

Prepared for:
Art Gallery of NSW Trust

Date:
20 April 2018

Response to Submissions

Art Gallery of NSW Expansion Project - Sydney Modern

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This Response to Submissions has been prepared for a State Significant Development Application (SSDA) for the 'Sydney Modern Project', the major expansion of the Art Gallery of New South Wales. The SSDA was publicly exhibited for a period of 30 days from 16 November 2017 to 15 December 2017.

This Response to Submissions has been prepared by Architectus on behalf of the Art Gallery of New South Wales Trust (AGNSW), the Applicant.

Some changes to the project's building design, landscaping, and traffic/transport arrangements have been made to address many of the issues raised in submissions from both the public and government agencies.

Contents

Executive Summary		Theme 10	Other impacts	100	
01	Introduction	21	04	Agency submissions	102
02	Changes to development	24	05	Clarifications	106
03	Response to submissions	32	06	Additional consultation	120
Theme 01	Loss of open space	34	07	Conclusion	123
Theme 02	Alternative locations	58			
Theme 03	Design of new building	64			
Theme 04	Visual impacts	76			
Theme 05	Trees and vegetation	80			
Theme 06	Impacts to the Royal Botanic Garden	86			
Theme 07	Transport and accessibility	88			
Theme 08	Operation of the gallery	94			
Theme 09	Construction impacts	98			

Appendices

- A.** Response to government agency & Council submissions
- B.** Revised drawing approval list
- C.** Revised architectural plans
- D.** Revised architectural design report
- E.** Revised landscape plans
- F.** Revised landscape report
- G.** Revised visual impact assessment
- H.** Revised sea water heat exchange report
- I.** Contribution exemptions cost summary report
- J.** ESD statement
- K.** Supplementary heritage statement
- L.** Revised Heritage impact statement
- M.** Desktop maritime archaeological assessment
- N.** Traffic impact statement
- O.** CPTED statement
- P.** Acoustic & vibration statement
- Q.** Reflectivity report – residential
- R.** Biodiversity statement
- S.** Sydney Modern Gallery alternative location
- T.** Addendum 1 Arboricultural Impact Assessment
- U.** Addendum 2 Arboricultural Impact Assessment – consistency with objects of RBG&D Trust Act
- V.** Public Submissions Summary
- W.** Addendum to CIV report – estimated jobs

Key Acronyms

AGNSW	Art Gallery of New South Wales
CIV	Capital Investment Value
CPTED	Crime Prevention Through Environmental Design
EIS	Environmental Impact Statement
EPA	NSW Environment Protection Authority
ESD	Ecologically Sustainable Development
HIS	Heritage Impact Statement
OEH	Office of Environment and Heritage
RBG	Royal Botanic Garden
RBG&D	Royal Botanic Garden and Domain
RMS	Roads and Maritime Services
RTS	Response to Submissions
SMP	Sydney Modern Project
SSDA	State Significant Development Application
TfNSW	Transport for NSW
VIA	Visual Impact Assessment

Executive Summary

The Art Gallery of New South Wales is undertaking a major expansion known as the Sydney Modern Project, designed by the architects SANAA, selected as the winners of the international design competition in 2015.

The State Significant Development Application (SSDA) for the expansion project was formally exhibited in 2017 and this document responds to submissions from both the public and government agencies.

All submissions have been considered, and as a result, some changes have been made to the design in response to feedback received. The expansion will benefit and enhance the experience of art, architecture and landscape in Sydney, as well as provide improved access and amenity for all visitors to the Gallery and broader precinct.

Project objectives

Significantly increase exhibition space to display more of NSW's extraordinary art collection

Enable the Gallery to host more of the world's and Australia's best art exhibitions in NSW

Create a prominent destination showcasing Aboriginal and Torres Strait Islander art and culture

Increase visitation from an average of 1.2 million people to over 2 million per year



Achieve the highest environmental standards of any public gallery in Australia

Double school student visits to 200,000 per year and provide new dedicated spaces, facilities and programs

Enhance digital capabilities to expand engagement with schools, communities, artists and visitors

Become the heart of Sydney's cultural precinct, reinforcing the 'Cultural Ribbon' concept

Create an architectural landmark that delivers economic and cultural dividend to Sydney, NSW and Australia

Create new opportunities for the Gallery's membership bodies

Adaptive re-use of the disused former WWII oil tanks, providing access to this public asset for the first time

Improved universal access for pedestrians between Woolloomooloo and the CBD, and throughout the precinct



Proposed development

The Art Gallery of NSW (AGNSW) proposes to undertake a major expansion of the existing Gallery. The expansion, proposed as a separate, stand-alone building, is located north of the existing gallery, partly extending over the Eastern Distributor land bridge and includes two disused WWII naval oil tanks (also referred to as 'fuel bunker') located to the north east of this land bridge.

The new building comprises a covered Entry Plaza, exhibition spaces, shop, food and beverage facilities, visitor amenities, art research and learning spaces, multipurpose space, adaptive reuse of a disused oil tank into a gallery space, new roof terraces and landscaping and associated site works and infrastructure, including loading and service areas, services infrastructure and an ancillary seawater heat exchange system.

Sydney Modern Jury

The proposed development is of design excellence. SANAA were selected as the winners of the Sydney Modern design competition in 2015. This two-stage invitation-only international design competition for 12 selected architectural firms was overseen by a seven-member Jury comprising internationally renowned architects, landscape architect and art administrators.

The Sydney Modern Jury has continued to be involved in the project, through ongoing consultation during design development. Specifically, the Jury was reconvened in August 2017, prior to submission of the State Significant Development Application (SSDA). The Jury considered the scheme to have remained consistent with the competition winning scheme.

Since public exhibition of the proposal, some changes have been made to the design in response to submissions. Given the changes are not major and the design remains substantially the same and retains design excellence it does not trigger reconvening of the Jury. Notwithstanding, the Gallery is committed to ensuring the Jury's engagement will continue throughout the project.

Purpose of Response to Submissions

The purpose of the Response to Submissions is to:

- Identify key issues raised in submissions;
- Provide a response to issues raised in the submissions;
- Outline changes to the proposed development resulting from submissions and design development;
- Assess the environmental impacts of the proposed changes;
- Identify mitigation measures.

Public exhibition

The SSDA was publicly exhibited for a period of 30 days from 16 November 2017 to 15 December 2017.

282 submissions were received on the SSDA from members of the public, comprising 70 in support, 202 objections and ten (10) comments. In addition, eight (8) submissions were received from State Government authorities, agencies and bodies, and one (1) from City of Sydney Council.

Consultation

Following submission of the SSDA, the Gallery has continued to consult with stakeholders including significant additional consultation with, however not limited to, the Royal Botanic Garden and Domain (RBG&D) Trust, Transport for NSW (TfNSW), Roads and Maritime Services (RMS), Sydney Buses, City of Sydney Council, Infrastructure NSW as well as residents and stakeholders on behalf of the Wharf Terraces residential apartment building and Woolloomooloo Finger Wharf. A key focus of the consultation was in response to submissions. An overview of these consultation processes and outcomes is provided at Section 6 below.



Image of the Sydney Modern Project as produced by Kazuyo Sejima + Ryue Nishizawa / SANAA
Sydney Modern Project | Response to Submissions | Architectus

What the public told us

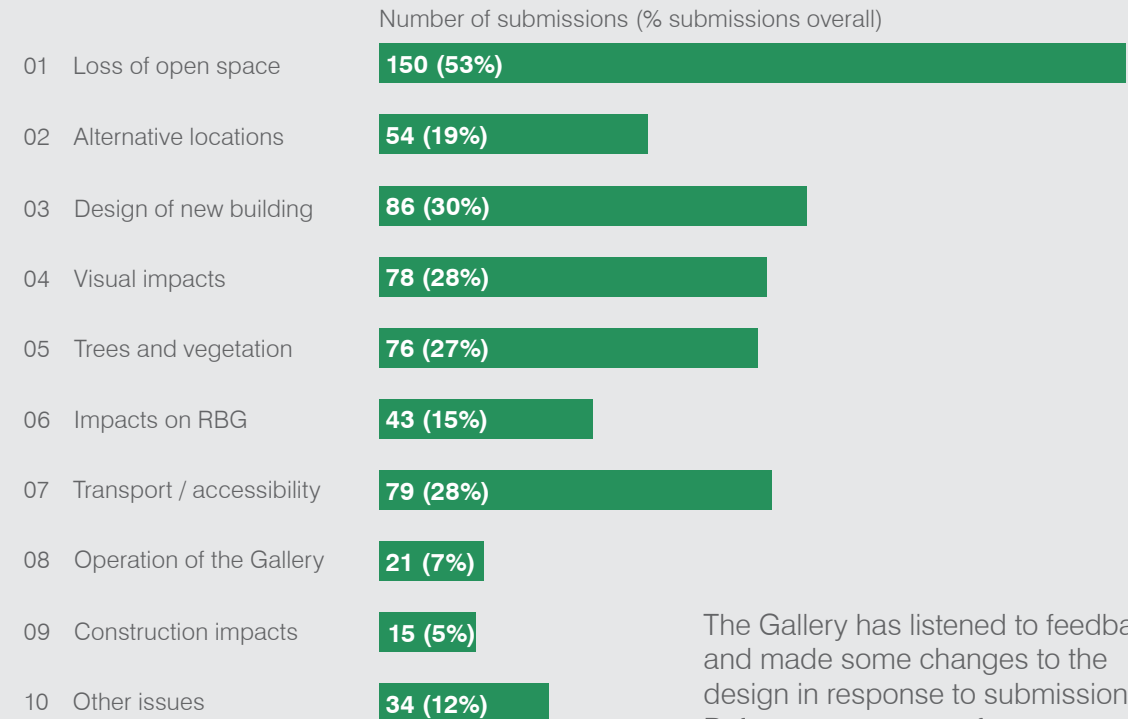
While the focus of the Response to Submissions is addressing submissions requesting changes to the SSDA, a total of 70 submissions also supported the SSDA.

The majority of these submissions supported the proposed new building designed by SANAA and endorsed the reasons the Gallery has provided for an expansion (including significant increase in space to share more of the State's art collection with the public, and to enable the Gallery to host more major international exhibitions in NSW).

The submissions of support also welcomed the tourism and economic boost an expanded Gallery would generate, and supported, in many instances, public utilisation of the disused naval oil tank through adaptive re-use as a gallery space.

Key issues raised in response to the SSDA

Issues raised have been grouped into 10 themes.



The Gallery has listened to feedback and made some changes to the design in response to submissions. Refer to a summary of responses to submissions overleaf.

01 Loss of open space

Key comments from submissions:

1. Loss of open and green space.
2. Impacts on general amenity of the RBG&D
3. Use and scale of Entry Plaza.

Landscape improvements

Significant landscape enhancement will mitigate the loss of open space and improve public amenity and access throughout the site, providing a more coherent and coordinated landscape design including more diverse planting and horticulture, quality materials and finishes and much improved overall visitor amenity:

- Endemic ecological community (Sydney Sandstone Woodland) and historic Governor's Domain planting will be reinstated on site.
- Creation of diverse garden areas on space above the disused oil tank (fuel bunker) comprising courtyards, roof terraces and green roofs, pedestrian paths and garden beds.
- 1,189sqm area increase of green roofs
- 65% of the site will be publicly accessible 24/7.
- 78.8% of the site will be publicly accessible external space (includes courtyards and roof terraces)
- Landscaped courtyards, roof terraces and green roofs will be accessible during Gallery opening hours, in a similar operational model to the RBG which has defined opening hours.
- 16 additional trees to be retained
- 8 additional trees to be planted which is more than double the number of trees proposed to be removed (273 planted and 124 removed).



Image of the Sydney Modern Project with Entry Plaza to the right and Pavilion to the left, as produced by Kazuyo Sejima + Ryue Nishizawa / SANAA

Entry Plaza

A new arrival and entry experience for the anticipated 2 million annual visitors to the expanded Gallery will be created by a covered Entry Plaza which will be open to the public 24/7.

Improved public amenity, including seating, landscaped areas, a small café kiosk, and opportunities for outdoor art display will be provided in the Entry Plaza.

Oil Tank (Fuel bunker)

Adaptive reuse of one of the former disused World War II oil tanks into a gallery will open this space to the public for the first time. Minimal

intervention as part of adaptive re-use will ensure the oil tank retains much of its original state.

The RBG&D Trust Act allows for the long-term lease of the fuel bunker land and ancillary areas if the terms and conditions of the lease and proposed use of the land meet the objects of the RBG&D Trust Act. The proposed expansion will utilise the oil tank (fuel bunker) as a gallery for art display and this is consistent with the educational, historical, cultural and recreational objects of the RBG&D Trust Act.

Public Art Museum and Cultural Ribbon

The existing Gallery is, and will remain, a free public art museum (excluding major ticketed exhibitions). The new gallery will also have free entry (excluding major ticketed exhibitions). The proposed landscaped Art Garden will connect the new and existing buildings as 'one' institution as well as strengthen the connection with the RBG&D and Woolloomooloo.

The proposed expansion will contribute to the City of Sydney's 'Cultural Ribbon' concept - a linear arts/culture precinct linking central Sydney's cultural institutions.

Building close to the existing Gallery will ensure a synergy between the two buildings while not encroaching on the existing building's significant heritage façades or utilised green open space near the Gallery. 72% of the new building footprint will be constructed above existing structures (being the Eastern Distributor land bridge built in 1999 and the former WWII naval oil tanks).

Cultural institutions in public open space

Development of public cultural institutions in public open space has occurred both historically and more contemporaneously in national and international contexts.

The RBG&D has a history of cultural buildings within its cultural landscape, including the Garden Palace (c1879-1882), which stretched from the current State Library of New South Wales to the Sydney Conservatorium of Music.

The Domain has been the Gallery's home for close to 140 years and over this period has had numerous additions and cumulative expansion.

Existing and proposed use of open space

Most of the new building will be constructed on top of the oil tanks. Accessibility, visibility and use of the surface of the oil tanks is currently restricted owing to the area's enclosure by vegetation, change in levels compared with adjoining areas, and access hatches which significantly restrict its use as

a playing field. This area will be enhanced through publicly accessible roof terraces, green roofs, courtyards and a universal pathway accessible 24/7.

The land bridge over the Eastern Distributor will be largely maintained as open space and enhanced through landscape improvements. It will be publicly accessible 24/7. A covered Entry Plaza will be integrated with an Art Garden that together will create a vibrant new civic space.

Impacts on heritage and consistency with RBG&D Trust Act

The overall moderate adverse impacts to the heritage listed Domain result through net loss of open space, construction of a major cultural institution to the north of the existing Gallery, removal and relocation of certain trees of identified significance, interruption of significant views and adaptive re-use of the oil tanks.

Where 24/7 publicly accessible open space has been lost, enclosed or otherwise converted into enclosed built space, the cultural and recreational value of that space has been converted to a different yet equally important educational, historical, cultural and recreational use (that of a public art gallery). This use provides an equally important public good, which can coexist in a complementary and compatible way alongside the RBG&D.

02 Alternative locations

Key comments from submissions:

1. Site should be in Western Sydney or regional NSW location.
2. Site should be in alternative location in proximity to existing Gallery.

The project and its location is set out in Government policy, including but not limited to, Greater Sydney Region Plan, Eastern City District Plan, and Cultural Infrastructure Strategy 2016 and 2018 Update, amongst other government policy and publications.

A range of strategic options and potential annex locations for the expansion were explored in the Sydney Modern Masterplan Framework (2011). The site was chosen because it:

- Resolves current and future Gallery space needs efficiently.
- Provides opportunity to create a globally significant 21st century building.
- Strengthens the identity of the Gallery within Sydney, NSW, Australia and internationally.
- Strengthens connection between CBD and Woolloomooloo.
- Provides the opportunity to create international standard exhibition space.

The RBG&D Trust and RMS endorsed the proposed site in the Domain in 2014 prior to commencement of the international design competition.

Alternate Location Surrounding Existing Gallery

Potential sites to the south, south east and south west of the existing Gallery building would not be able to support the scale of development required to satisfy the design brief. The design brief for the expansion includes approximately 16,500sqm of floor space as well as a minimum floor to ceiling gallery height of 5.5m. If stacked vertically at the other potential sites the built form would exceed the height of the existing Gallery building and create significant visual impacts.

Alternate Location Remote to Existing Gallery

Alternate remote locations were carefully considered. However, the Sydney Modern Business Case concluded construction of the proposed new building at a remote location would result in a significantly reduced cost benefit ratio for the State and risk to the Gallery. This was due to overall reduced visitation between two locations, reduced cost efficiencies, disruption to coherent collection display, and higher construction and operating costs. Further, it would exacerbate, rather than resolve, operational inefficiencies in the existing building.

03 Design of new building

Key comments from submissions:

1. Height, bulk and scale impacts on heritage significance and amenity of existing Gallery and Domain.
2. Choice of building materials and finishes.
3. Preserving heritage significance and status of existing Gallery.
4. Connection between the new development and existing building.

The design concept by SANAA responds to the topography of the site through a cluster of lightweight pavilions cascading down the hillside from Art Gallery Road towards Woolloomooloo and Sydney Harbour. Their low profile preserves the integrity of the existing Gallery and complements the surrounding beauty of the RBG&D and harbour.

Bulk, scale and setbacks

The roof form of the Entry Plaza has increased setback from Art Gallery Road and has been rotated to the south-east for greater visibility of the existing Gallery building from the RBG Woolloomooloo Gate and Mrs Macquaries Road. The height of the Entry Plaza is below the cornice of the Vernon façade of the existing building.

The Entry Plaza canopy is a largely transparent, lightweight glass-and-steel construction with its design language different from the solid sandstone façades of the Gallery's late nineteenth century Vernon wing.

The topography of the site allows for the new building's height to be mostly concealed, with massing distributed across the site.

Gallery 3 located adjacent to Lincoln Crescent is scaled to meet international standards for large touring exhibitions.

External building materials

External materials will be a warm tone natural stone (limestone) with glass and aluminium to softly reflect the surroundings.

Connection between existing and new Gallery buildings

The connection between the two buildings is through the covered Entry Plaza and an outdoor public Art Garden over the land bridge incorporating both artworks and landscape. An enclosed, above ground connection would adversely impact on the heritage façade of the existing Gallery.



Image of the Sydney Modern Project as produced by Kazuyo Sejima + Ryue Nishizawa / SANAA



Image of the Sydney Modern Project as produced by Kazuyo Sejima + Ryue Nishizawa / SANAA



South-east corner of the National Herbarium of NSW, looking south-east
Source: Visual Impact Assessment prepared by Clouston Associates, dated 5 April 2018

04 Visual impacts

Key comments from submissions:

1. Visual impact on historic setting of existing building and surrounding area, including RBG&D.
2. Impact on view corridors and vistas from the public domain.
3. Visual impact on surrounding residential and commercial properties.

Impact on existing building

The proposed setback and rotation of the Entry Plaza canopy will improve views to the existing Gallery building from the RBG Woolloomooloo Gate.

Impact on RBG&D

The creation of a ramp opposite the existing building entrance as it transitions from the Phillip Precinct of the Domain to Art Gallery Road, will open up a vista of the existing building from the west, as well as improving accessibility for the public.

New groundcover planting between Art Gallery Road and the new building will soften the view from the Phillip Precinct and the RBG Woolloomooloo Gate.

Trees proposed in the Entry Plaza, and retention of existing trees on the land bridge, will similarly soften the space, add pedestrian scale, and the additional landscaping will better connect with the RBG&D.

Reduction in the height of Gallery 2 roof will allow for greater views to Woolloomooloo and Potts Point from the RBG Woolloomooloo Gate, reducing the visual impact of the proposed development on the RBG&D.

Character and setting of the eastern part of the Domain and significant views

The materiality of the new building will be of high quality finishes to complement the existing building and the surrounding landscape, and provide lightness, transparency and permeability as part of the design. Vegetation and planting on the roof and publicly accessible terraces will place the new building sympathetically within the surrounding landscape setting.

Retention of water views

The new building will have a moderate visual impact from the window in the Australian galleries of the existing building. Notwithstanding, outdoor artworks in the public Art Garden as well as artworks displayed inside the Aboriginal and Torres Strait Islander gallery (Gallery 1) in the new building will be clearly visible from this window.

Moreover, land-water interface views will be maintained from within the site from the open space/grassed area on the land bridge, and from internal windows within the new building. These views will be especially visible from the external terraces of the new building, providing views of Woolloomooloo Bay.

05 Trees and vegetation

Key comments from submissions:

1. Tree loss and vegetation clearing, including of high and medium value trees.
2. Time required for trees and vegetation to become established.
3. Planting of endemic species should be maximised.
4. Lack of natural shading in recreational areas.

The design submitted for SSDA went to great lengths to retain trees on the site. This included the siting of the building within the landscape and the reorientation or relocation of the built form where possible to retain trees. Due to the undulating topography and landscape of the site, retention of all trees at the site is not possible, particularly where they are located within the building footprint or in areas required for excavation or construction purposes.

- There are two hundred and twenty (220) trees located in the vicinity of the site.
- The refined design now requires the removal of one hundred and twenty-four (124) trees, (representing retention of an additional sixteen (16) trees) since SSDA lodgement.

- Of the trees to be removed, six (6) trees are identified as high retention value, seventy-nine (79) of moderate retention value, and thirty-nine (39) trees of low retention value.
- Of the high retention value trees to be removed, four (4) high retention value trees will be relocated and transplanted.
- There is one additional high retention value tree to be relocated since lodgement of the SSDA. This is tree identification no. 1363 (*Phoenix sylvestris*) which is required to be relocated due to footpath widening and will be retained in close proximity to its current location.
- A total of two hundred and seventy three (273) trees are to be planted. This is more than double the number of trees that are proposed to be removed from the site. This is an increase of eight (8) new trees being planted since lodgement of the SSDA.
- New trees will be predominantly native species, planted in advanced (mature) form where possible, and will complement the Sydney Sandstone Woodland character of this locality within the RBG&D.

Tree removal and consistency with RBG&D Trust Act

The land bridge is under the ownership of the RMS and is not subject to the RBG&D Trust Act. The majority of the trees on site are relatively young specimens planted after the construction of the land bridge in 1999. The area is of a distinctly different visual character to that of the RBG&D, which is more 'parkland' in appearance. It is not maintained as part of a botanical collection. Some trees will be retained on the land bridge. Trees proposed to be removed will be replaced with a significantly greater number of trees, of species typical of the original vegetation community formerly occupying the Governors Domain. As such, the new planting potentially has more botanical interest once it is established than the present vegetation proposed to be removed.

Of all trees on/in the vicinity of the site, the arborist (Earthscape) finds only T2436 (a Mediterranean Fan Palm) and T742 (a Canary Island Palm), which are proposed to be transplanted, are early plantings considered to have some heritage significance and could be considered to form part of the botanical collection of the Botanic Garden.

It is the arborist's opinion the proposed development is consistent with the objectives of the RBG&D Trust Act 1980, in that there will be little impact on the existing botanical collection, the heritage values of the landscape or the public enjoyment of open space areas. The new landscape development surrounding the expansion will maintain and enhance the Trust lands, by improving public domain facilities and providing better accessibility for the enjoyment of the general public. The extent of replacement planting proposed will compensate for loss of amenity resulting from the removal of trees to accommodate the proposed development (within the next 10 to 15 years), and the new planting will be more in keeping with the original floristics of the area, prior to European Settlement, which is not well represented anywhere else on Trust lands.

06 Impact on Royal Botanic Garden

Key comments from submissions:

1. Restricted access to the Royal Botanic Garden, especially the Woolloomooloo Gate and along Art Gallery Road, as a result of the development and during construction.
 2. Loss of revenue from removal of car parking in front of existing Gallery.
 3. Easements and rights of way across land governed by the Royal Botanic Garden.
 4. Changes to utilities and services shared with the Royal Botanic Garden.
- The proposed development will not restrict access to the RBG&D and there will be no change to access along Art Gallery Road. The key paths of access through the site between Woolloomooloo and Art Gallery Road will be maintained and enhanced through improved paths and the addition of a lift to provide universal access.
 - Any loss of revenue for RBG&D Trust is not a relevant planning matter but notwithstanding, revenue issues will appropriately be discussed within government.
 - The project will not affect any easements or rights of way over RBG&D Trust land.
 - The proposed development will maintain utilities and services to RBG&D Trust land.

These issues are discussed further at Theme 06.

07 Transport and accessibility

Key comments:

1. Public transport and car parking is considered insufficient to accommodate the increased visitor numbers as a result of the expansion.
 2. No transport plan or traffic study has been undertaken.
 3. Road network improvements, such as the proposed new roundabout on Art Gallery Road, received mixed responses.
 4. Increased traffic and pedestrian movements on Art Gallery Road.
 5. Concern regarding access into and out of Lincoln Crescent due to increased vehicle movements as a result of the new loading dock.
 6. Inadequate accessibility, particularly for people with access needs.
- There is sufficient capacity within the existing public transport network to accommodate the proposed development given the site's close proximity to existing and proposed public transport connections.
 - A Traffic Impact Assessment was prepared for SSDA lodgement which outlines the potential traffic, transport, access and parking impacts as well as recommended mitigation measures.

- A number of road network improvements and upgrades are proposed to Art Gallery Road, Mrs Macquaries Road and Lincoln Crescent that will support the development and provide best practice outcome to improve access and circulation to the site for all users.
- As a result of extensive workshops with the RBG&D Trust and Transport for NSW, and issues raised during exhibition of the proposal, some design amendments have been made along Art Gallery Road including removing most proposed works to the west of Art Gallery Road.
- The daily activity expected within the new loading dock accessed via Lincoln Crescent will be similar to that of the existing Gallery loading dock. All loading dock movements will be managed through a Loading Dock Management Plan. Further, it is intended that trucks exiting the site will be directed to turn left into Cowper Wharf Road to improve traffic flows in the vicinity.
- The proposal will achieve and enhance accessible paths of travel, including from Art Gallery Road to the west as well as Lincoln Crescent to the east.

These issues are discussed further at Theme 07.

08 Operation of the Gallery

Key comments from submissions:

1. Increased impacts on local neighbours from additional noise, especially during events.
2. Risk of vandalism to the public domain and surrounding area.
3. Studio spaces and their relationship with artists.
4. Perception that the expansion will be utilised for events rather than additional exhibition space.
5. Use of the proposed multipurpose space and associated event requirements.

The proposed development will not result in any unreasonable amenity impacts to surrounding properties. Issues of Reflectivity, Visual Privacy, Solar Access, Gallery Operation (Acoustic Impacts, Loading Dock Operation (Acoustic Impacts), Seawater Heat Exchange (Acoustic Impacts) as well as other impacts and issues are addressed at Theme 08.

09 Construction impacts

Key comments from submissions:

1. General concerns from local residents regarding construction of the development, including noise and hours of construction.
2. Traffic management during construction, including access along Art Gallery Road, Mrs Macquaries Road, Access Road and Lincoln Crescent.
3. Disruption to access to the Royal Botanic Garden and Mrs Macquarie's Chair along Art Gallery Road.
4. Impacts of proposed works on the land bridge, Cross City Tunnel and M1 Eastern Distributor.

A Preliminary Construction Management Plan was lodged with the SSDA. Construction management of the development and its impacts will be managed in accordance with a full Construction Management Plan which will be required as a condition of consent. Refer to response to Theme 09 for further details.

10 Other issues

Key comments from submissions:

1. Wind conditions
2. Environmental and noise impacts of the seawater heat exchange
3. Diversity of cultural offerings in Sydney
4. Visitor and member amenities, including toilets, cafes and seating
5. Insufficient community consultation undertaken
6. Inappropriate expenditure of government funding

These issues are discussed further in detail at Theme 10.

