

HERITAGE IMPACT STATEMENT

Sydney Opera House, Bennelong Point, Sydney

Lower Concourse Shade Cover Improvement



Looking north along the Lower Concourse.

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1.0 INTRODUCTION

1.1 Purpose of this Statement

This Heritage Impact Statement has been prepared as part of a Environmental Impact Statement (EIS) for proposed new shade covers on the Lower Concourse, Sydney Opera House, Bennelong Point, Sydney, New South Wales.

This EIS forms part of a State Significant Development Application lodged pursuant to Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*. As set out elsewhere within this EIS, the Sydney Opera House is defined as a State Significant Site and the proposed works as State Significant Development under *State Environmental Planning Policy (Major Development 2005)* and *State Environmental Planning Policy (State and Regional Development 2011)*.

The EIS must address the *Environmental Planning and Assessment Act 1979* and meet the minimum form and content requirements in Clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*. Secretary's Environmental Assessment Requirements (SEARS) for this project were issued on 18 December, 2015 (Application SSD 7430). Heritage is identified as one of the key issues to be addressed in the EIS, hence the preparation of this statement. As set out within this statement, the Sydney Opera House has significance, and is protected by legislation, at world, national, state and local levels.

This statement accompanies plans prepared by Humphrey + Edwards.

1.2 Authorship

This statement was prepared by Alice Fuller, B.App.Sc.(CCM), M.Herit.Cons.(Hons) and James Phillips, B.Sc.(Arch), B.Arch, M.Herit.Cons.(Hons), of Weir Phillips Heritage.

1.3 Limitations

Existing histories and assessments of significance of the Sydney Opera House, as listed in Section 1.5 below, were relied upon. No additional research or assessment was provided for.

An assessment of Aboriginal heritage values and archaeological heritage values was not provided for. It is noted that the nature of the proposed works is such that there will be no archaeological impacts.

1.4 Methodology

This statement has been prepared with reference to the SEARs for the project issued on 18 December, 2015; to the NSW Heritage Office's (now Division) publications *Assessing Heritage Significance* (2001 update) and *Statements of Heritage Impact* (2002 update); to Commonwealth, State and Local planning documents; and to management plans for the Sydney Opera House listed under Section 1.5 below. With regard to the latter, the most important documents with respect to heritage management are:

- Kerr, James Semple, *Sydney Opera House, A Revised Plan for the Conservation of the Sydney Opera House and its Site*, 2003 (3rd edition). This plan has been endorsed by the NSW Heritage Council.
- *Sydney Opera House, Utzon Design Principles*, May 2002.

The above two documents are an integral part of the *Management Plan for the Sydney Opera House* (August 2005) prepared under Section 46 of the Australian Government's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Site visits were carried out in January and February 2016. Unless otherwise stated, the authors took the photographs used in this statement on these occasions.

1.5 Documentary Evidence

1.5.1 Management Documents for the Site

- James Semple Kerr, *Sydney Opera House: A Plan for the Conservation of the Sydney Opera House and its Site*, 2003 (third edition).
- *Management Plan for the Sydney Opera House: Submitted by the New South Wales Government for accreditation under section 46 of the Environment Protection and Biodiversity Conservation Act 1999*, August 2005.
- *Sydney Opera House Utzon Design Principles*, May 2002.

1.5.2 Commonwealth, State and Local Planning Controls and Guidelines

- Department of the Environment, Water, Heritage and the Arts, *Significant Impact Guidelines 1:1: Matters of National Environmental Significance*, 2013.
- *Environment Protection and Biodiversity Conservation Act 1999*.
- *NSW Environmental Planning and Assessment Act 1979*
- *NSW Heritage Act 1977*.
- *State Environmental Planning Policy (Major Development 2005)*.
- *State Environmental Planning Policy (State and Regional Development 2011)*.
- *Sydney Development Control Plan*.
- *Sydney Local Environmental Plan 2012*.
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*.

1.5.3 Heritage Listing Sheets

- *Sydney Opera House, Circular Quay East*, Sydney. State Heritage Inventory Database No.: 5054880.
- *Sydney Opera House, 2 Circular Quay East*, Sydney. National Heritage List Place ID: 105738.
- *Sydney Opera House, including forecourt, seawall, platform and interiors*, Circular Quay East, Sydney. State Heritage Inventory Database No.: 2423567.

1.6 Site and Project Location

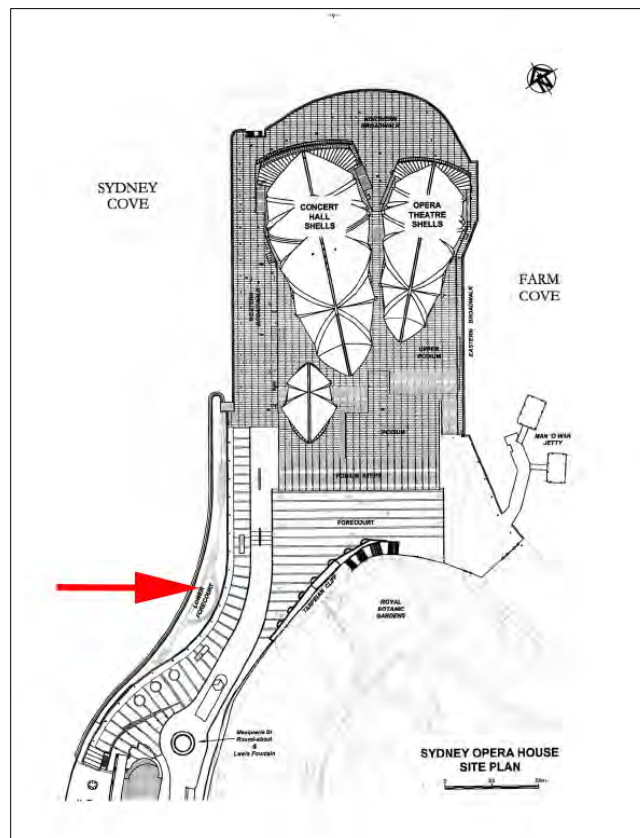
The Sydney Opera House is located on Bennelong Point, at the northern end of the Central Business District. Bennelong Point lies between Sydney Cove to the west and Farm Cove to the east. The site is identified as Lot 5 D.P. 775888 and Lot 4 D.P.787933. Figure 1 shows the location of the Opera House within Sydney Cove and relative to the Central Business District.



Figure 1: Site Location.

NSW Lands Department, 2015; annotations by WP Heritage.

Figure 2 shows the location of the Lower Concourse within the Opera House Precinct. It is noted that the Conservation Management Plan refers to the Lower Concourse as the Lower Forecourt.



**Figure 2:
Location of the Lower
Concourse.**

James Semple Kerr,
*Sydney Opera House: A
Plan for the Conservation of
the Sydney Opera House
and its Site*, 2003;
annotation in red by WP
Heritage.

1.7 Overview of the Proposal

It is proposed to remove the existing umbrellas in the outdoor seating area on the Lower Concourse and install new shade structures. The intent is to provide better-integrated and improved shade cover and weather protection. The new structures will have a maximum height of 3.34m. The masts will be fixed through the paving slabs into the reinforced concrete slab below. Each structure will be equipped with lights, heaters and speakers. The light sources will be located beneath the shade structures and will be diffused. The electric radiant heaters and speakers will be similarly located beneath the shade structures. The middle cluster of shade structures will have clear drop down screens on the western and southern sides to provide greater weather protection and acoustic attenuation.

