

Harbourside Shopping Centre (SSD 7874) – Consolidated Agency, Government and Organisation Response to Submissions

Item Raised	Proponent’s Response
Independent Urban Design Review Comments (Professor Peter Webber) – February 2018	
ICC Hotel	
<ul style="list-style-type: none">• The Agreement to limit the height to 23.1m for any future development south of the existing galleria is highly restrictive. It would ultimately ensure that the tower component would be located on the northern part. Precisely how far to the south a tower building could be sited without breaching the Agreement is not clear• It should be noted that a tower block on the southern part of the site would not obstruct views from the residential flats at 50 Murray Street, and would likely be less prominent on the skyline since it would be closer to the ICC Hotel tower – if any tower block were to be approved, the southern part of the site would be a far preferable location	<ul style="list-style-type: none">• The proposed tower in the amended Concept proposal was relocated from the north of the site (most constrained part of the site) to the centre of the site (the widest part of the site).• The position of the tower was relocated as far south as an existing agreement will permit, which limits any redevelopment of Harbourside to RL 23.1m south of the existing galleria.• The revised tower position allows for increased setbacks as follows:<ul style="list-style-type: none">- Pyrmont bridge setback: increased from 50m to 135m.- waterfront setback: increased to 32m with the tower located in the widest part of the site.- ICC Hotel: maintains a good relationship with a 77m separation.• The new location of the tower has resulted in greater sharing of view impacts to adjacent buildings, together with reducing overshadowing impacts on the public domain and improved solar amenity to the northern end of the retail centre.
Darling Drive	
<ul style="list-style-type: none">• The constant noise and pollution generated by road and rail traffic, the unattractive outlook at lower levels, and accessibility for street-level pedestrian access to the site is a significant constraint. Over bridges as existing or proposed are essential.	<ul style="list-style-type: none">• The proposed new retail/commercial centre will provide a more attractive outlook compared with looking at the now 30 year old retail centre• The proposal includes pedestrian bridge connections to improve connectivity to the West, including the new pedestrian bridge from Bunn Street and the retention/upgrade of the northern link from 50 Murray Street. Both of these will be retained per the original proposal.• The noise generated from the road and rail is existing and out of the Proponent’s control. It will not be significantly exacerbated. The revised submission retains the new drop off area to the northern end of Darling Drive for retail/commercial use. This forms a 'lid' to the loading area under, thus helping to contain noise and pollution.
Pyrmont Bridge	
<ul style="list-style-type: none">• The heritage item provides a vital and well-use pedestrian link to the city.• Options for reorganisation at the east end are presently under consideration and if there is to be any redevelopment at the west end sensitively designed access to the subject site and waterfront are fundamental considerations.• Any new adjacent development should be discreet in its character and not intrusive in relation to the bridge.• The remnant monorail also has some heritage value and its retention with creative presentation should be considered.	<ul style="list-style-type: none">• The original proposal included a pedestrian bridge connection from the shopping centre at level 2 to Pyrmont Bridge, however, the relocation of the tower envelope 135m towards the south of the site has removed this requirement. Thus, the pedestrian bridge has been deleted from the proposal.• The lower RL25.00 portion of the podium envelope now extends significantly further south as the residential tower has moved. This amendment sees an overall reduction in perceived building bulk adjacent to Pyrmont Bridge.• The repositioning of the residential tower c.135m to the south of Pyrmont Bridge sees a reduction in perceived mass and bulk adjacent to Pyrmont Bridge.• The lower RL25.00 portion of the podium envelope now extends significantly further south as the residential tower has moved. This amendment sees an overall reduction in perceived building bulk adjacent to Pyrmont Bridge.• Retained 10m setback of podium envelope from Pyrmont Bridge (per original DA), compared with the existing 4.76m setback• The amended proposal still proposes the conservation of the Pyrmont approaches and surfaces of the Pyrmont Bridge, in accordance with the Pyrmont Bridge CMP policies• The existing monorail has no heritage value. It will be removed which will allow Pyrmont Bridge to be more readable.
Existing Harbourfront Shopping Centre	
<ul style="list-style-type: none">• The present building fits comfortably into its waterfront context as part of the 1988 redevelopment of Darling Harbour• It is understandable that the opportunity for redevelopment to create an upgraded and more attractive centre which capitalizes on its waterfront potential is under consideration• The submission states that the centre is somewhat “tired and unappealing” and although this is agreed in the case of the interior it is considered that externally it is adequate	<ul style="list-style-type: none">• Darling Harbour has undergone and is still currently undergoing significant rejuvenation and redevelopment. Deloitte estimated this amount of investment and redevelopment at \$16.3bn in 2016. The significant projects include the SICEEP development (Darling Square, International Convention Centre, ICC Hotel), Four Points by Sheraton, The Ribbon (formerly ‘The IMAX’) and the proposed Cockle Bay Wharf redevelopment. Harbourside is the ‘missing link’ in this rejuvenation and modernisation of Darling Harbour.• The existing centre was built in 1988. It is now 30 years old and presents as tired and visually unappealing in the context of above.• The proposal seeks to provide a new world class mixed use development.• Proposed landscaping on the roof at the northern end of the podium will improve the outlook from 50 Murray Street and Pyrmont Bridge rather than a tired and unattractive shopping centre roof.• Furthermore, the current floors to floor heights, structural adequacy and level of waterfront activation and transparency to the upper levels prohibit current best practice in retail (modern retail requirements) and limit opportunities for improved engagement with the public domain.
Podium and Waterfront	
<ul style="list-style-type: none">• A podium design of the nature proposed is supported in principal, subject to the following issues:<ul style="list-style-type: none">a) The pedestrian bridge link from Level 2 to Pyrmont Bridge would interfere with the heritage structure and would be unacceptableb) The observation deck should not cause any additional obstruction of views from the west by comparison with roof profile of the existing building: it appears that this is not the case as proposed but the extent of additional height needs clarification	<ul style="list-style-type: none">• The originally proposed pedestrian bridge from Level 2 linking directly to Pyrmont Bridge has been deleted.• The envelope allows for accessible rooftops for views towards the east. Comparative views between existing and proposed envelope have been provided within this report, refer to Appendix C and Appendix E.

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<ul style="list-style-type: none">c) The top terrace observation deck would offer excellent outlook but its value for other public activities would be limited given that any planting, screening or structures on this deck would impact viewsd) The fifth level of the podium extends for approximately one third of the full length of the site and is not acceptable due to its significant intrusion on views from the weste) Further refinement and setback of the northern end top level to ensure its form is not intrusive to Pyrmont Bridgef) The new overbridge link aligning with Bunn Street should be a more convenient link from the west, further detail is needed in order to understand how it would integrate with Bunn Street. It is also critical that easy public access to the carpark is maintained/improvedg) Reconsider how the podium relates to Pyrmont Bridge and ICC <ul style="list-style-type: none">• Provide a visual analysis / model that compares the existing with the proposed envelopes – illustrating building bulk and massing from potential vantage point	<ul style="list-style-type: none">• Due to the Tower relocation, the amended concept proposal incorporates the addition of further landscaping opportunities on the northern rooftop extent of the retail podium (non-trafficable), further enhancing views and outlook from 50 Murray Street and an enhanced interface with the Pyrmont Bridge.• The overall podium height has been reduced where the tower meets the podium (reducing bulk adjoining the waterfront promenade) as well as at the northern end adjacent to 50 Murray Street, further improving view sharing and reducing the overall mass and bulk adjacent to Pyrmont Bridge. This was possible given the relocation of the residential tower.• The revised proposal maintains the new over bridge link aligning with Bunn Street. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design). The envelope has been designed to facilitate this bridge.
Tower	
<ul style="list-style-type: none">• The tower location would read strongly as an isolated form, far higher than any other buildings on the western waterfront and in Pyrmont to the west• It is also not proposed to be set back behind a podium or lower building forms, as other existing tower buildings around the foreshore are• A tower of this height should only be considered if permissible heights under planning controls in the immediately adjacent area were also reviewed to allow similar or greater heights. This seems highly unlikely in the future, as the existing buildings in these areas are already relatively tall• It would preferable for any buildings of this order of height to be restricted to the Central City and development on sites adjacent to the foreshore set behind podium forms with a height limited to those of existing structures in the area• The subject site is too narrow to accommodate a tower sufficiently set behind a lower building• The proposed tower is for residential uses and does not accommodate activities which have a cultural / civic / spiritual significance which might have justified a prominent taller form	<ul style="list-style-type: none">• The re-positioning of the tower envelope in the centre of the site, provides a generous distance of c.135m between the tower envelope and Pyrmont Bridge, effectively removing any visual relationship between the new tower and the heritage item, whilst maintaining a generous 77m separation to the ICC Hotel.• The position of the tower was relocated as far south as the 23.1m Infrastructure NSW height limit agreement will permit.• The repositioning of the tower to a more central location in the site has allowed greater setbacks to be provided relative to the Waterfront (approximately 32m) and podium envelope (approximately 12m).• The height of the tower has been reduced by 12.6metres from RL 166.35 to RL 153.75. The reduction in the height will minimise overshadowing impacts to the public domain as well as better relate to the height of the ICC Hotel and improve equitable view sharing.• The reduced tower height is considered sympathetic to the adjacent ICC Hotel and aligned with other towers around the Cockle Bay foreshore, both under construction and as proposed, refer to Appendix C.• The tower form is considered consistent with the anticipated future character of Western Darling Harbour, i.e.: well proportioned, suitably spaced towers.• Repositioning the tower to a more central location has accommodated a significant increase in tower / podium set back, i.e.: now 12m to the podium and 32m to the Waterfront.• The proposed residential tower facilitates the redevelopment of the retail podium which in turn realises significant improvements to the public domain which facilitate the cultural activities of Darling Harbour and the SICEEP precinct.
Overshadowing	
<ul style="list-style-type: none">• Although some overshadowing may be mitigated because of the relative slenderness of the tower, they are considered to be negative and undesirable• The tower form is slender; however this has been negated at the lower levels by the wing which protrudes to the south over the 13 lower levels and the podium at Level 5. These significantly exacerbate negative impact on views from lower floors in Ibis and 50 Murray Street	<ul style="list-style-type: none">• The reduction in height of the tower envelope by 12.6m (making it closer in height to the new ICC Hotel, with the original height of RL142m as submitted, but approved and built to RL 133m) will also serve to minimise overshadowing impacts to the public domain.• As noted, the residential tower is slender, therefore associated shadow will be fast moving, not increasing the overshadowing of the foundation any more than existing surrounding development.• Shadow diagrams are illustrated within Supplementary Architectural Report at Appendix C. The amended shadow diagrams identify that mid-winter shadow impacts to the waterfront are limited to after 1.00pm and are considered acceptable given overall improvement to the public domain and overall precinct.• The tower form has been adjusted such that the 'wing' to the lower levels has been removed, thus improved view sharing from the west.• By moving the tower to the centre of the site, the entire northern half is not overshadowed. This includes the public domain, including the waterfront promenade, event steps and Ribbon steps It also eliminates overshadowing to 50 Murray Street and the Ibis hotel.
Impact on Views	
<ul style="list-style-type: none">• Views would be serious in relation to the residential apartments at 50 Murray Street and the adjoining Ibis Hotel• If the tower was located at the southern end, view impacts would have been within acceptable limits but this location has been precluded by the Agreement with ICC Hotels	<ul style="list-style-type: none">• The repositioning the tower provides for significantly improved view sharing for the residential apartments at 50 Murray Street and the adjoining Ibis Hotel. The form of the tower has also been adjusted such that the previous larger floorplates (referred to as 'wing' in the submissions) to the lower levels have been removed. The visual presence of the proposed tower is minimised by making it rectangular in plan and orienting it so that its short sides face east and west. The envelope has been shaped to allow for future articulation without adding to the visual impact on 50 Murray Street.• The tower has been moved as far south as the Infrastructure NSW Agreement will permit. This limits any future redevelopment to a maximum height of RL23.1m south of the galleria of the existing retail centre. The amended proposed envelope reflects this.
Independent Urban Design Review Comments (Professor Peter Webber) – May 2018	
Tower	
<ul style="list-style-type: none">• The tower location is a very significant improvement by comparison with the original:-<ul style="list-style-type: none">a) No unacceptable impact on views from 50 Murray Street residential apartments, or Ibis hotel, but significant impacts on views from Novotel, which could be accepted in view of the commercial transient nature hotel residential accommodation.b) Generally could be acceptable in relation to visual impact from adjacent waterfront, and Pyrmont Bridge	<ul style="list-style-type: none">• Noted.• Shadow diagrams have been prepared in support of the Amended Concept Proposal and included within Appendix C.