What the agencies told us

Eight submissions were received from State Government authorities, agencies and bodies, and one from the City of Sydney Council.

City of Sydney Council

Council raised a number of issues, and made design suggestions, relating to public domain works and the layout of Art Gallery Road, proposed energy efficiency measures and targets, and exemptions sought to payment of development contributions.

The approach along Art Gallery Road has been further considered between the RBG&D Trust, Transport for NSW and the AGNSW. Further landscaping and public domain improvements have been made to integrate the new building into its parkland context, and the building's environmental performance has been maximised.

Transport for NSW (TfNSW)

TfNSW raised issues relating to the relocation of the existing bus stop, parking layouts and restrictions along Art Gallery Road, location of pedestrian crossings, and commented on preparation of a detailed Construction Pedestrian Traffic Management Plan (CPTMP).

The existing bus stop is proposed to be relocated and will remain within 75 metres of the existing Gallery entrance. The pedestrian crossing outside the existing Gallery will be retained and improved in its current location including widening of pedestrian pathways along Art Gallery Road.

The requirement for a detailed CPTMP can be included as a condition of consent.

Roads and Maritime Services (RMS)

RMS raised no issue with the proposed development subject to conditions. RMS provided notice of agreements for access and works authorisation needing to be established prior to construction works being undertaken.

RMS's requirements are noted and can be included as conditions of consent.

Office of Environment and Heritage (Planning and Aboriginal Heritage) (OEH)

The submission received from OEH related to biodiversity, flooding and Aboriginal heritage.

Issues were raised regarding tree removal and proposed offsetting. The submission also queried the assessment of species occupying the site.

OEH noted the site is located on land not subject to flooding and therefore no impact assessment is necessary.

OEH queried the current assessment of Aboriginal heritage and recommended a full Aboriginal cultural heritage assessment be prepared.

A formal biodiversity offset is not required because the existing vegetation does not form part of any native vegetation plant community type. Further assessment has also been undertaken of specific species which concludes there will be no significant impact on the species as result of the development.

A full Aboriginal cultural heritage assessment is underway and will be provided to the consent authority prior to determination of the SSDA.

Office of Environment and Heritage (Heritage Council of NSW)

The Heritage Council raised a number of issues, and made design suggestions, relating to the setting of the building against the RBG&D and the existing Gallery, building setback, views, partial demolition and reuse of the oil tanks, tree retention, landscaping, extent of excavation, maritime archaeology and broader construction impacts.

The updated proposal includes further details on the exterior finishes of the new building, rotates and sets back the Entry Plaza canopy, and provides further detail of landscaping and public domain improvements. Information is provided about the existing oil tanks, one of which will be adapted for use as gallery space while retaining structural elements and its unique character, and the other converted into back of house.

The historical archaeological requirements are noted and will be included within the conditions of consent. Construction will be carried out in accordance with a construction management plan.

NSW Environment Protection Authority (EPA)

The NSW EPA raised a number of issues, and made design suggestions, relating to site contamination and remediation, air quality, odour and acoustic impacts as well as construction management processes.

The EPA's requirements are noted and it is anticipated they will be included as conditions of consent. Acoustic impacts will be mitigated as far as practicable with works being undertaken in accordance within standard construction hours.

Sydney Water

The submission received from Sydney Water requested the approved plans be submitted to Sydney Water to assess if any services upgrades are required to provide for the new Gallery. Notification of the requirement to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994 is provided.

Sydney Water's requirements are noted and can be included as conditions of consent.

Department of Industry

The submission sought to ensure appropriate management of groundwater and marine habitats during construction.

The Department's requirements are noted and can be included as conditions of consent.

Changes to proposed development

All submissions from the public and government agencies have been considered and some changes have been made to the design in response to feedback received. The expansion will benefit and enhance the experience of art, architecture and landscape in Sydney, as well as provide improved access, transport and amenity for all visitors to the Gallery, the Royal Botanic Garden and Domain, as well as the broader precinct.



Building design

The following changes are made to further respect the setting of the existing Gallery building, the RBG&D, and views from the RBG Woolloomooloo Gate.

1. Entry Plaza canopy rotated to south-east, with increased setback from Art Gallery Road to reduce visual impact from the RBG Woolloomooloo Gate.
2. Replacement of Entry Plaza canopy materials with glass and ceramic fritting, and creation of an aperture (opening) in the roof to allow integration of additional landscape and artworks underneath.
3. Insertion of small trees and amenities in the Entry Plaza to create a vibrant civic gathering space.
4. Photovoltaic array is confined to entirety of the Entry Pavilion roof and increased in area to improve environmental sustainability outcomes of the project.
5. Lowering the height of Gallery 2 roof adjacent to Art Gallery Road to further improve views and vistas to Woolloomooloo and Potts Points from the RBG Woolloomooloo Gate.
6. Change to external materials of the building including use of warm-toned natural stone (limestone) and rammed earth wall connecting indoor and outdoor spaces, to better complement the external façade of the existing Gallery and the landscape setting of the Domain.
7. Entry to plant room of seawater heat exchange system to be elevated above ground (as a result of design development).

Landscaping

The following changes provide more public, open, green space, soften views, improve amenity and pedestrian movement, and better integrate the new building within the landscape setting of the RBG&D.

1. More than threefold increase in the area of green roofs to better integrate with the landscape setting of the RBG&D.
2. Publicly accessible area of roof terraces increased.
3. Addition of soft landscaping to top of stepped wall of oil tanks on Lincoln Crescent to improve visual amenity.
4. Additional roof shading to roof terraces to provide weather protection for visitors.
5. Planting of low-scale vegetation to Art Gallery Road to better integrate with landscape setting of the area.
6. Footpaths following desire lines to improve pedestrian access.
7. Relocation and transplanting of tree identification no. 1363, a high value tree that is currently located in front of the existing Gallery (as a result of design development).
8. Retention of 9 trees on land bridge to provide instant landscaping and tree canopy.
9. Increase in proposed compensatory tree planting from 265 to 273 trees, resulting in more than double the number of trees being planted than are being removed from the site.

Traffic and transport

The following changes are made to provide more efficient traffic and pedestrian access and permeability, to benefit users of RBG&D, Gallery and for general use.

1. Changes to public domain and traffic arrangement layout along Art Gallery Road, including deletion of the majority of the proposed works on the western side, to reduce impact on RBG&D.
2. Bus stop relocated from the southern end of the existing Gallery on Art Gallery Road in closer proximity to bus stop outside RBG Woolloomooloo Gate.
3. Existing pedestrian crossing over Art Gallery Road in front of existing gallery entrance maintained, and steps from Domain to Art Gallery Road replaced with new ramp to further improve universal pedestrian access.
4. Deletion of proposed pedestrian crossing to the south of the existing Gallery.
5. Relocation of bicycle parking further north along Art Gallery Road.
6. Relocation of the loading dock roller shutter further inside the building envelope to further reduce impact on road users and residents of Lincoln Crescent.
7. Removal of the light vehicle turning bay at the intersection of Mrs Macquaries Road.



Image by Brett Boardman

01 Introduction



Photomontage of Sydney Modern looking west
Source: Image of the Sydney Modern Project as produced by Kazuyo Sejima + Ryue Nishizawa / SANAA

1.1 Purpose

This Response to Submissions has been prepared for a State Significant Development Application (SSDA) for the Art Gallery of New South Wales Expansion Project – Sydney Modern. The SSDA was publicly exhibited for a period of 30 days from 16 November 2017 to 15 December 2017.

This Response to Submissions has been prepared by Architectus on behalf of the Art Gallery of NSW Trust (AGNSW), the Applicant for SSDA No. 6471.

The purpose of the Response to Submissions is to:

- Identify key issues raised in submissions;
- Provide a response to issues raised in the submissions;
- Outline changes to the proposed development resulting from submissions and design development;
- Assess the environmental impacts of the proposed changes; and
- Identify mitigation measures.

A total of 282 submissions were received on the SSDA from members of the public, comprising 202 objections, 70 in support, and 10 comments. In addition, eight (8) submissions were received from State Government authorities, agencies and bodies, and one (1) from the City of Sydney Council.

1.2 Background

Description of exhibited development

SSDA No. 6471 was lodged with the Department of Planning & Environment (DPE) on 6 November 2017. The Environmental Impact Statement (EIS) for the SSDA sought development consent for:

Site preparation works, including:

- Site clearing, including demolition of former substation, part of road surfaces, kerbs and traffic islands, pedestrian crossings, foot paths, retaining walls, stairs, and part of disused underground former Navy Fuel Bunker;
- Tree removal;
- Excavation and site earthworks; and
- Remediation works

Construction of the new building comprising:

- Covered public Entry Plaza;
- Five building levels, including entry pavilion following the site topography down to Lincoln Crescent;
- Retention of part of existing former underground naval Fuel Bunker for use as gallery space and support spaces;
- Art exhibition spaces;
- Outdoor publicly accessible terraces;
- Shop and cafe;
- Multipurpose space;
- Education spaces; and
- Ground level loading dock (accessed via Lincoln Crescent) with associated art handling facilities, workshops, conservation studio, service parking, plant, and storage areas.

Landscaping and public domain improvements including:

- Continuation of the east-west pedestrian link over the land bridge between the Domain and Woolloomooloo Bay, including new dedicated lift structure for universal access;
- Improved public access of the north south pedestrian link;
- Enhancement of the public open space on the land bridge to create a landscape and art connection between the two buildings;
- Hard and soft landscaping to roofs and terraces;
- Plantings and new pathways;
- Increased landscaped area to forecourt of existing AGNSW building and removal of car parking;
- Relocation of selected trees to the south-eastern corner of the site;
- Sound barrier to edge of land bridge;
- Upgrade works to part of Art Gallery Road, Cowper Wharf Road, Mrs Macquaries Road, and Lincoln Crescent, including new pedestrian crossings;
- Provision of vehicle drop off points including a taxi stand, private vehicle drop-off and bus/coach drop off, at Art Gallery Road;
- Installation of an ancillary seawater heat exchange system to act as the new building's cooling system, adjacent to and within Woolloomooloo Bay; and
- Diversion, extension and augmentation of physical infrastructure and utilities as required.

This description of works still applies to the proposed development considered under this Response to Submissions. The changes to the scheme are discussed at Section 2 below.

Sydney Modern Jury

Design Competition

As noted in Sections 1.9 and 3.6 of the EIS, the proposed development is of design excellence, with SANAA's design being the winner of the Sydney Modern design competition held in 2015. This two-stage invitation-only international design competition was undertaken in accordance with the Director General's Design Excellence Guidelines and the City of Sydney Council's Competitive Design Policy, endorsed by the Australian Institute of Architects (AIA) and the Australian Institute of Landscape Architects (AILA), and was overseen by a seven-member Jury comprising internationally renowned architects, landscape architects and art administrators, including:

- Dr Michael Brand (Chair) – Director, Art Gallery of New South Wales;
- Ms Kathryn Gustafson – landscape architect with Gustafson Guthrie Nichol (Seattle) and Gustafson Porter (London);
- Mr Michael Lynch CBE AM – CEO, West Kowloon Cultural District Authority, Hong Kong;
- Professor Toshiko Mori; Robert P Hubbard – Professor in the Practice of Architecture, Harvard University Graduate School of Design;
- Professor Glenn Murcutt AO – Sydney-based architect and recipient of the Pritzker Architecture Prize in 2002;
- Professor Juhani Pallasmaa – Helsinki-based architect, professor emeritus and widely published writer; and
- Ms Hetti Perkins – Sydney-based member of the Northern Arrernte and Kalkadoon Aboriginal communities and internationally acclaimed curator, filmmaker and author.

Of the twelve invited competition entrants, the design prepared by SANAA was one of five shortlisted and was subsequently unanimously selected by the jury as the winning scheme.

“The scheme responds to the beauty of the competition site through a series of pavilions that reach out to The Domain and the Royal Botanic Gardens as they cascade down to Sydney Harbour and Woolloomooloo. The low profile of the pavilions complements and preserves both the integrity and importance of the existing Gallery building and creates spaces to bring people together and foster a sense of community, imagination and openness.

Its lightness of form speaks to the new century while respecting the architecture of the previous centuries to create a harmonious and inspiring new public space for Sydney. The scheme is futurist in its thinking about art museums and the visitor experience, and will be transformative for the Gallery. The scheme elegantly places Aboriginal and Torres Strait Islander art at its heart.

This is a 21st century concept that has the full potential when developed to be an environmentally sensitive art museum. The scheme starts to deconstruct the classical art museum and offers opportunity for further development of new types of spaces for the display of a variety of art forms, both existing and new.

The design offers what the architects describe as ‘a clean palette’ for displaying art and staging cultural events. The scheme will invite artists to experiment and provide a curatorial challenge for the Gallery which would be profoundly invigorating for an institution transforming itself into a 21st century art museum.”

(Competition Jury Selection Report, AGNSW)

Ongoing Involvement

The Sydney Modern Jury has been continuously involved in the project, including through ongoing refinement and design development. Specifically, the Jury was reconvened in August 2017, prior to submission of SSD 6471. This culminated in the Design Integrity Assessment, which was included in the competition Jury Selection Report appended to the EIS. The Jury considered the scheme to be consistent with the competition winning scheme and made no recommendations for any changes to the design or for future design integrity processes. This was confirmed in the Design Integrity Assessment that formed part of the Design Competition Jury Report submitted with the EIS. The Competition Jury certified in the Design Integrity Assessment that the proposed design, being the scheme that was publicly exhibited, was substantially the same and retained the design excellence exhibited in the initial competition-winning scheme.

Since the public exhibition of the proposal, some changes have been made to the design in response to submissions and design development. Please refer to an overview of these changes in Section 2.0 below.

The changes made to the proposed development are minor and the design remains substantially the same development. As such, the Jury was not formally reconvened post-exhibition for the project to certify the development was substantially the same and that the design retained design excellence of the competition winning scheme, although consultation has continued to occur with Jury members during detailed design development.

The intention is for the Jury's engagement to continue throughout the life of the project.

1.3 Authorship

This Response to Submissions has been prepared by:

- Jane Fielding, Senior Associate, Planning;
- Laura Connell, Creative Strategy Lead;
- Jonathan Archibald, Senior Planner; and
- Jane Anderson, Planner.

Quality assurance has been provided by Michael Harrison, Director, Urban Design and Planning.

02 Changes to development

2.1 Summary of proposed changes

A summary of the proposed changes to the development which are in response to submissions, is outlined below:

Submission issue	Changes to the development	Reason for change and benefit
Building design		
Loss of view lines to existing Gallery building from the RBG Woolloomooloo Gate and Art Gallery Road.	Entry Plaza Canopy has been rotated to south-east, and has increased setback from Art Gallery Road.	<i>This will allow more direct views of the existing Gallery building from RBG Woolloomooloo Gate at Art Gallery Road.</i>
Visual impacts of proposed building on its setting within the Philip Precinct of the Domain and adjacent to the RBG&D.	Changes to Entry Plaza canopy including replacement of roof materials with glass and ceramic fretting, and creation of an aperture (opening) in the roof to allow landscape and artworks underneath.	<i>The glass will allow natural light to penetrate through to the plaza, protect from rain, and UV rays. The ceramic fretting provides some shading. The changes to roof canopy materials will also create a visually lighter weight structure.</i>
Loss of green space; more detail required on use and design of Entry Plaza.	Change to Entry Plaza layout with insertion of landscape elements including trees, artworks and amenities.	<i>This will enhance public amenity of the plaza, contribute to a more pedestrian scale space, and better integrate through soft landscaping with the Domain.</i>

02 Changes to development

Submission issue	Changes to the development	Reason for change and benefit
ESD outcomes not maximised; photovoltaic panels on three roofs rather than reconciled to a single location to maximise efficiency.	Photovoltaic array is clustered on the Entry Pavilion roof and increased in area to 1,538sqm.	<i>This will improve the ESD outcome of the building.</i>
View impacts from the RBG Woolloomooloo Gate to Woolloomooloo and Potts Point.	Lowering the height of the roof of Gallery 2 adjacent to Art Gallery Road and in front of Woolloomooloo Gate through a reduction in internal ceiling heights in one corner to a consistent 5.5 metres.	<i>This is to improve views from RBG Woolloomooloo Gate.</i>
Relationship of the new building to existing Gallery building.	Change to external materials of the building including use of natural stone (limestone) and rammed earth.	<i>The material palette will not be in competition with sandstone façade of the existing Gallery building and the natural setting of the Domain.</i>
Landscaping		
Loss of green space; need for greater area of green roofs within the new building.	A more than threefold increase in the area of green roofs (from 572 to 1,761sqm).	<i>This will ensure reduction in net loss of open space, allow the building to sit more subtly within its parkland setting; and improve outlook and amenity.</i>
Public open space should be maximised.	Publicly accessible area of roof terraces (during opening hours) will be increased from 1,763sqm to 1,896sqm.	<i>This is as a result of relocating balustrade on roof terraces to provide greater publicly accessible area of roof terraces.</i>
Existing fuel bunker walls are unattractive and should be softened with landscaping.	Addition of soft landscaping to top of stepped fuel bunker wall at Lincoln Crescent.	<i>This will soften the view of the development from the east.</i>
Loss of green space; view impact from the RBG Woolloomooloo Gate; paths do not follow desire lines.	Minor changes to landscaping, including planting low-scale vegetation along Art Gallery Road and realignment of footpaths to follow desire lines.	<i>This will improve the landscape design, and promote safe and efficient pedestrian movement.</i>



Photomontage of Sydney Modern Entry Plaza, looking east from Art Gallery Road
Source: Image of the Sydney Modern Project as produced by Kazuyo Sejima + Ryue Nishizawa / SANAA

02 Changes to development

Submission issue	Changes to the development	Reason for change and benefit
Loss of trees and green space.	Retention of nine (9) trees on land bridge.	<i>This is to ensure there is immediate mature tree canopy cover on the land bridge.</i>
Loss of trees and green space.	Increase in proposed compensatory tree planting from 265 to 273 trees.	<i>This will better integrate the development into the Domain and surrounding area. New planting accounts for more than double the number of trees that are proposed to be removed.</i>
Low sandstone wall is an important heritage element which should be retained as much as possible and interpreted.	Interpretation of the footprint of the 1920s low curved sandstone walls in new paving and reuse of materials.	<i>This is requested by Office of Environment and Heritage and will reflect the heritage of the existing building and surrounds.</i>
Traffic and transport		
Minimise impacts on RBG&D operations including along Art Gallery Road and Mrs Macquaries Road.	Changes to public domain and traffic arrangement layout along Art Gallery Road, including deletion of the majority of the proposed works on the western side.	<i>This is in response to submissions and further post-exhibition consultation with RBG&D Trust and Transport for NSW to improve traffic along Art Gallery Road.</i>
Proposed public bus stop location too far from the proposed Gallery building.	The bus stop is being relocated from the southern end of the existing Gallery on Art Gallery Road to the front of the new Gallery building.	<i>This was the preference of Sydney Buses section of Transport for NSW. The bus stop is relocated close to the RBG Woolloomooloo Gate, thereby serving both the RBG and Gallery.</i>
The pedestrian crossing outside the existing Gallery should be retained as it provides a strong visual identification of, and direct access to the existing main Gallery entrance.	Maintaining existing pedestrian crossing over Art Gallery Road in front of existing gallery, and replace steps from Domain to Art Gallery Road with new ramp.	<i>This will reinforce the existing Gallery's main entrance, improve vistas of the Gallery and pedestrian accessibility.</i>

Submission issue	Changes to the development	Reason for change and benefit
The proposed additional pedestrian crossing (south of the existing Gallery) not required if existing crossing to front of existing Gallery retained.	Deletion of the proposed pedestrian crossing to the south of the existing gallery. The existing pedestrian crossing in front of the existing building will be retained.	<i>This is in response to City of Sydney and Transport for NSW submissions. With the retention of existing crossing to front of existing Gallery this additional crossing is not required.</i>
Visual impacts of new building from adjacent buildings including residential apartments on Lincoln Crescent.	Relocation of the loading dock roller shutter further inside the building envelope to minimise traffic queuing on Lincoln Crescent.	<i>This will mean vehicles accessing the Gallery are less likely to sit/idle on the Lincoln Crescent roadway while awaiting entry to the loading dock, improving traffic flow.</i>
Proposed light vehicle turning bay will create queuing.	Removal of proposed light vehicle turning bay at the intersection of Art Gallery Road and Mrs Macquaries Road.	<i>This will ensure traffic flow along Mrs Macquaries Road is unimpeded.</i>

A summary of the proposed changes to the development which are in response to design development, is outlined below:

Changes to the development	Reason for change and benefit
Design development	
<u>Building design</u> Entry to plant room of sea water heat exchange system to be elevated above ground.	<i>Plant room to be above ground to enable flood free access with proposed landscape treatment.</i>
<u>Landscaping</u> Relocation and transplanting of tree identification no. 1363, a high value tree that is currently located in front of the existing Gallery.	<i>This is required due to widening of the pathway to create strong pedestrian connection between the buildings.</i>
<u>Traffic and transport</u> Relocation of bicycle parking further north along Art Gallery Road.	<i>This will benefit visitors to the RBG as it is situated in front of both the proposed Gallery and RBG Woolloomooloo Gate.</i>

02 Changes to development

Overall the above listed changes are in response to submissions and will reduce the overall impact of the development.

“The Sydney Modern Project will build on the Gallery’s long history of innovation and leadership, by boldly celebrating Australian, Indigenous, Asian and international art. Through the connection of art, architecture and landscape the new building will create experiential and responsive art experiences that are in dialogue with reflective art histories presented in the Gallery’s existing building. Together, the two buildings will create a flexible, compelling and inspiring exploration of art and culture, enabling us to embrace a variety of curatorial ideas and learning practices.”

(AGNSW)

Revised plans

The changes to the proposed development since formal lodgement have been documented in the amended architectural and landscape plans provided at Appendix C and Appendix E respectively.

It should be noted the site area boundary (refer red line on proposed site plan) denotes the area of works and not the area of future lease or building boundary which is shown separately.

Exclusion of certain pre-construction works from SSDA

Since lodgement of the SSDA, the construction sequencing and requirements have been confirmed in greater detail. Certain early works are required to be completed in advance of the determination of the SSDA.

These works include necessary services provision and alteration to facilitate construction processes, such as the installation, augmentation, relocation or undergrounding of services (electricity (including substations), water sewer, gas, communications etc.) where required.

To enable the early works to be carried out prior to the grant of consent to the SSDA, the SMP SSDA is amended via this Response to Submissions to explicitly exclude the early works from the SSDA. This action will:

1. Exclude the Works from the SSD declaration that takes place pursuant to clause 8(2) of the State Environmental Planning Policy (State and Regional Development) 2011; and
2. Allow the early works to be assessed and determined under Part 5 of the EPA Act.





Photomontage of Sydney Modern looking south-east along Art Gallery Road
Source: Visual Impact Assessment prepared by Clouston Associates, dated 5 April 2018

03 Response to submissions

Public exhibition

The SSDA was exhibited from 16 November 2017 to 15 December 2017.

The following submissions were received in response to the public exhibition of the SSDA:

- Eight (8) submissions from State authorities, agencies and bodies, including:
 - Transport for NSW (TfNSW);
 - Roads and Maritime Services (RMS);
 - Office of Environment and Heritage (Planning and Aboriginal Heritage) (OEH);
 - Heritage Council of NSW;
 - NSW Environment Protection Authority (EPA);
 - Sydney Water;
 - Department of Primary Industries; and
 - Ausgrid
- One (1) submission from the City of Sydney Council; and
- A total of 282 submissions were received on the SSDA from members of the public (260) and public organisations (22) excluding Government authorities and agencies. These submissions comprised 202 objections (72%), 70 in support (25%), and 10 comments (3%).

The sections below respond to key comments raised in the submissions.

The predominant 'key' themes which emerged from the submissions include:

- The loss of public open space (74%) in 150 submissions;
- Design of the new building (43%) in 86 submissions; and
- Lack of transport and accessibility (39%) in 79 submissions, visual impacts (39%) in 78 submissions, followed closely by the loss of trees and vegetation (38%) in 76 submissions.

While the focus of the Response to Submissions is addressing submissions requesting changes to the SSDA, a total of 70 submissions also supported the SSDA. The majority of these submissions supported the proposed design by SANAA of the new building and endorsed the reasons the Gallery has provided for an expansion (such as the significant increase in space to share more of the State's art collection with the public, and to enable the Gallery to host more large international exhibitions in NSW). The submissions of support also welcomed the tourism and economic boost an expanded Gallery would generate, and supported, in many instances, the public utilisation of the disused naval Fuel Bunker as part of the expansion.

Refer to the Government agency and City of Sydney Council submissions at Appendix A.

Extensive consultation since lodgement of SSDA has also been undertaken to help further inform the response to submissions and detailed design development. Please refer to Section 4.0 for a summary of consultation undertaken since December 2017.

Response to key themes in public submissions

This section provides a detailed response to the key themes raised across all 282 public submissions during the exhibition period.

Key comments have been grouped into themes.

Note these exclude submissions from Government agencies and City of Sydney Council which are addressed separately at Appendix A.

01

Loss of open space

02

Alternative locations

03

Design of new building

04

Visual impacts

05

Trees and vegetation

06

Impact on the Royal Botanical Garden

07

Transport and accessibility

08

Operation of the Gallery

09

Construction impacts

10

Other issues

Theme 01

Loss of open space

This section addresses matters relating to the loss of public open space, landscape character and the preservation of green space at the site.

Number of submissions: 150 (74% of submissions)

Key comments in submissions

(prepared by Elton Consulting)



Loss of open, green space



Impacts on general amenity of the Royal Botanic Garden Sydney and Domain



Use and scale of the proposed Entry Plaza

Summary of Submissions

The loss of public open space was a strong common theme throughout the submissions received, occurring within 81% of the total submissions. Preserving green space and maximising public open space were common issues raised in the submissions of this nature. Submitters conveyed a variety of reasons including the location, with suggestions it should instead be located in Western Sydney or Barangaroo, and population growth was raised as a justification to preserve open space pockets, particularly in the city where it is perceived to be diminishing. (Source: Elton Consulting)

Response

(prepared by Architectus)

Approach to response

The theme of 'loss of open space' has been addressed as follows:

1. Explaining and quantifying loss of public open space;
2. Explaining and quantifying loss of green space;
3. Explaining how the project has been designed to maximise and improve open space and green space, and enhance public accessibility throughout the site;
4. Explaining how the public use of the Art Gallery and Art Garden achieves the 'Cultural Ribbon' concept;
5. Providing examples where public open space has been used for cultural institutions, and enhancing the Domain as a cultural landscape; and
6. Considering the existing use of the open space, where accessibility and visibility of the fuel bunker land is restricted.

Issues have been raised in submissions relating to the loss of public open space and loss of green space resulting from the development.

The proposed site in the Domain was agreed by the RBG&D Trust for the design competition in 2014. The RBG&D Trust also provided in-principle support for the project in the Sydney Modern Strategy.

“Sydney Modern proposal – is supported in principle by the RBG Trust and the potential to increase visitation to the wider precinct including the Domain and the Royal Botanic Garden, Sydney.”

(RBG&D Trust, Sydney Modern Strategy, 2014)

The proposed justification for use of open space was provided in the EIS and is summarised below, together with discussion of design changes, assessment of impacts, and further research.

Loss of public open space

The loss of public open space is addressed further below. It is acknowledged there is a net loss of public open space as a result of the development. The proposed site coverage as relates purely to building footprint, is 33% - so there is 33% net loss of open space on the site as relates to building footprint. But this is mitigated in part by the Entry Plaza which functions as open space and 1,896sqm of accessible rooftop terraces that are accessible during building opening hours, just as the RBG is only accessible at certain opening hours. This brings net loss of public open space to 21% of site (or 79% open space).

