

29 February 2016



**Sydney Harbour
Foreshore Authority**

Mr Brendon Roberts
Department of Planning and Environment
GPO BOX 39
SYDNEY NSW 2001

REF: SSD 7388

Dear Mr Roberts

**Re: REDEVELOPMENT OF THE IMAX THEATRE AND SURROUNDING PUBLIC
DOMAIN, DARLING HARBOUR (SSD 7388)**

Thank you for the opportunity to comment on the abovementioned state significant development (SSD) application.

As you would be aware, the Sydney Harbour Foreshore Authority (the Authority) has been briefed on the proposal and the Authority continues to work closely with the proponent to address a number of specific aspects of the proposal which the Authority would like to see amended, particularly in terms of the design of the public domain, the location of palm trees on the valley floor and the final design of the smaller commercial building proposed as part of the development.

In our ongoing discussions and collaborative work with the proponent, it is understood that any design changes to emerge from this process will be submitted to the Department of Planning and Environment (the Department) for consideration as part of the assessment process.

Consequently, the comments below are **solely** based on a review of the **current** plans and supporting documents available on the Department's web site as part of the public exhibition process:-

1. Land Use

The Authority generally supports the renewal of the IMAX site as evidenced by our support of the previous approval for a commercial office, retail and entertainment complex.

However the appropriateness of locating serviced apartments and hotel accommodation on the valley floor of Darling Harbour, an area that has historically only accommodated recreation and entertainment uses is of concern. The issue of long term residency of serviced apartments in this location is of particular concern, as the Authority's experience in managing active dynamic precincts is that occupiers of buildings that are located in a vibrant entertainment/recreation precinct are often upset at the frequency of the significant noise, light emissions and vibration that occurs with a multitude of cultural and community events.

In addition, temporary access arrangements have to be put in place during particularly large events.

Therefore, should this application be approved, the Authority believes consideration should be given to either:

- a) A time limitation of the occupancy of the serviced apartments; or,
- b) the imposition of a covenant and/or restriction as to user on the title/s of the development to ensure that any purchasers and occupiers of the building are made aware that the development is in a vibrant entertainment/recreation precinct that is subject to a large number of cultural and community events that may result in significant noise, light emissions and vibration, and temporary changes to access arrangements.

2. Landscape Treatment

The proposed landscape plan, as lodged, prepared by Aspect Studios suggests that the existing cabbage palms create a visual blockage from Darling Quarter to Cockle Bay and therefore a proportion of them should be relocated and tightly grouped on the western edge of the site to ensure that the circulation space will be 'uncluttered' and fully open.

The original purpose of the cabbage palms in Darling Harbour when they were first planted has always been to reduce the visual and physical impact and the dominant scale of the overhead Western Distributor that bisects Darling Harbour by scattering the palms throughout the public walkway so they resembled an open forest of palms. The cabbage palms have quite narrow trunks and high canopies and it was always considered their visual impact was modest.

Although understanding the argument that the removal of the palms to an alternative location opens up the vista of Cockle Bay, the Authority is concerned that any significant reduction and relocation of the existing cabbage palms would allow the Western Distributor to once again become a dominant element within Darling Harbour and this would be unfortunate.

As indicated previously the Authority is working closely with the proponent to re-examine this component of the public domain design and suggests that the existing cabbage palms be retained in some form of a scattered layout but, at the same time, reduce any perceptions of visual blockage on the valley floor. The retention of the cabbage palms in a scattered layout would ensure the seamless integration of the new upgraded IMAX public domain with the surrounding area to create a more congenial landscape.

3. Outdoor Dining

The submitted plans indicate further encroachment of outdoor dining into the public domain facing Cockle Bay. Although the submitted drawings are very schematic, in reality, once operational, outdoor dining will likely occupy a broader footprint than what is shown.

It is requested that a separate application for any outdoor dining area be submitted, demonstrating compliance with the Authority's policy for outdoor dining in Darling Harbour and ensuing no encroachment within the remaining high intensity pedestrian pathways that surround the development.

29 February 2015

4. City Screen (External Cinema Screen)

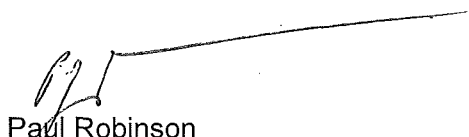
On the western side of the proposed building, above the IMAX Cinema entrance lobby and facing the new enlarged public event space is proposed a large external digital screen. It is noted that the screen would be used for public movie screening, performances, or televised events such as the Olympics etc. as well as identification and business naming signage for the cinema tenant, public announcements and selected use by the Authority for event promotion.

Given the family orientated recreation values in Darling Harbour, the Authority requests that any third party advertising displayed on the screen be limited to that associated with Authority approved events and aligned with an approved curatorial strategy. Strategies for curation of all media content displayed on the screen should be confirmed by the Department prior to the issue of any development consent.

The Authority continues to work collaboratively with the proponent on the public domain design and outcomes. As indicated previously, the Authority's expectation is that, once agreed, these design changes will be submitted to the Department by the proponent for consideration as part of the assessment process.

If you require any further information, please contact the Authority's Senior Place Planner, Mr Nick Fterniatis on 9240 8507.

Yours sincerely



Paul Robinson
A/Executive Director, Place Renewal