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	<ul style="list-style-type: none">• The podium building envelope ranges in height from RL15.5 to RL30.5.• To the south of the tower the podium steps down in form by RL 23.1 to RL20.5 and the most southern portion of the podium steps down to RL15.5. The podium is modulated with the drop-in levels to ensure a positive built form relationship and provide equitable view sharing is possible from the ICC Hotel, to retain views of Pyrmont Bridge, Darling Harbour, Barangaroo and the CBD and the view deck and restaurant.• The illustrative scheme shows all roof top areas of the podium as activated or with non-accessible landscaping. Non-accessible landscaped (green) areas are provided where privacy, security and noise to adjacent neighbouring residences has been given precedence.• By moving the tower to the centre of the site, there is now a potential opportunity to landscape the roof of the northern end of the retail/commercial podium with low level planting and shrubs. This is not designed to be trafficable (to avoid noise issues and height constraints with installing a balustrade). The indicative design maximises use of the envelope. However, it will embellish this northern end, providing an attractive outlook for residents in 50 Murray St, Ibis and buildings looking across from the eastern side of Cockle Bay.• The southern podium rooftops include areas proposed to be publicly accessible, facilitating views to Darling Harbour, Pyrmont Bridge, the CBD and Barangaroo. The illustrative scheme shows all roof top areas of the shopping centre as activated or with non-accessible landscaping. The option of Non-accessible landscaped (green) areas will provided where privacy to adjacent neighbouring (existing and future) residences has been given precedence. There is a balance that needs to be considered in terms of providing activation but also dealing with the surrounding existing and future residential context. This aspect can be further explored as part of the future competitive design and detailed design phase.• A potential events strategy for the public open spaces is identified Aspect Studios Urban Design report at Appendix D. Uses and activation of the ribbon stair include utilising furniture which responds to stair seating design and opportunities for art and lighting concepts. A design and events strategy will be finalised in the detailed Stage 2 DA and subject to agreement between the Proponent and Place Management NSW.• A visual analysis model that compares the existing shopping centre with the proposed building envelopes and illustrates the changes in the building bulk and massing as viewed from the potential vantage points (including properties on Murray Street, Bunn Street, Pyrmont Bridge and the waterfront promenade on both eastern and western side of Cockle Bay) is attached at Appendix C and Appendix E.
Public domain and connectivity	
<ul style="list-style-type: none">• Provide additional information on how the proposal will integrate and improve the existing pedestrian / cycling network between Pyrmont, Darling Harbour and the CBD• Look at the Bunn Street connection having regard to the existing constrained access from Bunn Street between Novotel and Ibis Hotel• Means and capacity for any vertical connection and measures to improve accessibility and way finding through the site and surrounds• Delineation of the public and/or private access and open spaces, especially across the podium level and access to the proposed residential tower• Opportunities to activate the western façade / Darling Drive and improve visual connection between the waterfront promenade to the Convention Centre Light Rail Station / Darling Drive and to complement the shared zone area / Harbourside Place• Clarify and justify the proposed changes to the waterfront promenade including details on capacity of event steps (seating, circulation, evacuation), illustration on how the width of publicly accessible area on the waterfront promenade will integrate with the forecourt of the ICC, clarify relationship between Cockle Bay public domain and wharf area	<ul style="list-style-type: none">• The proposed cycle network will be consistent with the existing cycle network together with the improved network provided with the SICEEP development. The proposed cycle access for the Harbourside development will include the Darling Drive cycle network and the internal cycle route within the Darling Harbour Precinct via Tumbalong Park. Access to the development will be enhanced at key entry points for cyclists with facilities provided where necessary. No new cycle routes will be developed.• The revised proposal maintains the new bridge connecting from Bunn Street to the podium. The proposed Bunn Street Bridge integrates with the centre at podium and provides direct access from street level into the centre. The new Bunn Street bridge ensures pedestrians using the bridge would not be adversely affected by traffic noise and pollution and addresses the lack of street-level pedestrian access from Pyrmont to the waterfront.• The new connection will negate the current cumbersome navigation through a carpark and will provide a direct and straight link to the waterfront. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission.• Vertical connections will be provided via publicly accessible lifts, escalators and pedestrian stairs. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission. A direct link from the resident lift lobby provides good access to public transport (ferries, light rail and buses) and taxis.• Wayfinding strategies and travel access guides to assist with increasing the mode share of walking and cycling will be developed during future design stages of the development.• The delineation of the public and private access and open spaces are provided in the Supplementary Public Domain Report attached at Appendix D. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission.• The envelope allows for a high level of activation to the western façade / Darling Drive and improves visual connection between the waterfront promenade to the Convention Centre Light Rail Station / Darling Drive. The illustrative scheme indicates how this can be achieved. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission.• In terms of the proposed changes to the waterfront promenade, refer to the Supplementary Public Domain Report attached at Appendix D which includes sections (with dimensions) through the Waterfront promenade. It also outlines, how the walkways will be potentially populated and activated with appropriate paving, seating and shade canopies.• The Supplementary Public Domain Report (Appendix D) provides capacity calculations for the Event Steps in standing and seating modes including an outdoor cinema seating capacity of 250 people sitting or 1090 people standing. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission.• In terms of other events on the waterfront promenade, there could be potential capacity for Tai Chi and Yoga during the Chinese New Year celebrations with a capacity of 550 or markets for 230 stalls with an area of 1500sqm.• The waterfront promenade will be widened to 20m for the majority of the promenade decreasing to 14m in the north to provide improved connectivity, integration with the surrounding precinct and waterfront experience. Page 20 of the Supplementary Public Domain Report attached at Appendix D report shows how the existing promenade will be increased by 474sqm and compares existing to proposed.• As Darling Harbour is undergoing significant redevelopment and repositioning, connectivity with existing and proposed connections is a critical component of the proposal. The vision is for seamless pedestrian connections linking the flow and movement along the foreshore, from the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) in the south, to Pyrmont Bridge in the north and beyond.• The inclusion of the 20m wide waterfront promenade, will form the main spine and circulation of the public domain and will connect to the public domain area in the south in front of SICEEP. It will also link with the event stairs in the middle of the site which connects with the Bunn Street pedestrian bridge at the upper levels of the podium, providing another pedestrian access point through to Pyrmont. The waterfront promenade will join up with the ribbon stairs in the north of the site which links to Pyrmont Bridge and connect pedestrians to Pyrmont in the west and the

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		CBD in the east. The proposed pedestrian linkages have been included as an integrated component of the amended Concept Proposal and will connect the development to the surrounding public transport nodes.
Strategic Planning Objectives, Land Use and Compatibility		
<ul style="list-style-type: none">Justification for the need and consistency of the residential component with respect to the relevant planning framework – Darling Harbour Development Plan No. 1, SREP Sydney Harbour Catchment 2005, draft Eastern City District Plan and the City of Sydney Council's proposed Central Sydney Planning StrategyIdentify measures needed to maintain an acceptable level of amenity for the proposed residential apartments and consider compatibility of the residential component of the proposal<ul style="list-style-type: none">a) Need to maintain vibrant late night outdoor dining and entertainment activities in the immediate surrounds and the hosting of major events along the Darling Harbour foreshore promenade and Cockle Bayb) Opportunities to activate the roof top areas of the shopping centre as an extension of the public domain or additional public pedestrian connections		<ul style="list-style-type: none">The provision of indicatively 357 apartments will contribute to achieving the NSW governments 20-year housing target of 725,000 additional homes by 2036 and will provide for the housing needs of the community. The proposal will be supplying a variety and different types of housing which will also reduce the pressure on rising house prices and give options to the general public.The proposed residential tower located above a mixed use retail/commercial centre in Darling Harbour provides both functionality and connectivity as it is in close proximity to services, transport nodes, employment and optimises the distribution of people and goods in and out of space. The residential component will add vibrancy by injecting local residents into Darling Harbour and ensure that Darling Harbour supports Sydney as a 24-hour global city.The residential component will also guarantee that the redevelopment supports a true mixed-use precinct. The proposal will enable other land uses that provide facilities or services to meet the day to day needs of residents. The residential use will not undermine the functionality or experience of Darling Harbour as a tourism and convention centre precinct.Refer to the Section 2.7 in the Response to Submission report in relation to the need and justification of the proposed residential land use and to the additional relevant planning framework.In terms of balancing the late-night outdoor dining and entertainment activities in the immediate surrounds with the residential amenity, the proposal locates the first residential level over 25 metres above ground level and it is set back approximately 12m from the podium. The position of residential uses off and up from the ground will greatly assist in addressing potential reverse amenity impacts associated with the surrounding context. The orientation of the envelope and indicative scheme (where the majority of apartments face south and north (perpendicular from Cockle Bay) is also a key design feature built in to address amenity considerations.Appropriate amenity at a detail level, e.g.: facade treatments, wintergardens, and acoustics will be integrated during design development as part of the state signification development application (SSDA Stage 2 for detailed design) process. Further consideration can also be had as part of the competitive design process, with specific design objectives included as part of the competition brief.The illustrative scheme shows all roof top areas of the revitalised centre as activated or with non-accessible landscaping. The option of Non-accessible landscaped (green) areas will provided where privacy to adjacent neighbouring (existing and future) residences has been given precedence. There is a balance that needs to be considered in terms of providing activation but also dealing with the surrounding existing and future residential context. This aspect can be further explored as part of the future competitive design and detailed design phase.
Heritage		
<ul style="list-style-type: none">Further consideration on impacts to Pyrmont Bridge including:<ul style="list-style-type: none">a) Deletion / amendments to the proposed level 2 direct pedestrian bridge connection from the shopping centre podium to the bridge in terms of visual and physical impacts.b) Options to increase setbacks of projecting building elements above the bridge deck level to further open views to and from the Bridge to minimise visual impacts.Provide a revised Statement of Heritage Impact, Aboriginal Heritage Due Diligence Assessment and Mitigation Measures addressing the requirements detailed in the submission from the Heritage Council.		<ul style="list-style-type: none">The relocation of the tower to c.135m setback from Pyrmont Bridge removes any negative visual impact presented by the development to the heritage listed Pyrmont Bridge. The relocation of tower has removed visual connectivity with Pyrmont Bridge.The proposal includes the deletion of the proposed pedestrian bridge from the podium to Pyrmont Bridge. Therefore, the amended proposal does not propose physical or visual impact to any heritage item or significant heritage fabric.The existing Harbourside complex provides virtually no setback from the bridge and is unsympathetic to the bridge in its current iteration. Therefore, the replacement of the existing interface with a c.10m setback of the retail podium from the Bridge, will be a positive visual impact to the form and presentation of the heritage item in its setting and context along the western side of Darling Harbour.The existing monorail has no heritage value and it will be removed which will allow the heritage significance of Pyrmont Bridge to be more readable.Curio have prepared a detailed response to the comments raised by the Heritage Council (refer to revised Statement of Heritage Impact included in Appendix J). Refer also to detailed response to Heritage Council comments below. In summary, the original report prepared by Curio in support of the DA together with the steps and actions to be undertaken during preparation of the Stage 2 DA and imposition of future detailed conditions are considered to address the comments raised by the Heritage Council.
Design Excellence		
<ul style="list-style-type: none">A revised Design Excellence Strategy prepared in consultation with the Government Architect and the Department addressing the Government Architect's Design Excellence Guidelines and integration of the design excellence process for both the tower and podium		<ul style="list-style-type: none">A revised design excellence strategy has been submitted and is included at Appendix T.The revised Design Excellence Strategy has been prepared by the proponents Mirvac Projects Pty Ltd to support the Concept Proposal for the redevelopment of the Harbourside Shopping Centre at Darling Harbour, Sydney. The proponent consulted with the Government Architects in August 2018 regarding the revised Design Excellence Strategy.The Strategy has been prepared having regard to both the Government Architects Design Excellence Guidelines (Draft, May 2018) and City of Sydney Competitive Design Policy 2012.The proponent has elected to carry out an invited single stage competitive design process as the design excellence process associated with the development, with a minimum of three (3) invited competitors/design teams. The design excellence competition will integrate both the tower, podium and public domain.
Other Issues		
<ul style="list-style-type: none">Submit a revised ESD report demonstrating sustainable building principles, particularly for the retail componentRevise/update the Wind Assessment to demonstrate that the open space and public domain areas will meet the relevant comfort criteriaIdentify the public benefits proposed, including quantity and quality of the open space, connections, public domain etc.		<ul style="list-style-type: none">A revised ESD report has been prepared by Cundall and is attached at Appendix N. The revised ESD report demonstrates sustainable building principles including targeting 5 Star Greenstar for retail/commercial, and 4 star Greenstar for residential, along with 5.5 Star NABERS energy and 3.5 Star NABERS Water for commercial and 4.5-Star NABERS Energy and 4 Star NABERS Water for retail.