Note the net loss of public open space as a result of the development represents only 1.23% of the RBG&D based purely on building footprint, or 0.69% net loss of open space for footprint excluding Entry Plaza and including accessible rooftop terraces. [Note RBG&D area is defined as per the definition in the RBG&D Trust Act].

There will be only 0.69% net loss of public open space in the Royal Botanic Gardens and Domain as a result of the development

Loss of green space

The loss of green space is addressed further below. It is acknowledged there is a net loss of green space on a square metre basis. However, this existing green space is generally not high quality green space. It does not comprise the botanical collection of the RBG&D Trust and is not

maintained in the same way by the RBG&D Trust as their botanical collection (refer to Appendix U).

The net loss in green open space is mitigated in part by proposed green roofs (1,761sqm), 24% more tree planting on site than currently exists, and planting of other vegetation. Tree loss and tree planting is addressed at Theme 05 below. Overall, the proposed development includes 8,194sqm of proposed softscape landscaping at the site (not including roof terraces), which represents 36% of the total site area.

Landscape improvements and enhanced public access

In response to submissions, the project has been designed to maximise and improve open space and green space, and enhance public accessibility through the site. This has been explained further below.

The proposed development involves significant landscape improvements and enhanced public amenity and access throughout the site. This is consistent with the first object of the RBG&D Trust Act, which is to “improve the Trust lands”, and consistent with later object, which is “to encourage the use and enjoyment of the Trust lands by the public by promoting and increasing the educational, historical, cultural and recreational value of those lands.”

The current site arrangement is somewhat fragmented, with the Eastern Distributor land bridge and the fuel bunker not well integrated with the Domain. This fragmentation is largely attributed to historical development patterns of 'light' industrial activity in this location (such as the construction of the adjacent Ausgrid substation, land bridge and fuel bunker), site topography and paths of travel, which rely on a series of stairways between the Domain and Woolloomooloo.

Theme 01 Loss of open space



Photomontage of Sydney Modern Entry Plaza, looking west
Source: SANAA



Photomontage of Sydney Modern from the Royal Botanic Gardens, looking east
Source: SANAA

Theme 01 Loss of open space



In the proposed design, paths will follow desire lines, allow for accessible routes, and provide greater permeability of the site, including improved pathways through and around the site which are accessible 24/7. Currently there is no path that completely circumnavigates the site. The existing path to Art Gallery Road will be widened.

The site will be largely maintained as open space and gardens – 65% of the site will be publicly accessible 24/7 – and landscaping and connections between adjacent areas will be significantly enhanced.

New paths will enhance 24/7 accessibility throughout and around the site. Currently there is no path that circumnavigates the site.

The proposed development, including significant landscape enhancements will improve the integration of the site with its surroundings, providing for a more coherent and coordinated landscape design with more diverse planting and horticulture, quality materials and finishes and an overall improved visitor amenity. The proposal will also reinstate an endemic ecological community on site (Sydney Sandstone Woodland) and historic Governor's Domain planting. This is consistent with the object of the RBG&D Trust Act, "to encourage the use and enjoyment of the Trust lands by the public by promoting and increasing the educational, historical, cultural and recreational value of those lands," and other object, "to increase and disseminate knowledge with respect to the plant life of Australia, and of New South Wales in particular." As provided in the EIS, it is proposed to provide interpretive signage to the natural landscape as well as the art landscape as part of the broader visitor engagement strategy, assisting to disseminate knowledge of a historical and biological nature.

The new planting will be more in keeping with the original floristics of the area, prior to European Settlement, which is not well represented anywhere else on Trust lands.

As a result of these improvements, the site will become more accessible with greater amenity, through enhanced landscaping, clearer pedestrian paths, improvement of aesthetics of the space, and enhancement of biodiversity.

In comparison to the initially submitted scheme and through ongoing design refinement and liaison with the RBG that, an additional sixteen (16) existing trees are to be retained on site. As suggested within the submissions raised, this now includes the additional retention of nine (9) trees located over the land bridge. The proposal now results in the removal of one hundred and twenty-four (124) trees at the site (where this was previously removal of one hundred and forty (140) trees). There are nine (9) additional trees on the land bridge that will now be retained.

Additionally, to mitigate the impacts of the necessary tree removal, a total of 273 trees are to be planted as part of the extensive landscaping works proposed for the site. This represents an additional 8 trees to be planted at the site compared with the lodged SSDA (where this was previously two hundred and sixty-five (265) trees), and is therefore 24% more trees on site than exist currently (being two hundred and twenty (220) trees in the vicinity of the site), as well as, more than double the number of trees proposed to be removed.

An additional 8 trees will be planted on the site since lodgement of the initial SSDA scheme - now a total 273 new trees are proposed. This represents 24% more trees than currently exist in the vicinity of the site.

As a result of public submissions and the issue of loss of green open space, various design changes are proposed to the scheme. These include an increase in green open space (including an increase in the area of green roofs from 572sqm to 1,761sqm) and addition of 8 new trees in the Entry Plaza space.

The species and location of all trees has been carefully considered to ensure complementary integration within the landscape and setting against the RBG&Domain, and is based on advice from the project arborist. AGNSW will work with the RBG&D Trust throughout the detailed landscape design process.

The site predominantly comprises the land bridge and the land above the former fuel bunker, which are above existing built structures. The amended proposal maintains public access over most of the land bridge and largely maintains it as green open space. While a total of 27 trees will be removed from the land bridge (with none of high significance), a total of 49 new trees will be planted on the land bridge to compensate, with 9 remaining allowing for 58 in total.

Theme 01 Loss of open space

The land bridge will be enhanced with the proposed Entry Plaza (addressed further below) and Art Garden and will continue to be utilised for passive recreation and limited active recreation (subject to prior arrangement with the RBG&D Trust). Additional seating will also be provided to the periphery of the Art Garden which will improve visitor amenity across the broader precinct and for pedestrians passing through the site.

The proposal will create diverse garden areas on the space above the fuel bunker comprising courtyards, roof terraces and green roofs, and pedestrian paths and garden beds. All proposed open space will be publicly accessible, being either accessible 24/7 (outside of the Gallery bounds), or publicly accessible during building opening times (areas within Gallery bounds such as internal courtyards and roof terraces). This was set out in the EIS in text and diagram. It should be noted, in a similar manner, the RBG has certain opening hours that vary depending on the season.

Where 24/7 publicly accessible open space has been lost, enclosed or otherwise converted into enclosed built space, the cultural and recreational value of those lands have been converted to a different yet equally important educational, historical, cultural and recreational use. The particular form and focus of public use is changed and converted to a more specialised purpose (that of an art gallery) but that use provides an equally important public good, which can coexist in a complementary and compatible way alongside the RBG and the Domain

The roof terraces and courtyards (13% of the site) can be publicly accessed during building opening hours, just as the Botanic Garden has stipulated opening hours. The remainder of publicly accessible external spaces on the site (65% of site) will be accessible 24/7.

As provided at Section 3.5 of the EIS, the scheme allows for 1,100sqm additional open space compared with the existing situation, notwithstanding a net loss in open space. The additional open space is existing parking in front of Art Gallery Road that will convert to paved civic forecourt area to improve the setting to the existing Art Gallery, and allow for space for all visitors to the precinct, including school groups, Gallery visitors, visitors to the Botanic Garden as well as members of the public, to congregate. The conversion from roadway to open space restores the area to its rightful use given the land is zoned RE2 Public Recreation.

For further detail on design changes refer response to Theme 3 below.





Photomontage of Sydney Modern from Woolloomooloo, looking west
Source: SANAA

Theme 01 Loss of open space



View of existing Gallery entrance
Source: Architectus



View of proposed Gallery entrance
Source: McGregor Coxall, Landscape report



View of existing Gallery forecourt
Source: McGregor Coxall, Landscape report



View of proposed Gallery forecourt
Source: McGregor Coxall, Landscape report



Photomontage of Sydney Modern looking north-east along Art Gallery Road
Source: Visual Impact Assessment prepared by Clouston Associates, dated 5 April 2018

Theme 01 Loss of open space

The Entry Plaza is envisioned to become one of Sydney's public spaces for a variety of community and art activities, inspiring civic and cultural creativity and engagement.

Entry Plaza

The way the Entry Plaza will be used and justification for its size was raised in submissions. This is addressed below, with explanation of its scale and built form discussed under Theme 03.

A covered and unenclosed Entry Plaza will create a new arrival and entry experience for the anticipated 2 million visitors to the expanded Art Gallery of NSW (current visitation is 1.3 million). The Plaza will serve to welcome and orient Gallery visitors before they journey inside either the new or existing building. It will also form a civic forecourt to the main entry of the proposed building.

As part of the Gallery arrival experience, the Entry Plaza will house a visitor information and ticketing desk, wayfinding and signage, and cloakroom facilities to accommodate up to 200,000 organised school student visits annually to the expanded Gallery.

The Entry Plaza will be a vibrant and active civic place at the heart of the broader cultural precinct, welcoming to all members of the public, including those who choose not to physically enter either gallery building. It will provide improved public amenity, including seating, landscaped areas and a small café kiosk.



Photomontage of the Entry Plaza with landscaping to provide shade
Source: SANAA

All members of the public will be able to access and utilise the space 24/7 for gathering, recreation, rest and enjoyment, or simply as a thoroughfare between Woolloomooloo and the Domain. The Entry Plaza is not envisioned to be a zoned or ticketed area, ensuring free public access is maintained at all times.

Complementing the Art Garden through its engagement with landscape, art and culture, the Entry Plaza will provide areas of shade from the sun and shelter from the rain, and act as a significant civic and social hub, allowing for the gathering

of large groups, including school groups, and supporting a diverse range of activities, including outdoor art installations, educational and cultural events.

The Entry Plaza is envisioned to become one of Sydney's great public spaces for a variety of community and art activities, inspiring civic and cultural creativity and engagement.

Fuel bunker

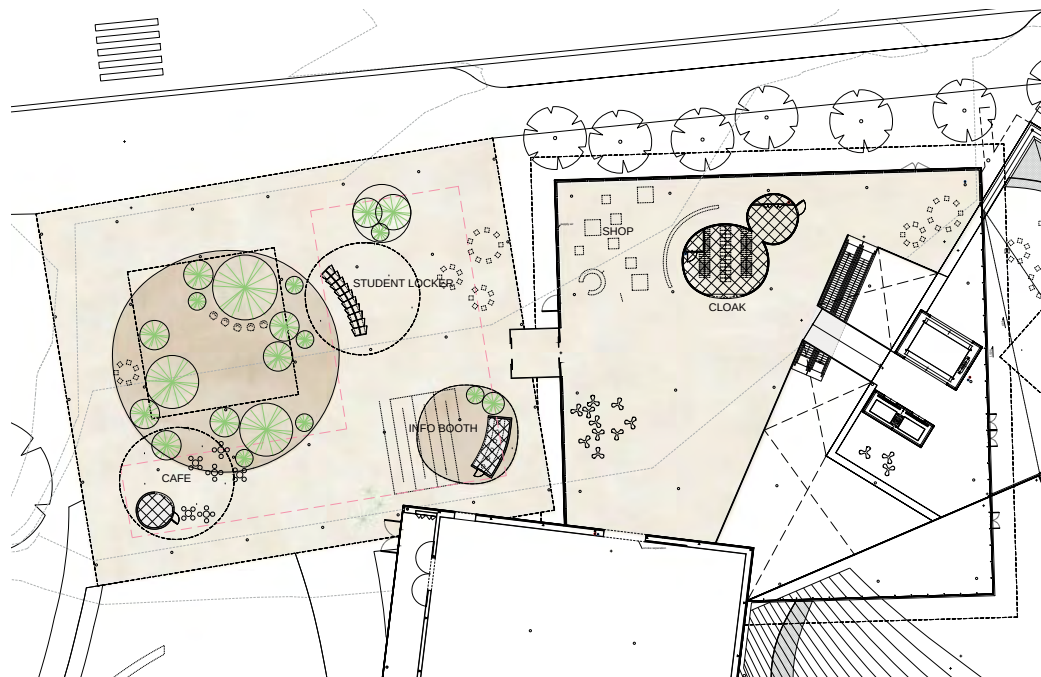
The RBG&D Trust Act allows for the long-term lease of the fuel bunker land and ancillary areas if the terms and conditions of the lease and proposed use of the land meet the objects of the RBG&D Trust Act. The proposed expansion will utilise the fuel bunker as a gallery space and this is consistent with the educational, historical, cultural and recreational objects of the RBG&D Trust Act.

The RBG&D Trust Act already allows for a lease on fuel bunker land (and so possible development). Sydney Modern will enable the fuel bunker to be accessible to the public for the first time in what will be a world class facility.

The RBG&D Trust Act was amended in 1999 (by the Royal Botanic Gardens and Domain Trust Amendment Act 1999 No. 71) by including section 20A(2)(b) which provides:

"A lease in respect of any of the following parts of the Trust lands may be granted under Section 20 (2) for any terms that, together with the term of any further lease that may be granted on the exercise of an option contained in the lease, does not exceed 50 years:

(b) such part of the Trust lands described in part 2 of Schedule 2 as, immediately before the commencement of this section, contained the fuel oil installations constructed by or on behalf of the Commonwealth, together with such other part of those lands as may be necessary for the purposes of, or for the purposes connected with, the use of the land."



Entry Plaza
Source: SANAA

Theme 01 Loss of open space

The development of an Art Gallery at the location of the fuel bunker is therefore consistent with the RBG&D Trust Act, and further, is a permissible land use in the RE2 Public Recreation Zone under Sydney LEP 2012.

The development of the new building at the location of the fuel bunker will be subject of a future lease with the RBG&D Trust consistent with the RBG&D Trust Act.

The second reading speech for the 'Royal Botanic Gardens and Domain Trust Amendment Act 1999' envisaged a future development over this area that would "adaptively reuse the [fuel bunker] facility". The design of the proposed development has sought to achieve this vision, with the proposed adaptive reuse of one tank of the fuel bunker as new gallery space. Minimal intervention will be provided to this internal space to keep it as close as possible to its original state, notwithstanding provision of required services.

The second reading speech also identified that "a long lease is required to recoup the very considerable capital investment needed to adapt the facility for public use". The proposed development will require considerable investment to open the fuel bunker and make it accessible to the public in a world class facility.

Finally, the second reading speech identified that, "The redevelopment will provide for enhanced landscaping of the roof of the facility to integrate the area with the new land bridge and approach to Woolloomooloo Bay." The development has sought to achieve this vision by providing enhanced landscaping at this location in publicly accessible landscaped roof terraces and courtyards, and a pathway that is accessible 24/7. It will also better integrate this area with the rest of the Domain and Woolloomooloo Bay.



Existing Fuel Bunker
Source: Ben Campbell



Photomontage of main through-site link
Source: SANAA

Cultural ribbon and public art gallery

This section explains in response to submissions, how the site and the development of the new Gallery building in the Domain open space is important for maintaining and strengthening:

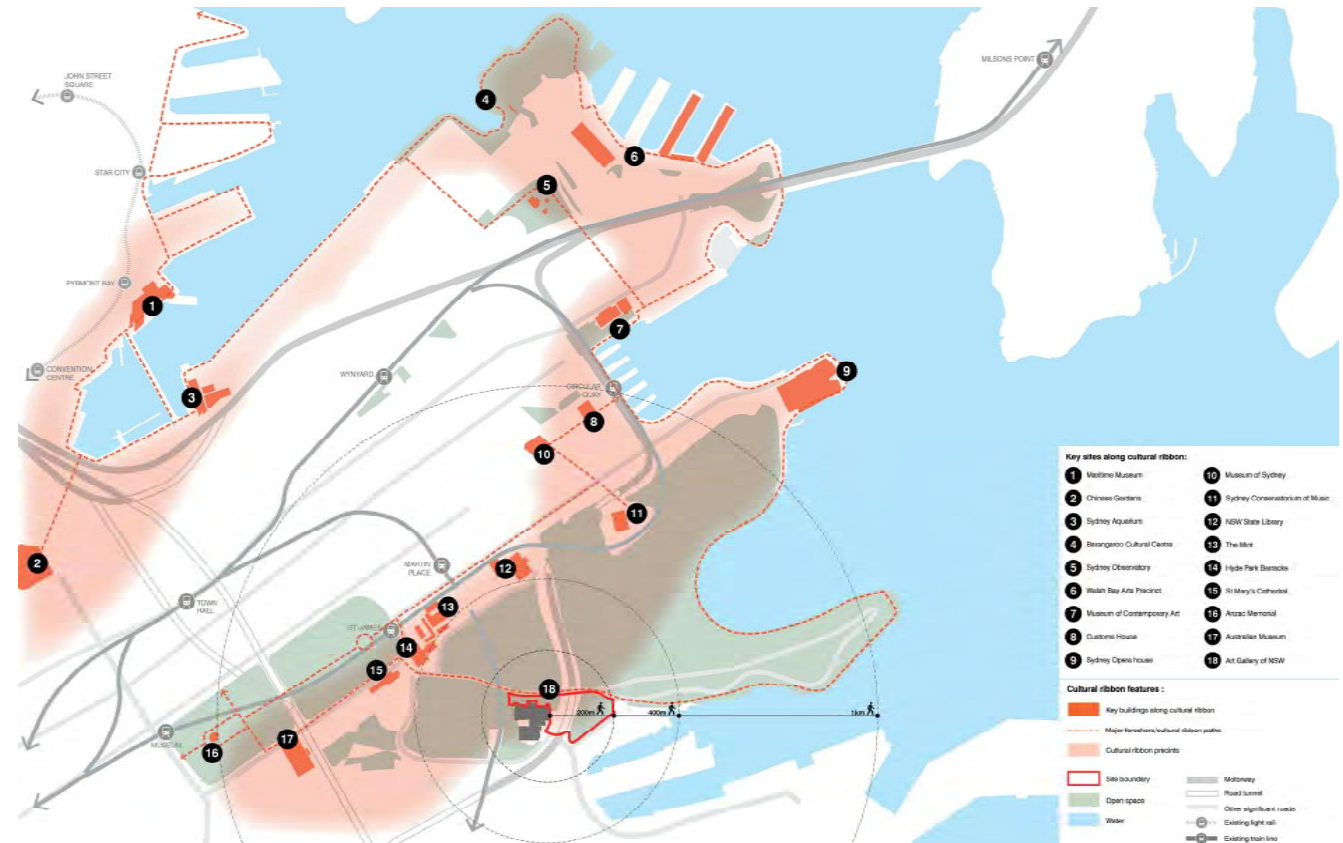
- the existing Gallery as the preeminent public Art Gallery for NSW;
- the continuity of the Cultural Ribbon concept; and
- the public cultural/arts precinct including public Art Garden;

The section also refers how the project/site:

- is documented in recent Government policy for development of the new Gallery building in the public open space;
- can be compared with international examples of cultural institutions in public open space both historically and in contemporary times;
- is situated within a cultural landscape - with other cultural institutions previously sited in the Domain; and
- is currently used – and provides justification for the proposed use of the open space for its intended use.

The existing AGNSW is, and will remain, a public art gallery. The AGNSW is an important civic place and primary institution for the arts in NSW. The proposed expansion to the Gallery will further enhance this essential public role and ensure the longevity of the Gallery in this important location for the benefit of NSW residents and visitors to the state.

The AGNSW is free of charge and will remain so into the future. It is open to the public 363 days a year. The proposed future art garden will connect the two Gallery buildings and its green landscaped space will connect with the RBG&D.



Sydney's Cultural Ribbon
Source: Architectus

Theme 01 Loss of open space

The proposed expansion is set out in numerous Government policies as detailed in the EIS and below. It will contribute to the City of Sydney's 'Cultural Ribbon' concept. The Cultural Ribbon concept is a linear arts and cultural precinct that links central Sydney's cultural institutions. The route connects the Australian Maritime Museum in Pyrmont with institutions in Darling Harbour, Walsh Bay and Circular Quay, including the Museum of Contemporary Art and the Sydney Opera House, to the Botanic Garden, Macquarie Street and Woolloomooloo, including the existing AGNSW.

An expanded Gallery will also help strengthen connections between the Sydney Opera House to the north and the Australian Museum to the south, the State Library of NSW to the west with Woolloomooloo to the east; becoming the heart of an expanded cultural precinct in Sydney.

Sydney Modern will reinforce the Cultural Ribbon principle of linking cultural destinations in the landscape that are accessible to all, becoming the heart of an expanded cultural precinct.

Sydney Modern will provide a key piece of cultural infrastructure that will contribute to a socially connected city. It will provide more space to display more art that can be shared with more people.

Greater Sydney Region Plan

The Greater Sydney Commission released the Greater Sydney Region Plan, A Metropolis of Three Cities in March 2018. The Plan provides a vision of Greater Sydney in 2056 as a city where people "live within 30 minutes of their jobs, education and health facilities, services and great places". The vision seeks to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City. This rebalances the focus of growth and development in Sydney, supporting improved liveability, productivity and sustainability of the Greater Sydney Region. Sydney's CBD is included in the 'Eastern Harbour City' and is described as "Australia's global gateway and financial capital" where development will "focus on innovation and global competitiveness to underpin its continued growth".

The Plan identifies Ten Directions for the metropolis of three cities. The following directions are of particular relevance to the Sydney Modern Project:

- A city for people: Celebrating diversity and putting people at the heart of planning
 - Objective 7: Communities are healthy, resilient and socially connected
 - Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods
 - Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation
- A city of great places: Designing places for people

- Objective 12: Great places that bring people together
- Objective 13: Environmental heritage is identified, conserved and enhanced
- Jobs and skills for the city: Creating the conditions for a stronger economy
 - Objective 18: Harbour CBD is stronger and more competitive
- A city in its landscape: Valuing green spaces and landscape
 - Objective 28: Scenic and cultural landscapes are protected
 - Objective 30: Urban tree canopy cover is increased
 - Objective 31: Public open space is accessible, protected and enhanced

Of particular relevance to the proposed development is Objective 9 'Greater Sydney celebrates the arts and supports creative industries and innovation', which aims to "facilitate opportunities for creative and artistic expression and participation" including "arts enterprises and facilities and creative industries". The Objective identifies that "great places are made when artistic, cultural and creative works are visible, valued, distinctive and accessible".

The Plan seeks to facilitate opportunities for creative and artistic expression and participation wherever feasible including creative arts and cultural enterprises and facilities. The AGNSW is the State's preeminent creative art institute and the proposed expansion will allow it to remain relevant in a national, and global context, to foster artistic opportunities and the growth of the vital creative and visitor economies.

Eastern City District Plan

The Eastern City District Plan was released by the Greater Sydney Commission in March 2018 and is a “20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney”.

The vision for Greater Sydney as a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City and a 30 minute city – will see the Eastern City District become more innovative and globally competitive, carving out a greater portion of knowledge intensive jobs from the Asia Pacific Region. The vision will improve the District’s lifestyle and environmental assets.

The AGNSW is specifically referenced under the following Planning Priorities:

Planning Priority E4: Fostering healthy, creative, culturally rich and socially connected communities

Planning Priority E4 aims to “foster healthy, creative, culturally rich and socially connected communities” and recognises “cultural richness and diversity as one of Greater Sydney’s key strengths”. “Continued investment in the arts through projects such as The Sydney Modern Project will facilitate the growth of the cultural and artistic sector, attract skilled workforce and encourage innovation in other sectors.”

Planning Priority E7: Growing a stronger and more competitive Harbour CBD

According to the Plan, the Harbour CBD attracted 8 million domestic and international visitors in 2016, due in part to its strong cultural, arts and entertainment focus, including “many of Australia’s internationally significant cultural institutions such as the Art Gallery of NSW”. The Sydney Modern Project will allow the expansion of the AGNSW, resulting in capacity for growth in visitation and significant flow on economic benefits to the State.

NSW Cultural Infrastructure Strategy 2016 and 2018 Update

Since the issue of the SMP EIS, the State’s Cultural Infrastructure Strategy 2018 Update has been released. Together with the 2016 strategy, they provide there is evidence that more investment is needed to bring NSW’s cultural facilities up to the world class standard - the real economic benefits including:

- Creating jobs and driving innovation;
- Attracting visitors to New South Wales;
- Defining distinctive and appealing urban culture; and
- Supporting urban renewal and regional economic development.

Part of the vision of the Cultural Infrastructure Strategy is to “help develop distinctive cultural infrastructure and precincts that support creativity, participation and job growth in metropolitan and regional New South Wales”. The Strategy provides that SMP is already a committed and funded Government project.

Continued investment in the arts through projects such as Sydney Modern will facilitate the growth of the cultural and artistic sector, attract skilled workforce and encourage innovation in other sectors.

Theme 01 Loss of open space

The Art Gallery of New South Wales' Sydney Modern Project will transform the Gallery into a 21st-century art museum that will inspire both local and international audiences. The project will serve future generations of local and international artists and provide visitors with new and expanded spaces for art, live performance and film. Dedicated spaces and facilities for learning and participation, as well as enhanced digital capabilities will expand engagement with schools, regional communities, artists and visitors. These new spaces will also enable New South Wales to host more major international exhibitions and increase capacity to share the Gallery's art collection.

The concept for the proposed development is to build near the existing Gallery so that synergies can still be made between the two buildings, while not encroaching on the significant heritage facades of the existing Gallery building, or the more valuable green open space to the south and west of the Gallery (this is discussed further under Themes 2 and 6). Connection and synergies between the two Gallery buildings will be maintained through landscape and art, with the proposed Entry Plaza and Art Garden, providing a clear visual connection between the two. This is addressed further at Theme 3, as well as at Themes 4 and 8, as a response to the ongoing role and relevance of the existing gallery.

For the existing Gallery to remain current it depends on the new building located nearby to strengthen its ongoing relevance and operation. The existing Gallery building is operating beyond its reasonable capacity and cannot accommodate major international exhibitions that other State galleries can accommodate. Accordingly, the AGNSW is no

longer competitive in its ability to bid for and attract major international exhibitions and this is a significant disadvantage to the arts, residents of NSW, and the state economy.

As raised during the exhibition period, if the new Gallery building was to be built in a geographically remote location to the existing building, this would mean the existing Gallery would likely suffer from a decline in patronage and relevance into the future. Such an outcome is inconsistent with the objects of the AGNSW Trust and would be a significant loss to the arts, residents of NSW and the economy.

Specific advice has been provided as to potential alternative locations for the new Gallery at an alternate location in Sydney or regional location at Appendix S. This advice specifically provides that the construction of the new gallery at an alternative location would not resolve the operating constraints of the existing gallery, but would also create two galleries that fall well short of the regional and global trend to develop highly activated arts precincts. Alternative locations would also result in reduced philanthropic funding, incurring greater costs to the state and a significantly lower Cost Benefit Ratio (CBR), to the point where the construction of a new gallery would become unviable.

"Key drivers behind the reduction in CBR are the withdrawal of private capital funding, reduced art philanthropy, reduced operating cashflow and a lower consumer surplus for the residents of NSW ("Consumer Surplus")..."

The reason that the Consumer Surplus is likely to fall is simply that two standalone galleries do not overcome the constraints of gallery scale and scope".

(Source: David Antaw, Appendix S)

The layout of the current AGNSW is complex and has inadequate back of house capacity due to decades of converting storage spaces and meeting rooms to exhibition space to meet rising demand. As such, the AGNSW has exhausted the potential of its current footprint, and is

not operating efficiently. As a result, there is insufficient exhibition space to display some of the most significant art pieces in the gallery's collection. For example, one hundred of the Gallery's most valuable artworks currently in storage have a total value of over \$263 million, however aren't able to be displayed due to insufficient space within the current building. Development of the proposed new gallery will enable the display of art which currently cannot be accommodated, to be shown in an appropriate setting.