2.0 HISTORICAL DEVELOPMENT OF THE SITE

Understanding how a place has developed is key to understanding its significance. It is not the purpose of this statement to provide a history of the Sydney Opera House. A history of the site sufficient for the management of its heritage values is provided by the Conservation Plan by James Semple Kerr in 2003 and listed in Section 1.5.1 above. Given the nature and location of the proposed works, the following is noted.

An international design competition for the design of an opera house on Bennelong Point was announced in January 1956 and won by Danish architect Jørn Utzon, with a design that responded to the unique setting and excited international interest. Ove Arup and Partners of London were appointed engineers. Utzon worked on the project until 1966, when populist criticism, a change in government and cost over-runs lead to his resignation. The task of completing the project was given to a committee of Sydney architects: Peter Hall from Public Works; Lionel Todd of Hanson, Todd and Partners; and David Littlemore of Rudder, Littlemore and Rudder.

The building was nominally completed in September 1973, when the first public performances were given. The building has been altered over time to support changing technology and functions. The existing landscaped surrounds, including the Lower Concourse, were constructed as part of the NSW Government's bicentennial refit of Macquarie Street and the public areas flanking Sydney Cove. The work was designed under the general superintendence of Andrew Andersons. Peter Hall was consulted for work near the Opera House. The project was completed by Australia Day 1988. Of the Forecourt and Lower Forecourt/Concourse areas, the Conservation Plan states:

"The creation of an uncluttered, granite-paved, forecourt and an "invisible" covered pedestrian approach to the Opera House through a shopping concourse was a major bicentennial enhancement of the setting of the building. It eliminated the existing bitumen-paved car park and pedestrian covered way from the immediate approach to the building and also provided access to the underground car park when it was completed in 1993.

The considerable extent and irregular shape of the forecourt determined the choice of granite setts, or cobbles, laid in a fan pattern between strips of granite with a sawn finish which were in turn parallel to and designed "to respond to the powerful horizontal element of the [podium] steps" (Hall, SOH, 65). The granite was South Australian: Siena for the setts and Calca for the slabs. Both were supplied by Monier and laid by Melocco (ibid, 64). The same materials were used on the lower forecourt except that the setts were confined to the sea wall promenade and the concourse

itself was laid with slabs of solid granite.¹

The heritage significance of the Sydney Opera House is recognised world-wide. James Semple Kerr prepared the first Conservation Plan for the Opera House in 1993; the current Conservation Plan is the third edition. In September 1998 the Chairman of the Sydney Opera House Trust, Joseph Skrzynski, announced the appointment of Richard Johnson of Denton Corker Marshall to 'advise on any future development works affecting the Opera House and its site' and to 'establish planning principles...which were consistent with the design principles of Jørn Utzon'.² In August 1999, Utzon accepted the invitation of the NSW Premier to provide advice to the Sydney Opera House Trust. His commission included the preparation of a statement of design principles which, in his own words, was to 'be used as a permanent reference for the long-term conservation and management of the House and for any redevelopment of interiors as and when that becomes necessary'.³ Kerr's Conservation Plan and Utzon's design principles are key guides to future works on the site.

3.0 SITE ASSESSMENT

3.1 The Sydney Opera House

The following brief description of the Opera House provided by the State Heritage Register is edited and adopted for the purposes of this statement:

'Jørn Utzon's design for the Sydney Opera House consists of a monumental platform surfaced with ochre granite, a massive horizontal base that contrasts with the white-tiled sail-like roofs. Its public spaces and promenades have a majestic quality endowed by powerful structural forms. A huge external stairway up the platform to the performance venues is an important element designed for a grand approach on foot. The publicly-accessible broadwalk around the building allows pedestrians to promenade and appreciate the ever-changing outlook. Huge expanses of glazing provide dramatic views into and out of the foyers. As an icon of modern architecture it combines an expressive freedom of form with the precise technology of the machine age...

Utzon's plan set the two largest performance venues side by side upon the platform. This made possible his dramatic sculptural elevations but came at a functional cost: the loss of conventional side and backstage space. Instead, access was contrived from below, using a broad passage under the platform at ground level. Utzon explained: "The idea has been to let the platform cut through like a knife, and separate primary and secondary functions completely. On top of the platform the spectators receive the completed work of art and beneath the platform every preparation for it takes place" (DEST, 1996, 62)

The Sydney Opera House encompasses a complexity of structures including the Concert Hall, the Opera Theatre, the Drama Theatre and Playhouse, the Studio, administration areas and restaurants. The Concert Hall, the home of the Sydney Symphony Orchestra, is the largest venue. It seats 2,690 patrons and has a fine mechanical-action

¹ James Semple Kerr, *Sydney Opera House: A Plan for the Conservation of the Sydney Opera House and its Site*, 2003, p. 58.

² *Ibid*, pp.30-31.

³ *Ibid*, p. 31.

pipe organ...The Studio is the Sydney Opera House's newest performing space, having opened in March 1999, and is used for innovative and contemporary productions. There are also facilities for cinema, exhibitions, meetings, lectures, rehearsals, administration, restaurants and ancillary functions.⁴

Figure 3 provides a general photograph of the Opera House from the Forecourt, showing the podium, shells and grand staircase leading up from the Forecourt. The Forecourt provides the main pedestrian access to the Opera House. Photographs elsewhere in this statement provide additional images.



Figure 3: The Opera House from the Forecourt.

3.2 The Lower Concourse

The Lower Concourse is located below and to the western side of the Forecourt. To the east, lies Sydney Cove.

The Lower Concourse provides a secondary pedestrian link between the Opera House and Circular Quay. It also provides undercover access between the performance spaces of the Opera House above and the underground car park. The Concourse is accessed from the car park or via several flights of stairs from the Forecourt. It comprises an undercroft housing food and drink premises, the adjacent walkway and outdoor seating areas.

The Lower Concourse is characterised by granite paving, steps and walls of solid or reconstituted granite. The column bases supporting the undercroft form a repeated element along the Concourse. Outlets upon the Concourse comprise open counter areas or glazed indoor areas beneath the undercroft. Each outlet has an associated outdoor seating area, set between the undercroft and the short flight of stairs leading up to the pathway along the waterfront. Outdoor seating areas are characterised by tables, chairs and cream coloured umbrellas, which are bolted into the granite paving.

⁴ *Sydney Opera House, Circular Quay East, Sydney.* State Heritage Inventory Database No.: 5054880.

Figures 4 to 8 illustrate the Lower Concourse.



Figure 4:
View along the Lower
Concourse, looking south.

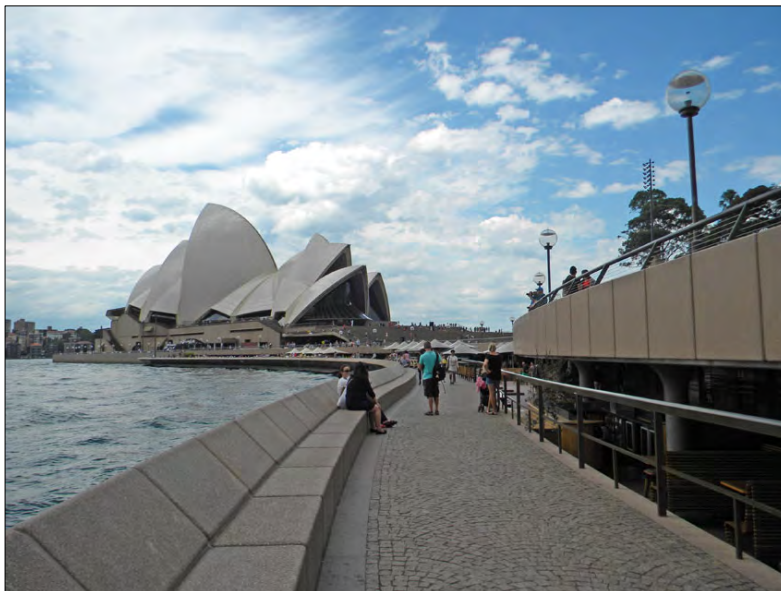


Figure 5:
View along the Lower
Concourse, looking North.