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<ul style="list-style-type: none">• Submit a revised transport and access report incorporating addition information requested from TfNSW, prepared in conjunction with the CBD Coordination Office and RMS• Revise the related site investigation reports (groundwater management, acid sulfate soil, contamination, salinity) to confirm the suitability of the site	<ul style="list-style-type: none">• A revised Wind report has been prepared by CPP and is attached at Appendix H. The report notes that the amended proposal is expected to result in similar wind conditions to the originally submitted proposal, with slightly improved wind conditions around the waterfront area. The report goes into detail about how the amended concept proposal open space and public domain will meet the relevant comfort criteria.• A public benefit offer prepared by Mirvac is included at Appendix P. This report outlines the public benefits proposed including works and benefits.• The public benefit offer includes the following:<ul style="list-style-type: none">a) Waterfront promenade: Widening of the waterfront promenade and embellishments to provide much improved connectivity and waterfront experienceb) Event Steps: Generous space for people to meet and greet and enjoy the northern sunc) Ribbon Stairs: An increased building setback from Pyrmont bridge for improved connectivity and showcasing of the heritage bridged) Pyrmont Bridge: An upgrade of the paving at the western entry to the bridgee) Bunn Street bridge: A new pedestrian bridge providing a vital and direct link from Pyrmont through to the waterfrontf) Central through site link: a new pedestrian connection link the waterfront through Bunn St bridge and beyond.g) 50 Murray St bridge: Retention of the existing bridgeh) Green roofs: Landscaping of roofs to provide attractive and embellished spacesi) The waterfront promenade will be widened to provide improved connectivity, integration with the surrounding precinct and waterfront experiencej) The VPA is to be used to ensure the activation of the public realm directly around Harbourside, and may be invested in public domain works such as;<ul style="list-style-type: none">k) Activation under Pyrmont Bridge undercroft;l) Architectural lighting, art installations & wayfindingm) Furnituren) WI-FI, AV & PA, lasers & CCTVo) The final scope is to be detailed by Mirvac with approval from Place Management NSW andp) An affordable Housing contribution.• A revised traffic and transport impact report prepared by Arcadis is at Appendix F. Refer to TfNSW comments below for a response to their submission. Following the exhibition of the EIS, the proponent met with TfNSW in August 2018.• Revised investigation reports including a preliminary Acid Sulfate Soils Report, Appendix R, a site contamination report attached at Appendix Q and a Preliminary Remedial Action Plan prepared by Coffey attached at Appendix S confirm the suitability of the site. Coffey recommends that detailed investigation of fill materials is conducted following determination of the Concept Proposal. This will be included in the Stage 2 detailed DA.
Place Management NSW – 22 February 2017	
<ul style="list-style-type: none">• The following aspects require further consideration:<ul style="list-style-type: none">a) Height and positioning of the proposed tower envelope in the context of the western bank of Cockle Bay and wider context of Darling Harbourb) To improve the scale of the proposed retail podium, its relationship with the foreshore promenade and public views towards the Pyrmont Bridge should be consideredc) The proposed public benefits including site linkages, podium level open space, connectivity should be unique and beneficial to the public to justify the scale of the developmentd) The introduction of a residential tower on the valley floor and how this marries with the use of Darling Harbour’s valley floor• DPE is advised that landowners consent for the development has not been granted.	<ul style="list-style-type: none">• The proposed tower in the amended Concept proposal was relocated from the north of the site to the centre of the site (the widest part of the site). The position of the tower was relocated as far south as the 23.1m Infrastructure NSW height limit agreement will permit.• The new location of the tower will help minimise view impacts from 50 Murray Street, together with reducing overshadowing impacts on the public domain and improved solar amenity to the northern end of the retail centre.• The revised tower position allows for an increased setback from the heritage listed Pyrmont Bridge of 135m, an improved relationship to the waterfront with a 32m setback and will maintain a good relationship with the ICC Hotel with a 77m setback. The tower will be setback 12m from the podium which will also improve the relationship with the foreshore and the podium with the tower and allow for public views from the foreshore to Pyrmont Bridge.• The podium envelope has been reduced to accommodate one less level of retail - now Ground plus three upper levels. Following feedback during the DoP’s workshops (January – June 2018), the podium envelope has been further adjusted to reduce the perceived bulk and mass when viewed from the Waterfront, notably adjacent to the proposed Event Steps, and further refinements have been made to enhance view sharing for 50 Murray, particularly views from the low rise apartments at the south• The proposed residential tower facilitates the redevelopment of the retail podium which in turn realises significant improvements to the public domain which facilitate the cultural activities of Darling Harbour and the SICEEP precinct.• Place Management NSW provided Landowner’s Consent on 26 February 2018.
Place Management NSW – 26 February 2018	
<ul style="list-style-type: none">• Based on the submitted documentation, and following consideration under the Framework for Land Owner’s Consideration of State Significant Development, Place Management grants landowners consent, subject to conditions.	<ul style="list-style-type: none">• Noted.• The proponent has continued to consult and collaborate with PMNSW, with amended Land Owners Consent received.
<ul style="list-style-type: none">• Design development within the envelope is to minimise existing levels of solar access along the foreshore.	<ul style="list-style-type: none">• Noted. The amended Concept Proposal has been revised in order to provide an improved physical and solar access relationship along the waterfront promenade.• The future detailed design will cotinine to focus on further improving solar access along the foreshore to Darling Harbour.
<ul style="list-style-type: none">• Design development and any proposed works to Pyrmont Bridge is required to be in accordance with the Pyrmont Bridge Conservation Management Plan.	<ul style="list-style-type: none">• Noted.

Item Raised	Proponent’s Response
	<ul style="list-style-type: none">• The future detailed design will have due regard to the Pyrmont Bridge CMP.
<ul style="list-style-type: none">• Public access to rooftops will need to be developed and agreed, with covenants required to ensure ongoing public access.	<ul style="list-style-type: none">• Noted.• The amended Concept Proposal adopts a balanced approach to the future design of the rooftops, providing much improved visual amenity and ESD outcomes while also providing visitors and locals much needed additional publicly accessible spaces in which to enjoy Darling Harbour.• Covenants will be detailed following detailed design excellence process.
<ul style="list-style-type: none">• Pedestrian connections between Pyrmont and Darling Harbour will need to resolve public/private arrangements and need for 24-hour activation.	<ul style="list-style-type: none">• Noted.• Mirvac are committed to providing much needed and improved pedestrian connections between the waterfront and Pyrmont and more broadly the Bays precinct. This includes a commitment to providing 24/7 access.
<ul style="list-style-type: none">• An activations plan is to be developed during design development and endorsed by Place Management.	<ul style="list-style-type: none">• Noted. Aspect Studios (refer to Appendix D) have developed an initial concept and potential activation opportunities (for the Ribbon Stairs, Bunn St Bridge, Waterfront promenade etc) that will be further developed in close consultation with Place Management NSW.
Transport for New South Wales	
Sydney Light Rail – Inner West Line	
Ongoing consultation with the applicant TfNSW, light rail operators, and Sydney Trains is required during the design and construction as there are a number of construction and operational issues resulting from the demolition of the existing pedestrian footbridge from the Harbourside car park at the Convention stop and the construction of the Bunn Street footbridge across the light rail corridor.	<ul style="list-style-type: none">• A revised traffic and transport impact report prepared by Arcadis is at Appendix F. Refer to TfNSW comments below.• Arcadis and Mirvac met with TfNSW and RMS in August 2018. No further consultation has occurred as the feedback provided is considered to remain relevant.• Ongoing consultation will be undertaken between the applicant, TfNSW, the light rail operator, and if required, Sydney Trains during the design and construction of the proposed development, with regard to all design elements of the proposed development that interface with the light rail corridor. In particular, this relates to the demolition and construction of the new pedestrian bridge links over the light rail corridor.• A pedestrian report has been prepared by Urbis and contained in Appendix I and which highlights improved pedestrian connections.• Detailed pedestrian modelling will be undertaken during future design stages to ensure that adequate capacity for pedestrian movements is provided at critical locations within the proposed development footprint and surroundings.
Pedestrian and Traffic Movement	
The Sydney Light Rail is likely to occur at the same time as this development. This will result in a cumulative increase of construction vehicle movement. Ongoing consultation with TfNSW is required.	<ul style="list-style-type: none">• Following the exhibition of the EIS, Arcadis and Mirvac met with TfNSW and RMS in August 2018. No further consultation has occurred as the feedback provided is considered to remain relevant.• Ongoing consultation will be undertaken between the applicant and the CBD Coordination Office within TfNSW during the design and construction of the proposed development with regard to an assessment of other potential cumulative construction activities that may be relevant at the time of the Harbourside development construction program.
Vehicular Management	
<p>Darling Drive is a key route within the CBD. The Traffic and Transport Impact Assessment prepared to support the development application does not state the likely demand drop-off zone in Darling Drive.</p> <p>A detailed queueing analysis to identify the risks associated with the queueing on public roads and mitigation measures is required.</p>	<ul style="list-style-type: none">• A new drop-off facility is proposed that will provide a car and taxi drop-off facility off the existing southbound Darling Drive up-ramp, located approximately 55m south of the Pyrmont Bridge Road intersection. This drop-off facility will be designed in accordance with best practice road design guidelines and it will be DDA compliant, to consider mobility impaired patrons. This vehicular drop-off is proposed for the non-residential uses (i.e. commercial) of the development only.• The drop-off facility will comprise of a lane for vehicles to pull into and out of when dropping off and picking up passengers, and a travel lane so that vehicles can pass through the drop-off facility.• The capacity of the drop-off zone will be governed by the length of time it takes on average for a vehicle to be presented with a break in traffic along the Darling Drive southbound lane, so that vehicles queueing to depart do not impact the operation of the drop-off facility. Traffic flow on the approach to the drop-off facility exit is governed by the existing traffic signal controls at the Pyrmont Bridge Road intersection. This will allow for controlled egress movements from the drop-off zone, in conjunction with random egress movements in breaks of traffic. Detailed traffic modelling will be undertaken during future development stages to assess the operation of the drop-off facility with regard to queue lengths of departing traffic from the drop off facility. Consultation will be undertaken with the Roads & Maritime Service (RMS) during detailed design to agree the trip rate of assumed vehicles per hour accessing this drop-off facility.• The entrance and exit from the proposed basement car park are not directly located along Darling Drive. Vehicles will enter and leave the basement car park via the existing access roads that service the existing Harbourside loading dock, which are located at the existing Darling Drive roundabout by the ICC Hotel. The length of the entry access road to the basement car park is approximately 150m from the car park entry to the interface with Darling Drive.• Table 3.3 of AS:2890.1 Off-Street Car Parking outlines peak hourly in-flow of traffic and queue areas required for car parks with boom gates and ticket issuing devices at entry points. Applying the criteria outlined in that table would require a vehicle queue storage allocation of 19 vehicles. Applying 6m for a vehicle footprint would equate to a queue storage length of 114m, which is less than the 150m provided. This assessment is a robust assessment and detailed modelling would likely reduce this number. As such, traffic queued entering the basement car park is unlikely to impact the operation of traffic on Darling Drive.• Under the amended Concept Proposal, the depth of the basement is proposed to be increased (going from 2 levels to 3 levels), with the footprint reducing in size. There is a minor increase in spaces associated with this change, from 295 spaces to 306 spaces. The three levels of basement car parking will be for residential uses only, with the existing Novotel car park used for retail/commercial car parking.
Coach Parking	

