



2 October 2020

Jim Betts
Secretary
Department of Planning, Industry and environment
4 Parramatta Square, 21 Darcy Street
Parramatta NSW 2150

Attention: David Glasgow – Principal Planner, Key Sites Assessment

Dear Jim,

**Public Benefit Offer
Harbourside Shopping Centre Redevelopment State Significant Development
Application SSD 7874**

1. Introduction

Mirvac Projects Pty Limited (Mirvac) has prepared the following offer to enter into a Voluntary Planning Agreement (VPA) with the Department of Planning, Industry and Environment (DPIE) associated with the State Significant Development Application for the redevelopment of the Harbourside Shopping Centre in Darling Harbour.

The VPA is intended to formalise the affordable housing monetary contribution, which forms part of a comprehensive package of public benefits to be funded and delivered by Mirvac as part of the redevelopment of Harbourside.

2. Background

Mirvac is proposing to redevelop the existing Harbourside Shopping Centre in Darling Harbour into a new mixed precinct comprising a retail/commercial podium and integrated residential tower above.

The project involves the delivery of a number of public benefits including:

2.1 Public Domain Works in Kind

- Mirvac will fund and deliver 8,200m² of public domain works in kind, including:
 - a widened waterfront boulevard to enhance precinct connectivity and the waterfront experience
 - a new plaza adjacent to Pyrmont bridge called 'Guardian Square'
 - new ribbon Stairs adjacent to Pyrmont bridge to improve access between Pyrmont bridge and the waterfront
 - new event steps activating the waterfront boulevard
 - a new central through site link connecting the waterfront and the new Bunn Street pedestrian bridge
 - a new pedestrian bridge linking with Bunn Street Pyrmont
 - retention and upgrade of the northern pedestrian bridge
- For further details, refer Response to Submissions and Further Amended Concept Proposal prepared by Ethos Urban, dated October 2020.

2.2 Fund for future activation works

- Mirvac will provide a fund for future activation works in the immediate precinct.
- The fund will be used for works such as public art, specialist lighting, WI-FI, AV&PA, with the final scope and design to be agreed with Place Management NSW during detailed design.
- For further details, refer Response to Submissions and Further Amended Concept Proposal prepared by Ethos Urban, dated October 2020.

2.3 Affordable housing contribution

- There is no legislative requirement to provide affordable housing.
- Mirvac's public benefit offer includes a monetary contribution of \$5.2m for the delivery of affordable housing.

This letter has been prepared to outline Mirvac's offer to enter into a VPA in accordance with section 7.4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), specifically for the affordable housing component of the public benefits offer. The essential terms of the VPA offer are set out below.

The other components of Mirvac's public benefits offer, including the public domain works in kind and future activation fund will be secured through a combination of implementing the Concept Proposal and future Stage 2 development consents and the final agreement (e.g. Agreement for Lease, Project Development Agreement etc) reached between Mirvac and the NSW Government as part of the Unsolicited Proposal process. This approach to securing public benefits is consistent with other projects delivered across Darling Harbour.

3. Proposed Development to which VPA relates

The VPA relates to the State Significant Development Application (SSD 7874) lodged in December 2016 by Mirvac for the redevelopment of the Harbourside Shopping Centre at Darling Harbour. The project seeks concept approval for a mixed-use podium and residential tower providing a maximum of 87,000m² of floor space and a height of RL166.95m.

4. Land to which the VPA applies

The VPA is to apply to the existing Harbourside Shopping Centre along with adjoining land as described in **Table 1**.

Table 1 – Legal description and ownership of the site

Lot 1 DP776815	Sydney Harbour Foreshore Authority
Lot 2 DP776815	Sydney Harbour Foreshore Authority
Lot 3 DP776815	Sydney Harbour Foreshore Authority
Lot 4 DP776815	Sydney Harbour Foreshore Authority
Lot 5 DP776815	Sydney Harbour Foreshore Authority
Lot 6 DP776815	Sydney Harbour Foreshore Authority
Lot 7 DP776815	Sydney Harbour Foreshore Authority
Lot 8 DP776815	Sydney Harbour Foreshore Authority
Lot 9 DP776815	Sydney Harbour Foreshore Authority
Lot 10 DP776815	Sydney Harbour Foreshore Authority
Lot 12 DP776815	Sydney Harbour Foreshore Authority
Lot 13 DP776815	Sydney Harbour Foreshore Authority
Lot 14 DP776815	Sydney Harbour Foreshore Authority
Lot 15 DP776815	Sydney Harbour Foreshore Authority
Lot 17 DP776815	Sydney Harbour Foreshore Authority
Lot 1010 DP 1147364	Sydney Harbour Foreshore Authority
Lot 1002 DP 844561	Sydney Harbour Foreshore Authority

5. Parties to the VPA

It is anticipated that the parties to the VPA will be Mirvac, the landowner (Place Management NSW / Sydney Harbour Foreshore Authority) and the Minister for Planning and Public Open Spaces.

6. Exclusion of Development Contributions

It is noted that there are no contributions plans that currently apply to the subject site. In the event a contribution plan is adopted in the future, the VPA (together with the other public benefits to be provided) excludes the application of Sections 7.11, 7.12 or 7.24 of the EP&A Act to the development.

7. Terms and milestones for provision of the public benefit

The proposed development provides a unique opportunity for Mirvac to redevelop a tired and no longer fit for purpose asset and ensure the final piece in the transformation of Darling Harbour is complete.

Mirvac's proposal will result in significant public benefits, including as provided below at the following stages for any development that relies on the Development Application SSD 7874:

Item.	Description	Milestone / Comment
Affordable Housing Contribution	Mirvac will make a monetary contribution towards affordable housing. The monetary contribution shall be \$5,200,000, fixed and not indexed.	To be paid to the Department prior to issue of the first Construction Certificate for the main building works.

8. Time when the VPA would be entered into

The VPA will be drafted and placed on exhibition close together with the future detailed (Stage 2) DA. The obligations to provide guarantees and contributions will occur upon implementation of the development consent (prior to issue of the relevant construction certification).

9. Conclusion

Following the Department's endorsement of the essential terms of the draft VPA, the VPA can be formally drafted by the parties and placed on public exhibition.

We look forward to progressing the draft VPA and we ask that the Department inform Mirvac of any further requirements to assist it in preparing the draft VPA.

If you require any additional information or wish for us to meet and elaborate further on the above items, please don't hesitate to contact the undersigned on 9080 8302 or david.hogendijk@mirvac.com.

Yours sincerely



David Hogendijk
Development Director – Mixed Use & Major Projects
Mirvac Group