

Mr Brendon Roberts
Senior planning Officer
Key Site Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

By Email: (brendon.roberts@planning.nsw.gov.au)

Dear Mr Roberts

**RE: Heritage Council comments on Environmental Impact Statement for the
Redevelopment of the IMAX Theatre and surrounding public domain upgrades,
Darling Harbour (SSD 7388).**

I refer to your letter dated 25 January 2016 referring the Environmental Impact Statement (EIS) by JBA Urban Planning Consultants dated December 2015 currently on public exhibition to the Heritage Council for comment. After review of the above report and its relevant appendices, particularly Appendix E, the 'the IMAX Redevelopment - Heritage Significance and Impact Assessment' by GML Heritage dated 14 December 2015 the following comments are provided:

Pymont Bridge

The Heritage Significance and Impact Assessment Report prepared by GML Heritage indicates that the Pymont Bridge is located a sufficient distance from the site that the IMAX redevelopment will have little impact on its heritage significance and that the main impact will be an alteration to its visual setting which is considered acceptable.

The Heritage Division notes that the redevelopment of the IMAX site will have visual impact on the setting of Pymont Bridge which is considered acceptable due to the adequate distance between the site and the bridge.

The reflectivity study conducted by Cundall indicated that there may be portions of the Darling Harbour promenade and elevated roadway that will experience higher than acceptable levels of glare due to the curved nature of the north facing glazed façade. Cundall have recommended that exterior glazing with a maximum reflectivity of 8% should be used on the northern façade to reduce glare to sensitive areas surrounding the development site. High levels of reflectivity and the resulting glare could also have impacts on several heritage listed items located nearby. It is, therefore, recommended that a condition relating to the above matter be included in the final approval to ensure that the development complies with the recommendations of the Cundall report.

The Darling Harbour Carousel and Organ

The Heritage Significance and Impact Assessment Report prepared by GML Heritage recommends that a carefully planned methodology for the disassembly and relocation of the Carousel should be prepared and submitted to the consent authority for endorsement prior to its relocation.

The Construction Management Plan prepared by Grocon Constructors indicates that a Conservation Management Plan will be commissioned with reference to the July 2012 SHFA Carousel and Organ CMP in order to facilitate an informed and detailed carousel relocation methodology to the satisfaction of all stakeholders.

The Heritage Division recommends that a condition in regard to the above matters be included in the final approval, and that the methodology and its implementation be carried out in accordance with the Conservation Management Plan guidelines and policies.

Sewage Pumping Station No. 12

Previous assessments of Heritage Impacts by GML Heritage have recommended that a fabric survey should be undertaken to determine the current condition of the building, and for a schedule of conservation works be determined for SPS12.

It is recommended that a condition in regard to the above should be included in the final approval. The conservation works to SPS12 should form part of the proposal, and the works should be implemented prior to completion of this project.

Archaeology

The GML report notes that although the site sits mostly on reclaimed land, there is still some potential for the site to contain archaeological evidence related to the historical use and development of the area. The report also notes that the existing IMAX Theatre building does not have deep foundations or basement levels that would have caused major disturbance to the site during its construction and that further research and assessment would be required to more accurately define the historical archaeological potential of the site.

The strategy outlined in the Environmental Impact Statement, indicating that further archaeological research and testing will be undertaken prior to the issuing of a Construction Certificate, is considered acceptable.

As advised earlier, the Archaeological Report should include an assessment of the archaeological potential of the site and an appropriate mitigation strategy prior to or during works on site. Such a strategy may encompass archaeological monitoring. The proponent must supply the name of an appropriately qualified and experienced historical archaeologist who will be the nominated excavation director undertaking the archaeological mitigation strategy as part of the works on site. Following the receipt of the Archaeological Assessment, further archaeological conditions may be imposed by the Department as part of the project approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting and interpretation may be included as part of these archaeological conditions.