Item Raised	Proponent’s Response
The coach parking for SICEEP and the proposed have not been analysed in the Traffic Report. TfNSW requests that the likely cumulative future demand for coach parking be identified and alternative locations if required.	<ul style="list-style-type: none">• It is not anticipated that there will be a need for bus parking provision as passengers visiting the shopping centre and surrounding Darling Harbour attractions that are dropped off by bus would likely be picked up later that day, which is similar to the current private bus service to the existing shopping centre. As such, dedicated bus parking is not proposed as part of this development proposal.• The cumulative future demand for coach parking for the SICEEP development and the Harbourside development and the identification of alternative locations for coach parking can be considered during the detailed design phase.
Pedestrian Network	
The changes to pedestrian connections will impact on pedestrian flows within the vicinity. An analysis of the pedestrian network within and surrounding the site is required to ensure there is sufficient capacity to accommodate the future demands.	<ul style="list-style-type: none">• A pedestrian report has been prepared by Urbis and contained in Appendix I.• 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 (refer to Supplementary Public Domain Report at Appendix D). This widened promenade will provide sufficient capacity to cater for peak pedestrian demand anticipated during events at the precinct.• The main boulevard will provide the main linkage from the south between Chinatown and Darling Square in Haymarket, Darling Central and Bayside within the SICEEP development and the Harbourside development and Cockle Bay, in the north.• Pedestrian linkages to the west of Harbourside will be improved by the relocation of the pedestrian bridge connecting the now closed Convention Centre monorail station to the Novotel Hotel carpark to an improved connection from the Harbourside development with Bunn Street.• Connectivity to the Sydney CBD to the east of Harbourside will be maintained via Pyrmont Bridge Road, the existing pedestrian overpasses and at-grade pedestrian crossings. The new pedestrian bridge will consider all relevant limited in height stratum associated with the light rail catenary infrastructure.• Pedestrian modelling will be undertaken during future design stages to ensure that adequate capacity for pedestrian movements is provided at critical locations within the proposed development footprint and surroundings.
Darling Drive Cycleway	
Darling Drive forms part of the strategic cycleway network of the city. Design for vehicular drop-off zone should be taken into consideration.	<ul style="list-style-type: none">• The cycle network will be consistent with the existing cycle network together with the improved network provided with the SICEEP development. The proposed cycle access for the Harbourside development will include the Darling Drive cycle network and the internal cycle route within the Darling Harbour Precinct via Tumbalong Park. Access to the development will be enhanced at key entry points for cyclists with facilities provided where necessary. No new cycle routes will be developed.• There is an existing cycleway that is located on both the northbound and southbound side of Darling Drive. The southbound lane is located along the section of Darling Drive where the proposed vehicular drop-off access and egress location points are proposed. As such, vehicles entering and leaving this drop-off will need to cross the existing cycleway.• This design interface will be considered in the future design development stages to consider cyclist safety. Design measures such as road line markings and road traffic signs will be considered in the future design to inform drivers of the potential presence of cyclists for vehicles entering the drop-off area. Road line marking, road traffic signs and consideration of appropriate sightlines will be considered for vehicles egressing from the drop-off area.• Consultation with the Roads and Maritime Services (RMS) and City of Sydney is recommended during the design development phase with regard to the drop-off facility.
Wayfinding Strategies	
The development states it will introduce additional patronage for the light rail and ferry services. Wayfinding strategies should be developed and travel access guides to increase the mode sharing of walking and cycling.	<ul style="list-style-type: none">• Wayfinding strategies and travel access guides to assist with increasing the mode share of walking and cycling will be developed during future design stages of the development.
City of Sydney Council	
Sydney Harbour Catchment SREP 2005	
<p>The proposal is in direct contravention of the SREP 2005 Part 1 which states:</p> <p><i>‘(2) For the purpose of enabling these aims to be achieved in relation to the Foreshores and Waterways Area, this plan adopts the following principles:</i></p> <p><i>Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good, The public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour or its foreshores.’</i></p> <p>Part 2 states that <i>‘development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour’</i> and <i>‘the number of publicly accessible vantage points for viewing Sydney Harbour should be increased.’</i></p> <p>The proposal does not meet these aims or objectives. Private use has been put before the public good and will result in long term negative impacts on the public domain.</p>	<ul style="list-style-type: none">• The proposal will provide significant public domain works to Darling Harbour, will upgrade a tired and dated shopping centre and will be a catalyst to the economy and will attracts locals and visitors to Darling Harbour, the public good will outweigh the private gain. Some of the proposed public benefits will include:<ul style="list-style-type: none">a) Waterfront promenade: Widening of the waterfront promenade and embellishments to provide much improved connectivity and waterfront experienceb) Event Steps: Generous space for people to meet and greet and enjoy the northern sunc) Ribbon Stairs: An increased building setback from Pyrmont bridge for improved connectivity and showcasing of the heritage bridged) Pyrmont Bridge: An upgrade of the paving at the western entry to the bridgee) Bunn Street bridge: A new pedestrian bridge providing a vital and direct link from Pyrmont through to the waterfrontf) Central through site link: a new pedestrian connection link the waterfront through Bunn St bridge and beyond.g) 50 Murray St bridge: Retention and upgrade of the existing bridgeh) Green roofs: Landscaping of roofs to provide attractive and embellished spacesi) Publicly accessible roofs: providing opportunities for passive recreation and spaces to enjoy the views of Darling Harbour and Sydney CBD beyond.

Item Raised	Proponent’s Response
Darling Harbour Development Plan No. 1 1985 <p>Residential uses on the site is not consistent with the plan. Any cumulative increase in residential floor space in Darling Harbour will prevent the objects of the Plan being achieved. The proposed development was originally a commercial tower. The current scheme is now residential. The City submits that the Darling Harbour Development Control Plan No. 1 1985 fails the contemporary test. The application should be subject to the Strategic Merit Test applied on Gateway determinations. The GSC’s draft Central District Plan is the relevant district plan. Liveability priorities are relevant however, the City points out that they are well positioned to meet the NSW government housing targets for residential dwellings without the provision of housing on this site. The city submits that the proposal is inconsistent with the district priorities as it:</p> <ul style="list-style-type: none">• Fails to protect land for the future growth of employment related floor space;• Fails to protect land for the future growth of economic activity;• Fails to support the long term growth of important high value industries;• Fails to deliver on the strategic and district centres job targets;• Erodes the economic viability of office development;• Erodes the ability for the strategic centre to continue to perform its important economic and tourism role; and• Erodes the ability to Sydney City to remain internationally competitive. <p>The residential accommodation permissibility under Darling Harbour Development Plan No. 1 1985 should not be supported.</p>	<ul style="list-style-type: none">• The residential component of the development will guarantee that the redevelopment supports a true mixed use precinct. The proposal will enable other land uses that provide facilities or services to meet the day to day needs of residents. The residential use will not undermine the functionality or experience of Darling Harbour as a tourism and convention centre precinct.• The indicative design now also includes a component of commercial office floor space within the podium, further strengthening the mix of uses and associated benefits for the locality and region more broadly.• The NSW Government’s goal is to deliver the housing that Sydney needs. The Government is working to achieve its target of an additional 725,000 new dwellings by 2036. The residential land use will contribute to achieving this target by 2036 and will provide for the housing needs of the community. The proposal will be providing a variety and different types of housing which will also reduce the pressure on rising house prices. Refer to the Response to Submission report in Section 4.1 in relation to the additional planning framework.• During construction and operation the proposed development will contribute to short term and long term employment opportunities and will drive the economy through:<ul style="list-style-type: none">- 2,094 jobs years over the construction period, with a total \$343 million value add to Central Sydney.- 4,612 jobs on completion within Central Sydney, with a total \$749 million value add per year.- Additional tourism expenditure at Darling Harbour totalling \$394million per year.
Central Sydney Planning Strategy <p>In absence of contemporary planning controls for Darling Harbour, it is in the public interest to consider the relevant aims, objectives and actions of the Strategy. The strategy aims to ensure a resilient and diverse economy. The strategy outlines why we need to plan for jobs growth in Central Sydney and details the rise of residential use. The Strategy is in alignment with A Plan for Growing Sydney and the Draft Central District Plan. The City submits that the residential proposal is inconsistent with the aims and objectives of the Strategy and the District Plan.</p>	<ul style="list-style-type: none">• The proposal includes as a central element a new and upgraded retail/commercial centre, supporting both additional jobs during construction (2,094 job years and operation (4,612). The NSW Government’s goal is to deliver the housing that Sydney needs. The Government is working to achieve its target of an additional 725,000 new dwellings by 2036. The residential land use will contribute to achieving this target by 2036 and will provide for the housing needs of the community. The proposal will be providing a variety and different types of housing which will also reduce the pressure on rising house prices. Refer to the Response to Submission report in Section 4.1 in relation to the additional planning framework.
Urban Design <p>The public access to the waterfront area surrounding Harbourside currently enjoys unimpaired access to sunlight. At the winter solstice, the boardwalk along Cockle Bay foreshore to the east of the development and the pedestrian area to the south of the ICC offer 6 hours of sunlight. The proposed residential tower will reduce the pedestrian amenity of these areas. The overshadowing impacts to the public realm are excessive. Due to the absence of planning controls, the proposal should be subject to the provisions of Sydney Local Environmental Plan 2012.</p>	<ul style="list-style-type: none">• Shadow impacts are illustrated within this report via updated shadow diagrams. Mid winter shadow impacts to the waterfront are limited to after 1.00pm and are considered acceptable given overall improvements to the public domain and overall precinct.
Public Access <p>The net width of the publicly accessible foreshore setback needs to be greater or equal to the existing to provide an area that is not crowded. The proposal should address the original planning framework for Darling Harbour being a ‘Precinct for the people with open space and highly accessible and varied leisure activities.’</p>	<ul style="list-style-type: none">• The proposed development improves pedestrian movement enabling porosity through the building and an ease of pedestrian movement and permeability through the precinct. The promenade width has been increased to 20m to provide a more generous and inviting public experience along the waterfront at its southern and mid areas. The width has been increased from 11m to 14m at the northern end of the promenade providing an extra 474sqm from the existing arrangement.• The Supplementary Public Domain Design Report prepared by Aspect Studios is provided at Appendix D and includes details on the changes between the existing and proposed promenade.
Wind Impacts <p>The Wind Report does not include a wind tunnel test that Cermak Perteka Persen Wind Consultants have advised the City is essential for a development of this type.</p>	<ul style="list-style-type: none">• A wind tunnel test is not considered essential for the building envelope subject to the Stage 1 DA but would be recommended during future design development to quantify the wind advice provided herein, and to develop local wind mitigation for areas intended for outdoor seating.
Heritage <p>The proposed setbacks, bulk and scale will have adverse impacts on the setting and views of the Pyrmont Bridge. The View Analysis indicates that the development will have a negative impact on the aesthetic values of the Bridge, due to the loss of views and the setback. The proposed 10 metre setback of the podium and the 50m setback of the tower from the Pyrmont Bridge is insufficient to retain the heritage significance.</p> <ul style="list-style-type: none">• The CMP Policy 10.0 advises:• <i>Ensure that new works do not:</i>• <i>Detract visually from the bridge or its harbour setting</i>• Policy 5.4 Views and Vistas advises:• <i>Ensure that an appropriate visual setting is maintained for the Pyrmont Bridge and that the Bridge itself contributes to the character of Darling Harbour as a whole.</i>• The proposed scheme is not consistent with these policies.	<ul style="list-style-type: none">• The relocation of the tower to c.135m setback from Pyrmont Bridge, as well as the deletion of the proposed new pedestrian link between the shopping centre and bridge, will remove any negative visual impact presented by the development to the heritage listed Pyrmont Bridge.• The existing Harbourside complex provides virtually no setback from the bridge and is unsympathetic to the bridge in its current iteration. Therefore the replacement of the existing interface with a c.10m setback of the retail podium from the Bridge, will be a positive visual impact to the form and presentation of the heritage item in its setting and context along the western side of Darling Harbour.• New works are assessed to provide no visual detracton from the Pyrmont Bridge in its harbor setting.• Relocation of tower has removed visual connectivity with Pyrmont Bridge.• Widening of waterfront promenade and increased setback of northern retail podium (‘ribbon stairs’) and addition of northern observation deck, have improved sightlines to Pyrmont Bridge, both from eastern approach, and from within the new development.• Views to Goldsbrough Mort Woolstores have already been impacted by the ICC Hotel Tower and ICC Complex. Proposed development will not impact this further. Sightlines between Goldsbrough Mort and Pyrmont Bridge are maintained.

