



ARCHITECTURE
PLANNING AND
URBAN DESIGN

VISITOR AND INTERPRETATION CENTRE
AT
THE SYDNEY OPERA HOUSE

PRELIMINARY ASSESSMENT
& REQUEST FOR DGRS

Prepared on behalf of
The Sydney Opera House Trust
Decmeber 2013

Introduction

The report has been prepared to accompany a State Significant Development Application lodged pursuant to Section 78A(8A) of the *Environmental Planning and Assessment Act 1979* for development to be carried out on a State Significant Site, being the site of The Sydney Opera House. The purpose of this report is to seek Director-Generals Requirements for the Environmental Impact Statement (EIS) which will accompany the State Significant Development Application.

This proposal seeks approval for a construction of a new Visitor and Interpretation Centre at the southern entrance to the site on the approach from Circular Quay. The Centre would be a sculptural instalment that will serve as a meeting place and provide information about the site. The purpose of the Centre is to provide a 'welcome' or first point of contact for the millions of visitors each year, provide information and direction for those visitors, and thereby improve the visitor experience.

Development on the subject site is declared to be State Significant Development under the provisions of both *State Environmental Planning Policy (Major Development) 2005*, and *State Environmental Planning Policy (State and Regional Development) 2011*. As such, the Minister is the consent authority for the proposal.

To enable the Director General to determine the matters to be assessed in the Environmental Assessment, this preliminary report provides the following information:

- A description of the site;
- Details of the proposal;
- Planning provisions and policy applicable to the site; and
- Identification of any possible environmental issues that could be anticipated under the project.

Site Details

The well-known Sydney Opera House is conspicuously located at the northern end of the Sydney CBD, immediately adjoining Sydney Harbour and between Sydney Cove and Farm Cove as depicted on the following map:



Figure 1: Site Location

The Sydney Opera House is a State, National and World Heritage listed national icon and Australia's premier tourist destination attracting around 8.2 million visitors each year.

The Sydney Opera House serves as one of the visual buttresses beside the principal entry to central Sydney via Circular Quay with the other being the Sydney Harbour Bridge. In addition, because of its location on a promontory, The Sydney Opera House constitutes an exceptionally visible and obvious component of the Sydney Harbour panorama with a background provided by the residential and office towers of the city itself.

The site of The Sydney Opera House has the real property reference of *Lot 5 in Deposited Plan 775888* and *Lot 4 in Deposited Plan 787933*.

The proposal in this case relates the southernmost section of the site, on the approach from Circular Quay and forming part of the Southern Forecourt. (Refer Figure 2)