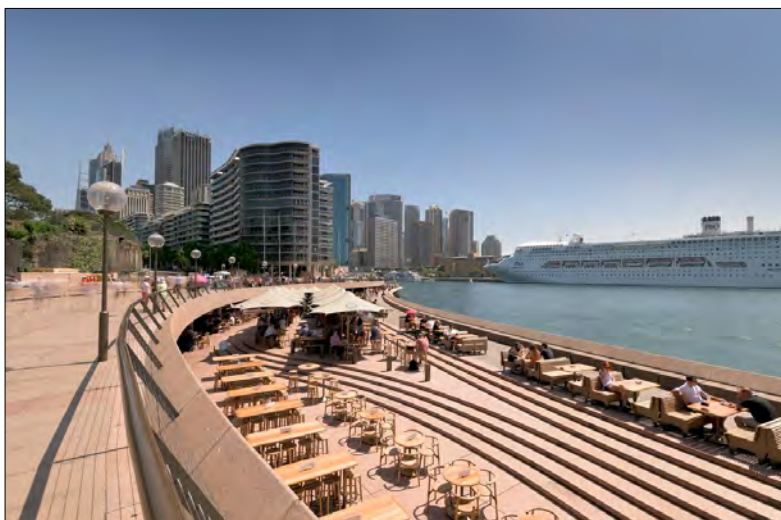


Figure 6:
Outdoor seating area
outside the Opera Kitchen
and Opera Bar. Taken from
the Forecourt.



Figure 7:
Outside the Opera Bar,
beneath the undercroft.



Figure 8:
Showing how the existing
umbrellas are anchored
into the granite paving.

Figures to 9 to 15 illustrate how visible the area of proposed work is from other parts of the Opera House. It is noted that the Lower Concourse is only visible from within the Opera House precinct on approached in either direction along the Lower Concourse; when standing close to the railing separating the Forecourt from the Lower Concourse and when standing on the western side of the podium at the top of the grand staircase.



Figure 9:
View south from the
Forecourt over the Lower
Concourse.



Figure 10:
View south from the
Forecourt, closer than the
view in Figure 9.



Figure 11:
View north towards the
Lower Concourse as the
Forecourt is approached
along Circular Quay.



Figure 12:
View north towards the
Lower Concourse as
approached along Circular
Quay, at a point closer than
Figure 11.



Figure 13:
View towards the Lower
Concourse from the eastern
side of the podium at the
top of the grand staircase.



Figure 14:
View towards the Lower
Concourse from the
western side of the podium
at the top of the grand
staircase.



Figure 15:
View across the Forecourt of the Opera House. The Lower Concourse is not visible from this viewpoint, even if the equipment were to be removed.

3.3 The Surrounding Area

As demonstrated by Figure 1, the Opera House has a dramatic peninsula harbour setting. To the north lies the Harbour and the distant shoreline of the North Shore. To the east lies Farm Cove. To the south lies the Royal Botanic Gardens. The sheer rock wall of the Tarpeian Way is a notable element in the main, southern, forecourt. Macquarie Street also lies to the south. The residential flat buildings that line the western side of this street and Sydney Cove are the nearest buildings to the Opera House. To the west lies Sydney Cove, which includes the wide, paved foreshore promenade that extends from Bennelong Point to Dawes Point (and beyond), Circular Quay Ferry Terminal and Circular Quay Railway Station. To the north west, the Sydney Harbour Bridge dominates the vista. On the opposite side of Sydney Cove, lies the historic precinct of The Rocks. Buildings opposite the Opera House and within The Rocks precinct include the Museum of Contemporary Art and the Overseas Passengers Terminal. As set out in Section 4.2 below, there are a number of heritage items within the setting of the Opera House.

The photographs in Section 3.2 above and Section 4.2 below illustrate the character of the surrounding area.

4.0 IDENTIFYING SIGNIFICANCE

4.1 The Site

4.1.1 Statutory Heritage Listings

The Sydney Opera House is listed as a heritage item by the following statutory documents. The statement of significance and curtilage for each listing is included.

4.1.1.1 World

The Sydney Opera House is listed on UNESCO's World Heritage List (28 June 2009). The Opera House is listed on the basis of its significance under Criterion (i) Outstanding Universal Value. The following Statement of Universal Value is provided:

‘The Sydney Opera House constitutes a masterpiece of 20th century architecture. Its significance is based on its unparalleled design and construction; its exceptional engineering achievements and technological innovation and its position as a world-famous icon of architecture. It is a daring and visionary experiment that has had an enduring influence on the emergent architecture of the late 20th century. Utzon's original design concept and his unique approach to building gave impetus to a collective creativity of architects, engineers and builders. Ove Arup's engineering achievements helped make Utzon's vision a reality. The design represents an extraordinary interpretation and response to the setting in Sydney Harbour. The Sydney Opera House is also of outstanding universal value for its achievements in structural engineering and building technology. The building is a great artistic monument and an icon, accessible to society at large.

Criterion (i): The Sydney Opera House is a great architectural work of the 20th century. It represents multiple strands of creativity, both in architectural form and structural design, a great urban sculpture carefully set in a remarkable waterscape and a world famous iconic building.’⁵

Figure 16 identifies the ‘buffer zone’ (i.e. curtilage) associated with this listing. The area of proposed works lies within this zone.

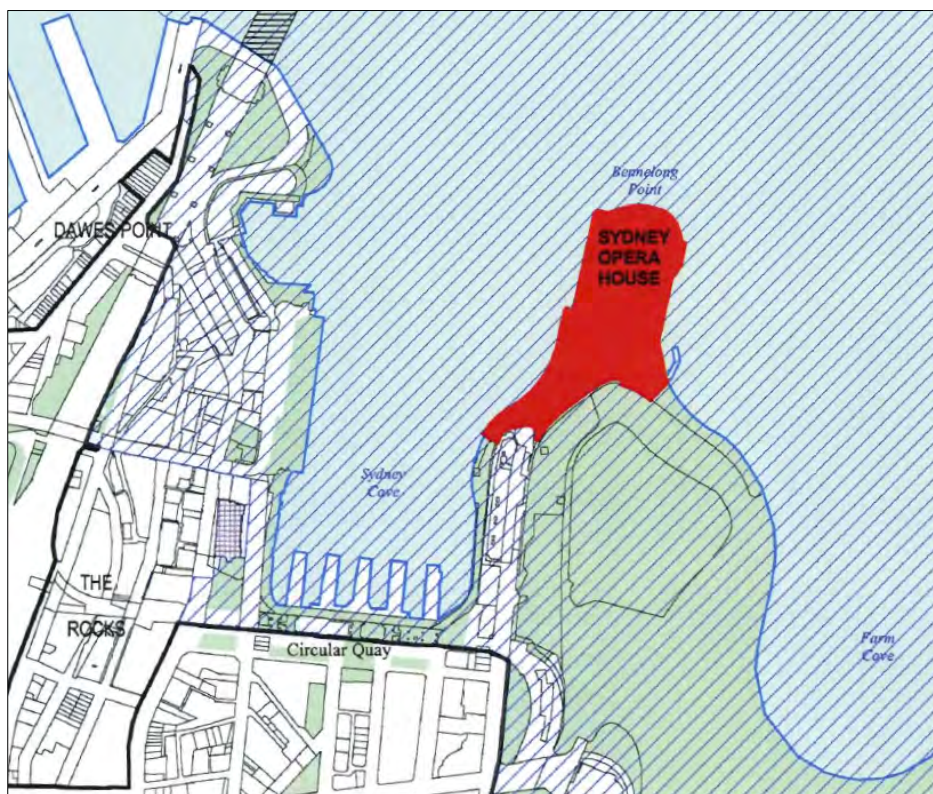


Figure 16: Curtilage or Buffer Zone for the World Heritage Listing.
Sydney Opera House, World Heritage List. Whc.unesco.org.

