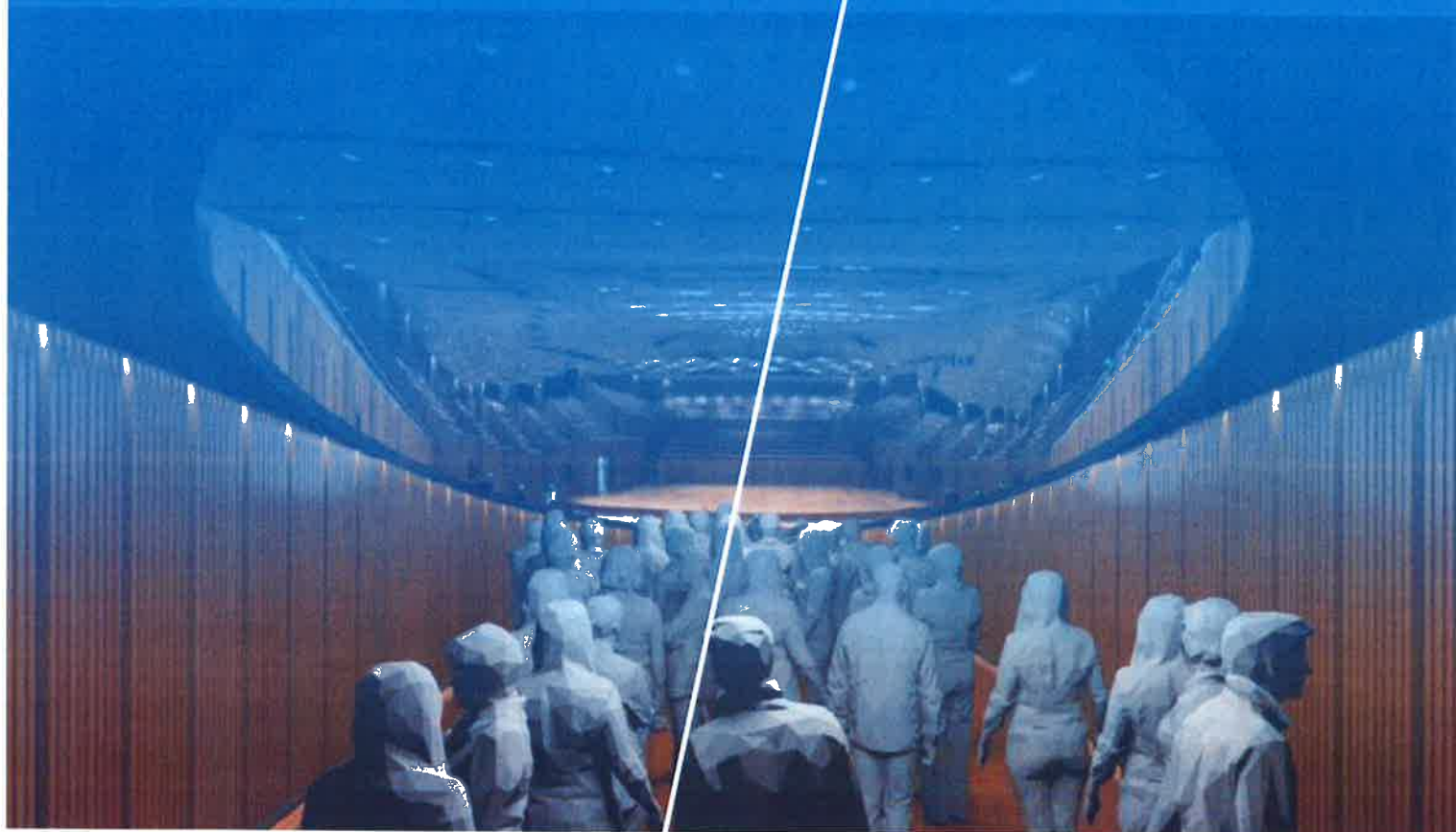




Sydney Opera House Western Broadwalk and Western Foyers: Tours Immersive Digital Experience Modification

Development Application
Modification Assessment
(DA 43-2-2004 MOD 5)



December 2019

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Glossary

Abbreviation	Definition
Applicant	Sydney Opera House Trust
Application	DA 43-2-2004 MOD 5
Consent	Development Consent
Council	City of Sydney Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
Heritage Division	Heritage Division of the Department of Premier and Cabinet (former Heritage Division of the Office of Environment and Heritage)
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
RtS	Response to Submissions
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011



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1. Introduction

This report provides an assessment of an application to modify the development consent (DA 43-2-2004) for the Sydney Opera House (SOH) western broadwalk and western foyers. The modification relates to the re-purposing of an existing space to provide a virtual tour of the SOH Concert Hall whilst it is closed for refurbishment and beyond.

The application has been lodged by Sydney Opera House Trust (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 The site and surrounding context

The SOH is located at 2 Circular Quay East, Bennelong Point and is legally described as Lot 5 in DP 775888 and Lot 4 in DP 787933. The site is situated at the north-eastern edge of the Sydney CBD and is in the Sydney local government area. The site is bounded by Sydney Harbour to the north, east and west, Circular Quay to the south-west, and the Royal Botanic Gardens and Government House to the south-east. A mixed-use residential apartment building (Bennelong Apartments) is located to the south of the site at 1 Macquarie Street. The site and its surroundings are shown at **Figure 1**.