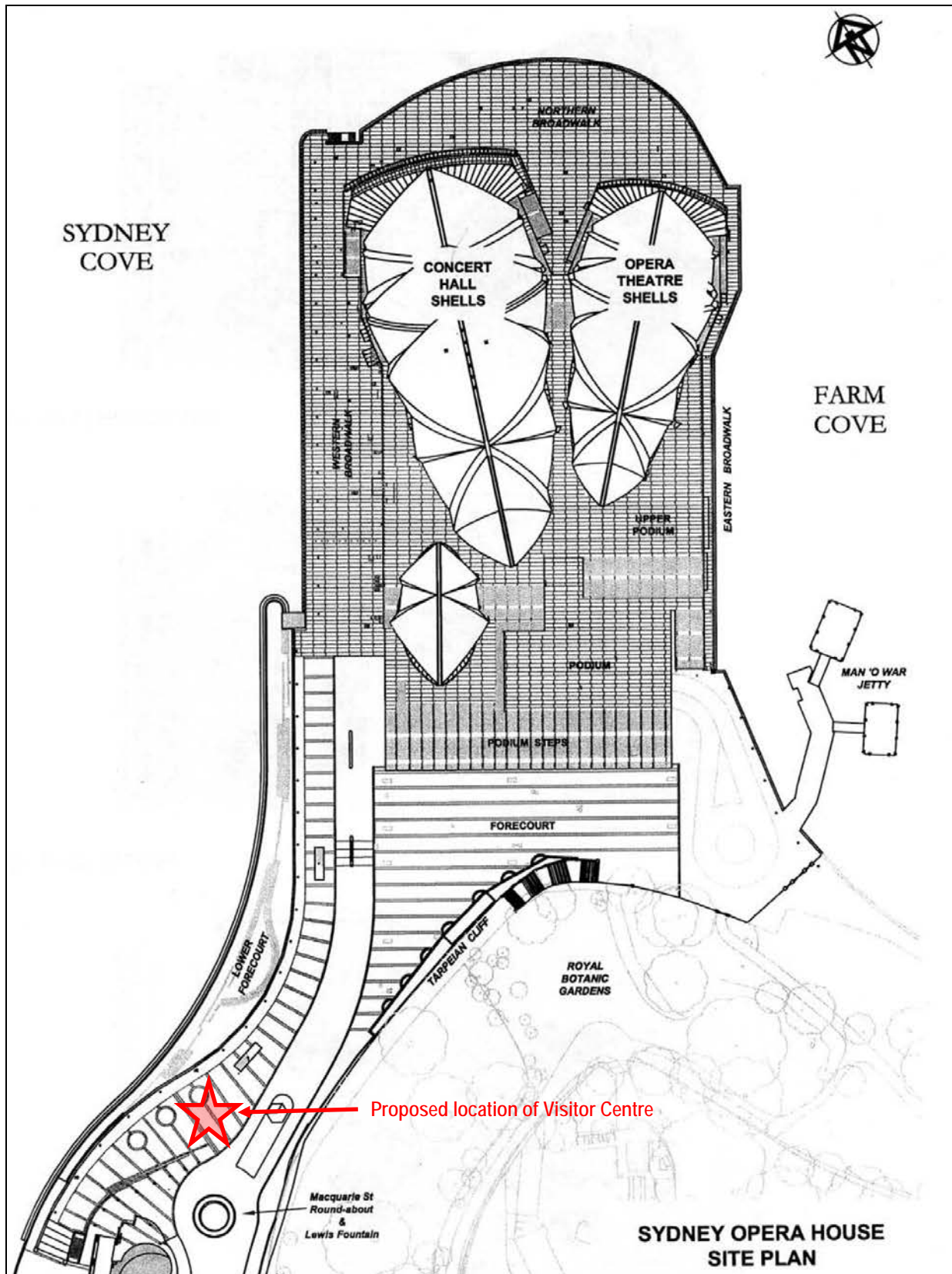


Figure 2: Site Plan (Base Image Source: Conservation Management Plan)

Description of the Proposal & Purpose

This proposal seeks approval for construction of a Visitor and Interpretation Centre.

The Centre is essentially a sculptural installation in its own right that will provide an open air space as well as a small enclosed space that can serve as staffed information and ticketing windows. It will provide a platform for interpretation of The Sydney Opera House, incorporating physical displays and a range of other technologies and features to provide information for the visitor. It will also provide an identifiable meeting point on the site and a place intended for visitors to sit and reflect.

The Visitor Interpretation Centre would occupy a small combined footprint and a total area of around 52.6m² and have an enclosed floor space of around 10m². The heights of the walls vary with a maximum height of around 3.6 metres and minimum height of around 0.6 metres.

The Centre is proposed to be constructed predominantly of matt bronze panels, sympathetic to the existing material palette within The Sydney Opera House. The north facing façade is also proposed to incorporate a mirrored finish to reflect views of The Sydney Opera House and its surrounds.