Sydney Modern will provide a significant increase in the AGNSW capabilities to meet its charter as a state cultural institution. The new gallery will provide the opportunity to place Aboriginal and Torres Strait Islander Art front and centre within new gallery space, have positive contributions to tourism and the economy through increases in patronage, and remain competitive as a leading cultural institution in Australia, and as a major cultural destination in the wider Asia-Pacific region. The provision of an Art Garden will strengthen the connection between the gallery buildings and to the Domain.



The Garden Palace, 1880
Source: State Library of New South Wales

Examples of cultural institutions in public open space

There are numerous examples of public galleries and other cultural institutions being built in public open space, historically and in recent times. Examples of cultural institutions in public open space are provided below.

The RBG&D has a long history of cultural buildings in its cultural landscape, including the Garden Palace (c1879-1882), which stretched from the site of the current State Library of NSW to the building that now houses the Sydney Conservatorium of Music. This is reflected in the Statement of Significance for the State heritage item that is the RBG&D. The Garden Palace comprised an area of approximately 112,000sqm in a cruciform shape, some three times the size of the existing and proposed gallery buildings combined.

The AGNSW has been in the Domain for close to 140 years, having been subject to numerous additions and cumulative expansion over this period. To make another direct addition to the Gallery is not possible without impacting on the heritage facades of the existing gallery building or building up vertically with its attendant bulk and scale impacts. This is discussed more at Themes 2 and 3 below.



Metropolitan Museum of Art, New York

The Metropolitan Museum of Art (Met), located in New York City, USA, is a prominent example of a cultural institution situated in public open space. The Met is located within Central Park and holds a prominent setting on the Upper East Side.

The Met has been located in its current position in Central Park since 1880, however over time “its footprint has expanded to cover more than two million square feet”, or approximately 18.5 hectares, and as such, the Museum has grown to beyond twenty times its original size. Given it's position within the sensitive landscape of Central Park, the Met has developed with a considered approach to expansion:

“Rather than carry that formal architecture into the Park, the master plan is an architecture more like the kind of building one would expect to find in a park, such as a greenhouse in a botanical garden. The inevitable result is a striking transition between the classical and the garden architecture”

(Source: metmuseum.org)



de Young Museum, San Francisco

The de Young Museum is a fine arts museum located in San Francisco, USA, and extends into Golden Gate Park.

In October 2005, the de Young Museum re-opened in a state-of-the-art new facility that integrates art, architecture and the natural landscape in one multi-faceted destination that will inspire audiences from around the world.

Designed by the renowned Swiss architecture firm Herzog & de Meuron, the new Museum provides San Francisco with a landmark cultural institution to showcase the priceless collections of American art held by the museum from the 17th through the 20th centuries.

(Source: famsf.org)

Theme 01 Loss of open space



Arkansas Arts Centre, Little Rock

The Arkansas Arts Centre is a fine art museum in Little Rock, Arkansas, USA. The Centre is undergoing an expansion process that features 11,800m² of renovated and new exhibition, education, conservation and events spaces and will extend into MacArthur Park, the oldest municipal park in the city of Little Rock.

The successful concept design, prepared by Studio Gang (Chicago/New York), was selected following an 18 month design competition process, that involved a technical review panel, a selection committee, and community participation. The aims of the project are to enhance opportunities for public engagement and exposure to preeminent exhibitions and cultural facilities, in addition to growing the Centre to become an important cultural anchor within the city.

Construction is scheduled to commence in Autumn 2019, with completion anticipated in 2022.

(Source: studiogang.com)



Serpentine Sackler Gallery, London

The Serpentine Sackler Gallery is located in Hyde Park in London, UK. The Gallery is comprised of a classical 19th century brick structure (former gunpowder store) and a modern addition designed by Zaha Hadid Architects.

The Serpentine Sackler Gallery is located 5 minutes' walk from the Serpentine Gallery (over the Serpentine Bridge and waterway) in Kensington Gardens, London, which features art, architecture and design competitions as well as short-term pavilion structures designed by leading architects.

(Image source: archdaily.com)



Royal Exhibition Building and the Melbourne Museum, Melbourne

The Royal Exhibition Building and the Melbourne Museum, located in Melbourne, is a domestic example of a cultural institution situated in public open space.

The Royal Exhibition Building is a World Heritage listed building in the Carlton Gardens (completed in 1880) and is located at the north-eastern edge of Melbourne's CBD – just as the AGNSW is located at the eastern edge of Sydney CBD. Both the Royal Exhibition Building and Clifton Gardens have been subject to changes in form over the years, including the removal and addition of various annexes before reinstatement of the land as open space and reintegration with Carlton Gardens.

The Melbourne Museum, located directly opposite the Royal Exhibition Building, was designed by Denton Corker Marshall Architects and opened in 2000. The Museum is akin to the proposed Sydney Modern building in that it is located within a unique landscape setting, adjacent to a historic landmark building, whilst located within the broader setting of Carlton Gardens, comprising vast areas of public open space and gardens.

(Source: dentoncorkermarshall.com)

Existing use of open space

The current use of the site's open space is attributable to its physical nature and its amenities.

Land bridge

The land bridge occupies airspace above the Eastern Distributor and was built in 1999. The concrete lid of the land bridge has been reclaimed as open space with grass and limited plantings. Vegetation over this land bridge is constrained by soil depth as well as structural loading considerations and therefore cannot support the extent of deep soil zones for significant trees relative to surrounding areas of the RBG and Domain. Notwithstanding, the land bridge still functions as green open space and provides a valuable connection between the Domain, RBG, Sydney CBD and Woolloomooloo. The proposed expansion will continue to maintain and improve 24/7 public access across the land bridge. Further to matters raised during the exhibition period, existing vegetation over the land bridge is to be retained where possible.

The land bridge is presently used by members of the public to facilitate public access between the Domain/City and Woolloomooloo, allows for passive recreation, and limited active recreation such as group training and jogging. The area's use by commercial organisations for group training activities is subject to ongoing commercial arrangement with the RBG&DT. Given the location of planter beds and its inclined slope, the land bridge is not suitable for formal active recreation such as organised ball games which currently occur atop the Domain carpark and the Phillip Precinct of the Domain.



Source: NearMap, dated 19 Oct 2017



View towards the city skyline



View over the land bridge

Theme 01 Loss of open space

Fuel bunker

The former Fuel Bunker (comprised of two tanks) located in the northern part of the site was constructed during World War II in the early 1940s, and the tanks were then decommissioned in 1984 and 1985. The concrete roof of the Fuel Bunker is currently covered with fill and turf, and is interrupted by a number of access hatches interspersed across the roof surface. Vegetation over the fuel bunker is also limited by soil depth, only capable of accommodating a grass/turf cover.

The land above the fuel bunker is also constrained by both topography and the access hatches which impede public access and the ability to undertake more formal active recreation. The external access hatches mean it cannot function as playing fields as the open space above the Domain carpark and the Phillip Precinct of the Domain do currently. The land above the fuel bunker is intermittently used by boot campers under commercial arrangement with the RBG&DT. The visibility of the fuel bunker is also restricted owing to change in topography and vegetation enclosing the space. These issues impact on the way and frequency the space is used, especially in comparison to other areas of the Domain.

The RBG&D Trust Act allows for the long-term lease of the fuel bunker land and ancillary areas if the terms and conditions of the lease and proposed use of the land meet the objects of the RBG&D Trust Act. The proposed expansion will utilise the fuel bunker as a gallery space and this is consistent with the educational, historical, cultural and recreational objects of the RBG&D Trust Act.

Legend

- Site boundary
- Proposal boundary
- ◀▶ Views primary/secondary
- Movement primary/secondary/tertiary
- Access points
- - - Topographic contours and RL's
- Trees
- Primary open spaces
- Inaccessible green spaces



Plan of land bridge and fuel bunker area showing contours, access points, and views,
Source: Architectus



View of existing fuel bunker roof surface, taken from the southern access path facing north east towards Garden Island.
Source: Architectus, 6 February 2018



View of existing fuel bunker roof surface, taken from the northern access stairs facing south towards Woolloomooloo.
Source: Architectus, 6 February 2018



View of existing fuel bunker roof surface, access hatches retaining structures and the Eastern Distributor land bridge and taken from the eastern perimeter of the roof surface facing west towards the city.
Source: Architectus, 6 February 2018

Views from well-used routes



View from Mrs Macquarie's Road



View from platform between stairs

Views from infrequently used routes



View from staircase facing site



View from path above site - similar intermittent views are available along this route



View from Lincoln Crescent pedestrian bridge looking towards site

Theme 01 Loss of open space

Impacts on Domain heritage and consistency with RBG&D Trust Act

The Heritage Impact Statement (HIS) submitted by GML in November 2017 confirmed that the proposal is in broad alignment with the objects of the RBG&D Trust Act. Impacts that have been identified for the project are mitigated by the fact that the proposed use of the site incorporates an art gallery, art garden and landscaped terraces. These uses are complementary and compatible with the RBG&D Trust Act, and the new gallery extension will sit within the landscape setting of the Phillip Precinct of the Domain, thus adding and enriching the educational, historical, cultural and recreational value.

The Sydney Modern AGNSW Expansion Project has adopted a strategic approach to aligning the new development with the objects of the RBG&D Trust Act. Specifically, the consistency of the proposal with objects of RBG&D Trust Act in relation to the moderate heritage impact that the proposal will bring about on the Domain, is addressed below.

As outlined in the HIS, the overall moderate adverse impacts to the heritage listed Domain are brought about through the net loss of open space, resulting from the construction of a major cultural institution to the north of the existing gallery, the removal trees of identified significance, the loss of open space, interruption of significant views and adaptation of the Domain Oil Tanks (fuel bunker).

Where 24/7 publicly accessible open space has been lost, enclosed or otherwise converted into enclosed built space, the cultural and recreational value of those lands have been converted to a different yet equally important educational, historical, cultural and recreational use. The particular form and focus of public use is changed and converted to a more specialised purpose (that of an art gallery) but that use provides an equally important public good, which can coexist in a complementary and compatible way alongside the RBG&D.

There are substantial opportunities for the project to become further aligned with the RBG&D Trust Act and for a closer relationship to be formed between the two major public institutions entrusted with the site.

Strategies that will facilitate realisation of the project and also bring about closer alignment with the RBG&D Trust Act are summarised in a table at Appendix K.





Photomontage of Sydney Modern Entry Plaza
from middle of Art Garden, looking west
Source: SANAA

Theme 02

Alternative locations

This section addresses matter relating to the location of the proposed development, including the possibility or viability of potential alternatives and why the subject site was chosen.

Number of submissions: 54 (27% of submissions)

Key comments in submissions

(prepared by Elton Consulting)



Site should be in Western Sydney or regional NSW location



Site should be in alternative location in proximity to existing Gallery

Response

(prepared by Architectus)

54 submissions concerned the proposed location of the gallery. In summary, these submissions suggested that the proposed location of the gallery should either be in an alternate location in proximity to the existing gallery, or should be located in Western Sydney or regional NSW.

The location of the proposed gallery has been chosen as it fulfils the design brief, providing for the co-location of facilities, enhancing and allowing the existing AGNSW to strengthen its operation and ongoing relevance. The location will therefore contribute to achieving the principal objects of the AGNSW Trust.

As noted in Theme 1, if the new gallery building was to be built in a geographically remote location to the existing building, this would mean the existing gallery would likely suffer from a decline in patronage and relevance into the future. Such an outcome is inconsistent with the objects of the AGNSW Trust and would be a significant loss to the arts, residents of NSW and the economy. Specific advice has been provided as this issue at Appendix S.

As contained within Section 4 of the EIS and detailed below, the proposed location is consistent with strategies and policies at State, regional and local levels. The expansion site will reinforce the existing AGNSW as an important art, cultural and garden precinct for Sydney, and will strengthen the 138-year historic association of art and cultural facilities in the Domain.

Sydney Modern Masterplan Framework

As detailed in Section 1.8 of the EIS, in 2008 the AGNSW Trust commissioned architectural firm Johnson Pilton Walker (JPW) to prepare the Sydney Modern Masterplan Framework, which focused on transformation of the AGNSW into a cultural institution equipped to continue to meet its charter as the State's pre-eminent art gallery as well as changing and diversifying visitor expectations. This report was completed in 2011 and explores a range of siting strategies and evaluations as well as options and models for redevelopment.

A full copy of this master plan is available for view on the AGNSW Website (<https://www.artgallery.nsw.gov.au/sydney-modern-project/about/process/>), with an extract of siting options and evaluations provided at Appendix AN to the EIS.

Sydney Modern Strategy (October 2014)

The Sydney Modern Strategy was prepared by Cox Richardson Architects on behalf of the RBG&D Trust in 2014 as an extension of the work undertaken for the Royal Botanic Garden, Sydney and Domain Master Plan in order to better inform design competition processes.

The Strategy provides the "Sydney Modern proposal – is supported in principle by the RBG Trust and the potential to increase visitation to the wider precinct including the Domain and the Royal Botanic Garden, Sydney. There are however complex interrelationships within the site and the RBG Trust must continue to fulfil its statutory role in preserving the precinct as a public and scientific place".

The Strategy sets out objectives and planning requirements taken from the Phillip Precinct of the Domain Planning Framework to assist with better informing the Sydney Modern design competition process. It also includes site development principles for the Sydney Modern site and these matters were considered as part of the design competition process.

NSW Government Policy and Funding

As noted at Section 4.1 of the EIS, the Sydney Modern Project is also set out in Government Policy. Since this time, the Greater Sydney Region Plan and the Eastern City District Plan, NSW State Cultural Infrastructure Strategy 2018 have been released, which further reinforce the project at its current location. Significant Government funding (\$244M) was announced for the project by the NSW Government in June 2017. These policies and associated funding is directly associated with the proposed development at its current location.

RBG&D Trust Involvement

The RBG&D Trust has been involved through the design and development of the project, including agreement for the architectural design competition to be undertaken on the project site and gave their written consent to the design competition process proceeding.

Development of an Arts Precinct

The business case provides there is a global shift to the co-location of facilities and the development of a broader 'arts precinct' and the broader associated tourism benefits. Notwithstanding, the known constraints of the existing AGNSW, the construction of the new gallery building is a significant drawback for visitation rather than incidental visitation that an annex location would attract. The contribution of the Sydney Modern project to such an arts precinct, as well as domestic and international examples is provided in Section 1 of this document.

Theme 02 Alternative locations

Alternate Location Surrounding Existing AGNSW

Some of the submissions raised the possibility of an alternative location for the Gallery surrounding the existing Gallery. The merits of this is evaluated below.

A range of potential annex locations and strategic options for expansion have been explored and are identified within the EIS at Section 1.8 and within Appendix AN (Siting Options and Siting Evaluation). In response to matters raised during the exhibition period, this section provides further commentary around the possibility of an “annex” approach for expansion of the existing building. This includes both the potential for a new, separate building, as well as further extension to the existing AGNSW Gallery building.

Fundamentally, the Sydney Modern brief calls for approximately 16,000sqm of floor space. As the existing AGNSW building scale is the equivalent to four storeys when viewed from the east, a sympathetic development would (in simple terms) have a maximum of four levels of around 4,000sqm each in order to be of a respectful and comparable scale. However, as a result of topography and site circumstances, it is considered that a terraced form is more suitable, generally involving upper levels of less than 4,000sqm and lower levels of larger than 4,000sqm, stepping down across the fall of the land. Accordingly, the Fuel Bunker



Key map plan
Source: NearMap, dated 19 October 2017

site to the north of the land bridge offers sufficient area for the brief to be accommodated in a terraced form of greater than 4 levels without detracting from the mass of the existing building.

A fundamental brief requirement of the new Gallery spaces in the new building is that they have a minimum floor to ceiling height of 5.5 metres. When stacked vertically adjacent to the existing building the overall height would exceed the existing building and the floor levels would not align as existing Gallery spaces have a 3.4 – 3.6 metre ceiling height.

Additionally, potential sites to the south, south east or south west of the existing AGNSW building do not have the ability to carry this scale of development without major disruptions to public spaces, as well as necessitating a significantly taller built form. Please refer to an overview of these potential sites and their individual considerations and constraints below.



Source: NearMap, dated 19 October 2017

South of Gallery

(Over Train Line)

The submissions queried the possibility of the expansion occurring to the south of the existing building, adjacent the existing rail line. As discussed at length in the EIS in Sections 1, 3 and 6, the proposed location for the expansion was selected as it was considered preferable to preserve, as much as possible, undisturbed and more utilised areas of the RBG&D. The construction of a new Gallery to the south of the existing Gallery would result in the loss of a significantly greater area of presently undisturbed public open space.

Further, any potential building at this location would be required to be far greater in height than the proposed development, being the compounding effect of the existing railway alignment (necessitating a higher minimum floor level) as well as overall smaller building footprint (requiring a greater number of storeys). This location would also result in a vertically prominent building, several storeys higher than the existing building.



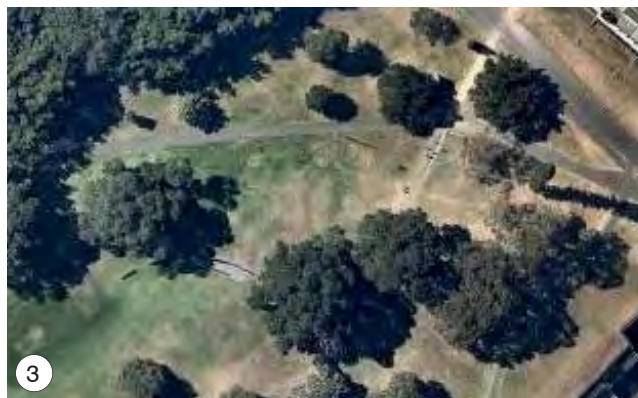
Source: NearMap, dated 19 October 2017

South-East of Gallery

(Towards the Brett Whitely 'Matchsticks' and Eastern Distributor)

The submissions queried the possibility of the expansion occurring to the south-east of the existing building, adjacent the existing rail line and towards the Brett Whiteley and Matthew Dillon's 'Almost Once' artwork. With reference to matters relating to scale above, this area of land, being nestled between the existing AGNSW, a high value large canopy Fig tree, the Eastern Distributor and the railway line, is constrained in area and is only capable of accommodating a building footprint less than 3,500sqm. In order to achieve the floor space brief, construction of a building at this location would require a building of approximately four to five storeys (if it were to be built as a vertical tower form) which would dominate and exceed in height the existing building.

The existing Gallery form comprises a stepped massing on a gently rising hill at this location, so the potential new vertical built form would be discordant with the existing massing. If built as a stepped form, a much larger footprint would be required than is available at this location.



Source: NearMap, dated 19 October 2017

South-West of Gallery

(Towards the NSW Police Memorial)

The submissions also queried the possibility of the expansion occurring to the south-west of the existing building, towards the NSW Police Memorial and gardens. As discussed in the EIS at Section 1.8, the possibility of expansion to the south-west was eliminated due to the heritage significance of the southern façade of the existing building. This would also encroach towards, and reduce the heritage and cultural significance of the NSW Police Force Wall of Remembrance and surrounding gardens. This land to the south-west is also of a higher recreational significance as it is larger than the site area and more co-hesive.

All annex location options

The location of a new building to the south, or south-east of the existing building would also present additional issues, including however not limited to, distance and accessibility from Art Gallery Road (as there is no direct frontage), increased visual impact particularly to the east, as well as ongoing servicing and loading issues. As the existing Gallery and loading dock are at operating capacity, the construction of any new building at these locations would not alleviate these issues. This issue is important as a new loading dock is needed to securely accommodate 12.5m rigid vehicles for international blockbuster exhibitions, with service access from Art Gallery Road not preferable due to the potential conflict with events in the Domain.



Source: NearMap, dated 19 October 2017

Playing Fields atop the Domain Car Park

The existing grassed playing fields over the Domain car park is a popular active recreational area, particularly during business hours and lunchtime recreation for nearby workers within the CBD and Woolloomooloo.

This location is large in area, regular in topography and without obstruction (i.e. no access hatches such as atop the fuel bunker) and is often used for formal recreation including boot camp and ball games (e.g. football).

Principally however, the Domain car park is subject to a long term lease from the RBG&D Trust to a commercial car park operator with capacity for approximately 1,100 spaces. Development at this location would result in loss of green open space, loss of highly frequented active recreation space, and loss of car parking to serve the Gallery, RBG&D events, and also importantly, commuter car park capacity servicing the CBD.

Structural capacity of the existing car park structure cannot take the loads imposed by an Art Gallery and would require demolition.

Theme 02 Alternative locations

Expansion locations (Extension to Existing Gallery)

As noted above and at Sections 1.7 and 1.8 of the EIS, central to the intent and viability of the proposed development is the need to provide for significantly increased Gallery floorspace.

The current AGNSW building layout is complex and the result of ad-hoc reconfiguration of spaces and cannibalisation of back of house capacity. After decades of meeting rising demand and the provision of more diverse visitor services by converting storage spaces and meeting rooms to exhibition space, the AGNSW has reached capacity and exhausted the potential of its current footprint.

A range of potential expansion locations have been explored and are identified within the EIS at Section 1.8 and within Appendix AN (Siting Options and Siting Evaluation) of the EIS. A new wing to the existing AGNSW would exacerbate the already inefficient building layout, further contribute to ad hoc nature of development resulting from multiple additions over time and therefore diminish the overall heritage significance of the site.



Source: NearMap, dated 19 October 2017

Alternate Location Remote to Existing AGNSW

Some of the submissions raised the possibility of an alternative location for the Gallery in a remote location to the existing Gallery, such as Western Sydney, Barangaroo 'Cutaway', White Bay Power Station. The merits of this is evaluated below.

The location for the proposed Sydney Modern Project has been carefully considered by the AGNSW and Government, with a number of alternative locations explored, including an annex (extension) to the existing gallery, a new gallery building within proximity to the existing AGNSW, or a remote location elsewhere within the state. Public suggestions provided during the exhibition period include locations across Western Sydney, such as Parramatta, or other key inner-city sites such as the Barangaroo headland 'Cutaway' or the White Bay Power Station at Rozelle.

Fundamentally, the construction of the proposed gallery at a remote location would result in a significantly reduced cost benefit ratio for the State and risk to the AGNSW. This is attributed, however not limited to, overall reduced visitation between two locations, reduced funding (Government and philanthropic), higher construction and operating costs, as well as exacerbating existing operational inefficiencies at the existing AGNSW. Overall, this would result in a significantly lower financial viability for the Sydney Modern Project, a greater risk to the future of the AGNSW and a negative cost benefit to the State.

Please refer to further discussion and business case implications of developing the Sydney Modern Project at Appendix S.



New building in remote location
Option A1.1 - Maintaining AGNSW Domain location (no work) and new gallery building
Source: Art Gallery of NSW



New building in remote location
Option A1.2 - Re-plan AGNSW Domain location (new works) and new gallery building
Source: Art Gallery of NSW

Theme 03

Design of new building

This section addresses matters relating to the design of the new building, including its siting, form and setting within the surrounding context of the RBG&D.

Number of submissions: 86 (43% of submissions)

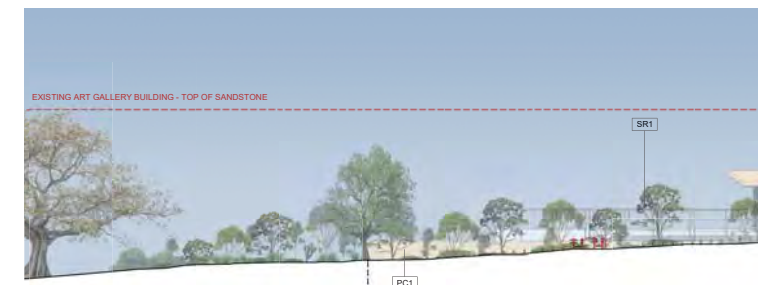
Key comments in submissions

(prepared by Elton Consulting)

-  Heights, bulk and scale impacts on heritage significance and amenity of existing Gallery and Domain
-  Choice of building materials and finishes
-  Preserving heritage significance and status of existing Gallery
-  Connection between the new development and existing building

Summary of submissions

Many submitters queried whether the new building detracts from the existing building and fits harmoniously with its surrounds, including the garden setting, physical environment and the existing museum's heritage context and curtilage. Many emphasised the architectural significance of the existing building and perceived the Gallery as one of the state's most important cultural institutions which needed to be preserved. (Source: Elton Consulting)



Streetscape view, Art Gallery Road
Source: SANAA

Response

(prepared by Architectus)

In response to those submission which raised various issues with the design of the building and project, the following response is provided below.

Design concept

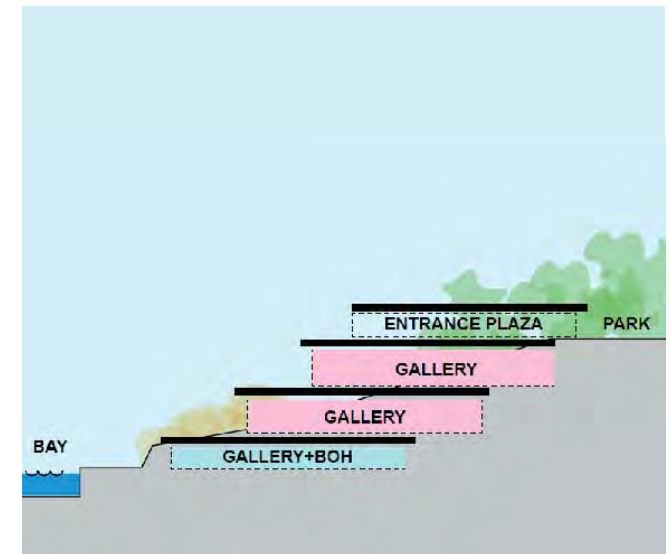
The design concept for the Sydney Modern Project by SANAA responds to the topography of the site through a series of light pavilions that cascade down the hillside from Art Gallery Road towards Sydney Harbour and Woolloomooloo. The low profile of the gallery's pavilions preserves the integrity of the existing Gallery building and complements the surrounding natural beauty of the RBG&D. The open space between the existing and the new building creates a vibrant civic plaza for visitors to the Gallery which will become an inspiring new public space for Sydney. The building allows for spectacular views to the surrounding landscape and the harbour beyond from within the Gallery and from its terraced rooftops.

Design Changes

A number of submissions received raised issues relating to the design of the proposed building and its relationship and impact to the RBG&D. This includes visual impact (refer also Theme 4), setting and siting of the building (refer also Themes 1 & 2) as well as details such as building materials, colours and finishes. Accordingly, as detailed in Section 2, a number of design changes have been made in order to further integrate the building within its surrounds and the RBG&D.

In response to matters raised relating to visual impact to the existing AGNSW, as well as lines of sight between the AGNSW and RBG Woolloomooloo Gate, the roof form of the Entry Plaza, has greater setback, and has been rotated to the south-east to provide for greater visibility of the existing Gallery building from the RBG Woolloomooloo Gate and Mrs Macquaries Road. This is demonstrated in the adjacent view.

The increase in setback is 1.7m to the north-west corner, and 4.4m to the south west corner of the Plaza. The Entry Plaza Canopy has been reduced in area by the insertion of an “aperture”, to give a total area reduction from 1,495sqm to 1,378sqm, yielding 213sqm less roof area.



Indicative section of new building
Source: SANAA



Theme 03 Design of new building

The built form of Gallery 2 has also been reduced in height by 2.16m, to reduce the visual impact on Art Gallery Road and the RBG Woolloomooloo Gate. The position in plan of Gallery 2 and the Entry Pavilion have been retained due to critical dimensions between Art Gallery Road and Lincoln Crescent, that relate to level changes within the building and escalator set-out locations.

