjunction with an ecologist. It should focus on understanding and achieving genuine ecological targets and seek to accommodate the canopy cover targets detailed below.</p> <p>Overall, the City would support making this roof area publicly accessible, even in part. Whilst it may hinder the ability to achieve extensive ecological targets, it may help to justify greater soil depths and allow the public to enjoy the benefit of canopy trees and an urban park in the Darling Harbour precinct</p>	<ul style="list-style-type: none"> <li>Mirvac as part of its further Amended Concept Proposal has through reducing the height of the northern podium created an opportunity for a new publicly accessible open space area to be created on the rooftop (referred to as 'Guardian Square' and having any area of 1,500sqm).</li> </ul>
<p><b>6.1 Tree Management</b></p> <p>The amended proposal includes the proposed planting of trees within the public domain, between the building and foreshore. The Darling Harbour foreshore currently contributes almost no canopy cover to the area. This proposal has the opportunity to contribute substantially to the NSW Government and City of Sydney canopy targets while providing increased amenity and usability to the harbour foreshore.</p> <p>The extensive green roof indicated in the submitted public domain plans create a substantial area in which tree planting may occur. The detailed design must provide for small to medium trees on the green roof areas which will provide 35% canopy coverage of the building envelope area within 10 years from completion of the development. In order to ensure that these trees remain viable and provide the necessary canopy cover, they will require a detailed soil specification which must be included in the detailed green roof design. This design should also provide for species that will tolerate the site conditions whilst promoting biodiversity.</p> <p>The indicative design within the interface with the ICC Plaza includes a row of trees along the public thoroughfare, however these trees are not included in the ground floor public domain plan. As these are high profile and well used public domain areas, it is required that a detailed public domain design provides for a minimum of 50% canopy cover within 10 years from completion of the development, using appropriate plantings of medium to large canopy trees.</p>	<ul style="list-style-type: none"> <li>Trees are proposed along the foreshore promenade and will mature to create a consistent shade canopy for users along the harbour edge.</li> <li>The revised landscape design approach includes the creation of a new large accessible rooftop area of public open space, referred to as 'Guardian Square'. Areas of lawn, planting and new trees will provide shade and offer places of respite overlooking the harbour. The approach for the inaccessible green roofs will be to provide an appropriate soil volume will be provided for planting to establish and thrive in this highly visible location with a selection of small shrubs. No trees are proposed for the inaccessible green roofs due to the need to balance the view sensitivities from surrounding buildings.</li> <li>It is confirmed that the existing trees in Harbourside Place will be retained. The revised Landscape Design Report appended to the RTS now reflects the retention of these trees.</li> <li>Opportunities for the transplanting and reuse of the existing cabbage tree palms along the waterfront promenade will be investigated during the detailed design.</li> </ul>

Issue	Response
<p>The eastern side of the existing complex has a visually prominent row of <i>Livistona australis</i> (cabbage tree palm) that extends from the glass pavilion to the northern top of the building. The proposed removal of these trees in order to facilitate the development is not supported. Instead, the trees must be transplanted and included within the "Palm Grove" shown on the Public Domain Plan. A Transplanting Methodology Report prepared by a AQF5 Arborist with 10 years' experience transplant must be submitted.</p>	
<p><b>6.2 Ecology and Biodiversity</b> As previously mentioned, the concept proposal suggests the green roof is expected to have ecological benefits and native planting mixes. However, the design is not reflective of this assertion. The aim of the green roof is to increase biodiversity. The suggested 5 species are completely inadequate to cover the roof of such as scale and should have a higher number of species and feature indigenous vegetation to the local area. It must incorporate different vegetation layers and habitat features to increase opportunities for wildlife to feed and shelter. Habitat features include hollow logs, twig/stick bundles, rocks, areas of sand and rubble, roof tiles and nesting boxes or plants that have the capacity to support nests for shelter depending on what species the design is specific to. At a minimum, it is important to consider the provision of water and shelter if the green roof is to have ecological and habitat benefits. A minimum of 20-25 locally native species should be included.