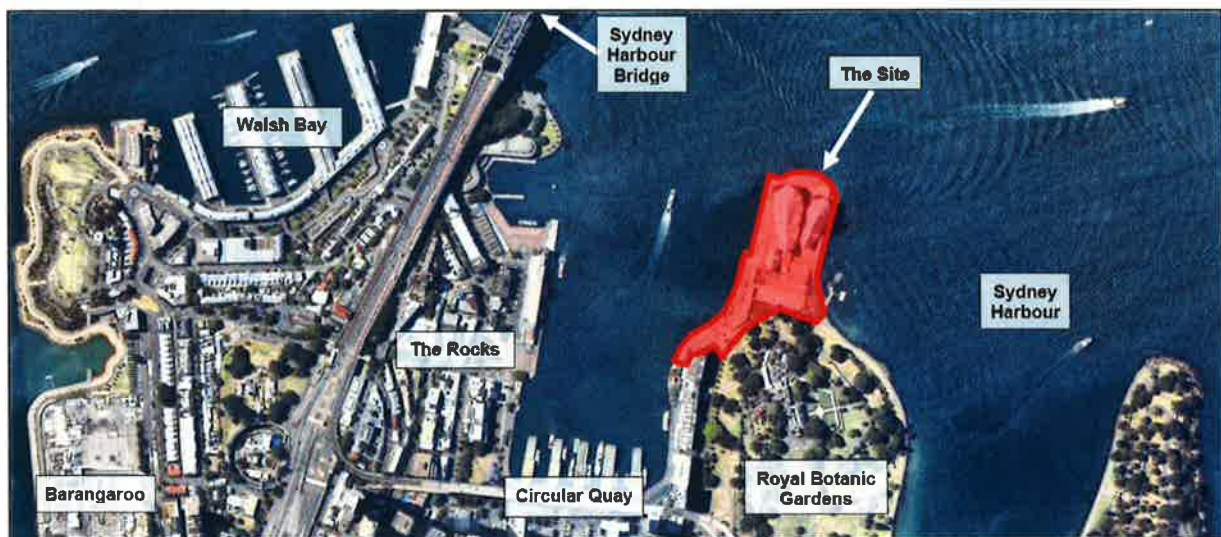


Figure 1 | Site Location (Shown in Red) (Source: Nearmap)

The SOH is one of the world's most distinctive and renowned buildings, and is internationally recognised as a symbol of Sydney and Australia. The SOH building is also of State, National and World heritage significance as a twentieth century architectural masterpiece. It is one of Sydney's premier entertainment and tourist destinations, attracting approximately 8.2 million visitors per year.

The SOH building sits above a large forecourt area and is serviced by an underground loading dock below the forecourt which is accessed via Macquarie Street. Access from the forecourt to the south of the main buildings is provided via the main podium steps (the monumental steps) and the southern forecourt.

The works are proposed in a back-of-house storage space with an area of 115 m², located adjacent to a back-of-house passage running between the Bennelong and Central Passages (**Figure 2**). The space is currently used for offices and food and beverage storage, and is adjacent to the western foyers. The western foyers house three

performing arts venues (Drama Theatre, Studio and Playhouse) and consist of a number of uses, including a tourist and cultural precinct used for tours, exhibitions, talks and presentations. The adjoining western broadwalk contains a colonnade that houses a café/bar (**Figure 3**). The location of the proposed works in relation to the western foyers is shown at **Figure 4**.



Figure 2 | Part of the existing back-of-house space proposed to be converted (Source: Department photograph)

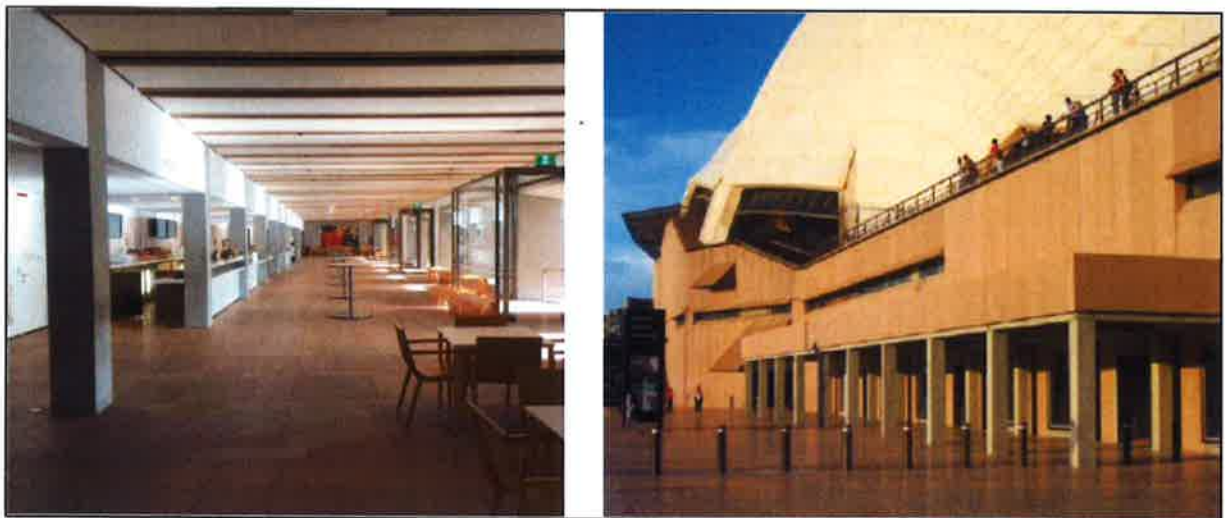


Figure 3 | Western foyers (left) and colonnade (right) (Source: Nearmap)

1.2 Approval History

On 29 June 2004, the Minister for Infrastructure and Planning granted development consent for the upgrade and refurbishment of the western broadwalk and western foyer, including a new loggia, new framed openings to the western podium walls, unified foyer space and lift access from the lower concourse, podium and box office foyer levels (DA 43-2-2004).

The development consent has previously been modified on four occasions, as summarised in **Table 1**. The proposed development is outside, but adjacent to, the footprint of the approved development (**Figure 4**). The consent has been acted on and construction completed.

Table 1 | Summary of modifications to the development consent

Mod No.	DA No.	Description	Consent Authority	Approval Pathway	Approval Date
1	MOD 136-11-2006	Various works, including: <ul style="list-style-type: none"> • construction of a new access corridor, door opening and lift lobby to provide access from the lower concourse to the Bennelong Lift • construction of new toilets in the Exhibition Hall • minor amendments to the design and layout of the western foyer 	Executive Director, Strategic Sites and Urban Renewal	Part 4 s96(2) State Significant Development	7 March 2007
2	MOD 86-11-2007	Erection and use of a temporary marquee on the western broadwalk for 2 separate 6-month periods during construction works on the western foyer	Executive Director, Strategic Sites and Urban Renewal	Part 4 s96(2) State Significant Development	28 December 2007
3	MOD 16-5-2008	Temporary use of part of the southern forecourt for the erection of 'The Famous Spiegeltent' during construction works on the western foyer and studio entrance	Director-General	Part 4 s96(2) State Significant Development	23 June 2008
4	MOD 57-8-2008	Extension of the hours of operation of the Spiegeltent by 30 minutes	Executive Director, Strategic Sites and Urban Renewal	Part 4 s96(1A) State Significant Development	18 August 2008