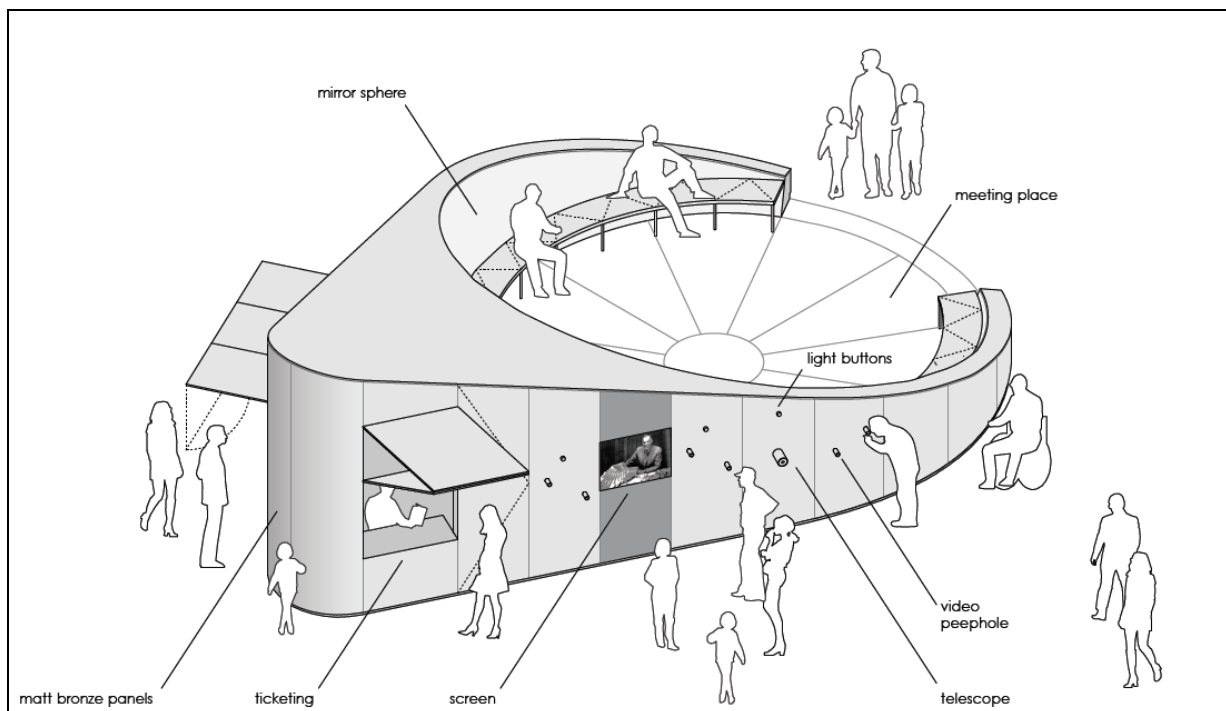


Figure 3: Preliminary Concept Design subject to finalisation (Source: Neeson Murcott Architects)

The main purpose of the Centre is to improve accessibility to a deeper visitor experience. Currently the majority of visitors to the site enter through this area from Circular Quay, however upon arrival at the site there is potential for first time visitors to feel overawed in their unfamiliarity and further alienated by their lack of direction or information. The Centre aims to provide a point of 'welcome' and provide information about the multitude of interests that are catered for (beyond the initial external sculptural impact) for those visitors who want it.

The Centre is also depicted on the Site Plan (refer Figure 4).

Statutory and Planning Policy Considerations

Environment Protection and Biodiversity Conservation Act (CTH) 1999

Actions that significantly affect matters of national environmental significance (including World Heritage Sites) require approval under the Environment Protection and Biodiversity Conservation Act. The previous bilateral agreement between the Commonwealth and NSW governments which allowed the assessment regimes under the *Environmental Planning and Assessment Act 1979* to be accredited under the EPBC Act has lapsed. Therefore in addition to any approval granted under the EP&A Act, separate approval under the Environment Protection and Biodiversity Conservation Act will be sought. Although not relating to this application, it is worthwhile to note that The Act requires that consideration be given to the impacts on the fabric, setting, significance, and cultural function of the World Heritage listed property. These matters would be assessed as a matter of course under the SSD assessment.