</p> <p>Designing for biodiversity needs consideration of plant species, food sources as well as variable heights and layers. Plant species persistence can also be considered and improved through plants such as grasses and herbs that readily seed and self-sow or produce underground storage organs, such as bulbs or tuberous roots. The landscape design is unclear as to whether it is designed for a particular species of invertebrate, bird or plant. The design also omits any indication of access for maintenance.</p> <p>In consideration of the scale of the development, it is recommended that the treatment of the future glazed facades of the building be highly considered in preventing bird strike for the protection of endangered and priority bird species as well as the general bird population.</p>	<ul style="list-style-type: none"> <li>• The City's comments are noted and generally agreed.</li> <li>• The revised Landscape Design Report prepared by Aspect and appended to the RTS increases the planting palette for those indicative inaccessible green roofs from 5 species to 17 species.</li> <li>• There is a clear commitment by Mirvac at this Concept design phase to realise ecological and biodiversity benefits through the provision of green roofs. The final extent, species, and design will be subject to the future detailed design phase.</li> </ul>
<p><b>7. Public Domain</b> The site is surrounded by a mix of heritage features such as the Pyrmont Bridge and a wider context that include red brick paving. It is crucial to the overall success of this proposal that all external finishes to the public domain are coordinated with those existing and proposed under the current Darling Harbour upgrade works. The Public Domain Design Report, prepared by Aspect Studios, lists a range of materials proposed for the public domain. The use of Austral Verde and Sesame Grey granite for paving is not recommended due to the limits of supply of the stone. The City prefers Austral Black as a paving material in the CBD area as per the City of Sydney Streets Design Code. It should be noted that the recent upgrade works in Darling Harbour utilise Austral Black and Bluestone paving.</p> <p>It is an important transition zone between areas and as such, the material selection should not seek to introduce new materials without careful consideration of the existing precinct.</p>	<ul style="list-style-type: none"> <li>• The City's comments are noted and generally agreed. These more detailed design matters are able to be further addressed during the next phase of the project. Mirvac will continue to engage with all key stakeholders with respect to the detailed design of the public domain, including Place Management NSW and the City of Sydney.</li> </ul>

Issue	Response
<p>The introduction of timber at the same level as the proposed stone paving for a widened pathway is discouraged as a novel introduction of materials. It is not consistent with the material language of the Darling Harbour precinct.</p> <p>Additionally, the Report provides a range of furnishings. Concern is raised for the climbable nature of furnishings located in areas adjacent the foreshore and its potential to encourage improper use of public spaces as well as safety concerns. Whilst the scale of the public domain spaces appears appropriate, its usage may be over programmed. Special consideration should be made to the programming of the public domain in ensuring that the areas are sufficient in accommodating the public and arrangement of public domain elements and planting are fit for purpose.</p> <p>Connections from Darling Harbour will be apparent for most. However, the western side has more difficult connections that will require clarity for the public. Therefore, wayfinding signage should be incorporated that is consistent with the City's signage strategy for easy-to-follow routes for the public and visitors.</p>	
<p><b>8. Noise</b></p> <p>The submitted Stage 1 DA Acoustic Report, prepared by Renzo Tonin and Associates, suggests that an 'alternative noise criteria' is to apply for the hours of operation of the future food and drink premises as well as for the residential uses. These details are not provided, and the applicant has not demonstrated the alternative noise criteria. This is unacceptable and is poor planning practice. As residential accommodation is proposed a similar approach should be taken to other State Significant Development sites such as Darling Square and Young and Loftus Precincts where a noise masterplan outlining acceptable noise levels was developed.</p> <p>The RTS also advises that the noise and vibration assessment methodology and preliminary design considerations are to be outlined in the Stage 2 application. A detailed Demolition, Excavation Construction and Vibration Noise Management Plan is to be prepared to identify any construction activities likely to result in noise exceedances and provide mitigation strategies to minimise noise and vibration impacts.