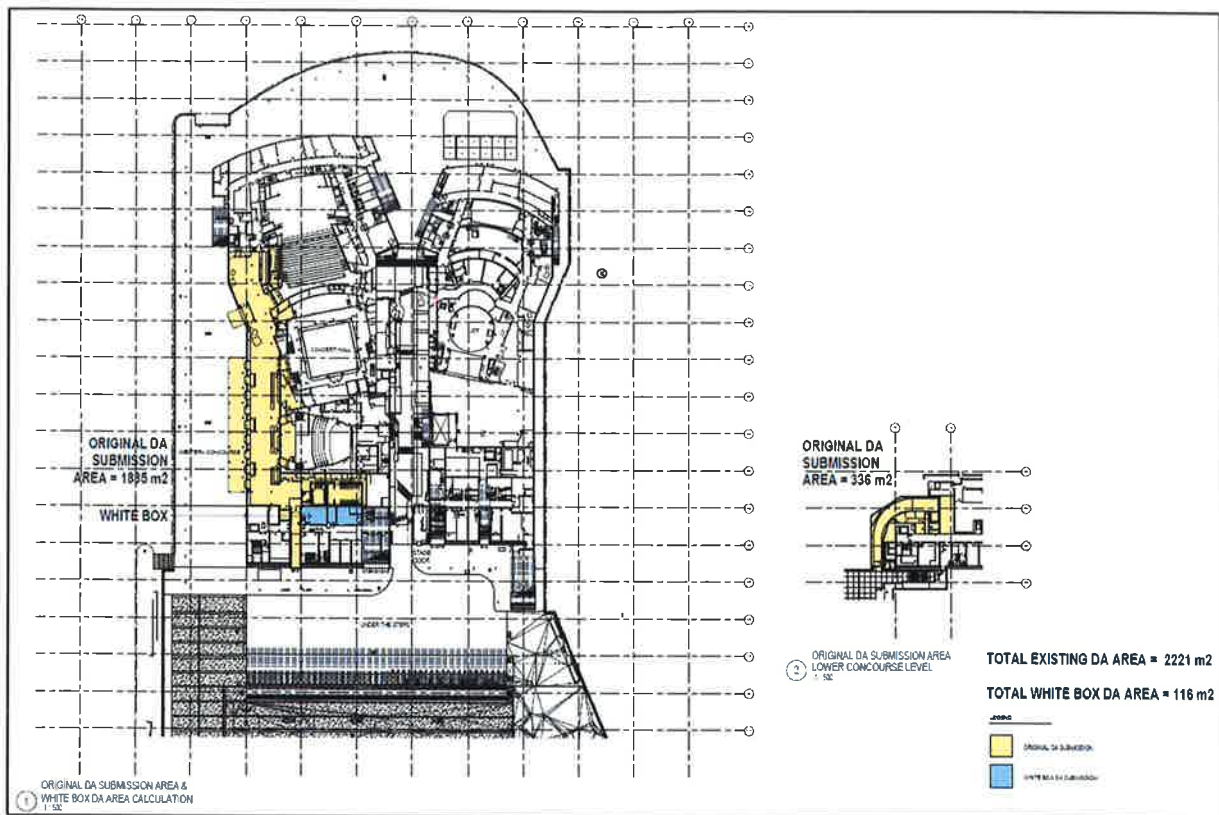


Figure 4 | Comparison of footprint of consent (yellow) and proposed works (blue) (Source: Architectural Drawings)

1.3 Sydney Opera House Building Renewal Program/Related applications

The SOH Trust has developed a Building Renewal Program (BRP) (see **Figure 5**) to guide the transformation of the SOH building over the decade up to the fiftieth anniversary of the building's opening in 2023. The BRP is valued at \$277 million and represents the largest program of capital works to the SOH building since its opening in 1973.

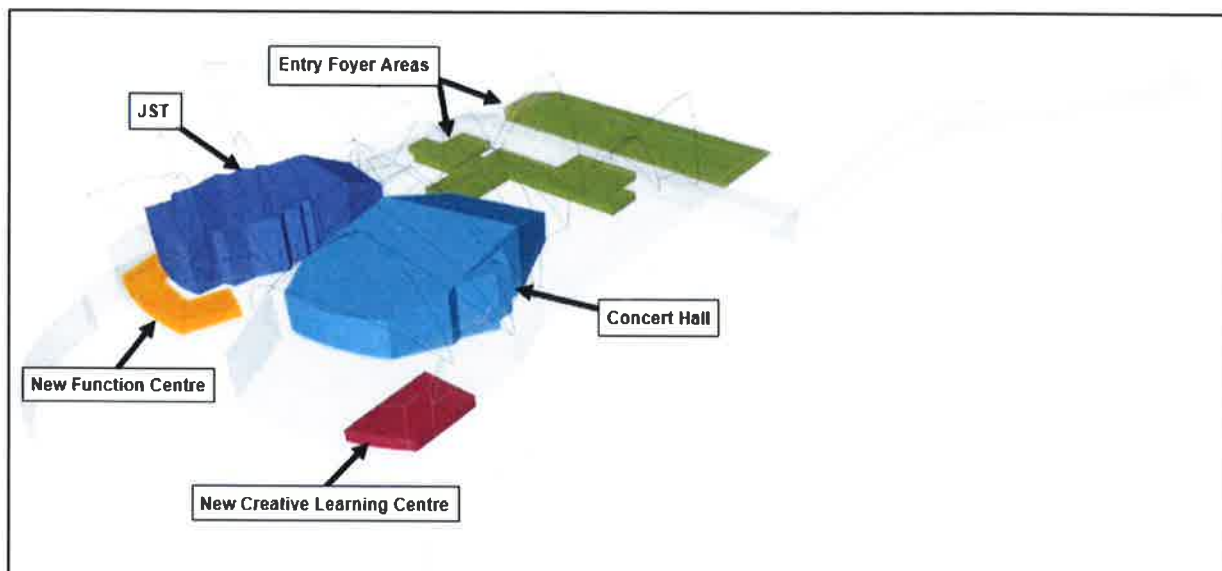


Figure 5 | SOH Building Renewal Program (Base source: SSD 7881 EIS)

The BRP is aimed at maximising the SOH's economic and cultural significance as a tourist destination and performing arts centre for the 21st century.