Heritage Act (NSW) 1977

Although separate Heritage approval is not ordinarily required for State Significant Development, in accordance with the requirements of the Management Plan for The Sydney Opera House, separate approval is required under the Heritage Act for the proposed works, following the Minister's approval under the EP&A Act. Although not strictly relating to this application, it is worthwhile to note that the following matters would be considered by the Heritage Office:

- (a) the extent to which that application, if approved, would affect the significance of any item as an item of the environmental heritage,*
- (b) the representations, if any, made with respect to that application under section 61(3),*
- (c) such matters relating to the conservation of that item or land as to it seem relevant, and*
- (d) such other matters as to it seem relevant.*

Environmental Planning and Assessment Regulation 2000

Section 288 of the Regulations provide that where any development that is to be carried out at the Sydney Opera House is development to which Part 4 of the Act applies, the provisions of the Management Plan for the Sydney Opera House are prescribed as a matter that must be taken into consideration by the consent authority in determining the development application. Refer to relevant discussion under 'Site Specific Documents and Policies' below.

State Environmental Planning Policy (Major Development) 2005

This SEPP designates the site as a State Significant site. Schedule 3 of the SEPP outlines planning controls and matters for consideration for various State Significant sites. However, in the case of The Sydney Opera House, there are no other provisions or controls on the carrying out of development, other than in relation to exempt development on The Sydney Opera House Site. The proposal would not fall within the categories of exempt development.

State Environmental Planning Policy (State and Regional Development) 2011

Clause 1 of Schedule 2 to the SEPP designates all development on the Sydney Opera House Site that requires development consent to be State Significant Development (SSD). As the proposal does not fall within the exempt development provisions under the Major Projects SEPP, it is therefore SSD. The only other relevant provision of the SEPP is clause 11 which provides that Development Control Plans are not applicable to the assessment of SSD applications.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (REP)

The Sydney Opera House Site falls within the *Sydney Harbour Catchment Area* designated in the REP. It also is within the *Foreshores and Waterways area* and the *'City Foreshore Area'* designated as a Strategic Foreshore Site. It is also a Heritage item under the Plan.

As such the instrument contains numerous provisions and controls relevant to the consideration of the application. A full assessment of the proposal against each of the relevant clauses can be provided in the future Environmental Assessment, but at this stage it is sufficient to summarise the relevant matters for consideration that arise as being:

- Issues of public access along the foreshore;
- Visual impacts of development on the foreshore and unique visual qualities of Sydney Harbour; and
- Impacts of the development on the heritage significance and values of The Sydney Opera House and the Harbour.

Sydney Local Environmental Plan 2012

The site is zoned *B8 Metropolitan Centre* under the LEP. The proposed development is permissible on the site with consent. Relevant objectives for the zone that should be considered in the Assessment of the proposal include:

- *To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.*
- *To provide opportunities for an intensity of land uses commensurate with Sydney's global status.*
- *To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.*

The site is also a listed Heritage Item under the LEP. Objectives of the heritage provisions are:

- (a) to conserve the environmental heritage of the City of Sydney,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance*

Clause 6.21 relates to design excellence and requires consideration of a wide range of matters to ensure the proposal delivers the highest standard of architectural and urban design.

Clause 7.11 also includes matters for consideration in relation to promoting and protecting public access along the foreshore

Draft Metropolitan Strategy for Sydney

The Draft Metropolitan Plan sets out the current government's plan for the city's future over the next 2 decades. The plan has a strong focus on developing and strengthening Sydney as a global city. The city is described as a *"primary focus for national and international business. A cultural, recreation and entertainment destination for the Sydney Metropolitan Area"*.

Priorities for the city and the harbour under the plan include:

- *protect and support nationally significant heritage and icons such as the Sydney Opera House, Sydney Harbour Bridge and the Rocks; and*
- *promote the arts and culture venues around Sydney Harbour and Sydney CBD*

The Metropolitan priorities for the central subregion under the plan include.