Building height, bulk, scale and overshadowing

Matters relating to built form and massing are discussed in detail in the EIS at Section 3.6. Fundamentally however, the proposed expansion has been designed as a series of pavilions that step down from west to east following the topography of the site, whilst utilising existing structures (such as the Eastern Distributor land bridge) and adaptively reusing the existing fuel bunker as gallery space. This is designed to keep the building low in order to sit lightly within the broader setting, below the existing tree line and maintain views to the harbour from Art Gallery Road.

Bulk and scale

A key design consideration has been to maintain a degree of prominence for the entry of the new building when viewed from the approach north along Art Gallery Road. The Entry Plaza and Entry Pavilion are intended to be visible and project beyond the front façade of the existing building when viewed from the approach north along Art Gallery Road (while still being below the cornice of the Vernon façade), to maintain a recognisable identity and destination, as the levels of other building forms begin to fall away towards Lincoln Crescent.

The Entry Plaza marks the entry to the new Gallery building, which is a modest single level built form that steps down away from Art Gallery Road. The height of the Entry Plaza canopy (maximum RL 30.79) has been determined to provide a prominent entry to the new building while sitting respectfully against the massing of the existing AGNSW building.

The Entry Plaza does not exceed the height of the cornice of the Vernon façade of the AGNSW, with the built form designed to minimise the appearance of height from the RBG&D, particularly when viewed from the RBG Woolloomooloo Gate and Art Gallery Road.

In response to matters raised during the exhibition period, the Entry Plaza Canopy has been reduced in size (by 213sqm), with setback increased by up to 4.4m and rotated to the south-west. Changes to the Entry Plaza Canopy also include the replacement of roof materials with glass and varying ceramic fritting, as well as provision of an opening in the roof structure to be open to the sky to allow tree planting and inclusion of outdoor art. A number of changes have also been made to the layout of the Entry Plaza, including provision of small trees, furniture, shade structures, school baggage store as well as an information booth and kiosk.

The adjacent figure-ground diagram shows the composition of solid form versus glazed facades across the site, with an overall design intent to maintain open lines of sight along Art Gallery Road. Specifically, the Entry Plaza Canopy comprises a largely transparent, lightweight glass-and-steel language that differs markedly from the solid sandstone box of the existing Vernon wing. The Vernon wing is set out to beaux-arts principles of axial symmetry with a formal composition of neo-classical elements centred on the entry porch and pediment. The new form respectfully contrasts this form, rather than slavishly adhering to fixed setback lines from the masonry building.

The topography of the site allows for the building's height to be concealed, with the overall massing of the building to be distributed across the site, allowing it to be read as a series of pavilions, rather than being centrally concentrated into a taller or bulkier single building form. Further, the height steps down with the topography of the site, so that from the west the building generally appears no more than one storey

in height, whilst from the east, it appears as a 2-3 storey building that steps back. This height transition is illustrated at Figure 42 of the EIS.

It is considered that this layout is respectful to the existing AGNSW building, takes advantage of the site's topography, provides the opportunity to maintain a landscaped relationship with the RBG&D and step the building down toward the east, largely maintaining views and vistas across the site. Further, by virtue of the site's orientation and transition in height across the site, the proposal will not result in any overshadowing of the Domain nor impact residential apartments in the 'Wharf Terrace' apartments on Lincoln Crescent at the worst affected time, being in mid-winter, as detailed within the submitted solar diagrams.

Form and Layout

Various submissions contended Gallery 3 should be further setback to minimise amenity impacts and allow for greater planting opportunities. This section provides justification why Gallery 3 is not being set back further and advises of other mitigation measures proposed to ameliorate the issue.

The location of Gallery 3 next to Lincoln Crescent is set by the size required to facilitate large travelling international exhibitions. As the existing AGNSW is not capable of accommodating some of these large exhibitions, this is a very important element of the new building, and this floor space capacity and ceiling height is one of the central drivers for the project.

These major exhibitions are great drawcards for visitation, attracting large domestic and international crowds, and also provide the basis for many events and programs held by the Gallery. The current circumstance places the AGNSW at a competitive disadvantage to other states, and forms a significant driver for the project.

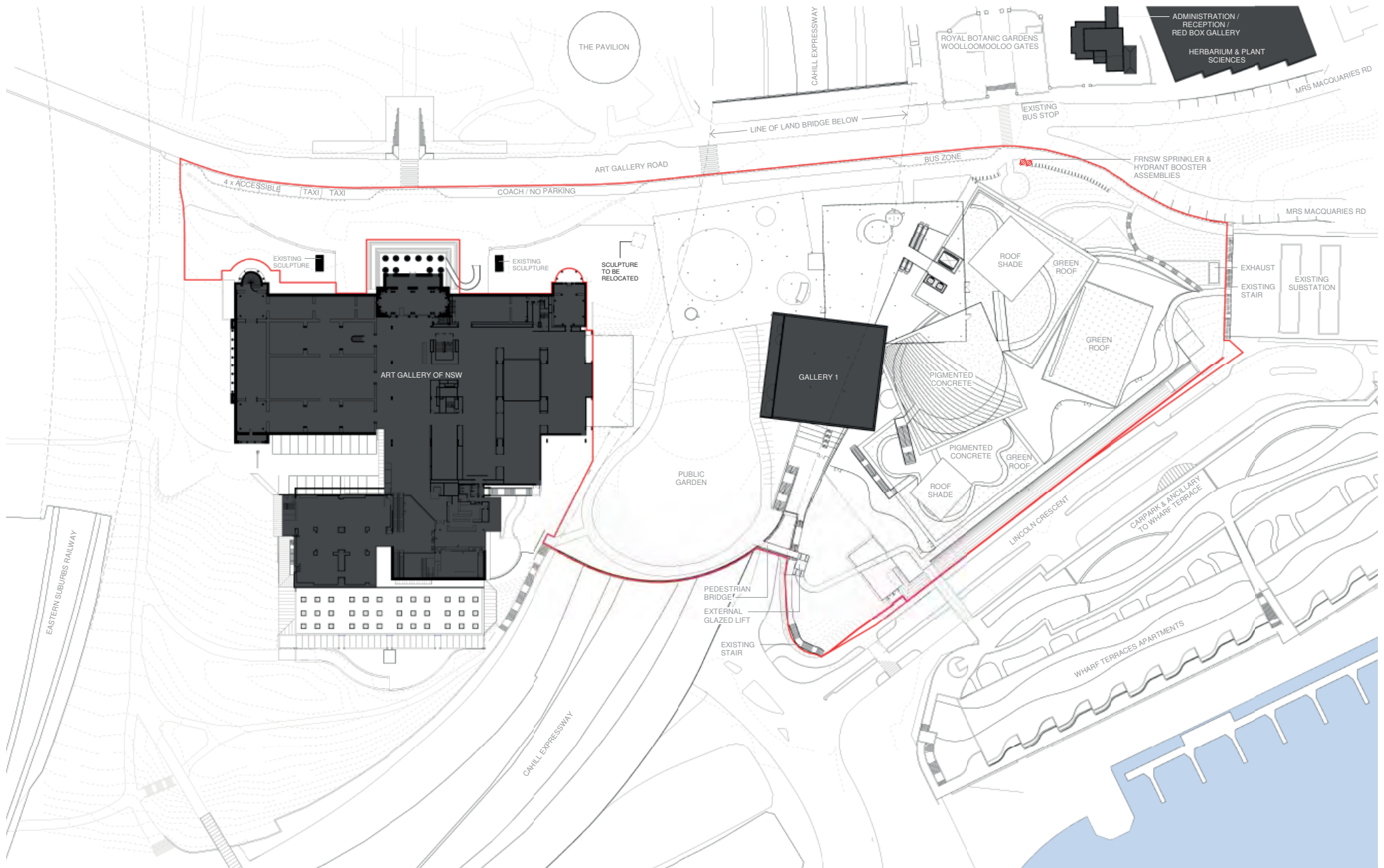


Figure ground drawing
Source: Architectus

Theme 03 Design of new building

The form of Gallery 3 is aligned to the disused naval Fuel Bunker below, and is constrained by the need to provide circulation space to the west. To ameliorate the visual impact of the built form addressing Lincoln Crescent, it is proposed to introduce landscaping along the base of the Gallery form and to help soften the form of the existing stepped concrete wall on Lincoln Crescent. Whilst heritage considerations require this wall to remain exposed some landscaping is able to be provided at the upper level of the Fuel Bunker steps and integrated with new pedestrian pathways through the site. Please refer to full landscape details under Theme 5.

Interface to Wharf Terraces

It is noted that during the exhibition period, concern has been raised by the residents of the Wharf Terrace residential apartment building relating to the interface of the proposed gallery building to the eastern elevation along Lincoln Crescent and at the location of the existing fuel bunker wall.

It should be noted that no residential apartments in Wharf Terraces front on to Lincoln Crescent nor face the project site. All residential apartments face north-east and the only elements of the Wharf Terraces that front Lincoln Crescent are the entry to a private and public carpark, a community room, and gym for residents and entry lobby. There is no view of the site from any residential apartment.

In response to this, additional landscaping is to be provided at this interface atop the existing external steps of the fuel bunker. Please refer to a further discussion of landscaping matters in Item 5 below. It is however noted that any additional 'greening' of the existing fuel bunker façade is not possible at the site due to heritage considerations.



Photomontage - Northern end of Lincoln Crescent, looking south-west
Source: Visual Impact Assessment (Clouston Associates)

Sea Water Heat Exchange

There is now an above-ground element to the underground plantroom of the sea water heat exchange system. This is proposed to have landscape treatment to blend into its surroundings. It is discussed more at Theme 5 below.

In response to issues raised during the public exhibition period by the residents of the Wharf Terraces, additional acoustic testing has been undertaken along and at the end of Lincoln Crescent. As detailed in further in Theme 10 it has been determined that operation of this system complies with the NSW EPA Industrial Noise Policy and will not result in any unreasonable loss of amenity.



Photo of fuel bunker steps at Lincoln Crescent
Source: Architectus

Building Material, Colour and Finishing

The material of the new building does not mimic, but has been designed to be complementary to the existing AGNSW building. As the pavilions are low lying, the roof structures will be visible from different vantage points and careful consideration has gone into their detailed design, selection of materials, and finishes.

Refer to images and sampling of the proposed building material, colour and finishing within both the Architectural Design Report (Appendix D) and Materials Sample Board.

Building Exterior

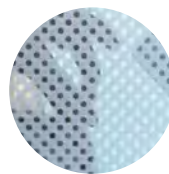
The main materials used in the Sydney Modern Project will be natural stone (limestone) with a warm tone, glass and aluminium and stone of various types (in warm tones) to softly reflect the surroundings. Solid wall materials to Gallery spaces will generally be a neutral stone cladding of natural stone (limestone) with concrete floors. Glazed facades will promote high light transmission with white painted steel mullions. Roof paving (including the roof terraces) will be in a soft brown colour of pigmented concrete pavement, however green planted sections will be predominant for many of the roof surfaces. Accessible and visible roofs are to be landscaped, having been designed to reduce the scale of the building, bring visitors closer to the landscape and to integrate the building within the setting of the Domain.

Photovoltaic (PV) cells have been amalgamated from three roofs to one larger cell atop the Entry Pavilion resulting in an increase 508sqm (to a total PV area of 1,538sqm). This is in response to submissions to address issues with visual impact, and will assist with energy efficiency of the building and efficiency. As detailed within the Visual Impact Assessment (Appendix G), the proposed PV cells atop the Entry Pavilion will not be visible from any surrounding vantage points within Woolloomooloo to the east of the site, including in particular the Wharf Terrace or Finger Wharf residential apartments.



Sydney Modern Project Physical Model

Wall - Material E Roof - Material A Roof - Material B Material F Facade - Material C Facade - Material D



Material A:
Roof - curved glass



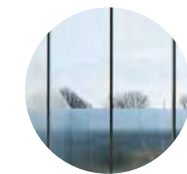
Material B:
Roof - earth colour
aggregate concrete



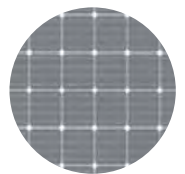
Material C:
Solid facade -
limestone



Material D:
Wall - rammed
earth wall



Material E:
Transparent
facade - glass



Material F:
Photovoltaic panel

Sydney Modern Project Physical Model
Source: SANAA

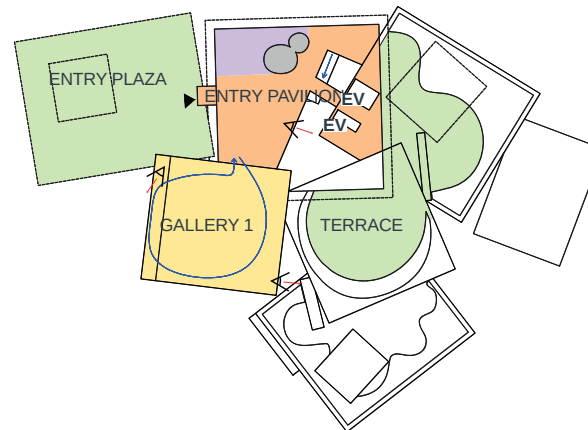
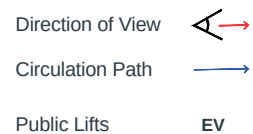
Theme 03 Design of new building

Circulation

The design concept for the Sydney Modern Project by SANAA responds to the topography of the site. The building steps down the hillside from Art Gallery Road towards Sydney Harbour and Woolloomooloo through a series of light pavilions. The building allows for spectacular views to the surrounding landscape and the harbour beyond from within the gallery and from its terraced rooftops.

The following diagrams demonstrate the main circulation paths that visitors will take as they move through the Sydney Modern building. The key views and circulation paths are indicated on the diagrams.

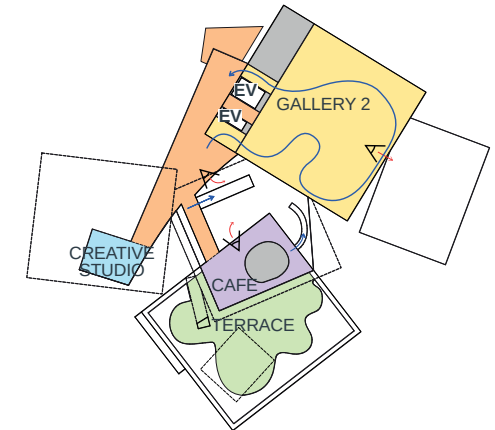
It is noted that the diagrams were previously provided in the EIS, and have not changed since exhibition of the EIS, but are provided again for ease of reference.



Sydney Modern, Entry Level
Source: SANAA

Entry Level

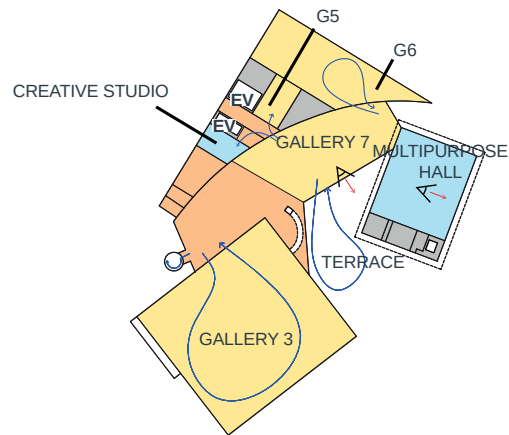
From the Entry Pavilion, visitors will move through the foyer via escalators or lift. They will be able to see out towards the landscape as they descend through this space. The first gallery, being the Aboriginal and Torres Strait Islander Gallery, will be accessible from the Entry Pavilion.



Sydney Modern, Lower Level 1
Source: SANAA

Lower Level 1

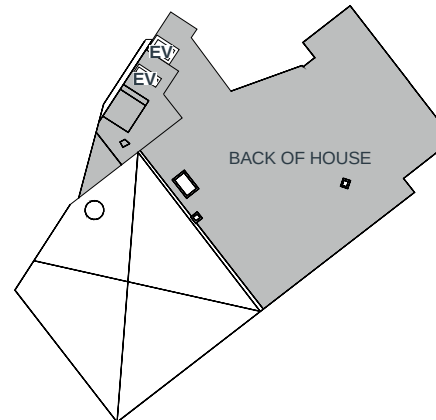
Lower Level 1 includes a large landing foyer and access to the cafe, which seats 150 guests internally and 100 seats externally on an outdoor terrace. A participation and learning space is located towards the eastern side of Lower Level 1.



Sydney Modern, Lower Level 2
Source: SANAA

Lower Level 2

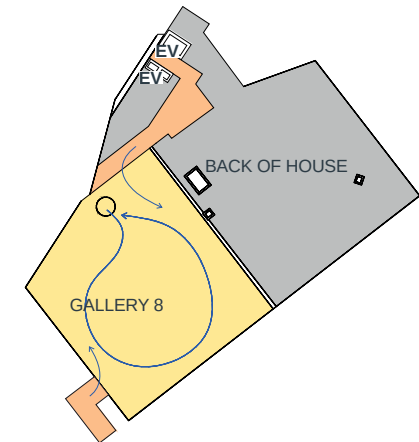
Four galleries are located on Lower Level 2, including a large temporary exhibition gallery (Gallery 3), two project galleries (Gallery 4 and 5), and an open gallery which is directly connected to the foyer (Gallery 7). An outdoor terrace is accessible from Gallery 7. Lower Level 2 also includes a creative learning space and a multi-purpose hall.



Sydney Modern, Lower Level 3
Source: SANAA

Lower Level 3

Lower Level 3 is a dedicated Back of House level and includes loading docks and conservation areas.



Sydney Modern, Lower Level 4
Source: SANAA

Lower Level 4

The Fuel Bunker gallery located on Lower Level 4 is accessible via a spiral staircase on Lower Level 2. Minimal intervention is planned to the Fuel Bunker gallery to maintain its existing raw characteristic, making it a very unique exhibition space.

Theme 03 Design of new building

Entry Plaza

The proposed Entry Plaza is to form part of the broader landscape integration of the site and is to provide a meeting point for both the Gallery visitors and public passers-by. An element of this roof form is to be open to the sky and the space below will be used for art commissions and landscaping.

The main floor material of the Plaza is a warm tone concrete. There are two zones that will be porous concrete material to take water from the aperture above.

The Entry Plaza roof will be constructed of laminated glass formed into tight waves in an irregular rhythm. This roof form is also to be treated with ceramic fritting which will provide for additional visual interest including additional shading properties.

Entry Pavilion and Gallery Interior

The Entry Pavilion is to be largely constructed of glass walls to promote natural light into and through the building.

The proposed building has two continuous circular walls located on Lower Level 1 and Lower Level 2 which span the extent of the building and reflect the natural form of the hillside. The walls are to be constructed of rammed earth which continues to the exterior of the building. These walls are to remain exposed to provide a textured and a natural feel to the Gallery interior.

Fuel Bunker Interior

As noted in the EIS at Section 3.13, the interior of the southern Fuel Bunker is to remain largely as per existing condition with provision of necessary services. As detailed on the architectural plans, notwithstanding the proposed spiral access stairs, no new structures are to be installed within the southern Fuel Bunker tank. The extent of works within this space is limited to the installation of stairs and necessary services.

Some protective transparent finishing may be required to elements of this space to prevent wear. It is noted that necessary services will need to be installed, including, however not limited to, fire sprinklers, air conditioning, lighting and exit signage. However all measures will be taken in order to minimise impact to the interior of the Fuel Bunker, and will be guided by services and heritage consultants, as well as liaison with the NSW Office of Environment and Heritage where required.

Removal of the proposed café kiosk and bag stores located on the land bridge

Some submissions questioned the siting and role of both the cafe and school bag store within the Entry Plaza. In response, the proposed café kiosk and school bag store are proposed to remain on the land bridge, however have been repositioned under the roof of the Entry Plaza.

The café kiosk is seen as an essential element in activation of the Entry Plaza, creating a comfortable meeting place for Gallery visitors, commuters using the through-site link to Woolloomooloo and the broader public visiting the Domain. The kiosk is to comprise a small 10sqm circular structure with tables and chairs adjacent.

The secure school bag store houses a number of wheeled trolleys used by the Gallery to store up to 50 bags each belonging to visiting school groups. School groups represent a significant portion of Gallery visitation during the week and providing an improved experience for these visitors is essential to the Sydney Modern vision as a state-owned public institution that has art education and cultural appreciation at its core. The Entry Plaza provides much needed space for rain-protected gathering and marshalling of school groups, who need to enter the existing Gallery and the new Gallery without their bags, and return to them for lunch.



Photomontage of the Entry Plaza with landscaping to provide shade
Source: SANAA

Providing greater use of green roofs and green walls

During the exhibition period, it was queried as to whether any additional area of green roofs could be provided within the building. In response, the amended design provides for significantly increased green roofed area across the building, as well as the addition of soft landscaping to the top of the stepped fuel bunker wall at Lincoln Crescent.

Since the design competition, the concept of the design has been to break the building into shifting smaller volumes. This is so the landscape can come in between the volumes, bringing landscape and the spaces in close. Green walls to the eastern facades were not favoured by the architects as this would obscure the building, and were not able to be achieved further over the fuel bunker stairs as a result of heritage considerations.

These changes will soften the visual appearance of the building and ameliorate loss of green space, whilst allowing

the building to sit more subtly within its parkland setting. The treatment to Lincoln Crescent will also improve outlook and amenity to adjoining residents.

The extent of green roofs has been increased from 572sqm to 1761sqm and now represents approximately 25% of solid roof area at the site (where this was previously 8% under the initial SSDA scheme).

This increase in green roof area has been achieved by increasing the area on several of the main roofs, and by conversion of the roof of the multi-purpose space to a green roof. Taking into consideration issues raised relating to sustainability and water re-use, this proportion of roof planting is considered to be an appropriate balance of solid and landscaped roof treatment in order to maintain energy efficiency targets through rainwater harvesting. A higher proportion of green roof treatment than now proposed has the potential to negatively impact towards achievement of Green Star targets, as rainwater is absorbed by landscaping meaning it is unable to be harvested and reused in the existing and new Gallery buildings.

Providing shade elements to the proposed roof terraces

During the exhibition period, it was queried as to the provision of shading elements at the site, particularly to the proposed roof terraces. The proposal provides dedicated shading elements to the two main accessible roof terraces which have been designed to take into account local climate, including summer heat, to ensure comfort for all visitors.

The proposed shade structures are located at the Entry Pavilion and at the café terrace. The two shade structures provide 481sqm of shaded area, which is 25% of the total roof terrace area (1896sqm). The shade structure on the café terrace will also employ temporary rain curtains for all-weather use for up to 100 external café seats.



Photomontage - View terrace 1
Source: SANAA



Photomontage - View terrace 2
Source: SANAA



Photomontage - View terrace 3
Source: SANAA

Theme 03 Design of new building

Connection between existing and new Gallery buildings

The EIS addressed the issue of connection between the existing and proposed Gallery buildings and subsequent evolution of the design scheme at Sections 1.8 through 1.10.

The underground connection between the two buildings in the earlier 2016 scheme can no longer be realised as it required substantial fill and cost implications which would inhibit the viability of the proposed development. Further, an aboveground connection cannot be realised without adversely impacting on the northern heritage façade of the existing Gallery building.

Reflecting stakeholder feedback over many years to maximise public open space delivered by the development, the connection between the new and existing building is now realised through an outdoor public Art Garden over the land bridge. This sensitive relationship between the existing and proposed buildings is of utmost importance, both from a visitation and operational feasibility perspective, and to ensure that the proposed new Gallery is not overbearing or detracts from the existing heritage significance of the AGNSW.

Further, the proposed Entry Plaza and broader public domain works, including the widening of the Art Gallery Road eastern footpath and increasing the size of the existing AGNSW forecourt will create a clear visual and physical connection between the two buildings and across the site. Refer to the strategies to ensure visitors visit both buildings at Theme 8.

Locations elsewhere on site

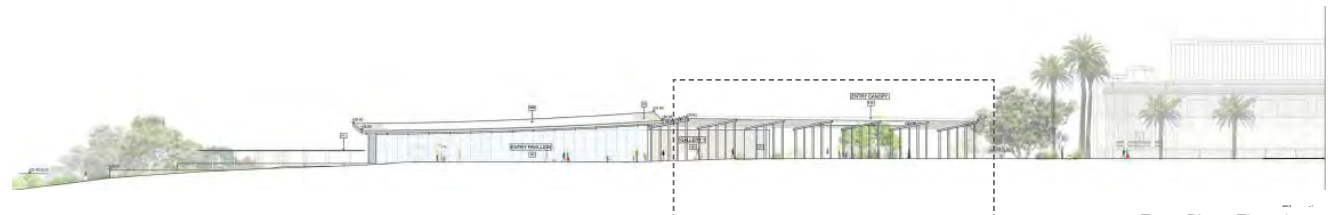
Refer to response to Theme 2 (alternate locations) above.



Photomontage of the Art Garden
Source: SANAA



Entry Plaza Physical Model
Source: SANAA



Entry Plaza Elevation
Source: SANAA



Photomontage of Sydney Modern interior
Source: SANAA

Theme 04

Visual impacts

This section addresses matters relating to the visual impact of the proposal including, however not limited to, views to and from the existing AGNSW, the RBG&D, as well as view loss from private properties (including residential properties within Woolloomooloo).

Number of submissions: 78 (39% of submissions)

Key comments in submissions

(prepared by Elton Consulting)



Visual impact on historic setting of existing Gallery and surrounding area, including Domain and Royal Botanic Garden



Impact on view corridors and vistas from the public domain



Visual impact on surrounding residential and commercial properties

Summary of submissions

Many submitters (31%) were concerned that the new building detracts from the existing building and considers it does not fit harmoniously with its surrounds, including the garden setting, physical environment and impact on the existing museum's heritage context and curtilage. Many emphasised the architectural significance of the existing building and perceived the Gallery as one of the state's most important cultural institutions which needed to be preserved.

[Source: Elton Consulting]

Response

(prepared by Architectus)



Photomontage: South-east corner of the National Herbarium of NSW, looking south-east
Source: Visual Impact Assessment prepared by Clouston Associates, dated 5 April 2018

An updated Visual Impact Assessment (VIA) has been prepared to inform this RTS and is at Appendix G. The VIA incorporates the changes to the buildings, and responds to the matters raised during the exhibition period relating to views.

All views contained within this updated VIA have been produced in accordance with the SEARs lens requirements. The revised VIA includes and updates all previously provided views (as included in EIS) and also new views in response to submissions. The key findings of visual impacts resulting from changes to the development, are provided below from the VIA.

During the exhibition period issues were raised which related to visual impact of the development, including the height of the proposed Entry Plaza canopy and the alteration of existing views in the eastern part of the Domain. In response to submissions raised, the amended scheme now provides for a revised roof form to the Entry Plaza canopy which has been rotated to the south. This rotation provides for increased setback of the roof form from Art Gallery Road, resulting in improved lines of sight between the RBG Woolloomooloo Gate and the existing AGNSW entrance.

A redesign of the surrounding landscape and materials was also undertaken to address the issues that the character of this part of the Domain would be altered by the Project. This has resulted in additional planting to help anchor the project within its surroundings, including increased planting along Art Gallery Road and the retention of an existing group of nine trees on the land bridge. The addition of trees under the Entry Plaza canopy will also help to mitigate the loss of vegetation in this area compared to the previous design. Viewpoints which have benefited from the revised landscape are viewpoints 8, 14, 16-21 and 23 as the level of new and /or retained planting has increased.

A number of additional viewpoints have also been included from the previous lodgement. These include viewpoints 10 and 11 which are focused on the area around Lincoln Crescent and give a greater understanding of views towards the eastern facade of the Project from a close proximity. Viewpoints 30 and 31 also provide views of the eastern facade from a private apartment on Woolloomooloo Finger Wharf as well as a restaurant on the wharf. Viewpoint 14 is also an additional view that has been included to give a greater understanding of the anticipated view looking south along Art Gallery Road towards the existing gallery. The additional views are a response to the revised design and illustrate both built form and landscape changes.