The BRP comprises a wide range of works to the SOH building, including upgrading the Joan Sutherland Theatre (JST), entry foyer areas, function centre and Concert Hall and a new Creative Learning Centre. The Department has approved the function centre (7881), works to the JST to replace theatre equipment (SSD 7639), and accessibility upgrades (SSD 7665). All works to the JST, function centre and accessibility upgrades are now complete. The Concert Hall upgrade and New Creative Learning Centre are the subject of SSD 8663, which is currently under assessment.

There are two key reasons for the project:

- the Renewal Interpretation Strategy (RIS) required by EPBC Approval 2016/7825 (associated with the redevelopment of the JST (SSD 7665))
- the planned closure of the Concert Hall from February 2020 for approximately two years.

Condition i of the EPBC 2016/7825 Approval requires a Heritage Interpretation Strategy to be submitted, that includes “a commitment to display information about the evolution of the design and fabric of the building, including through the building renewal program, in publicly accessible areas”. Recommendation 5 prescribes to “provide interactive and immersive interpretive material and experiences to visitors and audiences to explore onsite”. This modification addresses this strategy and the content and design of the proposal is required to be developed in accordance with the interpretative themes of the RIS.



2. Proposed Modification

2.1 Description of proposal

The Applicant seeks approval for the repurposing of an existing ground floor back-of-house space to provide an area where patrons can undertake a digital tour of the Concert Hall during its closure and beyond. The key components of the application (as amended by the RtS) are outlined in **Table 2** and shown at **Figures 6 to 9**. The proposed works are outside of, but adjacent to, the footprint of the approved development.

Table 2 | Main Components of the Project

Aspect	Description
Use	<ul style="list-style-type: none">• The fit-out and use of three adjoining back-of-house storage rooms to provide a 67 m² area where patrons can undertake a 5-6-minute digital tour of the Concert Hall. The tour would include projection of photos, renders and film of the Concert Hall• Proposed hours of operation for digital tours use are 7 am to 11 pm• The total area is 115 m² and includes a services zone (not accessible by the public) to house the digital technology, including projectors• The area is also proposed to be used for other events, such as talks, exhibitions, presentations and small performances, to be complemented by food and beverage when not required for tours• Capacity is up to 100 persons.
Works	<ul style="list-style-type: none">• Demolition of a portion of the concrete podium concrete structure along the Bennelong Passage to provide access to the digital tours space through a new double sliding door• Removal of concrete wall, door and roller shutter in existing back-of-house passage• New fire escape within the back-of-house passage• Installation of loose furniture.
Signage	<ul style="list-style-type: none">• Bronze signage on, and digital theatre sign adjacent to, new sliding access door to digital tours venue from Bennelong Passage.
Construction	<ul style="list-style-type: none">• Expected to take approximately 8 weeks• It is likely some works will be undertaken outside standard construction hours, potentially on a 24-hour-a-day, seven-days-a-week basis.
Employment	<ul style="list-style-type: none">• 4 construction jobs• No new operational jobs.
Cost of works	<ul style="list-style-type: none">• \$1,907,851.00.

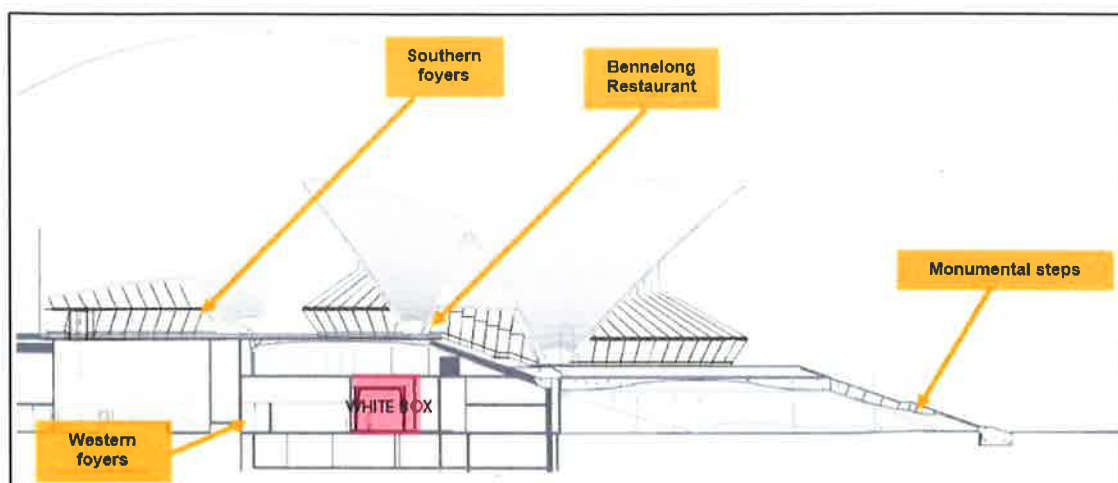


Figure 6 | Section drawing showing proposed works location (labelled by its project name, white box) (Base source: Architectural Drawings)

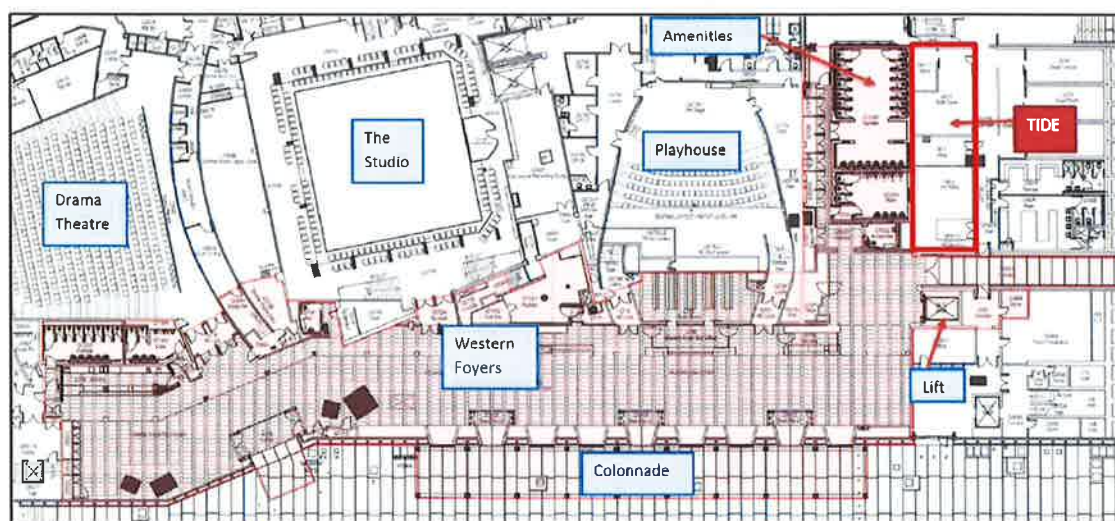


Figure 7 | Location of proposed works (bold red outline – Tours Immersive Digital Experience) in relation to approved footprint (shaded red) (Source: Applicant's Modification Report)