Item Raised	Proponent’s Response
<p>The setback of the podium from Pyrmont Bridge should be defined by a 30 degree angle of separation. This would provide a setback of 30m. The setback of the proposed stair from Pyrmont Bridge should be increased to a minimum of 5m.</p> <p>The access to the Bridge from the proposed tower will result in extreme heritage impacts.</p> <p>The View Analysis demonstrates that the proposal will impact views of the Pyrmont Bridge and the historic buildings including the Goldsbrough Mort Woolstores. This will impact the visual connectivity between the Bridge and the Darling Harbour wharves and railway goods line.</p> <p>The proposal to ‘make good’ the Pyrmont Bridge should be replaced with the term ‘conservation’. The important landmark structure should be conserved to a suitable standard of excellence.</p> <p>The Woodward Fountain will be overshadowed in the middle hours of the day. This will have an adverse impact on the heritage significance.</p> <p>The sale of public land on the foreshore for private ownership is not supported from a heritage perspective.</p> <p>A heritage interpretation strategy should be developed in consultation with the City of Sydney to guide development in this historical section of Darling Harbour and Pyrmont.</p> <p>Although the requirements for Aboriginal heritage management in accordance with the NPW Act do not apply to SSD development it should be managed according to best practise as described by the Act, in consultation with NSW Heritage.</p>	<ul style="list-style-type: none">• It is also noted that the heavily modified Goldsbrough Mort Woolstores is not listed as an individual heritage item, and it not identified as requiring unobstructed view lines to Pyrmont Bridge.• Potential visual impacts to views to Pyrmont Bridge has been addressed and resolved by the relocation of the tower and deletion of the direct pedestrian connection to the Bridge.• Tower has been relocated in amended concept proposal. Additionally, the residential tower is slender, therefore associated shadow will be fast moving, not increasing the overshadowing of the foundation any more than existing surrounding development.• The NSW Government will remain as the landowner of the site. Mirvac will only be a long-term leaseholder.• Heritage Interpretation Strategy to be developed through Stage 2 DA in consultation with NSW OEH and CoS.• Aboriginal Heritage Due Diligence Assessment process has been followed (in accordance with OEH Statutory Guidelines) for project. Unexpected Finds Protocol for Aboriginal Objects will be developed through Stage 2 SSDA for site.
Bicycle Facilities	
<p>It is recommended that bike lanes be provided on both sides of Darling Drive and should be physically separated from car traffic. The proposal involves a slip lane on the western side of Darling Drive and a drop off point on the eastern side of Darling Drive. These are typically unsafe for walkers/riders and the design should ensure maximum safety and visibility.</p>	<ul style="list-style-type: none">• The cycle network will be consistent with the existing cycle network together with the improved network provided with the SICEEP development. The proposed cycle access for the Harbourside development will include the Darling Drive cycle network and the internal cycle route within the Darling Harbour Precinct via Tumbalong Park. Access to the development will be enhanced at key entry points for cyclists with facilities provided where necessary. No new cycle routes will be developed.
Health Issues	
<p>The proposal is strongly objected to on health concerns. The preliminary Environment Site investigations identify that the site is likely contaminated land. Under SEPP55 a Detailed Environmental Site Investigation is required.</p> <p>The ESI has found the site as potentially containing acid sulphate soil. An Acid Sulphate Soil Management Plan is required prior to any consent.</p>	<ul style="list-style-type: none">• Revised investigation reports including a contamination assessment, Acid Sulphate Soil Management Plan, and Preliminary Remedial Action Plan at Appendix Q, R and S respectively confirm the suitability of the site.
ESD	
<p>Cundall’s ESD report indicates that a range of initiatives are proposed for possible inclusion and refers to the consideration of a 4-Star Green Star Rating. The proposal should be targeting at least a 4 Star Green Star Design & As Built for the retail component, however a target of 5 star is more appropriate. The City seeks a high degree of confidence that environmental performance above current standards will be achieved for a high-profile site.</p> <p>There is currently no NABERS Commitment framework for shopping centres to address the design and construction stage of development. NABERS only comes into effect as a post-occupancy performance measure. The NABERS rating for energy and water at the design stage has no currency.</p> <p>Mirvac should be accessing a full set of recent energy and water consumption data for the current site.</p>	<ul style="list-style-type: none">• The previous ESD report outlined sustainable building principles across a wide range of environmental impact categories including management, indoor environmental quality (IEQ), energy, transport, water, materials, land use and ecology, emissions, community and innovation.• The revised ESD report demonstrates the proposal will achieve high sustainability standards, including 5 Star Greenstar for retail/commercial, and 4 star Greenstar for residential, along with 5.5 Star NABERS energy and 3.5 Star NABERS Water for commercial and 4.5-Star NABERS Energy and 4 Star NABERS Water for retail. These commitments will be carried through the project’s duration.• The development will be guided by the strategy set out in Mirvac’s “This Changes Everything” document, which is principally to be carbon and water net positive by 2030.
Roads & Maritime Services	
<p>A construction Traffic Management detailing construction vehicle routes, number of trucks, hours of operation, access arrangement and traffic control should be submitted to council and Sydney Co-ordination Office Prior to the issue of a Construction Certificate.</p>	<ul style="list-style-type: none">• Noted• A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangement and traffic control will be submitted to council and Sydney Co-ordination Office Prior to the issue of a Construction Certificate.
Heritage Council of New South Wales	
Historical Archaeology	
<p>An archaeological consultant should be nominated for the works. All contractors and personnel are to be inducted and informed by the archaeological consultant prior to work commencing. All state significant archaeological items must be retained.</p> <p>A Research Design and Archaeological Excavation Methodology must be prepared in accordance with Heritage Council Guidelines. The final excavation report should identify the artefacts and long term storage. The Interpretation Plan should be prepared in accordance with the Guidelines issued by the Heritage Council NSW.</p>	<ul style="list-style-type: none">• All archaeological works would be undertaken by/supervised by an appropriately qualified archaeologist (who meets Excavation Director requirements).• A Heritage induction should be prepared and undertaken prior to construction works for all site contractors and personnel.• An Unexpected Finds Protocol for Historical archaeology will be developed through the Stage 2 DA process, in association with the ARD.• Provided in the Historical Archaeological Assessment (Curio Projects 2016) and will be further developed in relation to potential archaeological impacts, once exact development impacts are confirmed through Stage 2 DA process.• Will be integrated once available into Stage 2 DA documentation and archaeological research design.
<ul style="list-style-type: none">• Maritime Archaeology	
<p>The site has archaeological potential. There is potential for former seawalls, wharves, piers and jetties and also possible ship or boat wrecks.</p> <p>The proposed new level 02 direct pedestrian bridge connection from the shopping centre podium to Pyrmont Bridge shall be deleted to avoid visual and physical impacts on Pyrmont Bridge.</p> <p>All building elements above the Pyrmont Bridge deck should be further set back from the Bridge to allow open views to and from the bridge and minimise visual impact of new buildings.</p>	<ul style="list-style-type: none">• Historical Archaeological Assessment has acknowledged moderate potential for archaeological evidence for such features to survive. The potential impact to these potential features, and proposed mitigation measures, will be addressed through the Stage 2 DA, once exact development impacts have been confirmed.