</p> <p>Overall, the Acoustic Report does not quantify the external noise impacts and the amount of amelioration required to address the relevant noise standards for residential apartments. Recommendations to mitigate noise should be incorporated into the design competition brief. It is difficult and costlier to retrofit design solutions if apartments have already been designed.</p>	<ul style="list-style-type: none"> <li>• Noted and agreed. The proposed approach for the residential element is to be consistent with that adopted for other similar mixed-use development within urban areas/entertainment precincts. Rather than setting noise criteria at the boundary, internal noise levels will be adopted. This approach focusses the need for the base build to incorporate suitable design measures (e.g. acoustic treatment of the building façade) which in turn will enable greater freedom for food and beverage premises to generate greater noise emissions.</li> <li>• Noise mitigation and management will be an important aspect to be covered off within the design competition brief.</li> <li>• The amended Concept Proposal now includes Stage 1 works for the demolition of existing site improvements, down to ground slab level. Demolition would be expected to be the loudest of the construction activities conducted on site. Renzo Tonin and Associates has accordingly prepared a specific Demolition Acoustic Report and is appended to the RTS. The Report identifies all relevant noise receivers, the likely demolition activities, their impact on nearby receivers and recommends mitigation practices to minimise impacts.</li> <li>• Detailed excavation and construction noise/vibration management is not typically addressed at development application phase given methods are not yet known. Acknowledging this and consistent with typical Stage 2 acoustic reports an "in-principal" discussion of excavation and construction noise and management will be provided as part of the future Stage 2 DA. As is routine it is also expected that a condition of consent would be imposed on any Stage 2 approval requiring a site specific Construction Noise and Vibration Management Plan.</li> </ul>
<p><b>9. Contamination</b></p> <p>The RTS was not accompanied with a Detailed Environmental Site Investigation (DESI). Instead, a preliminary Remedial Action Plan (RAP) was submitted. Given the absence of a DESI that is required to determine the extent of contamination prior to providing site-specific</p>	<ul style="list-style-type: none"> <li>• The approach taken with regards to contamination is considered to be sound and appropriate for this stage of the planning process in addressing legislative requirements.</li> <li>• Ultimately it is the consent authority's view as to whether it has sufficient information to determine whether the site is or can be made suitable for the proposed development.</li> </ul>



Issue	Response
<p>remedial options, the relevance of the preliminary RAP is questionable. The City is unable to rely on the preliminary RAP to confirm the suitability of site for development and there is no certainty that contamination of the site has been or can be adequately addressed.</p>	<ul style="list-style-type: none"> <li>Coffey drawing on its extensive experience (including comparable nearby projects) and the expected site conditions (reasonably relying on the findings from other similar nearby development sites) finds that the site can be made suitable for the proposed development in accordance with SEPP 55.</li> </ul>
<p><b>10. Environmentally Sustainable Design (ESD)</b>          Whilst the RTS has addressed some ESD concerns previously raised, the development must demonstrate best practice sustainable building principles showcase environmental performance, including energy and water efficient design and technology, use of renewable energy and best practice waste management. The ESD Statement, prepared by Cundall, sets different Green Star Targets for different parts of the development. The ESD strategies used for the entire building are to be considered as a whole and not in isolation to ensure ESD targets are achieved for the entire building. Overall, the proposed development is an significant opportunity to maximise efficiency, reduce waste and display innovative ways of ESD. This should be mandated in the any future design competition for the Stage 2 detailed proposal.</p>	<ul style="list-style-type: none"> <li>Noted and generally agreed. Mirvac remains a strong advocate for delivering sustainable buildings and will ensure that the sum of all parts of the development are considered from an ESD perspective.</li> <li>Mirvac has also committed to increase its Green Star target for the residential component from 4 stars to 5 stars in response to Council's feedback</li> <li>Refer to updated ESD Statement prepared by Cundall and appended to the RTS.</li> </ul>