On balance it is the professional opinion of the authors of the visual impact assessment (Clouston) that (on the basis that the proposed mitigation measures are implemented through the detailed design stage) the mostly modest scale, character and catchment of the visual impacts of this proposal are such that they would not constitute reasons to hinder planning approval on visual impact grounds.

Theme 04 Visual impacts

Impact on Existing Gallery

An issue raised during the exhibition period was the view from the RBG Woolloomooloo Gate and the potential for the Entry Plaza canopy to screen the view of the existing Gallery building entrance from this location. In response, as noted in Section 2.0, the Entry Plaza Canopy has been rotated to the south east, with increased setback from Art Gallery Road, in order to allow more direct views of the existing Gallery building from RBG Woolloomooloo Gate at Art Gallery Road.

This revision to the Entry Plaza setback will allow for allow for direct lines of sight from the RBG Woolloomooloo Gate to the existing AGNSW building, ensuring the visual prominence of this landmark building is maintained.

GML Heritage provide in response:

“The reduction in prominence, siting and size of the entry plaza and roof reduces the impacts of the new addition on the existing gallery and 1902 portico particularly from the western elevation to Art Gallery Road. The entry plaza roofline in the updated proposal dips lower than previously proposed beneath the Vernon façade’s main cornice line, retaining an adequate reading of the existing building when viewed from the Woolloomooloo Gate. The slim columns and partially transparent roof material (white fritted glass) provide an open-air space from which the architecture of both buildings can be appreciated.”

In response to submissions raised, a number of other key design modifications have been made, including a widened footpath and enlarged forecourt link between the existing Gallery and the proposed Entry Plaza. This enlarged forecourt therefore creates a strong visual connection and

physical pedestrian link between the two buildings, including interpretation of the footprint of the existing low curved sandstone walls c1920s through the reuse of materials within the new paving.

To complement the broader public domain works and in further consultation with the RBG&D, the revised scheme is to maintain the existing pedestrian crossing over Art Gallery Road in front of existing gallery, however with the access steps from Domain to Art Gallery Road to be replaced with a new ramp.

This new ramp arrangement will allow for clear and direct lines of sight and accessible pedestrian for visitors walking through the Domain and will reinforce the existing AGNSW main entrance, improving vistas of the Gallery and pedestrian permeability between the Gallery buildings and the Domain.

Impact on RBG&D

The interface and presentation of the new building and public domain works will improve as a result of changes to the scheme since lodgement of the SSDA. The creation of a ramp opposite the existing Gallery where it transitions from the Phillip Precinct of the Domain to Art Gallery Road, will open up a vista of the existing Gallery from the west, as well as improving accessibility for the public.

The groundcover planting between Art Gallery Road and the new Gallery Building, will soften the view from the Phillip Precinct and Woolloomooloo Gate.

The proposed trees in the Entry Plaza will similarly soften the space, add pedestrian scale, and the additional landscaping will better connect with the Domain and Botanic Garden.

The reduction in height of Gallery 2 roof will allow for greater view through to Potts Point from the RBG Woolloomooloo Gate and Art Gallery Road, and the shade structure with fritted glass will be partially translucent.

Character and setting of the eastern part of the Domain and significant views

GML Heritage provide:

“The approach to the materiality of the new building remains centred on employing high quality finishes, which will stand in contrast with the existing AGNSW building whilst complementing the beauty of the surrounding landscape through the qualities of lightness, transparency and permeability. Reflectivity will be minimised through the considered design of coloured and opaque finishes.

Considered planting at roof and terrace levels will emphasise and lengthen the connections between overlapping pavilions and place the new building sympathetically within the surrounding landscape setting.”

Retention of water views

In their revised Visual Impact Assessment (Appendix G), Clouston provide the planning context for the importance of land-water interface views. Clouston provide as a result of the Sydney Modern Project, “Land-water interface views will be maintained from within the site both from the open space/grassed area on the land bridge, as well as from internal windows within the new SMP building. Land-water interface views will be especially visible from external terraces of the new SMP building, providing views of Woolloomooloo

Bay that are not currently visible from large parts of the site such as on top of the fuel bunker due to the Wharf Terraces Apartment complex obscuring views from this level.”

As detailed within the revised Visual Impact Assessment, whilst some views from within the existing Gallery building will be affected (such as those from the upper levels of the northern facade), “it is important to note that new viewing opportunities will be created from internal and external areas of public open space associated with the project”.

The retention of views from within the existing Gallery detailed in Section 5.0 of the Visual Impact Assessment (refer Viewpoint 22) which provides that despite the obstruction or change in views available from this location, that “the

Project will include several viewing terraces that offer similar or more extensive views north and east to Garden Island and Woolloomooloo Bay - refer image B for an indicative view through the entrance plaza. The newly available views from Gallery spaces will compensate for the loss in visual amenity at this location”.



Photomontage: South-east corner of the National Herbarium of NSW, looking south-east
Source: Visual Impact Assessment prepared by Clouston Associates, dated 5 April 2018

Theme 05

Trees and vegetation

This section addresses matters relating to trees and vegetation at the site, including removal, replacement and relocation, as well as species, layout and overall landscape design.

Number of submissions: 76 (38% of submissions)

Key comments in submissions

(prepared by Elton Consulting)



Tree and vegetation clearing, lack of natural shading in recreational areas of the park



The planting of endemic species should be maximised

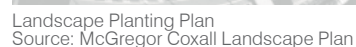


Landscaping/replacement trees will take a long time to become established to develop a canopy sufficient to offset the loss of trees

(prepared by Architectus)

However, as a result of the undulating topography and landscape, the retention of all trees at the site is not possible, particularly where they may be centrally located within the building envelope or located in areas required for excavation or construction purposes. This is particularly important given the setting of the site both on the existing headland and integrated with existing structures (including the Eastern Distributor land bridge and the fuel bunker), which place constraints on construction processes and staging.

In light of matters raised during the exhibition period, consideration has been given to retaining more existing trees and increasing proposed planting. This is discussed further below.



Theme 05 Trees and vegetation

Changes to Tree Planting and Removal since lodgement of SSDA

Through ongoing design refinement and liaison with the RBG&D Trust, the following tables identify changes to tree planting and removal since lodgement of the SSDA.

Table 1 *Comparison of tree numbers – at lodgement and Response to Submissions*

	SSDA lodgement	Revised Scheme in Response to Submissions
Trees in and in vicinity of site	220	220
Trees removed	140	124
Trees retained	71	87
Trees transplanted	8	9
Trees proposed	265	273
Resulting trees in and in vicinity of site	344	369

Table 2 *Summary of changes to scheme following public exhibition*

Changes	Comment
Retention of an additional sixteen (16) trees comprising:	Reason for retention:
– Retention value:	– Issues raised in submissions;
– Fourteen (14) of medium retention value and	– Realignment of path so can retain these two trees; and
– Two (2) of low retention value.	– Design development - extent of structure below has changed - so can retain all these trees and leave them at grade.
– Location:	
– Nine (9) on the land bridge;	
– Two (2) in north-east corner of the site next to Art Gallery Road; and	
– Five (5) to south-east of fuel bunker.	
Additional relocation of one high retention value tree, Phoenix sylvestris (Identification No. 1363)	Design development - to provide enough pedestrian path width and new parking arrangement.
Increase in proposed tree planting from 265 to 273 trees (additional eight (8) trees)	8 new trees are proposed in Entry Plaza but some new trees required to be removed from elsewhere due to structural reasons, so net gain of eight trees

To easily identify these changes since the initially lodged SSDA scheme, additional plans have been prepared to graphically show the location of high, medium and low value retention trees and their status as to whether they are being retained, removed, or relocated (transplanted), relative to the proposed building footprint. This includes a plan showing those additional trees retained, relocated (transplanted) since lodgement of the initial SSDA scheme. These plans form part of the landscape package at Appendix E and are extracted adjacent.

An Arboricultural assessment report was prepared for lodgement of the SSDA. This contained a schedule (Appendix 4 of report) that specified the incursions to root zone as a result of the development, likely impact and recommendations, for every tree in or in the vicinity of the site.

Tree removal

Of the two hundred and twenty (220) trees located in the vicinity of the site, the amended scheme now requires the removal of one hundred and twenty four (124) trees to facilitate the construction of the new building (representing a reduction in the number of trees needing to be removed to 16 trees) since SSDA lodgement.

Of these trees to be removed, six (6) trees are identified as high retention value, seventy-nine (79) of moderate retention value, and thirty eight (39) trees of low retention value. In addition, four (4) high retention value trees and five (5) will be transplanted.

Whilst great care has been given to the retention of trees at the site, as a result of the undulating topography and landscape, the retention of all trees at the site is not possible, particularly where they may be centrally located within the building envelope or located in areas required for excavation or construction purposes.

The following explanation has been provided by the executive architects (Architectus) for tree groups and some individual trees that are of high and medium retention value which are not being retained in situ. Supplementary information has been provided by the Arboricultural report.

High retention value trees

- Trees identification no.'s 1228, 2436, 742 - to be relocated: to accommodate these trees in situ would mean a loss of floorspace and a redesign of the whole building.
- Trees identification no.'s 2992, 2993 & 2996 are to be removed: located centrally within building footprint.
- Tree identification no. 2996 – growing on sandstone cliff face so relocation success limited.
- Tree identification no. 3002 to be removed – This tree is a Eucalypt which is not capable of transplanting.
- Tree identification no. 1227 – to be relocated: required to be removed to enhance visual connectivity between existing and new Gallery buildings and blocks entry to new building.
- Tree identification no. 1363 to be relocated: need for widened footpath necessitates its relocation in close proximity to its current location.

Medium retention value trees

- Trees identification no. 1363 group – to be removed: Gallery 1 sits on loading planks of the land bridge and the plank/s cannot structurally accommodate weight of these existing trees together with the building.
- Tree group at southern portion of fuel bunker land - to be removed: if leave these then need to stack the building up to achieve the required floorspace in close proximity to the existing Gallery building, with the attendant bulk and scale impacts.
- Tree group identification no.'s 2432, 2433, 2430, 2428, 2427 & 2426 – to be removed: attributed to the change in levels around the Entry Plaza to make the space accessible. Further note that Eucalypts cannot be transplanted.

- Tree identification no. 1119 – to be removed: Arborist report provides that it has less than 5 years life expectancy. There was evidence of decay.
- Trees at top of escarpment – to be removed: their roots follow this terrain so difficult to transplant.

Refer to the Tree Health and Condition Assessment Schedule (Appendix 3) and Impact Assessment Schedule (Appendix 4) in the Arborist report submitted with the EIS.

The stepping of the building footprint across the site in response to its setting adjacent to the existing Gallery building and the RBG&D means it needs more footprint compared with a scheme that retains further trees in situ. This alternative scheme would stack the building vertically and would have an adverse impact on the existing Gallery, RBG&D, and surrounding residences with its attendant visual and heritage impacts attributed to bulk and scale, as well as possibly overshadowing impacts.

Trees associated with proposed below ground plantroom from the sea water heat exchange system

Two Port Jackson Fig trees are located close to the location of the proposed new plant room associated with the sea water heat exchange. The trees are growing within the rock stratum of the cliff face and have some roots descending down to the grassed area at the base of the cliff. The excavations required for the new plant room may have a small impact on root structures, but are unlikely to result in any adverse impact on the trees.

Note these trees are in addition to those shown in the original Arboricultural report, and are outside of the area that calculated 220 existing trees in and in the vicinity of the site. Refer to the Addendum to the Arboricultural report at Appendix T.

Tree relocation / transplanting

A total of nine (9) trees are proposed to be relocated (transplanted) elsewhere within or just outside of the site within the Domain, comprising four (4) high retention value and five (5) moderate retention value trees. The species and location of these trees has been carefully considered to ensure complementary integration within the landscape and setting against the RBG&D. All tree relocation is to be undertaken in close consultation and with the assistance of, the RBG&D, and in accordance with the arborist recommendations.

There is one additional high retention value tree to be relocated since lodgement of the SSDA. This is tree identification no. 1363 (*Phoenix sylvestris*) which is required to be removed in close proximity to its current location due to footpath widening.

Compensatory tree planting

To mitigate the necessary tree removal, a total of 273 trees are to be planted as part of the extensive landscaping works proposed for the site. This planting will more than double the number of trees being removed by the project. This is an increase of eight (8) new trees since lodgement of the SSDA. The location, species and arrangement of these new trees has been considered in close liaison with the RBG&D Trust. Planting is to comprise predominantly native species and will complement the Sydney Sandstone Woodland character of this locality within the RBG&D.

All tree planting is to be undertaken in close consultation, and with the assistance of, the RBG&D. Where possible, advanced growth tree and shrub plantings will be provided, to be most effective in screening new built form, but placed judiciously and interspersed with areas of lower shrubs so as to allow for a more natural growth pattern. Taller mature trees will also provide a vegetated canopy visible above the buildings, from multiple aspects.

Theme 05 Trees and vegetation

This approach will strengthen the ecology of the site, while also allowing for improved visual contrast with shifting patches of sightlines through the foliage. This would also go some way in alleviating the concern that any substantial tree planting on the eastern part of the site would obscure views to Woolloomooloo and Potts Point from the site - both from the public park spaces and from within the new buildings themselves.

The landscape design for SMP aims to respect the historic urban context of the site, and its integral place within, and against the setting of, the Domain. Complementing the pavilion nature of the built form, the proposed landscape design proposes complementary contemporary architecture to the heritage built fabric of the existing gallery, using public spaces, reconsidered landscapes, their constituent ecologies, and Art Garden to connect the two buildings.

Fundamentally, the proposed landscaping seeks to enhance this existing landscape context so that the new Gallery becomes a part of the garden, and the garden becomes part of the gallery.

Lack of Natural Shading

Matters have been raised during the public exhibition period relating to a lack of natural shading to recreational areas. The proposed landscape design has sought to maintain a careful balance between providing trees and vegetation to provide shade, as well as maintaining a sense of openness through providing unencumbered recreational open space.

As discussed above, consideration has been given to the landscape treatment over the land bridge, so as to create a

clear visual separation between the two buildings, as well as to maintain an open, visible, usable and attractive area of open space. In this regard, it is considered the proposal provides a suitable balance in the built form and that sufficient shading will be provided including in particular from the Entry Plaza roof form.

Tree removal and consistency with objects of RBG&D Trust Act

The Royal Botanic Gardens and Domain Trust Act 1980 (RBG&D Trust Act) is a relevant piece of legislation as part of the proposed development will be on RBG&D Trust land.

The principal objects of the RBG&D Trust within the RBG&D Trust Act are:

“(a) to maintain and improve the Trust lands, the National Herbarium and the collections of living and preserved plant life owned by the Trust,

(b) to increase and disseminate knowledge with respect to the plant life of Australia, and of New South Wales in particular, and

(c) to encourage the use and enjoyment of the Trust lands by the public by promoting and increasing the educational, historical, cultural and recreational value of those lands.

(2) When acting in pursuance of its objects, the Trust shall give particular emphasis to encouraging and advancing the study of systematic botany, and to plant conservation.”

The consistency of the proposal with the objects of the RBG&D Trust Act was discussed at Section 4.2 of the EIS. Assessment of the proposal against this Act, including

justification of the proposed removal of moderate and high retention value trees on the Domain is discussed below. The land bridge is not subject to the RBG&D Trust Act as it is under the ownership of the RMS. Plans have been prepared to graphically show the location of high, medium and low value retention trees and their status as to whether they are being retained, removed, or relocated (transplanted), relative to the proposed building footprint. This includes a plan showing those additional trees retained, relocated (transplanted) since lodgement of the SSDA. These plans form part of the landscape package at Appendix E.

A statement from the arborist, Earthscape, has been provided in relation to consistency with objects of the RBG&D Trust Act. Refer to this at Appendix U. This addendum to the arboricultural assessment report provides that the majority of the trees to be removed are locally-indigenous and non-local native species that were planted in association with the 'land bridge' over the Eastern Distributor tunnel in c.1999. As such, most of them are relatively young specimens.

These existing trees form part of the overall landscape of this part of the Domain, but they have not been specifically planted as part of the botanical collection at the RBG, nor are they managed in the same way. The area also has a distinctly different visual character to that of the Domain and the RBG, which have a more 'parkland' appearance and are clearly maintained as a botanical collection. These trees are proposed to be replaced with a significantly greater number of trees, of species that were typical of the original vegetation community formerly occupying the Governors Domain. As such, the new planting potentially has more botanical interest than the present vegetation proposed to be removed, once it is established.

Aside from the relatively young native trees that are proposed to be removed to accommodate the development, there are a small number of other trees proposed to be either removed or transplanted that are more typical of plantings of the Victorian Era or Interwar period. The addendum to the arboricultural assessment report at Appendix U provides in more detail for certain specimens and whether they have heritage significance. Of all trees on/in the vicinity of the site, the arborist finds only T2436 (a Mediterranean Fan Palm) and T742 (a Canary Island Palm), which are proposed to be transplanted, are early plantings considered to have some heritage significance and could be considered to form part of the botanical collection of the Botanic Garden.

It is the arborist's opinion the proposed development is consistent with the objectives of the RBG&D Trust Act 1980, in that there will be little impact on the existing botanical collection, the heritage values of the landscape or the public enjoyment of open space areas. The new landscape development surrounding the expansion will maintain and enhance the Trust lands, by improving public domain facilities and providing better accessibility for the enjoyment of the general public. The extent of replacement planting proposed will compensate for loss of amenity resulting from the removal of trees to accommodate the proposed development (within the next 10 to 15 years), and the new planting will be more in keeping with the original floristics of the area, prior to European Settlement, which is not well represented anywhere else on Trust lands.



Image looking towards Woolloomooloo from Art Gallery Road
Source: Clouston Associates

Theme 06

Impact on the Royal Botanic Garden

This section addresses matters relating to the impact of the proposed development on the operation of the RBG&D.

Number of submissions: 43 (21% of submissions)

Key comments in submissions

(prepared by Elton Consulting)



Loss of car parking revenue for RBG if a civic area is established in front of existing building where there are existing parking metres



Access to the RBG may be restricted by the development



Easements / rights of way across RBG governed land for maintenance and repair of air conditioning ducting



Changes to utilities and services shared with the RBG

(prepared by Architectus)

A number of submissions related to the potential for restricted access to the RBG.

In particular, paths of travel between Woolloomooloo and Art Gallery Road will be enhanced through improved paths and hillside lift, landscaping and the provision of the Art Garden located between the proposed building and the existing AGNSW building. The Art Garden will have a central public lawn for visitors to the AGNSW including significant art commissions and provide amenity for all persons utilising adjacent through-site links.

A number of submissions related to the potential for loss of revenue to the RBG&D Trust. This is not a relevant planning matter.

Sydney Modern Project | Response to Submissions | Architectus

A number of submissions related to existing easements and rights of way across RBG land.

Changes to utilities and services shared with RBG

As provided in Section 6.14 of the EIS, whilst alteration or augmentation may be required in places, the proposed development will maintain services provision to the RBG&D. Any alteration or upgrade to existing services arrangements will be undertaken in consultation with RBG&D Trust.



Theme 07

Transport and accessibility

This section addresses matters relating to transport and accessibility, including public access to the site, road works and traffic generation.

Number of submissions: 79 (39% of submissions)

Key comments in submissions

(prepared by Elton Consulting)

-  Public transport is considered insufficient to accommodate the expansion
-  No transport plan or traffic study has been undertaken and parking is perceived to be insufficient to accommodate the proposed expansion
-  Road network improvements (e.g. roundabout at Woolloomooloo Gates) were seen as both positive and negative
-  Increased road traffic and pedestrian movements on Art Gallery Road
-  Access into and out of Lincoln Crescent due to increased vehicle movements were also considered issues
-  Inadequate accessibility (particularly for people with a disability)

Response

(prepared by Architectus)

The following changes to the previously proposed development have been made in response to submissions received relating to traffic management:

- Changes to public domain and traffic arrangement layout along Art Gallery Road including deletion of most of most of the proposed works on the western side of Art Gallery Road.
- This is in response to detailed consultation post-exhibition of the SSDA with RBG&D Trust and Transport for NSW.
- Maintaining existing pedestrian crossing over Art Gallery Road in front of existing gallery, and creation of pedestrian ramp on Domain side with regrading and new paving.
- This is in response to submissions and will reinforce the existing Gallery's main entrance, improve vistas of the Gallery and improve pedestrian accessibility.
- Deletion of the proposed pedestrian crossing to the south of the existing Gallery.
- Deletion of vehicle turning bay on Art Gallery Road.

This is in response to City of Sydney and Transport for NSW submissions.

Public Transport Capacity

As supported by the Traffic Impact Assessment submitted with the EIS, with the additional demand generated by the proposed development there is sufficient capacity within the existing public transport network to accommodate the proposed development given the site's close proximity to existing public transport connections, as well as proposed transport capacity upgrades including the delivery of Sydney Metro.



Site and Context Analysis - Vehicular and Public Transport
Source: Architectus

Theme 07 Transport and accessibility

The site is well connected and located within walking distance of a number of public transport nodes, including in particular St James and Martin Place Railway Stations, which are the closest railway stations located to the west and each within an approximate 10-15-minute walk of the site. Both of these railway stations are well serviced with trains stopping frequently and with connectivity to much of the Sydney region. The future Martin Place metro station will also provide additional connectivity to the site.

The site is also well serviced by the public bus network, including in particular route 441 ('Birchgrove to the City & Art Gallery via the QVB') which travels along Art Gallery Road and stops outside the existing AGNSW entrance, providing direct access to the site. The bus stop is proposed to be relocated from the southern end of the existing Gallery to the loading/no parking bay in front of the new Gallery building on Art Gallery Road. Additional bus stops are located further to the west along Elizabeth Street, which provide regular bus services to east and south of Sydney.

Ferry services are located at Circular Quay which provide additional transport connections to the site.

Traffic Studies

As detailed within the EIS at Section 6.5, a Traffic Impact Assessment (TIA) has been prepared by Arup which outlines the potential traffic, transport, access and parking impacts as well as recommended mitigation measures.

This TIA has been informed through the undertaking of pedestrian, cyclist and vehicle traffic surveys in order to determine existing visitor rates and modes of transport and routes taken to access the site. The TIA takes into account both visitor and service vehicles, demand generated

by the proposed expansion, as well as cumulative post development impacts as a result of concurrent operation of both the existing and proposed galleries.

Traffic and Parking Capacity

Informed by traffic and parking studies undertaken, the TIA provides that there is sufficient capacity within the existing road network to accommodate additional traffic movements generated by the proposed development. Refer to a detailed breakdown of traffic movements and the anticipated impacts to the surrounding road network (per road) contained at Section 5 of the EIS.

With regards to parking capacity, it is noted there is limited parking provision at the existing AGNSW, being only twenty-five (25) spaces located within parking bays adjacent to the Gallery stairs and entrance. These spaces are proposed to be removed as part of broader public domain upgrade works and reinstatement of the AGNSW pedestrian forecourt.

The proposal seeks to continue the existing long-term relationship between the AGNSW and the Domain Car Park. As detailed within the Traffic Impact Assessment, it has been identified that on a typical weekday, the Domain Car Park operates at approximately 82% capacity, maintaining 200 car spaces available, generally attributable to CBD commuter parking, whilst during the weekend, the Domain Car Park operates at a significant lower capacity (approximately 32%), maintaining in excess of 750 car spaces available. This is converse to AGNSW patronage, which has generally lower visitation on weekdays and generally higher visitation on weekends. The Domain Car Park is therefore well placed to accommodate the additional parking demand generated by the development.



Source - Architectus image



Source - Architectus image

Road Network Improvements

As detailed within the TIA and discussed within Sections 3.19 and 6.5 of the EIS, a number of road network improvements and upgrades are proposed to Art Gallery Road, Mrs Macquaries Road and Lincoln Crescent. These upgrades are partly required to service the proposed development and partly proposed as a best practice outcome and to improve access and circulation at the site.

Importantly, the proposal includes the provision of a new pedestrian crossing in order to provide direct access to the new Gallery building and across to connect to an existing path in the Phillip Precinct of the Domain and allow for greater flexibility for, and visibility of pedestrian movements. Existing car parking and bus drop-off areas will also be removed from the front of the existing gallery, with this area to be repurposed as a paved cultural and civic plaza, providing a place for public congregation and improved presentation of the existing Gallery within the streetscape.

Changes have been made to the layout at Art Gallery Road following detailed consultation with Transport for NSW and the RBG&D Trust.

Minor works are also proposed within Lincoln Crescent, including part removal of the central median strip to facilitate service vehicle movements to the proposed loading dock that has been tested in swept path modelling of vehicle sizes. The works also involve widening the pedestrian footpath at the southern end of Lincoln Crescent, adjacent to the Cowper Wharf Road intersection, and the provision of a new pedestrian crossing at this location.

Impact to Pedestrian Movements and Function of Art Gallery Road and Mrs Macquaries Road

Liaison with the RBG&D Trust

The proposed development has been carefully considered so as to ensure the full and free operation and function of Art Gallery Road and Mrs Macquaries Road, as well as to, where possible, resolve existing known pinch points or conflicts between road users.

It is acknowledged that Art Gallery Road currently faces a number of challenges, particularly at the intersection of Mrs Macquaries Road, including having to cater for pedestrians, joggers, cyclists, cars and buses. Ongoing liaison has been held with the RBG&D Trust and Transport for NSW in order to address these issues and result in improvements along this major thoroughfare through the RBG&D.

Design Amendments Along Art Gallery Road

As a result of extensive workshops with the RBG&D and Transport for NSW, and issues raised during exhibition of the proposal, a number of design amendments have been made along Art Gallery Road. These amendments also include removal of most elements to the western side of Art Gallery Road, and the vehicle turning bay at the intersection of Art Gallery Road and Mrs Macquaries Road. Additionally, in response to further liaison with TfNSW, a bus stop is being relocated from the southern end of the existing Gallery on Art Gallery Road, to the loading/no parking bay in front of the new Gallery building on Art Gallery Road.

The coach parking area has been relocated away from the land bridge in accordance with suggestions from the RBG&D Trust. The relocated coach zone will also be designated as a 'No Parking' zone for use from 10.00am to 5.00pm which allows up to a 15-minute waiting period for coaches, and 2-minute waiting period for private vehicles to set down and pick up (with drivers having to remain at their vehicles). This "No Parking" zone will also provide for occasional deliveries of large art pieces for exhibition in the Entry Pavilion before 10.00am and after 5.00pm, and for morning deliveries to the coffee kiosk in the Entry Plaza. The existing 'No Parking' loading zone to the western side of Art Gallery Road remains unaltered as this is used for servicing of the 'Pavilion' restaurant managed by the RBG&D Trust. The proposed accessible parking bays and taxi zone are also relocated in front of the existing AGNSW building along the eastern side of Art Gallery Road.

The proposed pedestrian crossing arrangement has also been adjusted to maintain existing crossing locations at the AGNSW and at the RBG Woolloomooloo Gate respectively. A new, third central crossing is however provided to the proposed Entry Plaza of the new building. The existing Gallery crossing and the new crossing to front of new Gallery building will be built as a raised 'wombat' crossings to assist with traffic calming and pedestrian safety.

Theme 07 Transport and accessibility



Aerial photograph of Art Gallery Road
Source: McGregor Coxall



Proposed landscape design for Art Gallery Road
Source: McGregor Coxall

Loading Dock Operation (Traffic Impacts)

Issues have been raised through the exhibition period relating to vehicle movements associated with the operation of the proposed loading dock within Lincoln Crescent. As detailed within the initially submitted Traffic Impact Statement (at Appendix AD of the EIS), as well as within the supplementary Traffic Statement at Appendix N, the daily activity expected within the new Lincoln Crescent loading dock will be similar to that of the existing Art Gallery loading dock. All loading dock movements will be managed through the preparation of a Loading Dock Management Plan which will be prepared prior to operation of the Gallery.