Woodward Fountain

The Heritage Division notes the omission of the Darling Harbour Woodward Water Feature (SHR 01933) from the analysis of the Heritage issues regarding the IMAX redevelopment. The water feature, which is located on the western promenade of Darling Harbour, was listed on the State Heritage Register on 27 June 2014 therefore the Heritage Significance and Impact Assessment report by GML Heritage should have included an analysis of the impact of the IMAX redevelopment on this nearby heritage listed item.

It is considered that the redevelopment of the IMAX Theatre is likely to have little impact on the heritage significance of the water feature other than that of a visual nature which is considered to be acceptable. Any further studies conducted on the redevelopment should consider the Darling Harbour Woodward Water Feature as part of the study area.

In addition to the above, the Heritage Division, on behalf of the Heritage Council, recommends that an Interpretation Plan for the site should be prepared in line with an overall Interpretation Strategy for the broader Sydney International Convention Exhibition & Entertainment Precinct (SICEEP). The Interpretation Plan should incorporate historical information about the cultural and natural history of the site including existing heritage items on site, and any potential archaeological results and findings.

It is recommended that appropriate Consent Conditions should be imposed to manage heritage issues as discussed above, if the proposal is approved. It is recommended that these should cover matters such as the following:

Heritage

1. Reflectivity of the exterior finishes of the building shall comply with the recommendations put forward in the Cundall Reflectivity Study.
2. A methodology for the disassembly and relocation of the Carousel and Organ in line with the guidelines and policies included in the Conservation Management Plan for the item, shall be prepared and submitted to the Director-General, Department of Planning and Infrastructure, for approval, prior to commencement of works;
3. A detailed condition assessment and schedule of conservation works for the Sewage Pumping Station No. 12 shall be submitted to the Director-General, Department of Planning and Infrastructure prior to commencement of works. The conservation works shall be implemented prior to completion of works;
4. Prior to the commencement of works, an excavation permit, under section 140 the Heritage Act of NSW, should be obtained. A Section 140 application along with supporting information including an archaeological assessment report prepared by a qualified historical archaeologist (with demonstrated historic sites experience who can meet the Heritage Council's Excavation Director's Assessment Criteria) shall be submitted to the Heritage Council for approval;
5. Should substantial archaeological remains of state significance be uncovered during the archaeological investigation, amendments may be required to the building design to facilitate in-situ conservation, interpretation and display.

The client should liaise with the NSW Heritage Division on these outcomes for significant archaeological remains. Further advice, assessment and approval may be required before works continue in the area subject to the nature of the discovery;

6. A specialist heritage consultant shall be nominated for the works. The consultants shall have appropriate qualifications and experience commensurate with the scope of the Major Project works.
7. The heritage and archaeological consultants shall advise on the detail design resolution of new works, and manage the implementation of the conditions of approval for the Project.
8. A report by the heritage consultant (illustrated by works' photographs) shall be submitted to the Director-General for approval within 6 months of the completion of the works which describes the work, any impacts/damage and corrective works carried out;
9. 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;
10. All affected potential historical archaeological 'relics' and/or deposits of Local and State 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;
11. After any archaeological works have been undertaken, 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 & Infrastructure. The proponent shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations; and
12. The results of the archaeological fieldwork, the history of the site and other should be used to inform an Interpretation Plan in line with an overall Interpretation Strategy for the broader SICEEP 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 Director-General, Department of Planning & Infrastructure upon receipt of advice from the Heritage Division of the Office of Environment & Heritage.



Thank you for referring this proposal. If you have any questions regarding the above matter please contact Gary Hinder State Heritage Assessment Officer at gary.hinder@environment.nsw.gov.au or on 9873 8547.

Yours sincerely

A handwritten signature in black ink that reads "Rajeev Maini".

Rajeev Maini
A/Manager Conservation
Heritage Division
Office of Environment and Heritage
As Delegate of the Heritage Council of NSW
3 March 2016