- *develop the subregion as a premier visitor destination by showcasing cultural and recreational facilities and venues for international events and promoting an active day and night economy*

Site Specific Documents and Policies:

Management Plan for the Sydney Opera House

The Management Plan for The Sydney Opera House was prepared by the Sydney Opera House Trust and the NSW Government in August 2005. It was previously accredited under the EPBC Act to enable a Bilateral Agreement between the Commonwealth and NSW governments for planning assessment, although as discussed above that agreement has now lapsed. It is also given legal effect by Section 288 of the Environmental Planning and Assessment Regulation. The plan provides a framework for the protection of the national and World Heritage values of the Sydney House and sets out the assessment and approvals process necessary for any proposed development on The Sydney Opera House site, including any approvals under the Environmental Planning and Assessment Act 1979, the Heritage Act 1977. The Management Plan as a whole also incorporates two other documents – namely the following two documents:

Conservation Management Plan (3rd Edition)

The Conservation Management Plan—"Sydney Opera House: A Revised Plan for the Conservation of the Sydney Opera House and its Site" (3rd edition 2003) by James Semple Kerr identifies and defines the significant values of the Sydney Opera House and then formulates policies framed to retain those values. Along with the Utzon Design Principles, the CMP has been formally endorsed as the guiding policy documents for the on-going conservation of the Sydney Opera House.

Utzon Design Principles

The 2002 Utzon Design Principles are a record of Jørn Utzon's vision for the building and his comments on the future. They are intended as a reference for the management of proposals for change. Together with the Conservation Management Plan, they have been formally endorsed as the guiding policy documents for the on-going conservation of the Sydney Opera House. Consideration of the Utzon Design Principles is a statutory requirement, arising from the Management Plan for the Sydney Opera House.

Preliminary Assessment of Potential Issues

Having considered the matters raised in the Planning Instruments and Policies that apply to the site, it is possible to derive the matters or issues that are most likely issues to be considered in the Environmental Impact Assessment of the proposed Visitor and Interpretation Centre. These are considered to be:

- Heritage Impacts including Cultural and Aboriginal Heritage
- Urban Design and Visual Impacts; and
- Pedestrian Movements and public access along the foreshore.

Heritage Impacts

Given the important heritage status of The Sydney Opera House, this is the primary matter for assessment. It should be noted that the proposal has been designed having detailed regard for the heritage fabric and heritage significance of the site. The design incorporates sympathetic materials and has been inspired from the fabric, built forms and significance of the place.

A further key consideration is the location of the proposed Visitor and Interpretation Centre, being within the view shadow of the adjoining residential building such that it will not obscure any existing views of The Sydney Opera House from the main pedestrian approach routes: refer **Figure 4**.