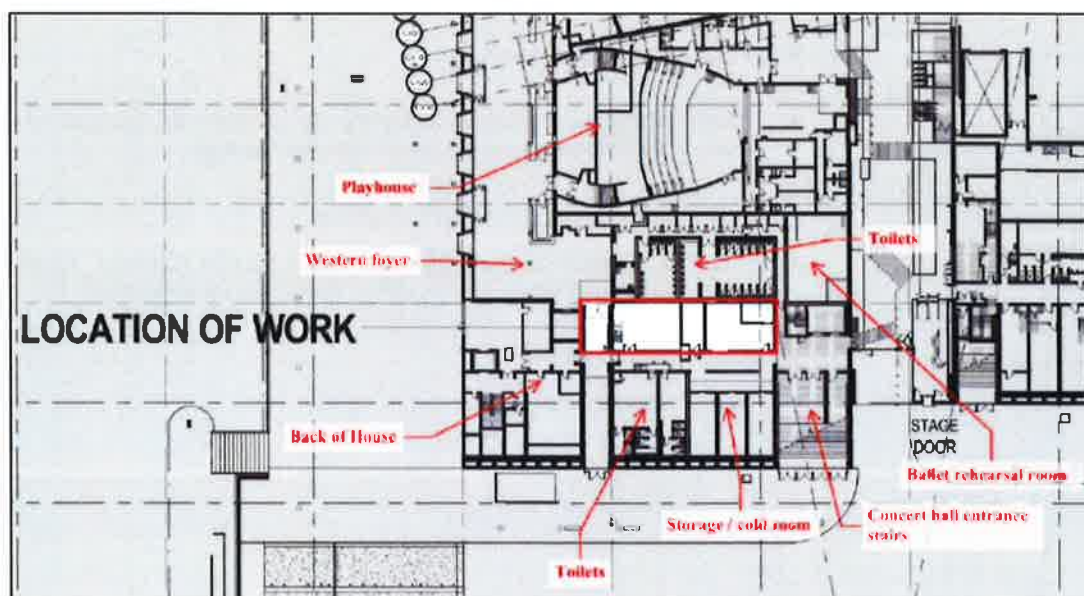


Figure 8 | Location of proposed works (shown white) in relation to surrounding uses (Source: Applicant's Modification Report)

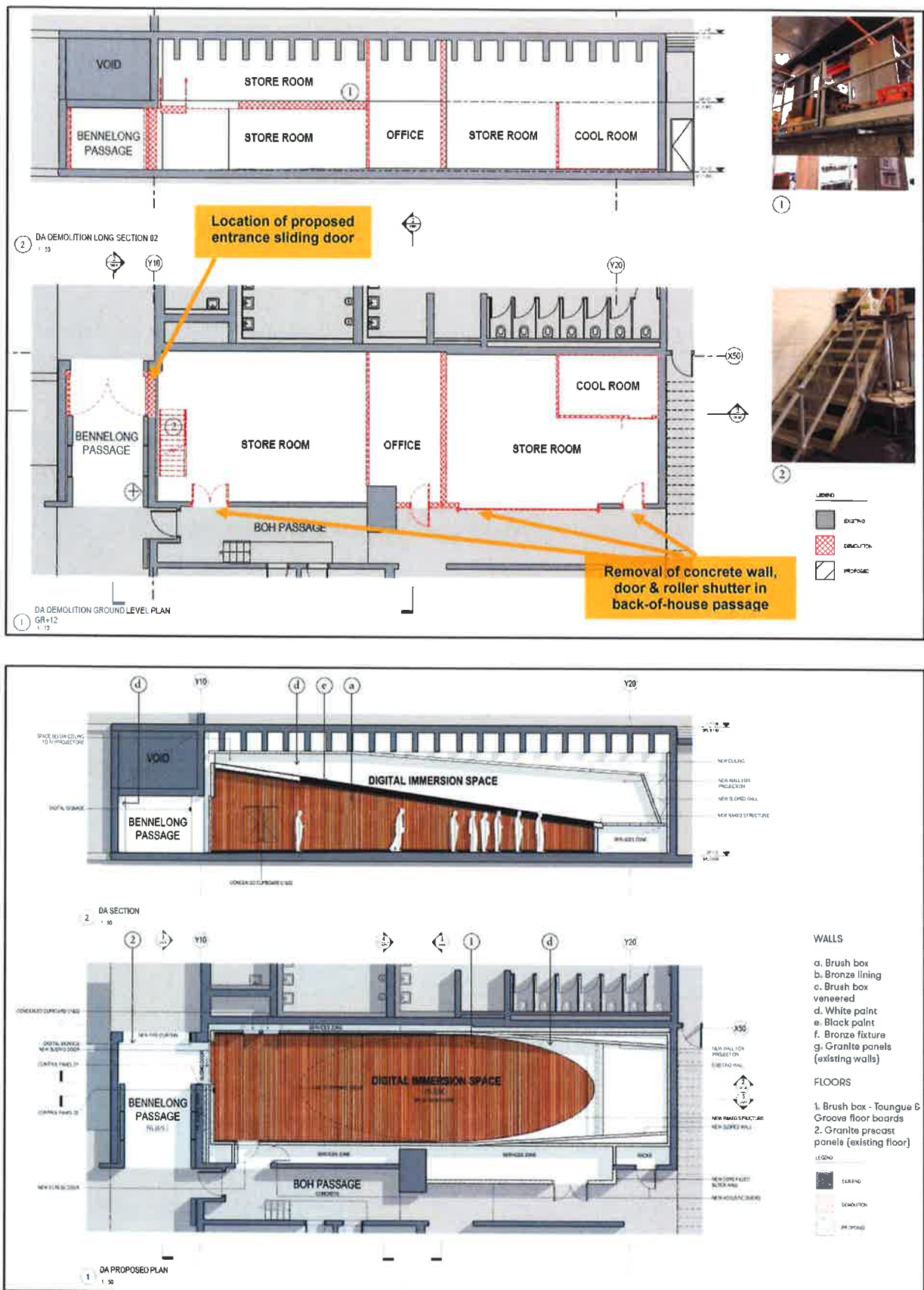


Figure 9 | Section and plan of existing (showing elements to be demolished in red) and proposed works (Base source: Architectural Drawings)



3. Strategic Context

3.1 Greater Sydney Region Plan and Eastern City District Plan

The Greater Sydney Region Plan (GSRP) supports a 40-year vision for a metropolis of three cities that will rebalance growth and deliver its benefits more equally and equitably to residents across Greater Sydney. The site is located within the Harbour CBD.