However, issues have been raised as to departing trucks re-entering the surrounding network, including whether truck will be able to turn right out of Lincoln Crescent and into Cowper Wharf Road.

To clarify, it is intended that trucks exiting the site will be directed to turn left into Cowper Wharf Road. It is not intended for any trucks to turn right out of Lincoln Crescent as to remove the potential for blocking traffic at the adjacent Cowper Wharf Road/Sir John Young Crescent/Cahill Expressway intersection.

The AGNSW is supportive of signage being installed within Lincoln Crescent to limit the right turn to vehicles under 6m only. The truck departure routes for left turn vehicles are detailed further within the supplementary Traffic Statement at Appendix N.

Accessibility

As detailed within the EIS at Sections 3.22 and 6.6 and the accompanying Accessibility Report the proposal will achieve accessible paths of travel throughout, including from Art Gallery Road to the west as well as Lincoln Crescent to the east.

From the west, continuous step-free paths of travel suitable for people with accessibility needs are achievable from Art Gallery Road, at the Vernon Plaza and the Entry Plaza. These paths provide access to, and within, the majority of landscaped pathway areas (at upper contour levels on the hillside) between the existing AGNSW building and proposed new building. There will also be accessible pedestrian route from the Entry Plaza down to Lincoln Crescent with provision of a new hillside public lift. This will connect to surrounding pathways off-site, including the existing lift facility within the Wharf Terrace apartments complex located along Lincoln Crescent, to which access to the site is benefitted under restriction on title. Refer to Section 4 of this report relating to clarification of this existing lift, title restrictions and access arrangements.

Theme 08

Operation of the Gallery

This section addresses the operation of the proposed Gallery building and relationship with the existing AGNSW building.

Number of submissions: 21 (10% of submissions)

Key comments in submissions

(prepared by Elton Consulting)

-  Increased impacts on neighbours (antisocial behaviour, noise etc)
-  Risk of vandalism to the public domain including Art Garden and Entry Plaza
-  Studio spaces and their relationship with artists
-  Increased noise transmission especially during events
-  Perception that the expansion will be utilised for functions rather than additional exhibition space
-  Use of the proposed multi-purpose room and associated event requirements

Response

(prepared by Architectus)

Amenity Impacts to Surrounding Properties

The proposed development will not result in any unreasonable amenity impacts to surrounding properties, as detailed within the EIS at Section 6.

Reflectivity

In response to matters raised during the exhibition period, additional reflectivity modelling (refer to Appendix Q) has been undertaken to determine impact on surrounding properties, in particular the Wharf Terraces and Woolloomooloo Finger Wharf. For reference, it is noted that all apartments within the Wharf Terrace residential building face east (i.e. away from the proposed development). There are however many western oriented apartments within the Woolloomooloo Finger Wharf complex which face the proposed development. All reflectivity modelling has been undertaken on a worst case scenario.

This additional reflectivity modelling found that whilst some individual apartments in the Finger Wharf complex only may be subject to periods of reflected light, these are likely to be short in duration, with these apartments being generally elevated and otherwise located above the reflected light position. As noted within the initially submitted Reflectivity Report at Appendix AL of the EIS and at Appendix Q of this report, it has been determined that the risk of rogue reflections causing glare are limited and acceptable under the circumstances. However, as noted within Appendix Q, further glazing is proposed to elements of the building to further mitigate potential impacts to surrounding residential apartments.

Visual Privacy, Solar Access

The proposed Gallery building will not result in any loss of visual privacy nor loss of solar access to the Wharf Terrace apartment building on Lincoln Crescent to the east of the site. It is noted that all apartments within the Wharf Terrace building face the north east.



Photomontage of new Gallery interior
Source: SANAA

Traffic and noise related impacts to surrounding properties were evaluated in the EIS and supporting reports. This is discussed further below.

Gallery Operation (Acoustic Impacts)

Further to matters raised during the submissions, additional acoustic monitoring has been undertaken at sensitive receivers along and at the very end of Lincoln Crescent to take into account the potential for the use of roof terrace areas during Gallery public programs and private events as well as the operation of the Seawater Heat Exchange System. It is considered that acoustic impacts are able to be appropriately mitigated as detailed within the supplementary Acoustic Impact Statement prepared by Arup at Appendix P.

The operation of Sydney Modern will be consistent with the existing AGNSW. Despite being separate buildings they are otherwise the one entity and will operate with consistent operating hours. The AGNSW is open daily from 10am-5pm, except for Wednesdays where the Gallery is open until 10pm for 'Art After Hours'. The AGNSW operates 363 days a year (AGNSW is closed on Christmas Day and Good Friday).

Given the use of the site as an Art Gallery it is not anticipated that there will be any unreasonable noise impact as a result of day to day operations at the site. On occasion, there may be large crowds gathered for major exhibitions in the Entry Plaza, however given the large distances between the Gallery and the nearest residential receivers (the Wharf

Theme 08 Operation of the Gallery

Terraces, approximately 123 metres from the south eastern corner of the Entry Plaza), noise levels from such events are not expected to be excessive and unlikely to be noticeable. Whilst the roof terrace areas of the building are closer to the nearest residential receiver (the Wharf Terraces approximately 48 metres to the lowest level café terrace above Gallery 3), the capacity of these spaces is generally lower, intended to accommodate approximately 100 people under the normal café operation and up to 500 people during events.

Events at the site are to be limited and will be individually assessed and managed by the AGNSW to ensure that the nature of any event is suitable for the space and noise levels generated complies with the NSW EPA INP criteria. No external amplified music will be permitted for any events held on this terrace and no attendees or activities will be permitted outside after 10pm.

Loading Dock Operation (Acoustic Impacts)

As detailed in the EIS at Section 6 and within the supplementary Acoustic Impact Statement at Appendix P, it was found that loading dock activities during night and early morning period are unlikely to cause sleep disturbance, and that there is a low risk of noise impacts. However, to further minimise the potential for noise disturbance, a number of mitigation measures are recommended, including restricted hours for building security and vehicle reversing alarms, as well as all loading activities to be conducted in the loading dock with the entrance door shut. The acoustic report also recommends the preparation of a Loading Dock Management Plan, including the recommendations outlined above, to minimise the noise generation from use of the loading dock.

Note since SSDA lodgement and in response to submissions, the loading dock roller shutter has been relocated further inside the building envelope, which should assist in this regard.

Seawater Heat Exchange (Acoustic Impacts)

The proposal incorporates the use of a Seawater Heat Exchange system for building cooling, which is intrinsically quieter than many conventional alternatives (such as cooling towers or air-cooled condensers). In response to issues raised during the public exhibition period by the residents of the Wharf Terraces, additional acoustic testing has been undertaken along and at the end of Lincoln Crescent (at the location of the proposed underground plant room). Subject to design criteria recommended within the supplementary Acoustic Impact Statement (Appendix P), it has been determined that operation of this system complies with the NSW EPA Industrial Noise Policy (INP) and will not result in any unreasonable loss of amenity.

Risk of Vandalism and Antisocial Behaviour

The CPTED Assessment at Appendix AF of the EIS addressed potential security risks including the risk of vandalism or anti-social behaviour. The recommendations of these reports have been considered in the design of the development and to inform ongoing security arrangements which will be provided by AGNSW as per existing circumstances

Relationship of Artists with Studio Spaces

While the Sydney Modern development does not include 'Artist in Residence' spaces, it is envisioned the expanded Gallery will continue to work with organisations in Woolloomooloo and across broader Sydney that do provide such spaces.

Further, the Gallery will commission artists to create artworks specific to the new fuel bunker gallery.

Gallery Interior Lighting and Daylight Impacts

The design of Sydney Modern is predicated on revealing the contents of the Museum to the outside world, and at the same time bringing the natural world around into the museum. Accordingly, the most public faces of the Museum are highly glazed to put the art within on display, and to bring views of nature into the experience of viewing art. As the Gallery will curate art to suit the qualities of the Gallery spaces, works of art that are sensitive to light will be displayed in one of many Gallery spaces that is not lit by natural daylight. Gallery areas without daylight is by far the majority of the art display space.

The design process has used careful and frequent daylight modelling to understand internal daylight levels and direct sun exposure along these glazed facades, and the bright internal areas adjacent to these glazed facades are programmed either for front of house functions that can tolerate bright light and direct sun, or they are reserved for display of non-photosensitive art works that similarly can tolerate bright light and sun. Under normal Museum operations, blinds will be up most of the time. Blinds will only deploy on the public faces of the building when they are receiving low-angle direct sun – earlier morning hours on the east facade, and later afternoon hours on the west facade. Blinds will typically be opened by the opening of the Gallery at 10.00am.

Events at the Gallery

The proposed Gallery will hold public and private events. This is consistent with existing arrangements and operation of the AGNSW. As per existing operations, all events are required to be arranged through the AGNSW management as to ensure they do not conflict with the principal operation of the site as a public art gallery.

All events at the site will be individually assessed and managed by the AGNSW to ensure that the nature of any event is suitable for the space and noise levels generated complies with the NSW EPA INP criteria.

Use of Multipurpose Space

The multipurpose space in the proposed new building will complement auditorium facilities in the existing AGNSW. This space will provide a highly flexible and fully accessible multi-use space, which can accommodate a diverse range of programmed, activities and events, appropriately supported by dedicated back of house facilities, including storage and lift. As per current operations in the existing building, the multipurpose space will be made available for events held by schools, corporate members, benefactors and other stakeholders, and will be managed as per the venue management protocols currently in place in the existing building. Situated in the heart of the proposed new building, it is positioned alongside Gallery spaces to allow an immersive art and cultural experience for visitors and event attendees.

The multipurpose space is designed with maximum flexibility to accommodate a range of configurations, from theatre-style lectures, intimate and large-scale events, participatory art-related activities and experiences, performances, theatre-in-the-round, multi-screen projections and presentations, stage events and forums, and a seated dinner for 300 people. It is an enclosed space that will include state-of-the art technical infrastructure, meeting the requirements of visitor and artist participation.

Clarification of Café Terrace Capacity

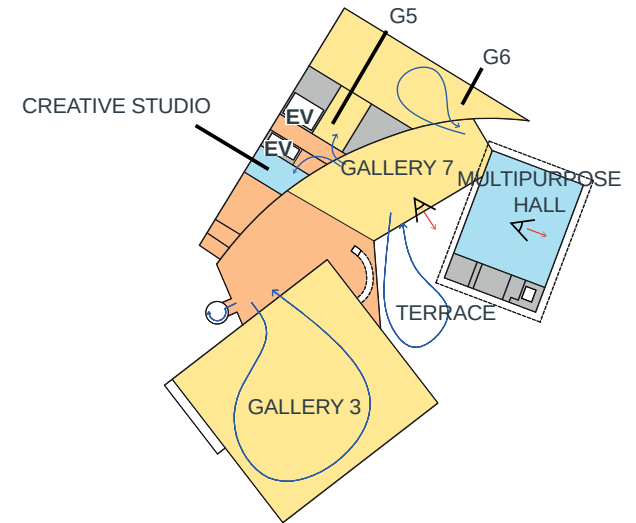
Further to queries raised during the exhibition period, this section is to provide clarification on the capacity of the roof terrace café at the site.

As part of normal day to day operation, the café is to operate with a maximum capacity of 150 persons (indoor) and 100 persons (on the café terrace).

On occasion, the café and roof terrace may be utilised for functions or events at the gallery. Such events may occur during the hours of 7am to 10pm (which is outside of standard Gallery opening hours). During event mode, the capacity of the café terrace will be increased to allow for up to 500 persons.

During events, no amplified music will be played on the café terrace. All functions at the site will be individually assessed and managed by the AGNSW to ensure that the nature of any event is suitable for the space and noise levels generated complies with the NSW EPA INP criteria.

The Acoustic Report provides that no outdoor entertainment activities which use sound amplification equipment listed in Section 90(2) of the Protection of Environment Operations (General) Regulation 2009 will be allowed on the café terrace. As such, noise from an external event is unlikely to be noticeable during the day and evening.



Lower Level 2
Source: SANAA



Design concept for the upper plant room of sea water heat exchange system
Source: McGregor Coxall in Addendum 1 to Arboricultural Impact Assessment Report

Theme 09

Construction impacts

This section addresses matters relating to construction impacts, including hours, duration, management and mitigation measures.

Number of submissions: 15 (7% of submissions)

Key comments in submissions

(prepared by Elton Consulting)



General issues regarding construction of the development were raised, including noise and hours of construction



Traffic management during construction, including access along Art Gallery Road, Mrs Macquarie's Road, Access Road and Lincoln Crescent



Disruption to access to the Royal Botanic Garden and Mrs Macquarie's Chair along Art Gallery Road



Impacts of proposed works on the land bridge, Cross City Tunnel and M1 Eastern Distributor

Response

(prepared by Architectus)

Hours and Duration of Construction

Where practicable, all demolition, site preparation, bulk earthworks, construction and construction-related activities likely to be audible at any noise sensitive receivers (such as surrounding residences) will be undertaken during the standard NSW EPA construction hours, being 7.00 am to 6.00 pm Monday to Friday, 8.00 am to 1.00 pm Saturday, and with no work on Sundays or gazetted public holidays.

On occasion, some construction related activities may need to be undertaken outside of these standard hours. Any out of hours work will be subject to further discussion with the relevant authorities and stakeholders (and the obtainment of approvals and permits, where necessary).

To achieve the intended Gallery opening at the end of 2021, construction is expected to occur over a period of 2-3 years commencing in 2019.

Construction Management (General)

Construction impacts are able to be appropriately mitigated for the extent of works as detailed within the Preliminary Construction Management Plan (CMP) at Appendix O of the EIS. The purpose of the CMP is to minimise the impacts of construction on the surrounding area during the demolition, excavation and construction phases, as well as outline strategies for the management of the site during those phases.

Construction Management (Acoustic)

All works will be required to comply with the NSW EPA Interim Construction Noise Guidelines. An Acoustic and Vibration Management Plan (AVMP) will be prepared prior to works commencing and acoustic monitoring will be undertaken throughout the course of works to ensure compliance with these guidelines.

Construction Management (Traffic)

A preliminary Construction Pedestrian Traffic Management Plan (CPTMP) is provided for within the submitted Traffic Impact Assessment at Appendix AD of the EIS. Construction activities will generate vehicle trips primarily along Art Gallery Road, with other trips assigned to Lincoln Crescent where necessary. However, Lincoln Crescent is envisaged to be the main access for demolition and earthworks in the initial stages of the construction works given these works being undertaken for the fuel bunker. Should any partial road closures be required, these will be undertaken in consultation with the relevant authorities and stakeholders, and the obtainment of all necessary permits.

Prior to the commencement of works, a detailed CPTMP is to be prepared, (including traffic control plans), detailing specific methods of safely managing construction vehicle traffic within the surrounding area and any required road closures for mobile crane days, if required.

Disruption to Art Gallery Road, Mrs Macquaries Road and Surrounding Destinations (RBG & Mrs Macquaries Chair)

The proposed development will not affect the operation of, nor inhibit access to the existing AGNSW or any areas of the RBG&D (including Mrs Macquaries Chair) through the course of works.

The existing through-site link from Woolloomooloo to the Domain over the land bridge will be closed to pedestrians through the course of construction. Appropriate signage will be installed to direct pedestrians to alternative existing paths of access to the north and south of the proposed work zone. These alternative routes include the existing pedestrian footbridge over the Eastern Distributor at the corner of Bourke Street and Wilson Street to the south of the site and

the existing stairs adjacent to the Ausgrid substation to the north of the site accessible from Lincoln Crescent and Art Gallery Road.

Whilst there may be minor disruption to the surrounding network as a result of construction processes, all of these roads are anticipated to remain open throughout the course of works.

Impact to Surrounding Infrastructure

Notwithstanding construction vehicle traffic using the surrounding road network, the proposal will not have any impact on surrounding infrastructure assets, including the Eastern Distributor or the Eastern Suburbs railway line.

No works (including night works) are envisaged to be undertaken under the land bridge on the Eastern Distributor. Other than landscaping, no works will be undertaken within proximity to the railway line.

Theme 10

Other issues

This section addresses other key matters raised in the submissions.

Number of submissions: 34 (17% of submissions)

Key comments in submissions

(prepared by Elton Consulting)

A number of miscellaneous issues were raised in the submissions, thus have been categorised as 'other'. These themes are listed below.



Sea water heat exchange – environmental impacts



Existing Museum of Contemporary Art (MCA) is sufficient to accommodate provisions for exhibiting modern art (i.e. no need for the expansion)



Visitor and member amenities including toilets, cafes and seating



Insufficient consultation provided



Inappropriate expenditure of government funding

Response

(prepared by Architectus)

Wind Conditions

The desktop wind studies carried out to date indicate that the proposed wind conditions do not require specific devices to provide for safety or comfort. Further Computational Fluid Dynamics (CFD) wind modelling and analysis will be carried out to verify these early findings to inform construction design. The Entry Plaza space is relatively sheltered by the new SMP building from the north-easterly sea breeze. Southerly winds are blocked by the existing AGNSW building. Westerly winds are partially blocked by the large trees of the Domain along Art Gallery Road, although some wind can pass through the Entry Plaza from the direction of the Eastern Distributor. The built forms proposed are widely spaced, and are not expected to create pinch-points for wind flows that would lead to localised vortices or accelerations.

Sea Water Heat Exchange (Environmental Impacts)

The full extent of impacts associated with the sea water heat exchange are detailed within Appendix J (Sea Water Heat Exchange Report) and Appendix R (Marine Impact Assessment) of the EIS. Further to matters raised during the exhibition period, a Maritime Archaeological Assessment has also been prepared and is at Appendix M of this response.

Diversity of cultural offerings in Sydney

Some submitters queried whether the existing Museum of Contemporary Art Australia could be relied upon to house contemporary artworks as a substitute to building Sydney Modern.

The MCA and AGNSW are not able to be co-located given the MCA's very recent expansion and that the MCA (and their site) are physically at capacity, making co-location difficult, expensive and impractical.

The Gallery and MCA will continue to work together on strengthening Sydney's cultural offering, through activities such as 'The National' exhibition held in 2017.

Visitor Amenities

As the Gallery experiences significant visitation rates, providing sufficient visitor amenities are therefore an important part of the design process. The proposal provides adequate amenities which are described and assessed within the Access Report at Appendix AE to the EIS.

Subject to ongoing detailed design processes, all amenities will be best practice and compliant with applicable BCA and DDA standards.

Community Consultation

Prior to submission of the SSDA, significant and broad ranging community consultation was undertaken for the project commencing in 2015 as detailed within Section 5 of the EIS. Most recently, this included ten (10) community information and feedback sessions held at the AGNSW and across Sydney, Newcastle, Wollongong, Orange and Broken Hill. Additional consultation forums as well as an online survey was held, both helping to educate the community about the project and with the combined feedback also influencing the design process and responding to key public suggestions or issues.

Further details relating to the nature, extent and detail of these consultation processes are at Section 5 of the EIS, as well as in the Consultation Report, prepared by Elton Consulting and held at Appendix K of the EIS.

Following submission of the SSDA, significant additional consultation has been undertaken with, but not limited to, the RBG&D Trust, TfNSW, RMS, Sydney Buses, City of Sydney Council, Infrastructure NSW, Heritage Council of NSW, Foundation and Friends of the Botanic Gardens as well as residents of the Wharf Terraces and Woolloomooloo Finger Wharf apartment buildings.

This additional consultation is documented at Section 5.0 below.

Government Expenditure

Provision has been made within State Government budgets for the proposed expansion and in June 2017 the NSW Government announced funding of \$244 million for the proposed expansion. This is to be matched by private donations and philanthropic support of \$100 million, making this project an unprecedented public private partnership in the Australian arts. Of the \$100 million in private capital funding to be raised, \$88 million has already been pledged to date (as at April 2018).

04 Agency submissions



Photomontage of Sydney Modern with the city beyond
Source: SANAA

Agencies and other bodies that submitted comments during the exhibition period include the following:

- City of Sydney Council;
- Transport for NSW;
- Sydney Water;
- Roads & Maritime Services;
- Office of Environment & Heritage (including Heritage Council);
- NSW Environment Protection Authority;
- NSW Department of Industry;
- Ausgrid.

A detailed response to the submissions made by agencies and other bodies is provided at Appendix A to this report.



City of Sydney

Council has raised a number of issues including design suggestions relating to public domain works and the layout of Art Gallery Road, proposed energy efficiency measures and targets and as exemptions sought for payment of development contributions.

Response:

The comments and requirements provided by Council are noted. A number of clarifications are provided and design amendments have been made to accommodate these suggestions. These include, however are not limited to:

- Improved public domain works to the front of the existing AGNSW, including ramp to the western (Domain) side of Art Gallery Road;
- Increased area of green (landscaped) roof area;
- Increase in the use of photovoltaic roof panels, now consolidated to the Entry Pavilion roof;
- Amended loading and parking space layout along Art Gallery Road;
- Relocation of public bicycle parking as suggested by Council;
- Clarification provided relating to energy efficiency and Green Star targets;
- Clarification provided relating to the development contribution exemptions.

Refer to a detailed response to the submission at Appendix A.



Transport for NSW

TfNSW has raised a number of issues including design suggestions relating to the relocation of the existing bus stop, parking layouts and restrictions along Art Gallery Road (including coach parking), location of pedestrian crossings and the preparation of a detailed Construction Pedestrian and Traffic Management Plan.

Response:

There has been significant ongoing consultation undertaken between AGNSW, the RBG&D and TfNSW in response to matters raised (Refer Section 5.0). As a result of these ongoing discussions a number of design amendments have been made to including, however are not limited to:

- Removal of the majority of works to the western side of Art Gallery Road;
- Removal of the light vehicle turning bay at the intersection of Mrs Macquaries Road and Art Gallery Road;
- Relocation of coach parking to the eastern side of Art Gallery Road (no longer on the land bridge);
- Relocation of bicycle parking (now to the eastern side of Art Gallery Road);
- Amended loading and parking space layout along Art Gallery Road.

A detailed Construction Pedestrian and Traffic Management Plan will also be prepared prior to commencement of works. Refer to a detailed response to the submission at Appendix A.



Sydney Water

The submission received from Sydney Water requests the approved plans be submitted to Sydney Water to assess if any service upgrades are required to provide for the new gallery. Notification of the requirement to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994 is provided.

Response:

The comments and requirements provided by Sydney Water are noted.

Refer to a detailed response to the submission at Appendix A.



Roads & Maritime Services

The submission received from RMS raises no objection to the proposed SMP development subject to conditions.

RMS provides notice of existing lease agreements that relate to land within the site and provides that agreements for access and works authorisation will need to be established prior to construction works being undertaken.

Response:

The comments and requirements provided by RMS are noted.

Refer to a detailed response to the submission at Appendix A.



Office of Environment and Heritage

NSW OEH has raised a number of issues including design suggestions relating to setting of the building against the RBG&D and the existing AGNSW, building setback and views, partial demolition and reuse of the Fuel Bunker, tree retention and landscaping, the extent of excavation, maritime archaeology and broader construction impacts.

Response:

Comments made by NSW OEH are numerous and there has been ongoing consultation undertaken between the AGNSW and NSW OEH in response to matters raised (Refer Section 5.0). As a result of these ongoing discussions a number of design amendments have been made to the built form and landscaping as detailed within this report. Further detail addressing these issues is provided in the following appendices:

- Amended Architectural Plans (Appendix C) and Architectural Statement (Appendix D);
- Updated Visual Impact Assessment (Appendix G);
- Updated Heritage Impact Statement (Appendix L);
- Aboriginal Cultural Heritage Statement (Appendix K);
- Biodiversity Statement (Appendix R); and
- Desktop Maritime Archaeological Assessment (Appendix M)

Refer to a detailed response to the submission at Appendix A.



Office and Environment and Heritage (Biodiversity, Aboriginal heritage and flooding)

The submission received from the Office of Environment & Heritage (OEH) relates to biodiversity, flooding and Aboriginal heritage.

Issues were raised regarding the proposed tree removal on the site and proposed offsetting identified in the Terrestrial Biodiversity Impact Assessment. The submission also raises issues regarding the assessment of species occupying the site.

OEH notes the site is located on land not subject to flooding and therefore no impact assessment is necessary.

A key issue raised in the submission relates to the assessment of Aboriginal heritage undertaken for the proposal, and OEH recommends a full Aboriginal cultural heritage assessment be prepared for the development that is consistent with the SEARs.

Response:

Refer to OEH response to the left.

Note: a detailed Aboriginal Cultural Heritage Assessment is underway and will be provided to the consent authority prior to determination.



NSW Environment Protection Authority

The NSW EPA has raised a number of issues, as well as made design suggestions, relating to site contamination and remediation, air quality, odour and acoustic impacts as well as construction management processes.

Response:

The comments and requirements provided by the NSW EPA are noted. In response to matters raised additional acoustic monitoring has been undertaken as detailed within the updated Acoustic Report at Appendix P.

Refer to a detailed response to the submission at Appendix A.



NSW Department of Industry

Comments received from the NSW Department of Industry relate to ensuring the appropriate management of ground water and marine habitats in the intertidal zone during construction of the gallery.

Response:

The comments and requirements provided by the NSW Department of Industry are noted and will be addressed through conditions of approval.

Refer to a detailed response to the submission at Appendix A.



Ausgrid

The submission received from Ausgrid provides notice of the existing electricity network assets located in close proximity to the site and requests that underground services be located prior to any excavation in the area. The submission also requests additional information be provided relating to proposed works located close to the zone substation, the major substation facility located adjacent to the eastern side of the site.

Response:

The comments and requirements provided by Ausgrid are noted. The request for additional information and requirements prior to development will be addressed through conditions of approval.

Refer to a detailed response to the submission at Appendix A.

05 Clarifications

A numerical overview of the site and proposed expansion is provided in detail below, including a comparison between the initially submitted scheme and the amended scheme. Principally, the removal of works to Art Gallery Road has resulted in a significantly reduced site area resulting in a change to proportionate area figures. For example, whilst the overall footprint of the building has been reduced, the proportionate site coverage has increased because of the reduced site area.

Generally, the reduction in overall built form is largely attributed to reduction of the Entry Plaza canopy and the cumulation of multiple smaller design revisions throughout the building. Please refer to the notes below for further clarification.

	Initially Submitted SSDA Scheme	Amended SSDA Scheme	Explanatory Notes
<i>Site Area and Building Data*</i>			
Proposed SMP Site Area	28,468 sqm	23,045 sqm	The overall SMP site area has been reduced as a result of removal of works to Art Gallery Road.
Proposed SMP Gallery Expansion GFA	12,337 sqm	12,142 sqm	This is attributed to ongoing design development including minor internal reconfiguration.
Proposed Maximum building height (metres)	8.12 m (Entry Plaza canopy)	8.38 m (Entry Pavilion roof)	The amended scheme includes alterations to the Entry Pavilion roof geometry. This measurement is the maximum height of the Entry Pavilion roof when viewed from Art Gallery Road.
Proposed building footprint (including Entry Plaza)	7,830 sqm (27.5% site coverage)	7,541 sqm (32.7% site coverage)	Whilst the overall footprint has been reduced, the site coverage has increased as a result of the reduced site area (refer above). Site coverage is calculated in accordance with the Sydney LEP 2012, as detailed on Page 60 of the EIS.
Proposed building footprint (excluding Entry Plaza)	6,336 sqm (22.3% site coverage)	6,170 sqm (26.8% site coverage)	

	Initially Submitted SSDA Scheme	Amended SSDA Scheme	Explanatory Notes
Building footprint over built structures (land bridge & Fuel Bunker)	6,172 sqm (78.8% of the building footprint)	5,411 sqm (72% of the building footprint)	This is attributed to the reduction in overall size of the Entry Plaza canopy roof, through provision of the new aperture feature.
<i>Landscape Data</i>			
Proposed publicly accessible terraces (building opening hours only)	1,763 sqm	1,896 sqm	This increase in terrace area is attributed to expansion of the balustrade location to the roof terrace above Gallery 2.
Proposed roof gardens (green roofs)	572 sqm	1,761 sqm	This area has been increased in response to submissions raised.
Publicly accessible courtyards (building opening hours only)	1,532 sqm	1,333 sqm	This revised area is attributed to a revised fencing layout to the eastern boundary of the site.