In order to optimise management of these values, UNESCO provide the following recommendations:

⁵ Sydney Opera House, World Heritage List. whc.unesco.org.

- a) Define and implement construction regulations for the buffer zone, especially in relation to the conservation of the current skyline of the shore landscape of Sydney Harbour;
- b) Consider how to reconcile the increase of visitor numbers with the proper functioning of the performing arts centre and with the preservation of the property's outstanding universal value, integrity and authenticity. Management of the property could be further enhanced by increased interpretation of its values to visitors;
- c) The interior spaces and material components should be considered as important as the exterior form and materials. They bear testimony to the specific history and process of design and construction of the building. It is thus recommended that conservation measures include original interior components as well as the consideration of different stages of construction and interior design as a part of the history of the property.⁶

4.1.1.2 National

The Sydney Opera House is listed on the National Heritage List under the auspices of the *Environment Protection and Biodiversity Conservation Act 1999* (Listing No.: 105738). The original gazettal notice (12 July 2005) and amendment notice (20 December 2006) assesses the significance of the Opera House under seven criteria and ascribes significance under each criterion. There is no summary statement of significance. The National Heritage Database directs the reader to the Australian Heritage Database Listing for this site, which provides the following summary statement of significance:

'The Sydney Opera House, constructed between 1957 and 1973, is a masterpiece of modern architectural design, engineering and construction technology in Australia. It exhibits the creative genius of its designer, the Danish architect Jørn Utzon and the contributions to its successful completion by the engineering firm Ove Arup and Partners, the building contractors M.R. Hornibrook, and the architects Hall, Todd and Littlemore. It is an exceptional creative and technical achievement in the national history of building design and construction in Australia. Since its completion the Sydney Opera House has attracted world wide acclaim for its distinctive design, enhanced by its prominent location on Bennelong Point within a superb harbour setting. With its soaring white roof shells set above a massive podium, the Sydney Opera House is a monumental urban sculpture, internationally acclaimed as an architectural icon of the twentieth century. Its many national and international awards reflect its pivotal place in the national story of creative and technical achievement in Australia. The challenges involved in executing Utzon's design inspired innovative technical and creative solutions that were groundbreaking in the history of architectural design and building construction in Australia, particularly the roof shells that were based on the geometry of the sphere and demonstrated the extraordinary creative potential of the assembly of prefabricated, repeated components. The interior spaces also reflect the creative genius of Utzon and his successors, Todd, Hall and Littlemore, who completed the building after Utzon's departure from the project in 1966. The Sydney Opera House is the most widely recognised building in Australia, and is cherished as a national icon and world-class performing arts centre. It represents an enduring symbol of modern Sydney and Australia, both nationally and internationally, reflecting changing social attitudes towards Australian cultural life in the decades after World War II. The Sydney Opera House has played a seminal role in the development of Australia's performing arts, enhancing the cultural vitality of the nation. It

⁶ Nomination of natural, mixed and cultural properties to the world heritage list - Sydney Opera House. Decision : 31 COM 8B.31. Decision : 31 COM 8B.31.

continually attracts nationally and internationally acclaimed performers, and is a mecca for visitors from around Australia and overseas. The peninsula on which the Sydney Opera House now stands has a special association with Bennelong, an Aboriginal man who became a prominent and influential figure in the early colony and played a significant role in mediating interactions between Aboriginal people and early settlers.⁷

The listing curtilage is the same as for the World Heritage Listing shown by Figure 16 above.

4.1.1.3 State

The Sydney Opera House is listed on the State Heritage Register under the auspices of the *NSW Heritage Act 1977* (Listing No.: 01685). The Register provides the following statement of significance for the site:

‘The Sydney Opera House is of State significance as a twentieth century architectural masterpiece sited on a prominent peninsular in Sydney Harbour. In association with the Sydney Harbour Bridge it has become an internationally recognised symbol of Sydney and Australia, which is also widely admired by local citizens. Designed for the NSW Government by renowned Danish architect Jørn Utzon between 1957 and 1966, and completed in 1973 by Hall, Todd and Littlemore, the building has exceptional aesthetic significance because of its quality as a monumental sculpture in the round, both day and night, and because of the appropriateness of its design to its picturesque setting. Its public spaces and promenades have a majestic quality, endowed by powerful structural forms and enhanced by vistas to the harbour and the city. An icon of modern architecture, the Sydney Opera House uses the precise technology of the machine age to express organic form. It has scientific and technical significance for the ways in which its construction continually pushed engineering and building technologies to the limit. It also has significance for the extensive associations of the site with many famous people and important themes in Australian history. Abutting the site of the first settlement of Europeans in Australia at Sydney Cove, the Sydney Opera House stands on Bennelong Point, Aboriginal land which was named after a Wangal Aboriginal man and which is of significance in the history of the entanglements and interactions between Aboriginal and non-Aboriginal cultures in Australia. Other historic themes associated with the site include the arrival of the First Fleet in Sydney Cove, scientific investigation, defence, picturesque planning, marine and urban transport and most recently, cultural showcasing. Since its official opening by the Queen in 1973, the Sydney Opera House has been the scene of many notable achievements in the performing arts and has associations with many nationally and internationally renowned artistic performers. The Sydney Opera House provides an outstanding visual, cultural and tourist focal point for Sydney and Australia.’⁸

The listing boundary is the same as the World Heritage and National Heritage Listings illustrated by Figure 16 above.

Protection of the heritage values of the Sydney Opera House is included in Division 3A: Sydney Opera House of the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*. The Opera House is also located within the Foreshores and Waterways Area and the City Foreshore Area defined by this plan. The Opera House is

⁷ *Sydney Opera House*, 2 Circular Quay East, Sydney. National Heritage List Place ID: 105738.

⁸ *Sydney Opera House*, Circular Quay East, Sydney. State Heritage Inventory Database No.: 5054880.

not identified as a heritage item by Schedule 4 of this plan or by the accompanying Heritage Map.

4.1.1. 4 Local

The 'Sydney Opera House, including forecourt, seawall, platforms and interiors', is listed on Schedule 5 Part 1 of the *Sydney Local Environmental Plan 2012 (LEP 2012)*, where it is identified as being of 'world' significance (I1712). The State Heritage Inventory provides the following statement of significance for the site:

'The Sydney Opera House is a national icon of exceptional significance located on Bennelong Point. It is of historical importance for its successful functioning as a performing arts centre of world renown. It is of significance for the extensive associations of the site with various periods in Australian history, including its association with the Aboriginal identity Bennelong. The building is of exceptional aesthetic significance because of its spectacular quality as a sculpture in the round, both day and night, and the appropriateness of its design in relation to its setting, the picturesque quality of the setting, and the way in which its fabric reflects a contemporary philosophy of building creative forms from machine made parts. It is significant for the quality of finishes used throughout the interiors including service areas. It is of exceptional scientific significance for the development of new European construction and tendering techniques.'⁹

The listing curtilage is defined as Lot 5, DP 775888; Lot 4, DP 787933, which is the same as the world, national and state heritage listings defined by Figure 16 above.