Item Raised	Proponent’s Response
Office of Environment and Heritage	
OEH Greater Sydney Planning Team has concluded that the matter does not contain biodiversity, natural hazards or Aboriginal cultural heritage issues that require a formal OEH response.	<ul style="list-style-type: none">Noted.
Office of Environment and Heritage – Heritage Division	
Historical Archaeology	
<ul style="list-style-type: none">A Phase 1 and Phase 2 Statement of Heritage Impact (SOHI) prepared by Curio Projects predicted nil-low potential for archaeological remains of Phase 1 and Phase 2 predicted to have moderate archaeological potential to survive.It is noted that the two proposed levels of basement subsurface car parking require excavation to 3.6m below existing ground surface is likely to entirely remove the surviving historical archaeological resource within the basement footprint. This is not considered best-practice given some may be of State significance.The SOHI notes that the statement of archaeological impact will continue to be refined and updated for Stage 2 development involving information relating to detailed geotechnical data, service plans and detailed design. <p>The following conditions of consent are recommended for historical archaeology:</p> <ol style="list-style-type: none">A qualified archaeological consultant shall be nominated for the works.All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated archaeological consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and ‘relics’ in accordance with guidelines issued by the Heritage Council of NSW.The Applicant must retain all state significant archaeological items in situ and minimise all impacts from the project to these state significant archaeological items.All affected historical archaeological ‘relics’ and/or deposits of Local significance are to be subject to professional archaeological excavation and/or recording before construction works commence which will impact those ‘relics’. A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines. Those documents shall be prepared for the approval of the Heritage Division of the Office of Environment & Heritage.At the completion of all archaeological works on site, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the City of Sydney and the Department of Planning and Environment.The information within the final excavation report shall be required to include the following:<ol style="list-style-type: none">An executive summary of the archaeological programme;Due credit to the client paying for the excavation, on the title page;An accurate site location and site plan (with scale and north arrow);Historical research, references, and bibliography;Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts and analysis of the information retrieved;Nominated repository for the items;Detailed response to research questions (at minimum those stated in the Heritage Division of the Office of Environment & Heritage approved Research Design);Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site;Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).A suitable repository for all historical archaeological artefacts recovered from the archaeological investigation shall be identified by the Applicant with the provision of the final excavation report.The results of the archaeological fieldwork should be used to inform an Interpretation Plan to guide the future incorporation of the findings from the works in communicating the significance of the site to future visitors. The Interpretation Plan should be prepared in accordance with the Guidelines issued by the Heritage Council of NSW. The Interpretation Plan should be prepared for the approval of the Heritage Division of the Office of Environment & Heritage.	<ul style="list-style-type: none">Noted. The requirements identified by the Heritage Council have already been identified and proposed within the original Historical Archaeological Assessment prepared by Curio (2016) and submitted with the original DA together with revised Statement of Heritage Impact (included at Appendix J).Proposed conditions are therefore generally accepted and are expected to be included as part of any future Stage 2 development consent.
Maritime Archaeology	
<p>The Statement of Heritage Impact does not appear to have comprehensively assessed the potential for new archaeological sites or relics in the subject site which are likely to be protected under the Heritage Act 1977 (particularly if they are of State heritage significance).</p> <ul style="list-style-type: none">The Statement of Heritage Impact, Aboriginal Heritage Due Diligence Assessment and Mitigation Measures should be revised to include:<ol style="list-style-type: none">Specific assessment of any potential remains of former bridges which may predate the Pyrmont Bridge structure.Specific assessment of any potential submerged Aboriginal sites or relics in current and formerly submerged sections of the site.Remote sensing and/or diver surveys of the seabed under any piled areas that currently form waterfront or paved areas of the proposed development.Procedures for the treatment of any newly-discovered archaeological sites prior to the commencement of any works at the site.	<ul style="list-style-type: none">The Harbourside Redevelopment project is being undertaken as a staged State Significant Development, and as such, Heritage Assessment reports, have been prepared with reference to the Stage 1 Concept Plan only.As such, the exact development ground impacts have not yet been confirmed, as the project is still awaiting detailed design, which will be undertaken as part of the Stage 2 DA process. Therefore, the assessment of potential archaeological impacts as presented in the Curio Projects 2016 <i>Historical Archaeological Assessment Report</i> for the subject site, is preliminary only (as it relates only to the Concept Plan) and will require revision once specific development impacts are known through the Stage 2 detailed design for the project. The content of the original report is therefore considered to be suitable for the concept proposal planning stage the project is in.Therefore, it is considered that the majority of the submission comments regarding maritime archaeology will be fulfilled through the Stage 2 DA process. The Stage 2 DA process will include:

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<ul style="list-style-type: none">e) Analysis of additional site information including geotechnical data, when available, and service plans should be undertaken to refine the understanding of the site's archaeological potential and level of significance.f) An archaeological research design should be prepared once proposed impacts on potential archaeological resources are finalised..g) Any impacts to archaeological relics of local or State significance associated with the development should be managed in accordance with current NSW Heritage Division guidelines.h) Demolition works and any proposed excavation works should be monitored by a suitably qualified and experienced maritime archaeologist.i) All these works should be undertaken by a suitably qualified and experienced maritime archaeologist.j) An unexpected finds protocol should be prepared for the site, giving clear indications of what will be done if unexpected finds are discovered during demolition and construction and how they will be recorded and or excavated, the conservation techniques to be employed and if in situ preservation and interpretation can be undertaken.k) Should unexpected finds such as Aboriginal stone artefacts or shell middens be located during development, work should cease in the immediate vicinity of the find and the project archaeologist must be notified, in accordance with the unexpected finds protocol.l) Specific assessment of the visual impact of the proposed works on the identified heritage values of SHR-listed sites (e.g., the SHR listed Pyrmont Bridge) and the removal of the SS South Steyne from the area. <ul style="list-style-type: none">• The proposed new level 02 direct pedestrian bridge connection from the shopping centre podium outdoor space to Pyrmont Bridge shall be deleted to avoid visual and physical impacts on Pyrmont Bridge.• All projecting building elements above the Pyrmont Bridge deck level should be further set back from the Bridge to further open views to and from the Bridge and minimise visual impact of new buildings on the Bridge.• Details of the proposed Interpretation Strategy, public domain artworks, and interior as well as exterior design features to incorporate on-site secure storage, or where appropriate, public display of archaeological objects, active incorporation of archaeological and historical information, images and stories on the site's history and evolution shall be provided in Stage 2 works. These shall include appropriate use of multimedia, digital resources, landscape works, and materials (e.g., railway tracks).	<ul style="list-style-type: none">a) Reassessment of the historical archaeological potential and potential historical archaeological impacts, with regards to the specific development impacts (once known);b) Reassessment of potential submerged Aboriginal sites or relics with regards to the specific development impacts (once known);c) Assessing the requirement for remote sensing once full extent of impacts of the development are known;d) Procedures for treatment for any newly-discovered sites;e) Analysis of additional site information including geotechnical data, when available, and service plans in order to refine the understanding of archaeological potential of the site;f) Preparation of a Historical Archaeological Research Design and Excavation Methodology to guide archaeological investigation within the subject site including in relation to any newly discovered sites;g) A continued commitment to manage impacts in accordance with NSW Heritage Division Guidelines.h) Should demolition and/or proposed excavation works be required to extend into the harbour/to the seabed, a suitably qualified and experienced maritime archaeological would be nominated to undertake these works.i) Should demolition and/or proposed excavation works be required to extend into the harbour/to the seabed, a suitably qualified and experienced maritime archaeological would be nominated to undertake these works.j) Preparation of an Unexpected Finds Protocol for historical archaeology and Preparation of Heritage Induction document for all on-site contractors and personnel. All future archaeological works at the site would be undertaken by/supervised by an appropriately qualified archaeological team under the guidance of a qualified historical archaeological Excavation Director.k) Agreement to abide by Unexpected Finds Protocoll) A revised visual impact assessment of the detailed design on the surrounding state heritage listed sites. It is noted that Curio advise that visual impacts in relation to the Stage 1 Concept Proposal (as amended) are neutral. <ul style="list-style-type: none">• The proposed new level 02 direct pedestrian bridge connection from the shopping centre podium outdoor space to Pyrmont Bridge has been deleted.• Retail podium envelope height has been reduced by 4.5m and has a setback of c.10m from Pyrmont Bridge. Tower envelope has been relocated to be c.135m from Pyrmont Bridge.• Heritage Interpretation Strategy to be developed through Stage 2 DA in consultation with NSW OEH and CoS.
Ausgrid <p>Assets will be affected by the development works including the existing substation adjacent to the site and in close proximity to overhead and/or underground cables on public land and overhead and/or underground cables in close proximity on public land. Substation ventilation openings including duct openings and louvered panels must be separate from building air intake and exhaust openings by not less than 6m. Exterior parts of building within 3m in any direction from substation ventilation openings must have a fire rating level of not less than 180/180/180. Any work near overhead power lines needs to be in accordance with WorkCover Document ISSC 23 "Working Near Overhead Power Lines", Ausgrid Network Standards and Ausgrid Electrical Safety Rules. Location of underground cables must be determined using Dial Before You Dig. Existing Ausgrid easements/leases and right of ways must be maintained to ensure 24hour access.</p>	<ul style="list-style-type: none">• Noted. This will be considered during the detailed design stage of the development.
Sydney Airport <p>Sydney Airport have confirmed:</p> <ul style="list-style-type: none">• There is no impact on Jetstar operations.• There is no impact on Qantas departures.• There is no effect on any Virgin special engine out procedures. <p>The proposed development will penetrate the OLS by 10.35m. The development should consider conditions for the safety, efficiency and regularity of air transport operations including:</p> <ul style="list-style-type: none">• A maximum height of the proposed development of 166.35m AHD inclusive of lift overruns, vents, chimneys, aerials, TV antennae, construction cranes;• At the completion a certified surveyor is to notify the airfield design manager of the finished height. <p>Separate approval must be sought under the Airports (Protection of Airspace) Regulations 1996 for any cranes required to construct the buildings.</p>	<ul style="list-style-type: none">• The tower has been reduced in height from RL 166.35 to 153.75• The Amended Proposal height of RL 153.75 is less than the OLS height of 156m• A separate and future approval will be sought for the operation of cranes to construct the buildings.
NSW EPA <ul style="list-style-type: none">• Potential for contamination of sediments and any remediation / management required for any contaminate sediments be considered concurrently with land based remediation• The conceptual site model should be updated based on the results of the detail site investigation• A site auditor accredited under the Contaminated Land Management Act 1997 is engaged to undertake an audit to assess whether the site is suitable for the proposed use	<ul style="list-style-type: none">• A revised Preliminary Site Contamination Report has been prepared by Coffey and is included at Appendix Q.• The conceptual site model identifies a number of linkages between chemicals potentially associated with the areas of concern, and environmental and human receptors.• The report confirms that the site can be made suitable for the proposed uses. However, further characterisation of the site involving intrusive field sampling programme and laboratory testing to identify the nature and extent of the operational contamination associates with the AECs.