<p><b>11. Public Art</b>          A high-level Public Art Strategy is to be prepared to accompany the future design excellence process and ensure a cohesive approach commensurate to a development on this large scale. The Strategy should address:</p> <ul style="list-style-type: none"> <li>Precinct analysis, planning requirements and studies pertinent to the public art objectives.</li> <li>Temporary and permanent public art opportunities, and consider the relationship of any proposed works with existing artworks in the precinct.</li> <li>Selection and commissioning method of artists and articulate how this aligns with the competitive design process as well as contain an indicative public art budget.</li> </ul>	<ul style="list-style-type: none"> <li>The City's comments and recommendation is noted and will be considered during the brief preparation phase of the competitive design process.</li> </ul>
<p><b>12. Waste</b>          Having regard to the access and servicing issues raised above, the amended proposal does not demonstrate appropriate servicing arrangements for waste management.</p> <p>Noting that the RTS relates to the concept proposal, it is recommended that the detailed application is to include detailed strategies and supporting facilities that support waste reduction measures, including for food scraps and or composting strategies. Sufficient waste and recycling management facilities and storage holding areas for servicing must also be demonstrated. The principles of the NSW EPA Better Practice Guide for Resource Recovery in New Developments as well as the City of Sydney Guidelines for Waste Management in New Developments 2018 are to be considered and incorporated.</p>	<ul style="list-style-type: none"> <li>Noted and agreed.</li> <li>In line with its leading sustainability commitments, Mirvac has recently released <a href="#">Planet Positive: Waste and Materials</a>, which sets out strategies the Group will adopt across its business to achieve its goal of sending zero waste to landfill by 2030.</li> </ul>

Issue	Response
<b>3. Heritage Council of NSW</b>	
<p>HNSW recommends conditions for consideration by DPIE in determining the SSD Concept Proposal, covering:</p> <ol style="list-style-type: none"> <li>1. <i>Final Harbourside Redevelopment Detailed Design to be sympathetic to the SHR listed values of the Pyrmont Bridge</i></li> <li>2. <i>Heritage Interpretation Strategy</i></li> <li>3. <i>Management of State Significant Archaeological Resources (Historical, Maritime and Aboriginal)</i></li> <li>4. <i>Maritime Archaeological Assessment</i></li> </ol>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• No objection in principle to the imposition of conditions proposed by HNSW.</li> </ul>
<p>Archaeological testing should be undertaken by the Proponent ahead of detailed design being confirmed for Stage 2 of the SSDA. This program may be undertaken under Heritage Act 1977 approvals or through investigations to inform the EIS under s.4.41(3) of the Environmental Assessment and Planning Act 1979. Reassessment of the impacts to these heritage values should take place in line with this letter and with previous comments supplied for the EIS in February 2016.</p>	<ul style="list-style-type: none"> <li>• Curio agree that early archaeological testing works would benefit the overall project design and archaeological outcomes if early testing works were able to be undertaken (noting the constraints/restrictions of the existing operational environment) in accordance with an approved research design and methodology (using a State Significant Archaeological Director). It is proposed that this would be appropriate only once a concept approval has been issued.</li> </ul>
<b>4. Sydney Trains</b>	
<p>Sydney Trains requests that construction and operational activities associated with the proposed development do not impact on the existing 'in service' 33kV High Voltage cable located west of the subject site. It is requested that ongoing consultation is required between the Applicant and Sydney Trains during the life of the project to ensure the continued protection of the subject cable at each stage of the development.</p>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• Meetings have been held with TrNSW and TransDev to discuss the development proposal.</li> <li>• It is assumed that the existing HV is located within the light rail property boundary. As such, any proposed works adjacent to the light rail corridor should not impact on this HV. Nonetheless, the location of this HV will be considered in detailed designs to ensure no damage is done and to comply with Safety in Design requirements.</li> <li>• Refer to Utilities Report appended to this RTS for further details.</li> </ul>
<b>5. Sydney Water</b>	
<p><u>Water Servicing</u></p> <ul style="list-style-type: none"> <li>• Potable water servicing should be available to serve the development.</li> <li>• Amplifications, adjustments, and/or minor extensions may be required.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> </ul>
<p><u>Wastewater Servicing</u></p> <ul style="list-style-type: none"> <li>• Wastewater servicing should be available to serve the development.</li> <li>• Amplifications, adjustments, and/or minor extensions may be required.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> </ul>