The State Heritage Inventory Listing Sheet provides the following management recommendations:

'General: The overall form of the Sydney Opera House should be retained and conserved, and continue as a performing arts complex, in particular as an opera house. The existing conservation plan should be updated as required and used to guide the future use and maintenance of the place. Finishes never intended for painting, such as the exterior ceramic tiles, internal timber, stone finishes and off form concrete should remain unpainted, and continue to be appropriately maintained. Surfaces intended for painting should continue to be painted in appropriate colours. Exterior: All intact and restored fabric on the external facades, such as the exterior ceramic tiles, should be retained and conserved. As the original building is a focus in Circular Quay and the greater Harbour area, the modification of the building exterior should not be contemplated. Any future development should preserve the existing form, external surfaces and materials of the facade. Door and window openings should not be enlarged or closed in. Interior: All significant internal finishes remaining intact in the major public spaces such as timber and stone, should be retained and conserved. The building should be retained and conserved. A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan, should be prepared for the building prior to any major works being undertaken. There shall be no vertical additions to the building and no alterations to the façade of the building other than to reinstate original features. The principal room layout and planning configuration as well as significant internal original features including ceilings, cornices,

⁹ *Sydney Opera House, including forecourt, seawall, platform and interiors*, Circular Quay East, Sydney. State Heritage Inventory Database No.: 2423567.

joinery, flooring and fireplaces should be retained and conserved. Any additions and alterations should be confined to the rear in areas of less significance, should not be visibly prominent and shall be in accordance with the relevant planning controls.¹⁰

4.1.2 Non-Statutory Listings

It is noted that the Sydney Opera House is listed on the following non-statutory heritage registers:

- Register of Modern Movement buildings, sites and landscapes (Documentation and Conservation of Buildings, Sites and Neighbourhoods of the Modern Movement – DOCOMOMO).
- 20th Century Architectural Heritage Repository, International Union of Architects (UIA).
- Register of Significant Twentieth Century Australian Architecture (Australian Institute of Architects).
- Register of Significant Architecture in NSW.
- National Trust of Australia (NSW) Register.
- Register of the National Estate.

4.1.3 Conservation Plan

The principal heritage management document for the Sydney Opera House is the third edition of James Semple Kerr's Conservation Plan for the site (2003). This plan provides the following statement of significance:

'The Sydney Opera House is a dramatic expression of the genius of a then relatively unknown architect, Jørn Utzon (whose subsequent international fame was in part a result of the design of the building), of the high quality completion of the work by Hall, Todd and Littlemore, and of the technical support given throughout by the internationally renowned engineering firm of Ove Arup and Partners and finally by M.R. Hornibrook, the inventive contractor of stages two and three.

The Sydney Opera House is of exceptional significance because of:

- its spectacular quality as sculpture in the round both by day and night;
- its inspired design solution in response to its setting;
- the picturesque quality of the peninsula setting;
- the way in which its fabric reflects the contemporary philosophy of creating refined forms from machine-made components;
- the way in which the plastic arts, geometry and technology were drawn on to create a structure at the leading edge of endeavour;
- the majestic quality of its public spaces contained by powerful structural forms;
- the evidence of its fabric in expressing its place in twentieth century architecture (not excluding the troubled history of its construction);
- the seminal influence of some of its design and construction techniques;
- its function as a performing arts centre of world renown; and
- its almost mythological status as a cultural icon (then and now) arising from all the above, from the high public interest in its protracted and

¹⁰ *Sydney Opera House, including forecourt, seawall, platform and interiors, Circular Quay East, Sydney.* State Heritage Inventory Database No.: 2423567.

controversial development; and from its power to attract artists, patrons and tourists on a national and international level.

This significance is intensified by the extensive associations of the site and its structures, including:

Aboriginal and European contact (Bennelong and his house); scientific investigation (Flinders and Baudin); defence (Phillip's 1788 redoubt to Greenway's Fort Macquarie, 1817–1901); Picturesque planning (Macquarie to Utzon); marine and urban transport (overseas shipping and local ferry wharves, tram terminal and dépôt); popular recreation; and, finally, the nation's most famous cultural icon (The Opera House) and its legions of national and international performers.¹¹

The Conservation Plan recognizes that different parts of the Opera House have different levels of significance. Figure 17 reproduces the assessment of significance given by this plan for the Lower Forecourt/Concourse area.

Lower forecourt (1988)		B
• Concealment of concourse and shops from forecourt level and from West Circular Quay;		b
• unimpeded sheltered access to Opera House in wet weather;		b
• sea wall incorporating wave guard and continuous seating;		b
• paving, steps and walls of solid granite;		b
• sea wall parapet of reconstituted granite;		b
• sea wall footpath of granite setts clear of all impedimenta;		b
• bronze rail system;		b
• bronze framed poster vitrines;		c
• concept of shops, toilets, passage to parking station and escalators to vehicle concourse and East Circular Quay;		c
• floodlight pylon for the west surface of the concert hall and restaurant shells;		d
• group of umbrellas, tables and chairs and stainless steel bollards;		d
• any items (e.g. tables and chairs) on the pedestrian path beside the harbour parapet except in the widened and railed bays;		int
• any items obscuring column bases.		int
See also external lighting and furniture.		

Key:

A	Exceptional significance	<i>e.g. Sydney Opera House Concert Hall; Sydney Opera House Forecourt.</i>
B	Considerable significance	<i>e.g. Sydney Opera House Lower Forecourt;</i>
C	Some significance	<i>e.g. Sydney Opera House Drama Theatre.</i>
D	Little significance	<i>e.g. Sydney Opera House Works Offices.</i>

Threshold for listing

Note: 'int' stands for intrusive.

Figure 17: Levels of Significance for Different Elements of the Lower Concourse (Forecourt) Area.

James Semple Kerr, *Sydney Opera House: A Plan for the Conservation of the Sydney Opera House and its Site*, 2003 (third edition).

¹¹ James Semple Kerr, *op.cit.*, 2003, p. 32

The following rankings are provided under the heading 'Topography' and consider relationships with the surrounding area:

- Unencumbered exposure to the harbour on three sides, permitting views to the Opera House from neighbouring ridges and headlands, particularly Dawes Point, Observatory Hill, Mrs Macquarie's Point, Garden Island, Bradley's Head, Cremorne Point, Kurraba Point, Kirribilli, Milson's Point and McMahon's Point: A.
- Open relationship with the Bennelong ridge, its garden landscape and the sandstone cliff face of the Tarpeian Rock: A
- Vistas, progressively or suddenly enlarging to views, from The Rocks, the northern end of Circular Quay, East Circular Quay, Macquarie Street, the Botanic Gardens and the Harbour: A.¹²

4.2 Heritage Items/Areas within the Vicinity of the Lower Concourse

The potential impacts of the proposed works on heritage items in the vicinity of the Sydney Opera House must also be considered. For the following, 'in the vicinity' has been determined by physical proximity to the area of proposed works; existing and potential view corridors; and the nature of the proposed works.

Heritage items/areas within the vicinity of the area of proposed works are identified in the table below. Figure 18 illustrates their location with respect to the Lower Concourse of the Sydney Opera House.

Note: The proposed area of work is likely to be visible from the upper levels of other items, such as the Former ASN Co. Building, No. 1-5 Hickson Road, and items further removed, such as the Observer Hotel, 69 George Street, not listed on the following table.