	Initially Submitted SSDA Scheme	Amended SSDA Scheme	Explanatory Notes
Publicly accessible external spaces 24/7 (excludes roof terraces and courtyards)	20,600 sqm (72.4% of the site)	14,963 sqm (64.9%)	These changes in percentages is attributed to the removal of Art Gallery Road and resulting reduced site area.
Total publicly accessible external spaces within site (including within building footprint)	23,895 sqm (83.9% of the site)	18,192 sqm (78.9%)	
Land subject to landscape embellishments within site	22,132 sqm (77.7% of the site)	19,786 (85.6%)	
Area restored from roadway to open space (Vernon entry)	1,100 sqm	1,100 sqm	This has not changed from the initially submitted scheme and relates to the existing roadway to the front of the AGNSW entrance which is to be demolished and converted to a public plaza.
Existing Trees to be Removed	140 trees	124 trees	This is attributed to the retention of additional trees over the land bridge as suggested in the submissions.

	Initially Submitted SSDA Scheme	Amended SSDA Scheme	Explanatory Notes
New Trees to be Planted	265 trees	273 trees	The revised proposal includes significant additional planting as detailed within this report.
Loss of Open Space			
Total RBG & Domain Area	-	615,221 sqm	The RBG&D comprises the land identified in Schedule 2 of the RBG&D Trust Act 1980. Please note these figures were not provided in the EIS.
Loss of open space (comprising the building footprint (including entry plaza) as a proportion of the total RBG&D)	-	1.23%	Comprising the building footprint (including entry plaza) as a proportion of the total RBG&D. Note these figures were not provided in the EIS.
Loss of open space (comprising the building footprint (excluding the entry plaza and rooftop terraces) as a proportion of the total RBG&D)	-	0.69%	Comprising the building footprint (excluding the entry plaza and rooftop terraces) as a proportion of the total RBG&D. Note these figures were not provided in the EIS.
Notes			
*For full details as to data inclusions and exclusions, please refer to Table 9 'Notes to Table' on page 60 of the submitted EIS.			

Clarifications

Use of Entry Plaza

The proposed Entry Plaza will serve as a significant civic and social hub and create a new focal point for those visiting the site. The Entry Plaza will provide a visual link between the new and existing buildings, with a large covered area for public congregation or respite, including for pedestrians utilising the through site link or for visitors to the RBG&D generally.

During large exhibitions, the Entry Plaza will provide a protected place for those waiting to purchase tickets from the external ticket office or crowd management during busy periods. This would be for specialist exhibitions only, as admission to the AGNSW is free except for major exhibitions which are ticketed.

As noted at Section 2, the amended design now provides for an aperture feature within the roof form to promote natural sunlight, as well as additional planting beneath this opening to provide for a transition between open and enclosed space and inclusion of outdoor art. The Entry Plaza is intended to remain open with no operable walls so as to promote maximum pedestrian permeability and natural ventilation through the space.

No Entrance to Gallery from Lower Level 1

Issues have been raised through the exhibition period relating to access from Lower Level 1 (previously the location of the gallery shop). For clarification, whilst the architectural plans indicate doors at this location, these doors are for emergency egress purposes only (under both the initial and revised schemes).

Through subsequent design revisions, the proposed gallery shop has been relocated up to the Entry Level and within the Entry Pavilion. The space previously occupied by the shop now comprises an education and family space.

All public access to the gallery is to be obtained from Art Gallery Road via the Entry Pavilion. No public access is able to be obtained to the gallery from Lower Level 1 education space, nor from any other part of the site.

Jobs Generated by the Proposed Development

As noted in Section 3.24 of the EIS, the proposed development will result in the generation of jobs both through the construction process and the ongoing operation of the gallery. The EIS initially provided the following anticipated jobs (Full Time Equivalent (FTE)):

- Construction: 540 jobs; and
- Operation: 75 jobs (in addition to existing AGNSW staff).

Following lodgement of the SSDA, further analysis has been given to the staging of construction at the site, resulting in a reduction of jobs generated during construction, as follows:

- Construction: 321 jobs; and
- Operation: 75 jobs (in addition to existing AGNSW staff).

For further detail please refer to the document titled 'Estimated Jobs – Construction and Operational Phases' at Appendix W.

Existing Wharf Terrace Lift Access – Restriction on Title

This section is to provide clarification relating to existing lift access arrangements to the RBG&D and Art Gallery Road from Lincoln Crescent.

At present, accessible access from Woolloomooloo to the Phillip Precinct of the Domain and the City relies on the use of the existing passenger lift located within the Wharf Terrace residential apartment building at 10 Lincoln Crescent, Woolloomooloo, under Strata Plan SP57623. This lift provides access from Lincoln Crescent at ground level to the roof of the Wharf Terrace apartment building, which allows for accessible paths of travel to the RBG&D utilising the existing pedestrian bridge over Lincoln Crescent and the existing network of paths within the site over the land bridge and fuel bunker. This lift was originally constructed to facilitate accessible access to the RBG&D Trust lands and the CBD and there are requirements for the shared access and use of this lift by members of the public registered on title.

A title search undertaken indicates that SP57623 is “(1) *limited in stratum in the manner described in DP879222*” and “(4) *the estate in fee simple is comprised in 2/879222*”. Further, this search also provides that an easement exists relating to the existing lift, being that “(17) *use of lift affecting the part shown so burdened in DP879222*”.

Accordingly, the terms of this easement for use of the lift are set out in Item 10 of the Section 88B Instrument for DP879222, being ‘Easement for the Use of Lift’ which burdens Lot 2 DP 879222 and benefits both Lot 1 DP 879222 and Lot 2 DP 879223 and the City of Sydney Council. Relevant to the proposed development, at Item 10.2 of the 88B instrument for DP 879222:

“10.2 The right of the Sydney City Council to use the lift is limited to access to and from the ground floor level and the rooftop level of the building erected on the Lot Burdened and only for the purpose of enabling persons who are disabled, infirm or otherwise in need of lift access to gain access to and from Trust Land on the following conditions:

- (a) *the Grantee and Authorised Users must make prior arrangements (giving reasonable notice) with the Grantor or Grantor's nominee to use the elevator, and*
- (b) *the Grantee and Authorised Users must cause as little inconvenience as practicable to the Grantor and any occupier of the Lot Burdened".*

It is envisaged that as per existing AGNSW visitation patterns, the vast majority of the visitors to the new building will approach the building from Art Gallery Road with almost none coming from the Wharf Terrace apartments lift. In providing for the new lift to access the land bridge we will continue to provide direct accessible access to the RBG&D Trust lands on the west side of Lincoln Crescent – replacing the current ramps and pathways providing accessible access which will be removed by the construction of Sydney Modern. On the eastern side of Lincoln Crescent, the existing lift will continue to provide disabled access to the RBG&D.

Existing Wharf Terrace Lift Access – Operational Matters

Notwithstanding existing title restrictions, there are a number of known practical and operational issues associated with this lift within the Wharf Terrace apartment building. Whilst title restrictions require use of the lift to be available to the public at all times to access RBG&D Trust lands, there are existing known issues relating to its ease of use, safety and security and ongoing maintenance, including both servicing and cleaning. These issues have subsequently been raised through the public exhibition period.

The existing lift is controlled during daylight hours by the lobby concierge of the Wharf Terrace apartment building and there are generally no (or minimal) delays for persons using the lift during daylight hours. However, outside of daylight hours, alternate arrangements exist whereby a person must use the lift intercom to contact roving security personnel who then have to return to the building lobby in order to turn the lift on. These after-hours arrangements are the result of

safety and security issues, including acts of vandalism and graffiti at the site.

It is understood that the executive committee of SP57623 is considering the ability for the lift to be operated remotely, however that this is still being investigated. AGNSW is able and willing to assist with these investigations.

Existing Wharf Terrace Lift Access – Patronage by AGNSW Visitors

It is noted that when this lift was originally installed in approximately 2001, visitation to the RBG was around 2.6 million, whereas in 2016-2017 it was 5.2 million. In the same timeframe the increase in visitations at AGNSW went from 1.1 million visitors to approximately 1.4 million visitors.

In response to operational issues by the residents of the Wharf Terrace building, the Gallery has undertaken surveys of people using the lift to assess typical patronage levels and usage patterns. These surveys were conducted on the following days:

- Sunday 4th March 2018 (7:00am to 7:00pm) – A total of 15 lift movements observed;
- Wednesday 7th March 2018 (11:00am to 4:00pm) – A total of 6 lift movements observed; and
- Thursday the 8th of March 2018 (7:00am to 7:00pm) – A total of 25 lift movements observed.

Across these surveyed days, a total of 46 lift movements were observed using this lift, with users predominately comprising able bodied residents or maintenance workers and tradespeople servicing the Wharf Terrace apartment building. Other users included local residents from within the Wharf Terrace apartment building or visitors with prams. From the survey period, only two lift movements (4.3%) were attributed to persons visiting AGNSW (one each on Wednesday 7th and Thursday 8th March).

Notwithstanding existing title arrangements nor surveyed visitation rates above, it is however acknowledged that the construction of Sydney Modern will result in increased visitation to both the AGNSW and RBG&D Trust lands and will therefore result in additional use of this existing lift. The AGNSW is currently in ongoing discussions with the residents of the Wharf Terrace apartment building as to the shared management or responsibility of this lift ongoing.

Potential for Alternative Lift Access (so as to not rely on the Existing Wharf Terrace Lift)

Given the known issues associated with the existing Wharf Terrace lift, the potential for alternative access arrangements within the development site has been explored by AGNSW through the design process, including the provision of ramping as well as alternative lift access from within Lincoln Crescent. An overview of potential access options explored includes:

- Option 1: Ramp only option;
- Option 2: Construction of a new single lift, accessible from Lincoln Crescent and which rises to the level of the existing Eastern Distributor land bridge and proposed Art Garden; and
- Option 3: Construction of two new lifts, including once accessible from Lincoln Crescent and one at an intermediate location which then rises to the level of the existing Eastern Distributor land bridge and proposed Art Garden.

All of these options provide for access to be provided within RBG&D land only, with the exception of Option 2, where variations have been tested within the Lincoln Crescent footpath/road reserve. For the reasons outlined below and reflected in the images adjacent, none of these options are considered to be practical nor feasible at the site.

Option 1: Ramping and lift

Fundamentally, equitable access from Woolloomooloo to the RBG&D is difficult to achieve without a lift, as a result of topography and constraints established by surrounding development and road network (such as the Eastern Distributor). To provide equitable access without lifts would require extensive ramping (including switchbacks), which in turn would require significant excavation and tree removal, whilst resulting in convoluted and unreasonably long paths of travel.

This potential option has been explored by AGNSW, with the provision of a ramp from Lincoln Crescent to Lower Level 2, resulting in a distance of approximately 110m.



Ramp and lift Option 1
Source: SANAA / McGregor Coxall



Ramp and lift Option 2
Source: SANAA / McGregor Coxall



Photomontage: ramp and lift Option 2
Source: SANAA

Option 2: Single lift arrangement

A number of variations under this option have been explored relating to a single lift arrangement, accessible from Lincoln Crescent (RL3.0m) and which rises to the level of the existing Eastern Distributor land bridge and proposed Art Garden (RL19.0m). The potential location of such a lift has been tested by AGNSW at a number of locations within the site, as well as from within the Lincoln Crescent footpath/road reserve.

However, if located adjacent to the Lincoln Crescent footpath, this single lift would require the construction of a vertical lift structure and elevated pedestrian bridge, being a 'structure in the sky' at a minimum height of 16.0m (excluding any lift overrun) which would have adverse visual (bulk and scale) impacts.

A number of variations have also been explored through the in-setting of the lift structure within the land form, resulting in a reduction in size of the lift structure (to 9.0m), however maintaining the same maximum RL height of 19.0m, being the height of the Eastern Distributor land bridge. This variation would however necessitate the construction of an underground access tunnel/passageway within the landform (approximately 8.0m in length) which is not suitable nor practical from a safety, security and CPTED perspective.



Single lift option
Source: SANAA / McGregor Coxall



Photomontage: single lift option
Source: SANAA

Option 3: Dual lift arrangement

Further to Option 2 above, the potential for a dual lift arrangement has also been explored in order to minimise the visual impact of the structure. The 'first' lift would be accessible from Lincoln Crescent (RL3.0m) up to RL9.8m. The lift user would then exit and switch to the 'second' lift, which would then travel from RL9.8m to RL19.0m (being the level of the existing Eastern Distributor land bridge).

However, this does not necessarily address the shortfalls of Option 2, given that the first lift would either need to be located adjacent to Lincoln Crescent, which as above is not desirable aesthetically, or in-set within the landform, resulting in the construction of an underground access tunnel/ passageway which is not suitable nor practical from a safety, security and CPTED perspective.



Dual lift option with underground tunnel access to Lincoln Crescent
Source: SANAA / McGregor Coxall



Photomontage: dual lift option with underground tunnel access to Lincoln Crescent
Source: SANAA

Proposed development

Having regard to the alternative options and their variations, as illustrated adjacent, it is considered that the proposed arrangement, whereby visitors to the RBG&D utilise the existing lift within the Wharf Terrace building before traversing and utilising the proposed hillside lift is the most appropriate outcome under the site circumstances.

The proposed arrangement is the preferred option to facilitate equitable access to the site, as it will avoid the duplication of infrastructure, where such infrastructure already exists, and is the most appropriate when considered on balance from a visual amenity, safety and overall environmental perspective.

It is acknowledged that the construction of Sydney Modern will result in increased visitation to both the AGNSW and RBG&D Trust lands and will therefore result in additional use of the existing lift within the Wharf Terrace apartment building.

The AGNSW is currently in ongoing discussions with the residents of the Wharf Terrace apartment building as to the shared management or responsibility of this lift ongoing. In recent discussions with residents the AGNSW advised they are prepared to contribute to the ongoing cost of the lift.



Proposed development option showing accessible path of travel connecting with existing Wharf Terrace Apartments lift
Source: SANAA / McGregor Coxall



Photomontage: proposed development option showing accessible path of travel connecting with existing Wharf Terrace Apartments lift
Source: SANAA

06 Additional consultation

Following submission of the SSDA, significant additional consultation has been undertaken with, however not limited to, the RBG&D Trust, TfNSW, RMS, Sydney Buses, City of Sydney Council, Infrastructure NSW as well as stakeholders on behalf of the Wharf Terraces and Woolloomooloo Finger Wharf residential apartment buildings. An overview of these consultation processes is provided below.

This consultation has informed the proposed design amendments and consultation will continue to be held with these (and other) groups through ongoing development and construction processes.

Date	Stakeholder	Activity	Agenda & Outcome
10/01/18	RBGDT	Precinct Working Group Meeting	Establishment of Terms of Reference and discussion of precinct issues
23/01/18	RBGDT	Meeting to discuss communications strategy for project	
24/01/18	RBGDT TfNSW	Art Gallery Road Design Charrette	Update to Art Gallery Road design based on RBGDT and TfNSW feedback
25/01/18	EPA	Email/phone consultation around the requirement for additional background noise measurements.	Additional noise measurements undertaken. Noise impact assessment updated.
29/01/18	Wharf Terraces	Site inspection and meeting with Chair of Sydney Modern Project Sub-Committee	Discussion of residents' key issues
30/01/18	RBGDT	Precinct Working Group Meeting	Ongoing discussion re precinct issues – transport, communications, land tenure

06 Additional consultation

Date	Stakeholder	Activity	Agenda & Outcome
30/01/18	RBGDT	SMP/RBG Infrastructure Interface Meeting 1	Presentation of electrical, lighting, hydraulic and security design identifying interface issues and adjusting design accordingly.
01/02/18	Woolloomooloo Finger Wharf	Briefing of Building Management Committee	Update on response to submissions as relevant to submission
06/02/18	RBGDT	Design review of precinct	Discussion of issues associated with access, connectivity and traffic flow
07/02/18	DPE	Meeting with Principal Planner, Key Sites Assessments	Discussion around proposed RtS and adequacy of proposal
12/02/18	DPE	Site inspection for representatives from Department of Planning and Office of Environment and Heritage	
14/02/18	RBGDT	Precinct Working Group Meeting	Ongoing discussion re precinct issues – transport, communications, land tenure
14/02/18	RMS	Project update and discussion of land tenure arrangements	
15/02/18	Wharf Terraces	Briefing of Strata Committee	Update on response to submissions as relevant to submission
21/02/18	RBGDT RMS	Discussion of land tenure arrangements	
23/02/18	Artspace	Site inspection and project update	
27/02/18	RBGDT	SMP/RBG Infrastructure Interface Meeting 2	Presentation of seawater heat exchange design and adjustment of above ground element based on RBG feedback provided.
28/02/18	Woolloomooloo Finger Wharf	Briefing of Building Management Committee	Update on response to submissions as relevant to submission
01/03/18	RBGDT RMS	Precinct Working Group Meeting	Ongoing discussion re precinct issues – transport, communications, land tenure
05/03/18	FRNSW	Fire Rescue NSW Consultation Meeting	Presentation of fire engineering concept. Peer review of fire engineering strategy to be undertaken.
06/03/18	RBGDT	Security & Vehicle Protection Measures Meeting	Security options along Art Gallery Road
06/03/18	City of Sydney	Meeting with Lord Mayor and staff from the City of Sydney Council: Graham Jahn (Director Planning Development & Transport) Bridget Smyth (Design Director, City Design) James Zannotto (Chief of Staff) April McCabe (Policy Manager) Ken Maher, Chair of the City's Design Advisory Panel	Update on response to submissions as relevant to submission
07/03/18	Infrastructure NSW	INSW Due Diligence Briefing 1	Initial project briefing covering SSD DA status, construction program and current cost plan. Key risk items & topics identified for Briefing 2.

06 Additional consultation

Date	Stakeholder	Activity	Agenda & Outcome
09/03/18	Public Galleries from Australia and New Zealand	Project briefing	
13/03/18	Wharf Terraces Woolloomooloo Finger Wharf	Briefing for all stakeholders	Update on response to submissions as relevant to submissions
15/03/18	RBGDT	Precinct Working Group Meeting	Ongoing discussion re precinct issues – transport, communications, land tenure
	Sydney Buses	Phone consultation on STA bus stop relocation	Endorsement of bus stop location. TBC
21/03/18	Infrastructure NSW	INSW Due Diligence Briefing 2	Briefing and documentation status review session with key design disciplines including architectural, structural & services. Documentation program. Greenstar approach and pathway to 5 Greenstar
20/03/18	Delegates at Public Galleries Summit	Project briefing	
21/03/18	Board of the Foundation & Friends of the Botanic Gardens	Project briefing	Update on response to submissions as relevant to submission
21/03/18	Invited attendees from professional and tertiary architecture community	Project briefing	
26/03/18	Wharf Terraces	Briefing of Strata Committee	Update on response to submissions as relevant to submission
28/03/18	RBGDT	Precinct Working Group Meeting	Ongoing discussion re precinct issues – transport, communications, land tenure
28/03/18	Sydney Forum for Architecture and Urban Design Inc (SFAUDI)	Project briefing	
29/03/18	Heritage Council of NSW	Site inspection and project update	Update on response to submissions as relevant to submission
11/4/18	Woolloomooloo Finger Wharf	Briefing of Ovolo Hotel General Manager and Retail Chairman of Building Management Committee	Update on response to submissions as relevant to sub-mission and key issues raised
12/4/18	Wharf Terraces	Briefing of Strata Committee	Update on response to submissions as relevant to sub-mission
12/4/18	RBGDT	Precinct Working Group Meeting	Ongoing discussions on precinct issues – transport, communications, land tenure

07 Conclusion

This Response to Submissions has been prepared for a State Significant Development Application (SSDA) for the Sydney Modern Project, the major expansion to the Art Gallery of NSW. The SSDA was publicly exhibited for a period of 30 days from 16 November 2017 to 15 December 2017.

This Response to Submissions provides a summary of the key issues raised during the consultation period. It provides an overview of the changes to the development since lodgement of the SSDA in response to the content of submissions and as a result of design development. It also responds to key issues raised in submissions received during the exhibition period and undertakes further environmental assessment.

A total of 282 submissions were received on the SSDA from members of the public, comprising 202 objections, 70 in support, and 10 comments. In addition, eight (8) submissions were received from State Government authorities, agencies and bodies, and one (1) from the City of Sydney Council. Key themes raised in the submissions relate to:

- Loss of open space;
- Alternative locations;
- Design of new building;
- Visual impacts;
- Trees and vegetation;

- Impacts on the RBG;
- Transport and accessibility;
- Operation of the Gallery;
- Construction impacts; and
- Other issues.

In response to these submissions, a number of design changes have been undertaken to address issues which will improve the scheme and increase public benefits. These include the amelioration of the net loss of open and green space, by increasing area of green space (a threefold increase in green roofs), and creating greater publicly accessible external space (increase in publicly accessible roof terraces). Pedestrian permeability at the site will be increased through additional and enhanced pathways meandering through new landscaped spaces enhancing user experience and improving the existing pedestrian links between the Domain and Woolloomooloo.

Proposed planting will result in more than double the number of trees being removed from site, enhancing horticultural and biodiversity value of vegetation, and the creation of high quality public spaces (Entry Plaza and Art Garden). The Entry Plaza will not only act as an entry point for the new building, but also form a new focal point of connection with the surrounding area. The Entry Plaza will complement the surrounding parklands, by providing open space that can facilitate a range of activities and gathering space capable of supporting a diverse range of activities, installations, programs and spaces for engagement with landscape, art and culture.

The proposed changes to the exhibited SSDA do not represent substantial changes to the scope of the development, and will result on balance in no change in adverse environmental impacts, and any adverse impacts can largely be mitigated. The proposed development is generally consistent with the applicable legislation, planning instruments, controls and guidelines.

As detailed within Sections 1 and 8 of the EIS, and referred above under Theme 02, there is a strong need for the proposed development, and the proposed development will have significant benefits for Sydney, NSW and Australia. The proposal will ensure the AGNSW reclaims its position as one of the nation's leading cultural institutions, and will facilitate a significant increase in visitation from 1.3 million (2013) to 2 million people (2022/23). This will consequently increase expenditure in Sydney and NSW through increased international and interstate visitation, whilst also contributing to the dynamic cultural and artistic life of Sydney, in line with its position as Australia's global city.

The proposed Art Gallery of New South Wales Expansion Project – Sydney Modern, with proposed new Gallery and Art Garden located next to the existing gallery, will reinforce the AGNSW as the State Art Gallery and Sydney's pre-eminent cultural institution, contributing to the wellbeing and prosperity of Sydney, NSW and Australia. In doing so, the proposal will allow the AGNSW to create and foster

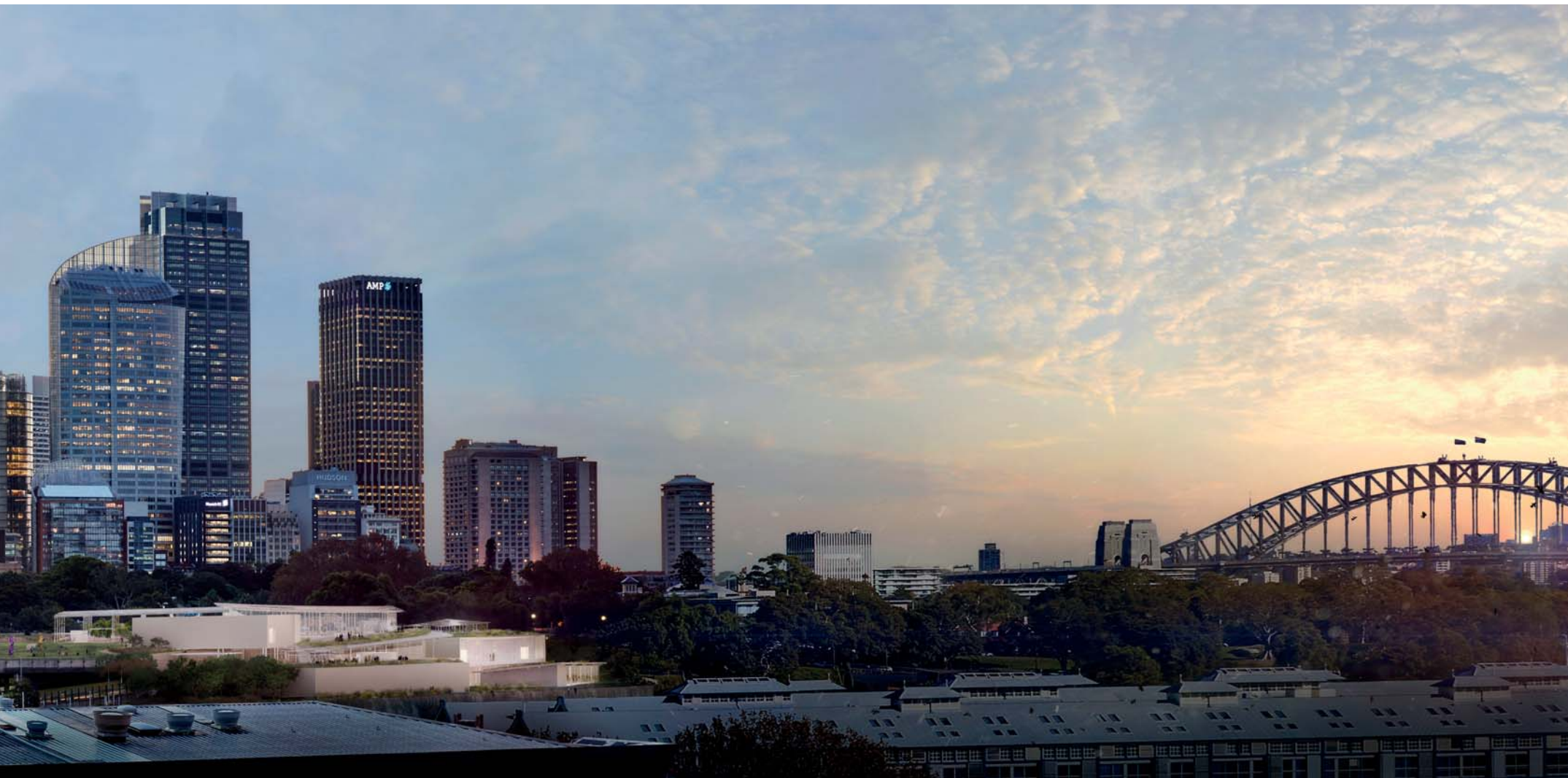
07 Conclusion

a strong arts and cultural precinct, strengthen Sydney's Cultural Ribbon, generate tourism that will contribute to the economy, and generate more visitors to the RBG&D which is an aspiration of the RBG&D Trust and is consistent with the objects of the RBG&D Trust Act.

Further to matters contained within the EIS and this response to submissions, the proposal (as amended) is considered to be significantly in the public interest. It is therefore recommended that this SSDA be approved subject to the mitigation measures provided in Section 7.0 of the EIS.



Photomontage of Sydney Modern against the Sydney skyline
Source: SANAA



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