<p><u>Stormwater</u></p> <ul style="list-style-type: none"> <li>• Within the current site footprint there is an existing Sydney Water 2700x1725 RC stormwater channel. As the redevelopment is understood to utilise this same footprint, requirements for Sydney Water's stormwater assets will apply to this site. The proponent should ensure that satisfactory steps/measures are taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to</li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• Refer to Flooding, Stormwater and WSUD Report and Utilities Report appended to this RTS for further details.</li> <li>• The protection of existing stormwater assets is able to be dealt with during the detailed design phase, with suitable conditions able to be imposed.</li> </ul>



Issue	Response
<p>stormwater assets and building bridges over stormwater assets. Particular considerations regarding protection during demolition and construction will be also be required.</p> <ul style="list-style-type: none"> <li>The proponent is required to liaise with Sydney Water regarding measures which must be taken prior to commencement of any works and the required protection measures which are to be implemented as a part of this development.</li> </ul>	<ul style="list-style-type: none"> <li>Further consultation will also be undertaken during future design stages of the development. Any future design will be undertaken in accordance with Sydney Water build over policy.</li> </ul>
<p><u>Recycled Water and Water Reuse</u></p> <ul style="list-style-type: none"> <li>While there is no existing Sydney Water recycled water supply to this area, Sydney Water is open to working in partnership with developers to consider recycled water servicing solutions that may offset potable water demands.</li> <li>Consideration should be given for rainwater capture and stormwater runoff reduction.</li> <li>The proponent is advised to contact their Sydney Water Account Manager to investigate the potential for a commercial arrangement to supply recycled water to the development.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Indicative sizing of rainwater tanks has been considered as part of the Water Sensitive Urban Design (WSUD) strategy.</li> <li>Mirvac and its project team will continue to liaise with Sydney Water during the detailed design phase, including any opportunities for reducing mains water use (e.g. through recycled water).</li> <li>Refer to Flooding, Stormwater and WSUD Report appended to this RTS for further details.</li> </ul>
<b>6. Transport for NSW</b>	
<p><u>Sydney Light Rail – Inner West Line</u></p> <p>It is requested that the applicant be conditioned to the following:  <i>The applicant shall undertake the following as part of any Stage 2 development application:</i></p> <ul style="list-style-type: none"> <li><i>Consult with TfNSW, Sydney Light Rail Operator and Sydney Trains with regard to the details of the required documentation and all design elements of the proposed development that interface with the light rail corridor, in particular, demolition of and construction of the new pedestrian bridge links over the light rail corridor; and</i></li> <li><i>Prepare a report on how the development complies Asset Standards Authority (ASA) standard - External Developments - T HR CI 12080 ST and Development Near Rail Corridors and Busy Roads – Interim Guideline (NSW Department of Planning, 2008)</i></li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Meetings with Transport for NSW South Wales (TfNSW) and TransDev have already occurred to discuss the development proposal. It was noted in meetings held to date that the development project was supported in principle.</li> <li>Further consultation will be undertaken with the relevant stakeholders as detailed design progresses.</li> <li>Refer to Traffic and Transport Impact Assessment appended to this RTS for further details.</li> </ul>
<p><u>Construction Pedestrian and Traffic Management</u></p> <p>It is requested that the applicant be conditioned to the following:  <i>The applicant shall prepare a draft Construction Pedestrian and Traffic Management Plan in consultation with Sydney Coordination Office within TfNSW and the Sydney Light Rail Operator as part of preparation of any Stage 2 development application.</i></p>	<ul style="list-style-type: none"> <li>Noted.</li> <li>A Construction and Environmental Management Plan has been prepared in support of the Concept Proposal.</li> <li>It is noted that the Concept Proposal now seeks approval for Stage 1 demolition works also. Accordingly, a Traffic Management Plan has accordingly been prepared in relation to these stage 1 works and appended to the RTS.</li> <li>A draft Construction Pedestrian and Traffic Management Plan will also be prepared as part of the Stage 2 application in relation to the main site works.</li> </ul>
<p><u>Vehicular Management</u></p> <p>It is advised that the vehicles queuing to access this drop off zone may cause delays and block vehicles on Darling Drive. In addition, any queuing due to vehicles accessing the car</p>	<ul style="list-style-type: none"> <li>In response to submissions the proposed vehicular drop-off has been reviewed and revised. The concept now involves a drop-off facility with an entry at the bottom of the down ramp and egress from the existing roadway adjacent to the Sofitel hotel. Arcadis have completed a swept path analysis, capacity testing and traffic modelling to prove up</li> </ul>