¹² James Semple Kerr, *op.cit.*, p.34.

<i>No.</i>	<i>Item</i>	<i>Address</i>	<i>State Listing</i>	<i>Sydney LEP 2012</i>	<i>Comment</i>
1	Steps and Rock Face, the Tarpeian Way	Macquarie Street	Included in the listing for the Royal Botanic Gardens (SHR 01070)	State (I1860)	This item lies to the south of the Sydney Opera House and above it. The existing umbrellas on the Lower Concourse are visible from the top of the Tarpeian Way. The proposed shade structures will be similarly visible. The Lower Concourse area is a minor element within the wider view corridor across Sydney Cove. Refer to Figures 19 and 20.
2	Royal Botanic Gardens	Sydney	SHR No.: 01070.	State (I1652)	To the east and south of the Opera House. The existing umbrellas on the Lower Concourse are only visible from the Gardens when standing at the top of the Tarpeian Way, being the closest part of the Gardens to the area of proposed works. The Lower Concourse area is a minor element within the wider view corridor. Refer to Figures 19 and 20.
3	Cast Iron Railings	Circular Quay East/Sydney Cove	S170 SHFA	Local (I1710)	Note: continues around Sydney Cove. The Lower Concourse forms a minor part of the setting of this item from some viewpoints. Refer to Figure 21.
4	Former Harbour Warden's Post and Public Lavatory	Circular Quay East	S170 SHFA	Local (I1711)	The slight curve in Sydney Cove conceals the existing umbrellas on the Lower Concourse from this item. They do, however, form part of its general setting when seen from the western side of Sydney Cove. Refer to Figures 22 and 23.
5	Circular Quay Railway Station	2 Alfred Street	SHR No.: 01112. S170 RailCorp: No. 109.	State (I1660)	The Lower Concourse is most visible from the far western end of Platform 2, in which it is a minor element in the overall view of Sydney Cove and the

<i>No.</i>	<i>Item</i>	<i>Address</i>	<i>State Listing</i>	<i>Sydney LEP 2012</i>	<i>Comment</i>
6	Cast Iron Railings	Circular Quay	S170 SHFA	Local (I1709)	Refers specifically to the railings between the ferry wharfs, part of No. 3 above. See comments under '3' above. Refer to Figure 26.
7	Circular Quay Wharfs	Alfred Street	S170 Maritime: 4920019	-	The Opera House forms part of the setting of the wharfs. It is, however, frequently obscured by docked ferries. The Lower Concourse is a minor element in these view corridors and within the overall setting. Refer to Figures 24, 25 and 26.
8	First Fleet Park	George Street	S170 SHFA	-	The Lower Concourse a very distant element, part of the overall view of the Opera House, from First Fleet Park. It is not visible in view corridors towards the Park. Refer to Figures 28 and 31.
9	Commissariat Store Foundation Stone	First Fleet Park	S170 SHFA	-	The significance of this item is independent of its setting and view corridors. Figure 28.
10	Museum of Contemporary Art (MCA)	136-140 George Street	S170 SHFA	-	The Lower Concourse is not visible in view corridors towards the MCA. It forms a distant element within the overall view of the Opera House from the MCA. The view is partially screened by the harbourside railings. Refer to Figures 30 and 31.
11	Cadman's Cottage and surrounds	110 George Street	SHR 00981	-	The Lower Concourse is not visible in view corridors towards this item. It forms a distant element within the overall view of the Opera House from this item. The view is interrupted by the harbourside railings, the Overseas Passenger Terminal and umbrellas on this side of the Harbour. Refer to Figure 32 and 33.

<i>No.</i>	<i>Item</i>	<i>Address</i>	<i>State Listing</i>	<i>Sydney LEP 2012</i>	<i>Comment</i>
12	Sailors' Home, Former	106-108 George Street	SHR No.: 01576 S170 SHFA	-	The Lower Concourse is not visible in view corridors towards this item. It forms a distant element within the overall view of the Opera House from this item. The view is interrupted by the harbourside railings, the Overseas Passenger Terminal and umbrellas on this side of the Harbour. Refer to Figure 31 and 32.
13	Campbell's Stores	7-27 Circular Quay West	SHR No: 91736 S170 SHFA	-	The Lower Concourse is not visible in view corridors towards this item. It forms a distant element within the overall view of the Opera House from this item. The view from directly outside the item is interrupted by the harbourside railings. Refer to Figures 31 and 32.
	The Rocks Conservation Area		S170 SHFA	-	Sydney Cove forms the eastern boundary of the Conservation Area. The Lower Concourse is a minor element in views out of the Rocks Conservation Area towards the Opera House. When standing at the Harbour edge, the view is clear. When standing away from the Harbour edge, the railings interrupt the view. Refer to Figures 28 to 37.
14	Sydney Harbour Bridge, approaches and viaduct	Sydney Harbour	SHR No.: 00781 RailCorp s170: SRA59.	State (I1539).	The Lower Concourse forms part of the wider setting of this item; it is a minor element within it. Refer to Figure 36.

Works of the proposed nature will not impact on the individual historic, and/or technical significance of these items or upon their physical curtil however, have the potential to impact upon view corridors to/from these items in their wider setting. Figures 19 to 36 illustrate the above items and the view towards the area of proposed works. These photographs demonstrate that the Lower Concourse Area of the Opera House makes use of these items.



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Figure 21:
Heritage listed railings around Sydney Cove.



Figure 22:
Former Harbour Warden's Post and Public Lavatory. Refer back to the aerial photograph Figure 20 for a illustration of the curve of the Cove that largely conceals the Lower Concourse in view corridors out of this item.



Figure 23:
View from the western side of Sydney Cove showing the above item. Neither items of the Lower Concourse are particularly prominent within the overall view. The Lower Concourse is similarly distant in views from First Fleet Park, behind where this photograph was taken.



Figure 24:
Circular Quay
Railway Station.



Figure 25:
View from the
western end of
Platform 2 towards
the Opera House.
The Lower
Concourse is a minor
element in these
view corridors. It is
not visible from the
eastern end of the
platform. This
photograph also
shows the heritage
listed ferry wharfs.



Figure 26:
Heritage listed
railings around
Sydney Cove.



Figure 27:
View towards the
Opera House and Bar
from the end of the
western most of the
ferry wharfs.



Figure 28:
First Fleet Park.



Figure 29:
Foundation Stone in
First Fleet Park.
SHFA.



Figure 30:
MCA.

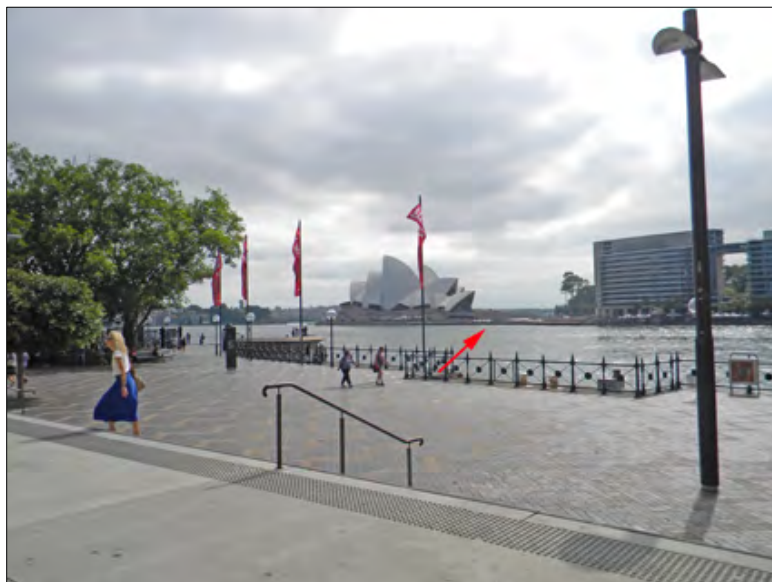


Figure 31:
View from the MCA
towards the Lower
Concourse. This is
the clearest view
available. Further to
the south, the view is
more distant.