The GSRP outlines how Greater Sydney will manage growth and guide infrastructure delivery. It sets the vision and strategy for Greater Sydney, to be implemented at local level through District Plans. The site is located in the Eastern City District.

The proposal is consistent with the GSRP and Eastern City District Plan as it would preserve a tourism and cultural asset by enhancing the visitor experience of an iconic Sydney building during the planned closure of the Concert Hall and beyond. This would support the diversity of activities in Greater Sydney's visitor economy and promote its heritage. The proposal would not have an adverse impact on the scenic landscape of the SOH.



4. Statutory Context

4.1 Scope of Modifications

A consent authority may modify the consent if it is satisfied the proposed modification application meets the requirements of section 4.55(1A) of the EP&A Act. An assessment of the proposed modification application against the requirements of section 4.55(1A) of the EP&A Act is in **Table 3**.

Table 3 | Consideration of section 4.55(1A) of the EP&A Act

Section 4.55(1A)	Assessment
That the proposed modification is of minimal environmental impact	The proposal would have minimal environmental impact as the works are minor, would not have an adverse impact on existing fabric, would have minimal visibility from front-of-house spaces, would match the existing materials palette, and the majority of the works are reversible. These issues are considered in Section 6 of this report.
That the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all).	The proposed works are directly adjacent to the footprint of the original application, and consistent with the use of the surrounding space in the western foyers as a tourist and cultural precinct for tours, creative activities and occasional exhibitions, talks and presentations. Therefore, the Department is satisfied the development is substantially the same development for which consent was originally granted.
The application has been notified in accordance with the regulations.	The application is not required to be notified in accordance with the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation) (refer to Section 5 of this report).
Consideration of any submissions made concerning the proposed modification within the period prescribed by the regulations.	The Department has consulted the Heritage Division of the Department of Premier and Cabinet (former Heritage Division of the Office of Environment and Heritage) (Heritage Division) and City of Sydney Council in relation to the modification application (refer to Section 5 of this report).

Accordingly, the Department considers the application should be assessed and determined under section 4.55(1A) of the EP&A Act.

4.2 Consent Authority

DA 43-2-2004 was lodged under the provisions of State Environmental Planning Policy No.56 – Sydney Harbour Foreshores and Tributaries (SEPP 56) and deemed State significant development under the provisions of Schedule 1. The Minister was therefore the consent authority. SEPP 56 has since been repealed, and clause 1 of Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) states the Minister is the consent authority for all development on the SOH site that is not categorised as exempt development.

As the Minister was the consent authority for the subject site at the time when DA 43-2-2004 was determined, the Minister remains the consent authority for any subsequent modifications to this consent. However, under the Minister's delegation, the Director, Key Sites Assessments, may determine the application as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made

- there are no public submissions in the nature of an objection.

4.3 Permissibility

Under the Sydney Local Environmental Plan 2012 the site is zoned B8 Metropolitan Centre and the proposed development is permissible with consent.

4.4 Environmental Planning Instruments

The following Environmental Planning Instruments (EPIs) and Development Control Plans (DCPs) apply to the site:

- State Environmental Planning Policy (State & Regional Development) 2011
- State Environmental Planning Policy (State Significant Precincts) 2005
- State Environmental Planning Policy No. 55 – Remediation of Land
- Draft Remediation of Land State Environmental Planning Policy
- State Environmental Planning Policy (Coastal Management) 2018
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Draft Environment State Environmental Planning Policy
- Sydney Local Environmental Plan LEP 2012
- Sydney Harbour Foreshores and Waterway Area DCP 2005
- Sydney DCP 2012.

The Department undertook a comprehensive assessment of the proposal against the relevant EPIs and DCPs in its original assessment. The Department has considered the above EPIs and DCPs and is satisfied the proposed modification is consistent with these.

4.5 Objects under the Act

The Minister (or delegate) must consider the objects of the EP&A Act when making decisions under the Act. The Department is satisfied the proposed modification is consistent with the objects of the EP&A Act.

4.6 Sydney Opera House Management Plan 2005

Clause 288 of the EP&A Regulation requires consent authorities to consider the Sydney Opera House Management Plan (2005) (SOH Management Plan) when determining development applications on the SOH site.

Section 6 of the SOH Management Plan specifies that the provisions of A Plan for the Conservation of the Sydney Opera House and its Site (Third Edition) 2003 (CMP 2003 and the Sydney Opera House Utzon Design Principles 2002 (Utzon Design Principles), should be relied upon to determine the impact of a project on the heritage values of the SOH. The CMP has now been superseded by Respecting the Vision: Sydney Opera House – A Conservation Management Plan (4th Edition) 2017 (the CMP). The CMP and Utzon Design Principles are guiding policy documents for the on-going conservation and management of proposals to change the SOH.

The original DA was assessed as complying with the guiding principles in both the CMP 2003 and Utzon Design Principles. The Department's assessment of this modification application concludes the proposal would comply with the relevant provisions of the SOH Management Plan, the CMP and the Utzon Design Principles.

4.7 Environment Protection Biodiversity Conservation Act 1999 (EPBC Act)

The SOH site is declared a World Heritage property and a National Heritage place under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Clauses 12 and 15B (Chapter 2, Part 3, Division 1, Subdivision A) of the EPBC Act outlines the requirements for approval of actions that result in a significant impact (controlled action) on a declared World Heritage property or

a National Heritage place. Under the EPBC Act, a controlled action requires approval by the Commonwealth Department of Environment and Energy under the bilateral agreement between the Commonwealth and NSW governments.