Item Raised		Proponent’s Response
		<ul style="list-style-type: none">• In the absence of such data (given the constraints in completing intrusive investigations) and the detailed design of the proposed development, Coffey has developed a preliminary remedial strategy to mitigate potential risks from the sources of contamination identified within the Preliminary Site Contamination Assessment report.• Coffey have accordingly prepared a Preliminary Remedial Action Plan (RAP) in support of the Amended Concept Proposal, refer to Appendix S.• Further assessment and investigation will occur at the Stage 2 detailed design phase.
National Trust of Australia		
<ul style="list-style-type: none">• The proposal will have a major visual impact on the setting of Pyrmont Bridge.• The National Trust has long recognized the importance of the foreshores of Sydney Harbour, its associated waterways and Parramatta River. The Sydney Harbour Landscape Conservation Area was listed on the National Trust Register in September 1982 and the Middle Harbour and Parramatta and Lane Cove Rivers Landscape Conservation Areas were listed on the National Trust Register in January, 1983. All these listings urged the maintenance of strict controls to protect the scenic and cultural values and natural beauty of the foreshores.• The National Trust reiterates its policy of 34 years calling for the implementation and maintenance of strict controls by appropriate authorities to protect the scenic, cultural and conservation values of the foreshores of Sydney Harbour, its associated waterways and the Parramatta River.		<ul style="list-style-type: none">• The amended concept proposal relocates tower envelope to c.135m setback from Pyrmont Bridge and deletes the proposed pedestrian bridge connecting the podium to Pyrmont Bridge, removing visual impact on the heritage setting of the bridge.
Sydney Harbour Association		
<ul style="list-style-type: none">• The tower element is not an appropriate response to the locality and its location on the foreshore does not have regard to its maritime purpose.		<ul style="list-style-type: none">• The proposed tower in the amended Concept proposal was relocated from the north of the site to the centre of the site (the widest part of the site). The position of the tower was relocated as far south as the 23.1m Infrastructure NSW height limit agreement will permit.• The revised tower position allows for an increased setback from the heritage listed Pyrmont Bridge of 135m, an improved relationship to the waterfront with a 32m setback and will maintain a good relationship with the ICC Hotel with a 77m setback.• The new location of the tower will help minimise view impacts from 50 Murray Street, together with reducing overshadowing impacts on the public domain and improved solar amenity to the northern end of the retail centre.
<ul style="list-style-type: none">• The public space provision is minor in comparison with the space allocated for private uses		<ul style="list-style-type: none">• The public benefit and provision of public space includes the following:<ul style="list-style-type: none">a) Waterfront promenade: Widening of the waterfront promenade and embellishments to provide much improved connectivity and waterfront experienceb) Event Steps: Generous space for people to meet and greet and enjoy the northern sunc) Ribbon Stairs: An increased building setback from Pyrmont bridge for improved connectivity and showcasing of the heritage bridged) Pyrmont Bridge: An upgrade of the paving at the western entry to the bridgee) Bunn Street bridge: A new pedestrian bridge providing a vital and direct link from Pyrmont through to the waterfrontf) Central through site link: a new pedestrian connection link the waterfront through Bunn St bridge and beyond.g) 50 Murray St bridge: Retention and upgrade of the existing bridgeh) Green roofs: Landscaping of roofs to provide attractive and embellished spacesi) Publicly accessible rooftops: A place where visitors can experience the impressive views of Darling Harbour or enjoy an eventj) The waterfront promenade will be widened to provide improved connectivity, integration with the surrounding precinct and waterfront experience <p>The above concepts have been developed and agreed with PMNSW.</p> <p>All of the above concepts will be included in the final design, with the public benefit offer also including funds towards future activation and embellishment of the surrounding precinct.</p>
<ul style="list-style-type: none">• In concept and in context and in its proposed uses, the tower does not advance the stated policy of the NSW Government to the effect that the foreshore should be recognised, protected and enhanced as a public asset. Instead, the tower will have a deleterious effect on the whole of the Darling Harbour visual and recreational environment, and a similarly adverse impact on the Pyrmont Bridge, while making no positive contribution to maritime activity on and around the Harbour at all.		<ul style="list-style-type: none">• The new location of the tower will help minimise view impacts from 50 Murray Street, together with reducing overshadowing impacts on the public domain and improved solar amenity to the northern end of the retail centre.
Sydney Water		
Water and Wastewater		
<ul style="list-style-type: none">• Strategic investigation shows that the trunk services are available and are capable of servicing the proposed development.• Amplification and/or disuse of some reticulation water and wastewater assets may be required once the final development proposal is known. These details should be provided at Section 73 lodgement.• To assist in determination of Sydney Waters requirements as part of the Section 73 application phase, a Service Brief covering concept options should be prepared and submitted as part of the application.• These concept options will need to include development layout plans, staging, timing, and proposed asset amplifications / adjustments details. The options should take into consideration the needs of the total catchment.• Depending on the complexity of options due to local conditions, a Water Service Coordinator may advise that it is necessary to engage a range of service providers to complete the concept options documentation.		<ul style="list-style-type: none">• Noted.• Noted. This will be investigated during the Stage 2 DA. A S73 application will be lodged in the detailed design stage.• Noted. A servicing brief covering concept options will be prepared and submitted as part of the S73 application.• Noted. This will be addressed in the Stage 2 DA and detailed design stages.• Noted <p>Refer to Appendix K (Utilities Report) for further details.</p>

Item Raised	Proponent's Response
<ul style="list-style-type: none">	
Stormwater	
<ul style="list-style-type: none">The proposed development as understood will use the existing footprint. The existing structure is presently over an existing Sydney Water 2700 x 1725 RC Stormwater Channel and proposed redevelopment is also proposed to be constructed over this stormwater channel.The proponent is required to liaise with Sydney Water regarding the measures need to be taken prior to commencement of any works and the required protection measures which are to be implemented as part of this development.	<ul style="list-style-type: none">The Harbourside development includes the demolition and the existing building, pavements, kerbs, and landscaping currently located over the Sydney Water culvert. Where the proposed Harbourside building crosses over the existing stormwater culvert, the building structure is to be designed to ensure that building loads are not supported by the culvert and the culvert is not affected in terms of structural integrity and function. In addition, the construction methodology is to be developed to ensure excessive temporary construction loadings are not imposed on the existing culvert. Consultation with relevant authorities to secure approval for these works has commenced and is on-going.The proponent has already met with Sydney Water to discuss the build over of this stormwater channel. Further consultation will be undertaken during future design stages of the development. <p>Refer to Appendix K (Utilities Report) for further details.</p>
Australian National Maritime Museum	
<ul style="list-style-type: none">The scale of the proposed tower seems inconsistent with the dominant built form in the Ultimo/Pymont area.	<ul style="list-style-type: none">The re-positioning of the tower envelope in the centre of the site, provides a generous distance of c.135m between the tower envelope and Pymont Bridge, effectively removing any visual relationship between the new tower and the heritage item, whilst maintaining a generous 77m separation to the ICC Hotel.The repositioning of the tower to a more central location in the site has allowed greater setbacks to be provided relative to the Waterfront (approximately 32m) and podium envelope (approximately 12m).The height of the tower has been reduced by 12.6metres from RL 166.35 to RL 153.75. The reduction in the height will minimise overshadowing impacts to the public domain as well as better relate to the height of the ICC Hotel.The reduced tower height is considered sympathetic to the adjacent ICC Hotel and aligned with other towers around the Cockle Bay foreshore, both under construction and as proposed, refer to Appendix C.The tower form is considered consistent with the anticipated future character of Western Darling Harbour, i.e.: well proportioned, suitably spaced towers.Repositioning the tower to a more central location has accommodated a significant increase in tower / podium set back, i.e.: now 12m to the podium and 32m to the Waterfront.
<ul style="list-style-type: none">The residential use is questionable in regards to its suitability in a location that is regularly activated at night, where this could impose possible night-time restrictions on museum operations.	<ul style="list-style-type: none">The first residential level is over 25m above ground level and set back approximately 12m from the podium. Appropriate amenity at a detail level, e.g.: facade treatments and acoustics will be integrated during design development as part of the state signification development application (SSDA Stage 2 for detailed design) process.
<ul style="list-style-type: none">The design of the development's southern end does not seek to improve the existing constriction in the foreshore promenade and does not improve connectivity beneath the bridge into the northern end of Darling Harbour.Seating and artwork beneath the bridge appear nominal.	<ul style="list-style-type: none">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 promenade that will be up to 20m wide and will have sufficient capacity to cater for peak pedestrian demand anticipated during events at the precinct.Works beneath the bridge will be further developed and agreed with PMNSW and included in the Stage 2DA.
<ul style="list-style-type: none">Efforts to improve wayfinding and pedestrian flow at bridge level are welcomed but broader analysis of the bridge connection is requiredAdvice is requested on developer contributions and investment in the precinct.	<ul style="list-style-type: none">Wayfinding strategies and travel access guides to assist with increasing the mode share of walking and cycling will be developed during future design stages of the development.Mirvac's Public Benefit Offer is detailed in Appendix P.
Pymont Action Group	
Historical Context	
<ul style="list-style-type: none">The Harbourside site is owned by the people of NSW, stipulated in its 100 year lease, signed in 1998, is as a Festival Market to operate in a similar way to that operating at Baltimore Harbour in the US. No development should be permitted which is contrary to the terms of the 1988 lease of the Harbourside site.	<ul style="list-style-type: none">The proposal will upgrade an existing shopping centre which will be a drawcard for visitors to the area. The proponent will continue to lease the site from the NSW government.
Planning Context	
<ul style="list-style-type: none">The Darling Harbour Development Plan No 1 (DHPD) would be the principal planning instrument. The plan seems to define that virtually anything can be done. Evaluation should have emphasis on planning and environmental impacts and good public outcomes, not extraneous profit motives of the developer and government.Consideration of this should be deferred pending the development of an integrated plan for future developments in Pymont and Ultimo. This should be overseen by the GSC and conducted in close consultation with the local community, as well as local and state government agencies.The refurbishment option which was dismissed in half a page is unacceptable. This approach is entirely appropriate to serve the visitors to Darling Harbour and the local community.	<ul style="list-style-type: none">The public benefit and provision of public space includes the following:<ul style="list-style-type: none">a) Waterfront promenade: Widening of the waterfront promenade and embellishments to provide much improved connectivity and waterfront experienceb) Event Steps: Generous space for people to meet and greet and enjoy the northern sunc) Ribbon Stairs: An increased building setback from Pymont bridge for improved connectivity and showcasing of the heritage bridged) Pymont Bridge: An upgrade of the paving at the western entry to the bridgee) Bunn Street bridge: A new pedestrian bridge providing a vital and direct link from Pymont through to the waterfrontf) Central through site link: a new pedestrian connection link the waterfront through Bunn St bridge and beyond.g) 50 Murray St bridge: Retention of the existing bridgeh) Green roofs: Landscaping of roofs to provide attractive and embellished spaces