Figure 32:
Cadman's Cottage
and the former
Sailors Home.



Figure 33:
View from the above items towards the Lower Concourse. The umbrellas outside the Overseas Passengers Terminal, the Terminal itself and the Harbourside railings.



Figure 34:
Campbell's Stores from Dawes Point. Also showing some of the other heritage items in the Rocks Conservation Area from which the Lower Concourse is likely to be visible from the upper levels.



Figure 35:
The Lower Concourse from Campbell's Stores.



Figure 36:
The Harbour Bridge.

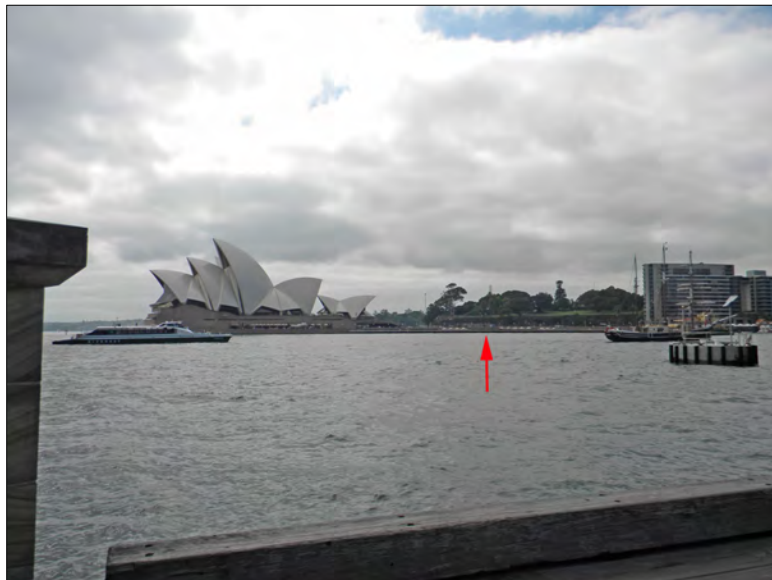


Figure 37:
View from Dawes Point, being an example of one of the clearest views towards the Opera House from The Rocks Conservation Area.

5.0 HERITAGE IMPACT

5.1 Scope of Works

The Lower Concourse is designated as a food and drink precinct within the Sydney Opera House site. The proposed works have been designed to compliment and facilitate this existing use.

It is proposed to remove the existing umbrellas within the outdoor seating areas of the Lower Concourse and to install new fixed shade structures. The intent is to provide better-integrated and improved shade cover and weather protection.

The new structures will have a maximum height of 3340mm. The masts will be fixed through the paving slabs into the reinforced concrete slab below. Each structure will be equipped with lights, heaters and speakers. The light sources will be located beneath the shade structures and will be diffused. The electric radiant heaters and speakers will be similarly located beneath the shade structures. The middle cluster

of shade structures will have clear drop down screens on the western and southern sides to provide greater weather protection and acoustic attenuation.

As noted on the accompanying plans, the shade structure layout is to be concentric and in alignment with the existing granite tiles below. The structures are designed to lie within the base wall of the Forecourt above.

The colour will be neutral.

The following plans, prepared by Humphrey + Edwards, Architects + Interior Designers were provided for comment. The issue date for each plan is 28 January, 2016.

<i>Drawing No.</i>	<i>Title</i>	<i>Revision No.</i>
DA2-001	Shade Cover Improvement- Title Sheet and Drawing List	05
DA2-100	Demolition Plan- Proposed Shard Structure	05
DA2-101	GA Plan- Proposed Shade Structure	05
DA2-105	Proposed RCP	05
DA2-520	Detail Plan of Southern Shade Structure	05
DA2-521	Detailed Plan of Northern Shade Structure	05
DA2-525	Indicative Detail Section through Shade Structure	04

5.2 Method Assessment

This statement has been prepared with an understanding of the *Australia ICOMOS Burra Charter 2013*, including its accompanying 'Practice Notes'. This statement has been prepared with reference to the SEARs for the project issued on 18 December, 2015; to the NSW Heritage Office's (now Division) publications *Assessing Heritage Significance* (2001 update) and *Statements of Heritage Impact* (2002 update); to Commonwealth, State and Council planning documents; and to management plans for the Sydney Opera House listed under Section 1.5 above.

The Key Issues set out in the SEARs for this project to be addressed in this statement are as follows:

2. Heritage

National and World Heritage Matters

- The application must include a heritage impact statement prepared by a qualified heritage consultant which assesses the proposal against the requirements of the following documents:
- *Matters of National Environmental Significance Impact Guidelines 1.1*;
- *Management Plan for the Sydney Opera House*.
- *Conservation Management Plan Sydney Opera House: A Revised Plan for the Conservation of the Sydney Opera House and its Site* (3rd edition); and
- *Utzon Design Principles*.

State Heritage Matters

- Address the impact of the proposal on the heritage significance of any heritage items and/or conservation areas in accordance with the guidelines in the NSW Heritage Manual and relevant Council EPIs.
- Prepare an archaeological assessment (note: not part of the brief for this statement).

3. Urban Design and Visual Impacts

- Detail the proposed materials, colours and finishes of the shade structures and identify whether the proposed shade structures are fixed or retractable.
- Outline the height, bulk and scale of the shade covers and the associated visual impacts.
- Prepare photomontages that illustrate the proposal from key public view points (note: prepared by others).
- Demonstrate design considerations aimed at mitigating any adverse impacts.

5.3 Effect of Work on the Sydney Opera House

5.3.1 Removing Existing Fabric

The umbrellas to be removed are ranked 'D' (little significance) by the Conservation Plan. Their removal will thus have no impact on the heritage significance of the Opera House at a world, national, state or local level.

The umbrellas are a neutral element in the setting of nearby heritage items. Their removal will have no impact on the ability to understand the significance of these items or on their setting.

5.3.2 Impact of the New Works

The effect of works is assessed against the relevant policies of the Conservation Plan (2003 edition). Responses to these policies take into account the requirements of plans and guidelines listed under 5.2 above. Some policies of the Conservation Plan are not relevant to the proposed works and are thus not addressed.

5.3.2.1 Utzon, Hall and the Approach to Change

Utzon recognizes that, as a cultural centre, it is desirable that the Opera House continue to change and respond to the community it serves:

'As the architect of the Sydney Opera House, as the creative force behind its character, I sincerely believe that a large multi-purpose structure such as this building, in time will undergone many natural changes...

As time passes and needs change, it is natural to modify the building to suit the needs of techniques of the day.

The changes, however, should be such that the original character of the building is maintained.'¹³

¹³ *Sydney Opera House Utzon Design Principals*, May 2002, p. 48.

As set out below, the proposed works are minor and will not impact upon the original character of Utzon's building.

The very first policy of the Conservation Plan, Policy 1.1 for the site directs the assessor to Utzon's design principles. This policy reads as follows:

Policy 1.1 All work on the Sydney Opera House should be carried out within the framework of Jørn Utzon's design principles as endorsed in 2002.