The obligation to obtain further approval under the EPBC Act rests with the Applicant. However, the Department does not consider the proposed modification a controlled action under the EPBC Act and therefore referral to the relevant Commonwealth Minister with regard to impacts on World and National heritage values is not required.

4.8 The Heritage Act 1977

The Applicant is required to obtain a separate approval under Part 4 of the *Heritage Act 1977* (Heritage Act) following the granting of consent under Part 4 of the EP&A Act. This requirement is identified in the SOH Management Plan and is required under the former clause 90, Schedule 6 and clause 16, Schedule 6A of the EP&A Act, now contained in Schedule 1 and clause 16 of Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

The Applicant will therefore need to seek this approval following the granting of any consent by the Minister (or delegate) for this modification. The Department has proposed an Advisory Note in the consent to make this requirement known.

The Department has considered heritage issues in its assessment of the proposal in **Section 6.2** of this report. The Department's assessment concludes the proposed modification would not adversely affect the local, State, National or World Heritage values of the SOH, and would comply with the relevant provisions of the SOH Management Plan.



5. Engagement

5.1 Department's Engagement

In accordance with the EP&A Regulation, the modification application was not required to be publicly notified or advertised. However, it was made publicly available on the Department's website on 23 September 2019, and referred to Council and the Heritage Division for comment. No public submissions were received. A link to all submissions is provided in **Appendix A**.

5.2 Key Issues – Government Agencies

The Heritage Division stated the following:

- the demolition mostly consists of non-significant fabric, however will have a physical impact on the SOH's original structure and fabric, including original 1973 elements such as a door, roller shutter and concrete wall, and a portion of the 1968 concrete podium structure due to the creation of a new door in the Bennelong Passage. However, the creation of the new door will not affect the adjacent wall, beams or configuration of the passage, which is identified as having exceptional significance
- the reversion of this space to a front-of-house area is acceptable as it was initially a front-of-house space until the 1990s
- the use of the space for private functions is not supported and it should only be used for interpretative purposes
- a number of conditions are recommended, including that all recommendations within the HIS should be adopted, a nominated heritage architect should be involved in the detailed design, the 1973 doors should be salvaged and stored for re-use, finishes should complement the existing SOH design, significant fabric should be protected during the works, and archival photographic recording should be undertaken.

5.3 Key Issues – Council

Council stated it had no comments on the proposal.

5.4 Response to Submissions

The Department placed copies of all submissions received on its website and requested the Applicant provide a response to the comments raised in the submissions.

On 19 November 2019, the Applicant provided a Response to Submissions (RtS) report. In conjunction with the RtS, the Applicant also provided additional information on where the current back-of-house facilities are proposed to be relocated, removed the fire curtain in the Bennelong Passage, and updated the overall capacity for the space from 70 to 100 persons, based on an amended Fire Engineering Report.

The RtS was made publicly available on the Department's website and no submissions were received. A link to the submissions is provided at **Appendix A**.



6. Assessment

In assessing the merits of the proposal, the Department has considered:

- the modification application and associated documents
- the Environmental Assessment and conditions of approval for the original application (as modified)
- all submissions received on the proposal and the Applicant's RTS
- relevant environmental planning instruments, policies and guidelines
- the requirements of the EP&A Act.

The Department considers the key assessment issues associated with the proposal are the proposed digital tours use and heritage impacts. Other potential impacts are considered in **Section 6.3**.

6.1 Digital tours use

The Applicant proposes to repurpose an existing ground floor back-of-house space to provide an area where patrons can undertake a digital tour of the Concert Hall, during its closure and beyond. The space will be used for other events, such as talks, exhibitions, presentations and small performances to be complemented by food and beverage when not required for tours (between 7 am and 6 pm).

The Heritage Division stated the reversion of this space to a front-of-house area is acceptable as it was initially a front-of-house space until the 1990s, and considers the space should not be used for private functions.

The Department considers the 115 m² space represents a relatively minor increase to the approved development footprint, equating to approximately five per cent, and the space is directly adjacent to the footprint of the approved development.

The Department supports the conversion of this area to a front-of-house use as this was its original purpose as part of the larger Exhibition Hall that was opened in 1973, before being converted to a back-of-house space in the early 1990s. The Department considers the change of use of this space from an office and for food and beverage storage and the alternative uses proposed (such as talks, exhibitions and small performances) is acceptable as they are consistent with the uses originally approved for the surrounding western broadwalk and western foyers spaces. Further, the space would not be used for private parties or functions, unless the function is associated with performances or events in the SOH, and would therefore be consistent with the primary use of the SOH as a performing arts centre.

The Department considers the proposal is consistent with the requirement in the Commonwealth Approval for the redevelopment of the Joan Sutherland Theatre for the preparation of a Heritage Interpretation Strategy that includes a commitment to display information about the evolution of the design and fabric of the building in publicly accessible areas. The Department also considers the relocation of the food and beverage areas to an existing storage space closer to the central kitchen would have operational benefits for the SOH, and would not result in adverse heritage impacts as only minor fit-out works are required, such as the installation of shelving.

The Department has recommended conditions to manage impacts on the amenity of the surrounding area and users of the SOH, by limiting hours of operation of the digital tours venue to 7 am to 11 pm, seven-days-a-week, and restricting the number of persons in the area to 100. The Department considers these hours of operation are appropriate as they are consistent with those permitted for the visitor centre (SSD 6353) and the existing hours for SOH tours. The Department also recommends a condition preventing the use of the space for private functions.

The Department's assessment therefore concludes the change of use is acceptable subject to the recommended conditions.

6.2 Heritage

Some elements of the works would require the demolition of significant heritage fabric, including a portion of the 1968 concrete podium concrete structure along the Bennelong Passage (Figures 10 and 11) and the removal of the 1973 concrete wall, door and roller shutter in the back-of-house passage (Figure 9).