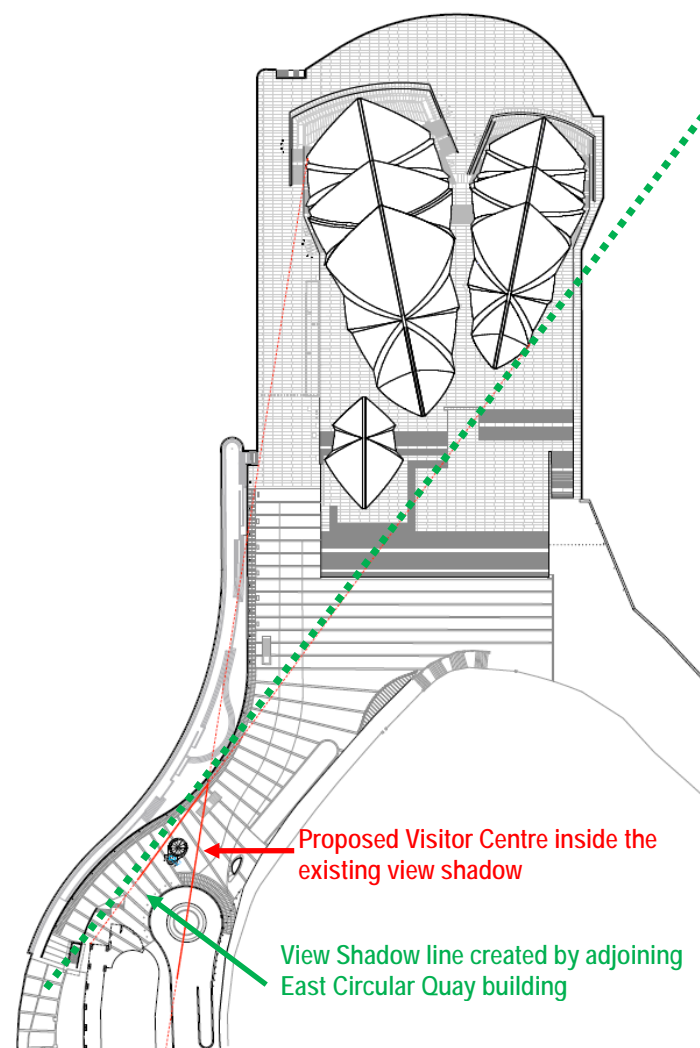


Figure 4: Location of proposed Visitor Centre (Source: Neeson Murcott Architects)

On this basis there is likely to be negligible adverse heritage impact arising from the proposal. By improving the visitor experience, and by providing information about the history of the site to assist visitors in interpreting the site's heritage, the proposal enhances the heritage values and function of this important cultural heritage item.

A detailed Heritage Assessment Report of the impact of the proposed structures would be submitted with the Environmental Impact Assessment. A full assessment will be made against all statutory Heritage provisions, including the Management Plan for the Sydney Opera House, the Conservation Management Plan and the Utzon Design Principles.

The site also has special meaning for Aboriginal people. An assessment of Aboriginal Cultural Heritage Impacts is also proposed to be included in the Environmental Impact Assessment.

Urban Design and Visual Impacts

Visual Impacts on the site and the scenic qualities of Sydney Harbour are key matters for consideration arising from the planning controls. The visual impacts of the proposal will also be considered as part of the Heritage Assessment.

In terms of Urban Design, the appropriateness of all aspects of the built form in the context of the site will be considered. As mentioned above, the design is inspired from the built form and key attributes of The Sydney Opera House and incorporates sympathetic materials to complement its relationship within the site.

The Architect's report to be submitted with the EIS will provide a detailed description of the proposal, its evolution and design intention to assist with the assessment. Rationale for materials and finishes will also be detailed.

The visual impacts and all potential view impacts (including views of The Sydney Opera House; views of the City of Sydney, the foreshore or the Harbour) and will be fully depicted in the drawings and in photomontages prepared from a range of key vantage points. Due to the small scale of the structure relative to the adjoining residential building and the Sydney Opera House itself, and due to its location within the view shadow of the adjoining residential building, visual impacts and view impacts are unlikely to be of any primary significance.

Pedestrian Movements and Access

Pedestrian access to the site and Foreshore areas will also be considered, however it is not considered that the Visitor and Interpretation Centre will result in any material impediments to pedestrian movements due to its location, small size, and retention of large open pedestrian area surrounding it.

Consultation

A range of stakeholders will be consulted on the application including:

- Australian Government Department of Environment, Water, Heritage and the Arts;
- NSW Government
- Heritage Branch
- City of Sydney Council;
- The Royal Botanical Gardens
- Body Corporates of adjoining Residential premises.

The results of the consultation process will be documented in the Environmental Impact Statement.

Summary

This Preliminary Assessment has been prepared to assist the Director General to determine the matters to be assessed in the Environmental Impact Statement to be submitted with the State Significant Development Application for a new Visitor and Interpretation Centre on the Sydney Opera House site.

As demonstrated by this preliminary assessment, issues of heritage impacts, urban design and visual impacts are likely to be the primary matters for consideration. A detailed assessment of these impacts will be made at the EIS stage with the provision of detailed heritage assessment, plans, photomontages and urban design assessment.

On the basis of this preliminary overview and after further provision of detailed heritage assessment, plans, photomontages and urban design assessment, a more detailed assessment of these impacts as an EIS is warranted for this proposal that otherwise has merit as a positive facility of management and for benefit to the public's interpretation of this unique World Heritage item.