Item Raised	Proponent’s Response
	<ul style="list-style-type: none">i) Publicly accessible rooftops: A place where visitors can experience the impressive views of Darling Harbour or enjoy an eventj) The waterfront promenade will be widened to provide improved connectivity, integration with the surrounding precinct and waterfront experience.• The proposal seeks to provide a revitalised shopping centre which will be a catalyst for a high-quality retail shopping experience within Darling Harbour. The external appearance of the Harbourside Shopping Centre is dated and out of keeping with the remainder of Darling Harbour which is undergoing redevelopment. The proposed landscaping on the roof at the northern end of the podium will improve the outlook from 50 Murray Street and Pyrmont Bridge rather than a tired and unattractive shopping centre roof.• Furthermore, the current floors to floor heights, structural adequacy and level of Waterfront activation and transparency to the upper levels prohibit current best practice in retail (meet modern retail requirements) and limit opportunities for improved engagement with the public domain.
Scale of the Project	
<ul style="list-style-type: none">• The building envelope enables the construction of flanges to a height of 74.5m which will ensure that the tower will obscure light and views of, and create a wind tunnel affecting many of the east facing apartments in 50 Murray Street and the Ibis Hotel.• The envelope allows a height of up to 30.5m on the retail podium which will be 6 storeys in height, resulting in 48-52 storey retail/residential tower block. This will be 10 storeys higher than the ICC hotel.• Shadowing analysis only assesses the impact on the residences at 50 Murray Street, yet the diagrams appear to depict winter shadowing affecting apartments as far away as Pyrmont Street and Bunn Street.• The building envelope appears to depict the podium as being much closer to the Pyrmont Bridge than the existing building.• The tower and the podium are too high, too close to the waterfront and Pyrmont Bridge, obscure light and views, overshadow residential buildings and create high wind velocity.	<ul style="list-style-type: none">• As part of the relocation of the tower and refinement of the podium, the stepped form of the lower tower element has now been removed. This design move has been made in order to again improve views from adjacent buildings from the west.• A portion of the podium height at its northern extent has been partly reduced from 30.5 RL to RL 25. The reduction in height provides for improved view sharing from 50 Murray Street. The podium building envelope ranges in height from RL15.5 to RL30.5.• Due to the relocation of the tower, the shadow impacts have changed. Refer to the RTS Report for shadow assessment.• The re-positioning of the tower envelope in the centre of the site, provides a generous distance of c.135m between the tower envelope and Pyrmont Bridge, effectively removing any visual relationship between the new tower and the heritage item, whilst maintaining a generous 77m separation to the ICC Hotel.
Access	
<ul style="list-style-type: none">• The Harris / Fig Street walkway should be extended to provide direct pedestrian/cycle access to the CBD through developer contributions	<ul style="list-style-type: none">• The revised proposal maintains the new over bridge link aligning with Bunn Street. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission. The new connection will negate the current cumbersome navigation through a carpark and will provide a direct and straight link to the waterfront.
Traffic and Transport	
<ul style="list-style-type: none">• Traffic data was collected in February 2016 during the peak phase of the construction of the ICC. Update to date traffic impact studies should be conducted for all major intersections as part of the integrated planning for the area• Pyrmont Bridge is the busiest pedestrian/cycle route in Sydney. All proponents of major new development should work together and with the RMS to explore solutions to the pedestrian/cyclist/vehicle bottleneck at the Pyrmont Bridge Road/Murray Street/Darling Drive intersection• The proposed redevelopment of parking stations under Ibis and Novotel Hotels should be incorporated within the proposed integrated plan for Pyrmont/Ultimo.• Public transport options should be part of an overall integrated plan. The ferry service to Circular Quay only runs at 30minute intervals but not late at night. There is no direct transport to the nearest shopping centre – Broadway.	<ul style="list-style-type: none">• A revised Traffic and Transport impact report prepared by Arcadis is at Appendix F. This updated report includes traffic modelling and surveys completed in January 2020 to ensure the integrity of data and conclusions.• The proposal includes a rage of public domain upgrades, including the western end of Pyrmont Bridge: supporting improved accessibility and user experience.• The three levels of basement car parking will be for residential use only, with the Novotel Hotel car park used for retail/commercial car parking.• The site is considered to be well serviced by public transport, light rail, ferry, bus ,cycle networks and more broadly heavy rail. A future metro station at Pyrmont is also under consideration. New pedestrian linkages have been included as an integrated component of the Concept Proposal, connecting the development to the surrounding public transport nodes.
Retail	
The EIA identifies locals as potential customers of retail offerings. Two main factors will likely make this an attractive destination – accessibility, including affordable parking for shoppers and an affordable range of goods. A retail strategy should incorporate elements attractive to and accessible by the local community. Upmarket international brand shops such as The Star are not required.	Through integrated pedestrian links and a widened promenade pedestrian access to the retail component of the proposal will be improved. The retail centre will comprise a high percentage of food and beverage offerings, with extensive areas of public domain to enhance and support the adjacent SICEEP precinct. The retail offering will cater for local and tourist markets, contributing to the overall entertainment and retail experience of Darling Harbour.
Community Benefit	
There is no reference to the provision of social infrastructure to support the development’s new residents and workers. The area lacks adequate educational, childcare, health, sporting, aged care and community infrastructure. Mirvac must be required to provide contributions and consult with local community groups to ensure that social infrastructure projects are initiated.	Mirvac’s Public Benefit Offer is detailed in Appendix P .
Residential Tower	
<ul style="list-style-type: none">• There is no rationale or public benefit within the existing building envelope. It will not deliver affordable homes, and it will not help alleviate the housing shortage in Sydney.• The tower should be reduced in height and moved further south away from the Pyrmont Bridge and 50 Murray Street.	<ul style="list-style-type: none">• As a result of the minor increase in the footprint of the tower envelope (to accommodate opportunities for greater articulation and to provide greater design freedom during the competitive design process) and a refinement of the apartment mix, there is a slight decrease in the indicative number of apartments, from 364 to 357.• The height of the tower has also been reduced from RL 166.35 to RL 153.75 by 12.6metres.• The repositioning of the residential tower 135m to the south of Pyrmont Bridge sees a reduction in perceived mass and bulk adjacent to Pyrmont Bridge and to 50 Murray Street.
Retail Podium	
<ul style="list-style-type: none">• The podium should be constructed within the existing building envelope (no more than 20,000 sqm.)• If it proceeds as planned, it should be stepped and the upper levels should be grassed and vegetated to reduce negative visual impact.	<ul style="list-style-type: none">• The proposal seeks to provide a revitalised centre with 49,000sqm of non-residential floor area, which will be a catalyst for a high-quality retail shopping experience within Darling Harbour along with high value jobs associated with new commercial office floor space. The external appearance of the Harbourside Shopping Centre is dated and out of keeping with the remainder of Darling Harbour which is undergoing redevelopment.

Item Raised		Proponent’s Response
		<ul style="list-style-type: none">As a result of the Tower relocation, the amended concept proposal incorporates the addition of further landscaping opportunities on the northern rooftop extent of the retail podium (non-trafficable), further enhancing views and outlook from 50 Murray Street.
Ultimo Village Voice		
Scale and Building Form		
<ul style="list-style-type: none">The podium and tower will result in a massive and unacceptable increase in development compared to the existing low rise towerThe podium is bulky and imposing and would create a four storey wall along the waterfront with its back to PyrmontThe bulk and scale would cause significant impacts within and adjacent to this prime waterfront location.This proposal is an inappropriate change in character and will make Darling Harbour a no longer pleasant place to visit with easy open access to the waterfront		<ul style="list-style-type: none">The towers height, location and form have been modified to significantly mitigate view impacts, reduce its dominance via increased setbacks from waterfront and podium edge, and to provide a more coherent visual relationship with the ICC hotel.A portion of the podium height at its northern extent has been partly reduced from 30.5 RL to RL 25. The reduction in height provides for improved view sharing from 50 Murray Street. The podium building envelope ranges in height from RL15.5 to RL30.5.The tower form is considered consistent with the anticipated future character of Western Darling Harbour, i.e.: well proportioned, suitably spaced towers.The waterfront experience will be improved as the proposed promenade width has been increased to 20m to provide a more generous and inviting public experience along the waterfront at its southern and mid areas. The width has been increased from 11m to 14m at the northern end of the promenade providing an extra 474sqm from the existing arrangement.
View and Impacts and Overshadowing		
<ul style="list-style-type: none">The proposed podium and tower are large and bulky and will significantly impose on both public and private views.Darling Harbour is dedicated public land and one of its vital roles is providing public access to the harbour, blue skies and a varied skyline. No particular development should dominate outlooks.The proposed Harbourside tower will dominate immediate to long-distance public views, blocking or imposing on the sky, including from Cockle Bay, Pyrmont Bridge, Tumbalong Park and King Street Wharf as well as Market Street, Darling Drive and the Barangaroo foreshore. This will impact severely on the character, amenity and attractiveness of these public spaces.The tower will severely impact on the experience of walking along the Pyrmont Bridge.A large number of adjacent residents will also suffer from significant to devastating view impacts from the proposed development, especially in One Darling Harbour, the Oaks Goldsbrough Apartments and the Gateway Apartments, as well to a lesser degree, the Renaissance Apartments, Arena Apartments, The Phoenix Apartments, Harbour's Edge Apartments and 16-30 Bunn Street. Views are important to the wellbeing of apartment residents, who live with no private open space. A view can connect someone inside an apartment with the outside world and create a sense of space. Loss of views to existing apartments should be avoided and minimized.		<ul style="list-style-type: none">Due to the Tower relocation, the amended concept proposal incorporates the addition of further landscaping opportunities on the northern rooftop extent of the retail podium (non-trafficable), further enhancing views and outlook from 50 Murray Street and an enhanced interface with the Pyrmont Bridge.The new location of the tower will help minimise view impacts from 50 Murray Street, together with reducing overshadowing impacts on the public domain and improved solar amenity to the northern end of the retail centre.Comparative views between existing and proposed envelope and a revised view impact analysis has been provided within this report, refer to Appendix C and Appendix E.
Traffic and Transport		
<ul style="list-style-type: none">The public transport in the area is not adequate. There is only one bus (389) that connects these suburbs to the CBD and there are often long waits, even in peak hours. Given the constraints now, the public transport won’t cope with the increase number of residents form the new residential tower.Providing 295 car parking spaces is excessive and will adversely impact on Harris Street which is already congested.		<ul style="list-style-type: none">The site is considered to be well serviced by public transport, light rail, ferry, bus ,cycle networks and more broadly heavy rail. A future metro station at Pyrmont is also under consideration. New pedestrian linkages have been included as an integrated component of the Concept Proposal, connecting the development to the surrounding public transport nodes.A revised traffic and transport impact report prepared by Arcadis is at Appendix F. The report, which includes recent traffic surveys and intersection counts in January 2020, confirms that the future network performance is generally consistent with the existing performance.
Pedestrian Access		
<ul style="list-style-type: none">Despite the close proximity to the CBD there is a lack of pedestrian access between Ultimo and Pyrmont to and from the city. Residents are forced to go via indirect routes into Darling Harbour and make their way to the city, despite promises from the SICEEP redevelopment that would improve accessThis is an ideal opportunity to reinstate direct pedestrian access from Ultimo/Pyrmont to the city		<ul style="list-style-type: none">The revised proposal maintains the new over bridge link aligning with Bunn Street. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission. The new connection will negate the current cumbersome navigation through a carpark and will provide a direct and straight link to the waterfront.
Pyrmont Community Group		
<ul style="list-style-type: none">There has been no meaningful open space planned for new developments in Pyrmont and Ultimo that was not community-driven. Every small/large green space was fought for by the community.If these developments are considered in isolation they will fail as the traffic and social problems will not be resolvedThe development is too large, infringes on the public amenity.The development should be determined on environmental impact grounds.		<ul style="list-style-type: none">Mirvac’s Public Benefit Offer is detailed in Appendix P.The proposal includes reducing Mirvac’s existing leasehold, supporting the provision of an additional 474sqm along the waterfront.The proposal also includes a commitment to provide both accessible and non-accessible green rooftop spaces.
<ul style="list-style-type: none">It is ultimately for the commercial interest of the developer without offering any community benefit.It provides no affordable housing opportunities.		<ul style="list-style-type: none">Mirvac’s Public Benefit Offer is detailed in Appendix P. The public benefit offer includes affordable housing contributions.
<ul style="list-style-type: none">No developments should be granted approval if it contravenes the 1988 terms of the lease for the Harbourside site. This would create a precedent for all the leases surrounding the Bays Precinct.		<ul style="list-style-type: none">Mirvac will continue to lease the site from the NSW government.
<ul style="list-style-type: none">It is located on public land and public benefits must be included and weighted in as equal to developer profit.		<ul style="list-style-type: none">Significant public benefits are provided. Mirvac’s Public Benefit Offer detailed in Appendix P.
<ul style="list-style-type: none">A traffic study should be prepared for all major intersections in Pyrmont/Ultimo.		<ul style="list-style-type: none">A revised traffic and transport impact report prepared by Arcadis is at Appendix F.

Item Raised	Proponent's Response
<ul style="list-style-type: none">Land must be set aside for public uses such as schools, playing fields, child care, health and community facilities. The development will bring some 300 residents and their needs must be addressed.	<ul style="list-style-type: none">The proposal will focus on upgrading the waterfront promenade and public domain experience in Darling Harbour which will be an important public benefit.
<ul style="list-style-type: none">Reject the proposed building envelope as the tower and the podium are too high, obscure sunlight over the waters of Cockle Bay and the public domain.	<ul style="list-style-type: none">The new location of the tower will help minimise view impacts from 50 Murray Street, together with reducing overshadowing impacts on the public domain and improved solar amenity to the northern end of the retail centre.The height of the tower has been reduced by 12.6metres from RL 166.35 to RL 153.75. The reduction in the height will minimise overshadowing impacts to the public domain as well as better relate to the height of the ICC Hotel.
<ul style="list-style-type: none">Extend the walkway between the Harris/Fig Street to provide pedestrian/cycle access to the CBD. This should be the responsibility of the developer.	<ul style="list-style-type: none">The revised proposal maintains the new over bridge link aligning with Bunn Street. Detail resolution of this will form part of a state signification development application (SSDA Stage 2 for detailed design) submission. The new connection will negate the current cumbersome navigation through a carpark and will provide a direct and straight link to the waterfront.
<ul style="list-style-type: none">The proposed retail component should incorporate elements needed by the local community and not be targeted only to tourists.	<ul style="list-style-type: none">The proposal seeks to provide a revitalised shopping centre which will be a catalyst for a high-quality retail shopping experience within Darling Harbour.