Figure 10 | Existing Bennelong Passage showing location of proposed entrance door (Base source: Applicant's Modification Report)

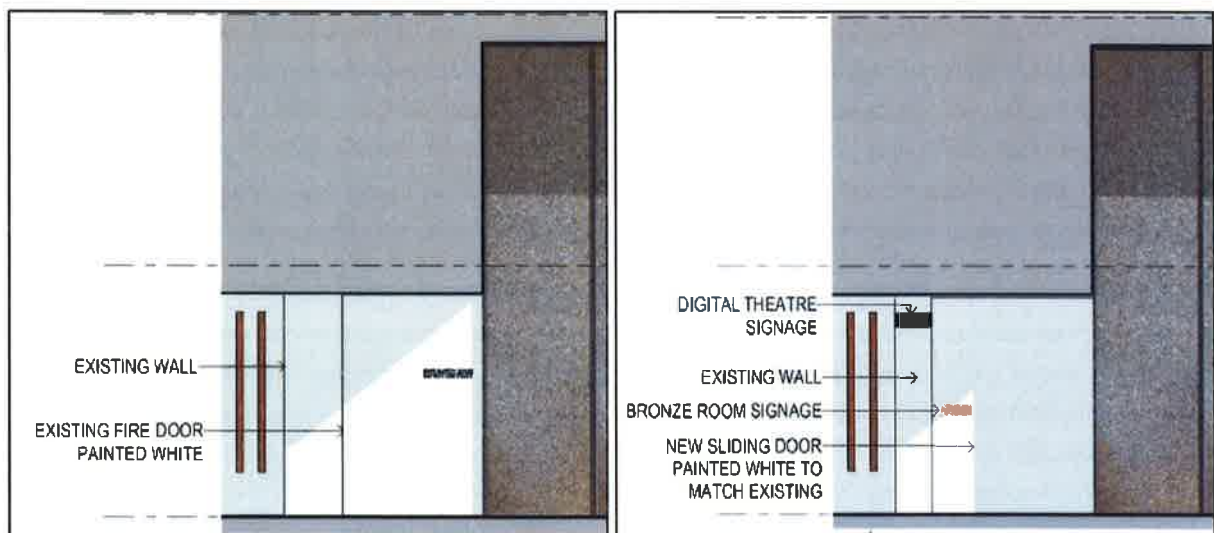


Figure 11 | Existing (left) and proposed (right) door to Bennelong Passage (Source: Architectural Drawings)

The Heritage Division stated the demolition mostly consists of non-significant fabric, although will have a physical impact on the SOH's original structure and fabric, including original elements. However, it notes the creation of

the new door will not affect the adjacent wall, beams or configuration of the passage, which is identified as having exceptional significance, and heritage impacts can be managed through conditions of consent.

The Department considers the works would have minimal environmental impact as the change to the building is minor and no external works are proposed. The only works visible from front-of-house space/public facing internal areas would be the new sliding door to enter the digital tours space, which would be similar in appearance to the existing (**Figure 11**) and would not have an adverse impact on the adjacent granite wall panels or Bennelong Passage. The Department notes the doors fronting the back-of-house passage that are proposed for removal would be salvaged for reinstatement in a similar location or stored for future use. Further, the tours space would sit within the existing walls and would be completely removable, therefore minimising impacts on heritage fabric.

The Department supports the proposed materials as they are consistent with the materials palette established by Peter Hall for original interior elements, including brush box timber panelling to the walls and floors (**Figure 12**), white finish to door fronting Bennelong Passage, and bronze entry signage on the new sliding door.



Figure 12 | Artists impression of the proposed facility (Base source: Applicant's Modification Report)

The Department recommends a number of conditions to manage heritage impacts, including requiring salvage and re-use of significant fabric, finishes complementary to the existing SOH design, protection of significant fabric during works, and archival photographic recording.

The Department's assessment concludes the proposed works would not have an adverse heritage impact, subject to the recommended conditions of consent.

6.3 Other Issues

The Department's consideration of other issues is provided at **Table 4**.

Table 4 | Summary of other issues raised

Issue	Findings	Recommended Condition
Construction management	<ul style="list-style-type: none"> Construction is expected to take approximately 8 weeks. The Applicant states it is likely some works will be undertaken outside standard construction hours, potentially on a 24-hour-a-day, seven-days-a-week basis. The Applicant states all deliveries and removal of materials would be via the underground loading dock (accessed from Macquarie Street), and that public areas affected by the works would be enclosed by construction hoardings and sealed off from public access. The Department's assessment concludes the potential construction impacts associated with the proposal would be acceptable as the works are all internal and are temporary in nature. Further, the existing and amended conditions are adequate to ensure there are no adverse impacts on surrounding residents or users of the SOH. 	<ul style="list-style-type: none"> Prepare a Construction Environmental Management Plan (CEMP) to ensure construction waste, dust, access and noise are adequately managed during construction. Limit 24-hour-a-day internal construction work to a period of 18 months from the granting of the original consent, to allow for 24-hour-a-day construction work for the duration of the works proposed in this modification. Update the existing construction noise condition to include a reference to the latest Australian standard and the Interim Construction Noise Guideline (Department of Environment and Climate Change 2009).



7. Evaluation

The Department has assessed the merits of the modified proposal, taking into consideration advice from the government agencies and Council, and considers all environmental issues associated with the modified proposal have been suitably addressed.

The modification is of minimal environmental impact, substantially the same development as originally approved and compliant with statutory requirements.

The Department considers the proposal acceptable as:

- it would allow visitors to experience what the refurbished SOH Concert Hall would be like
- the area would be converted to front-of-house space, consistent with its initial use and the uses in the surrounding western foyers area
- the works are minor and reversible and would not have an adverse heritage impact
- the works would not have an adverse impact on the existing building fabric and would have minimal visibility from front-of-house spaces
- the works would be subject to the recommended conditions requiring salvage and re-use of significant fabric, finishes complementary to the existing SOH design, protection of significant fabric during works, and archival photographic recording.

Consequently, the Department considers the modification is in the public interest and should be approved, subject to the imposition of new and amended conditions.



8. Recommendation

It is recommended that the Director, Key Sites Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application (DA 43-2-2004 MOD 5) falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **modifies** the consent DA 43-2-2004
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:

Karl Fetterplace

Senior Planner
Key Sites Assessments

Recommended by:

Cameron Sargent

Team Leader
Key Sites Assessments



9. Determination

The recommendation is: adopted/not adopted by:

Advised.

12/12/19

Anthony Witherdin

Director

Key Sites Assessments



Appendices

Appendix A – List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows:

1. Statement of Environmental Effects/Environmental Assessment
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10076
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10076
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10076

Appendix B – Consolidated Consent

The Consolidated Consent can be found on the Department of Planning, Industry and Environment's website as follows.

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10076

Appendix C – Notice of Modification

The Notice of Modification can be found on the Department of Planning, Industry and Environment's website as follows.

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10076