Issue	Response
<p>park and loading and servicing area may also cause delays and block vehicles on Darling Drive.</p> <p>It is requested that the applicant be conditioned to the following:  <i>The applicant shall undertake the following as part of any Stage 2 development application:</i></p> <ul style="list-style-type: none"> <li>• <i>Queuing analysis and/ or traffic modelling to demonstrate the drop off area has adequate capacity and propose mitigation measures to ensure queuing on Darling Drive does not occur, to the satisfaction of TfNSW; and</i></li> <li>• <i>Prepare a draft drop off zone management plan to manage vehicles accessing the site and a draft car park and loading dock management plan.</i></li> </ul>	<p>this concept. Further detailed design modelling will be completed during the next phases of the project.</p> <ul style="list-style-type: none"> <li>• Refer to Traffic and Transport Impact Assessment appended to this RTS for further details.</li> </ul>
<p><u>Coach Parking</u></p> <p>It is requested that the applicant be conditioned to the following:  <i>The applicant shall assess the likely cumulative future demand for the SICEEP development and the Harbourside development and identify alternative locations for coach parking if required, in consultation with the Sydney Coordination Office within TfNSW, as part of any Stage 2 development application.</i></p>	<ul style="list-style-type: none"> <li>• It is not anticipated that coach parking will be required for the proposed retail element of the development, with the majority of the non-residential component of the indicative design being commercial office space.</li> <li>• Opportunities also exist to utilise coach parking within Harbourside Place as required.</li> </ul>
<p><u>Pedestrian network</u></p> <p>It is requested that the applicant be conditioned to the following:  <i>The applicant shall undertake pedestrian modelling of the pedestrian network surrounding the proposed development, in consultation with Sydney Coordination Office within TfNSW, to demonstrate adequate capacity for pedestrian movements is provided with the proposed development, as part of any stage 2 development application.</i></p>	<ul style="list-style-type: none"> <li>• A pedestrian report has been prepared by Urbis and appended to the RTS.</li> <li>• Overall, the proposal will result in significant improvements to the pedestrian network across and linking with the site.</li> <li>• The proposed pedestrian network will link up with the existing pedestrian network and the initiatives developed under the SICEEP development mainly consisting of the main waterfront promenade which will be increased in width by 474sqm. This will include widening the southern and northern ends. This widened promenade will provide sufficient capacity to cater for peak pedestrian demand anticipated during events at the precinct.</li> <li>• The new Bunn Street bridge will ensure local residents, visitors and workers enjoy upgraded access and connectivity to Darling Harbour and by extension the Sydney CBD. Modelling has been undertaken by Urbis in relation to this proposed new pedestrian bridge, confirming it will achieve a Level of Service A (free circulation) in 2056.</li> <li>• The concept proposal has also been informed through close collaboration with the landowner, Place Management NSW who have overall responsibility for Darling Harbour.</li> </ul>
<p><u>Darling Drive Cycleway</u></p> <p>It is requested that the applicant be conditioned to the following:  <i>As part of any Stage 2 development application, the applicant shall undertake a Road Safety Audit for the concept proposal to the cycleway/ drop off area, in accordance with Austroads Guide to Road Safety Part 6: Managing Road Safety Audits and Austroads Guide to Road Safety Part 6A: Implementing Road Safety Audits by an independent TfNSW accredited road safety auditor. Based on the results of the road safety audit, the applicant shall review the design drawings and implement safety measures if required, in consultation with the Sydney Coordination Office within TfNSW.</i></p>	<ul style="list-style-type: none"> <li>• Noted and agreed, a road safety audit will be undertaken during the Stage 2 DA regarding the interface with existing cycleways to ensure safety of cyclists is assessed and maintained.</li> </ul>

Issue	Response
<p><u>Wayfinding Strategies</u></p> <p>It is requested that the applicant be conditioned to the following:  <i>The applicant shall develop wayfinding strategies and travel access guides to assist with increasing the mode share of walking and cycling as part of any Stage 2 development application.</i></p>	<ul style="list-style-type: none"> <li>• Noted, wayfinding will be incorporated within the development.</li> <li>• A wayfinding strategy and Travel Access Guide will be developed and submitted as part of the Stage 2 DA.</li> </ul>