With regard to these principles, the following is noted:

- The Building as a Symbol: The proposed works are minor and designed to be visually recessive. They will not impact upon the role of the building as a symbol of Sydney or the Arts.
- The Building as Sculpture: The proposed works will not impact upon the ability to understand the Opera House as a free standing sculpture standing apart from the 'square' buildings that surround it. The proposed shade structures are located below the Forecourt (being the primary means of approach) and have been designed to be recessive elements in views towards the Opera House. They shelter covers have been designed to lie entirely within the base wall of the Forecourt above, in order that views from the Forecourt are unobstructed. The underside of the structures will also lie within this space so that views towards Sydney Cove when beneath the structures will be similarly unobstructed. The proposed shade structures are neutral in design, form and colour. The proposed new shade structures will improve shelter without fundamentally altering the aesthetic experience of approaching the Opera House along the Lower Concourse. They will not impact upon the way in which the white shells of the Opera House mirror the Harbour and sky. There will be no impact on the ascent of the main staircase on the southern side.
- Form and Function: The proposed works maintain the clear visual separation that exists between the base and the shells and a full understanding of their form and function. There will be no impact on the way in which Utzon's 12m high plateau (sic) functions as a gathering place. By improving facilities adjacent to this area, the proposed works support this function.
- Orientation and Movement: The proposed works will have no impact on the way in which the Opera House is orientated towards its harbour setting, the way its entrances address the City or the way in which the grand staircase creates an outdoor auditorium.

The Lower Concourse is a secondary approach for those going to the Opera House for a performance. The primary approach is along the Forecourt. Utzon describes the 'openness' of the main approach as being important. The proposed works are located below the level of this approach and will thus have no impact on its feeling of openness.

The Lower Concourse approach is a later approach, not part of Utzon's original design. It functions not only as a covered approach path to the Opera House, but also as a social gathering place. The proposed shade structures facilitate both uses. They are grouped, with open spaces between and set out from the base of the Forecourt above. They will not create an undesirably 'dark corridor'.

The proposed works will not impact upon the way in which people move through the Opera House or experience its acoustic qualities.

- Counterpoint: The proposed works will not interfere with the important visual contrast that arises from the white shells of the Opera House and the Harbour or the ability to understand the Opera House as a free standing

sculptural form. The shade structures are neutral in colour and lie within the base wall of the Forecourt. The proposed works will not upset the contrast between the solidity of the base podium and the lightness of the shell structure above it. The works are minor and designed to be visually recessive. No new openings will penetrate the podium walls.

- Additive Architectural Elements: There will be no impact the values expressed by this principle, which relate to the geometry of the structure.
- Additive Architecture Pre-Fabrication: The proposed works will have no impact on the values expressed by this principle, which relate to prefabrication and modulation.

Additive Architecture Geometry: The proposed works will not impact upon the way in which the building is geometrically organised, aiding design and pre-fabrication. The layout of the building is not altered.
- Structural Expression: No aspect of the sculptural forms achieved in the structure of the podium or shells will be concealed. None of the material surfaces or finishes specifically noted by Utzon will be impacted upon.
- Colour: The proposed shade structures will be visually neutral in colour, allowing the qualities noted by Utzon to remain dominant. There will be no impact upon the counterpoint between the lightness of the main hall and the darkness of the theatre. The proposed shade structures are not white- according to Utzon, only the sails should be white- but a colour, similar to the existing, that will recede into the base wall of the Forecourt behind.
- Light: Utzon's principal firstly relates to the way in which the sails catch the sun or the use of artificial light to extenuate form. The proposed works will have no impact on this character.

Utzon acknowledges that task specific lighting is required. The proposed lighting will be located beneath the shading structures. Mounting locations are identified as the structural columns and framing elements of the shading structures. They will thus not be attached to significant fabric. The openings of the lights will face the shade structures thereby preventing glare and uncontrolled light spill. It will not unduly draw the eye to this part of the Concourse and away from the main sculptural elements of the Opera House.
- Acoustics: the internal acoustic principles outlined by Utzon are not relevant to this proposal. It is noted that the proposed drop down acoustic screens on the middle group of shelters will be clear, thereby minimising their visual impact. Blurring views into the undercroft area will have no impact, as the elements beneath the undercroft are not intended to be visible in views towards it from the wider public domain.

Policy 1.2 The following fabric and attributes are essential to Utzon's concept for the Sydney Opera House and should be retained in any future development:

- a. the relationship between the three shell groups and the platform below;*
- b. the shell geometry and the ceramic tile cladding;*
- c. the canted alignments of the major shell groups;*
- d. the supporting structural systems throughout the building;*
- e. the visually free standing sculptural form of the building unobstructed by adjacent erections;*
- f. the open and uncluttered character of the forecourt and grand stair by which the raised podium is gained;*
- g. the visual relationship with the harbour setting from the podium – including the foyers surrounding the auditoria;*
- h. the retention of a 'natural' palette of materials for external fabric.*

The proposed works will:

- Not alter the relationship between the shell group and platform below. The proposed works do not involve changes to significant forms and fabric. They are minor, located below the Forecourt and have been designed to be as visually recessive as possible against the concourse wall. The view from the Forecourt to the Harbour and the Opera House will not be impeded. The platform will continue to read as a solid base to the sculptural forms of the shells above. The Opera House will continue to read as a free-standing sculptural element.
- Not impact upon the ability to understand or appreciate the shell geometry, cladding or canted alignment.
- Not impact upon the ability to understand and appreciate the structural systems of the building.
- Not clutter the grand stair or principal approach to the Opera House, which is along the Forecourt. The proposed shade structures have a flattish profile that sits at the height of the lip of the wall. They will not obscure view corridors from the Forecourt or attract undue attention within them.
- Not diminish the appreciation or relationship of the building within its harbour setting. The shade structures facilitate interaction with the building's harbour setting by creating shelter. As outlined above and below, they have been designed to be visually unobtrusive.
- Complement the natural palette of external materials.

5.3.2.2 Setting

Views and Vistas

Policy 2.2 The Sydney Opera House Trust should ensure that no erection in the area under its control interferes with any view or vista to or from the Opera House.

The proposed works will not block any significant view towards the Opera House or out of it because they are located on the Lower Concourse, which is set below the main approaches to the Opera House (from the Forecourt) and below its podium.

The proposed structures will be visible within view corridors towards the Opera House from the opposite side of Sydney Cove and on approach along the promenade along Sydney Cove. They will be visible from the water from Sydney Cove. The impact is acceptable for the following reasons:

- The structures have been carefully designed to be visually unobtrusive. They are simple in form, low pitched and equal in height to the base of the Forecourt above. They are neutral in colour so that they recede as much as possible. They will not compete with the sculptural forms and white shells of the Opera House or interrupt the counterpoint between the solidity of the base and the lightness of the shell structures. Views to, from and along the Forecourt are retained.
- The underside of the structures are lifted above the ceiling of the undercroft. Views across the Lower Concourse towards Sydney Cove are thus retained. Where the acoustic flaps blur the view into the undercroft area, the impact is not significant. The elements beneath the undercroft are not designed to be visible from wider views within the public domain.
- Lighting will be kept to a minimum, will be well controlled and is

concealed beneath the shade structures, as are speakers.

Open and Uncluttered Setting

Policy 3.3 Objects should only be permitted on the forecourt, lower forecourt sea wall path, broadwalk, podium deck and steps, if they do not interrupt or intrude upon the open and uncluttered character of the place, or if they are absolutely necessary for the safety of visitors.

The proposed structures will 'de-clutter' the Lower Concourse by replacing groups of 6/7 umbrellas with 3/4 larger structures. View corridors within the undercroft and towards the Harbour are improved by raising the height of the underside of the structures. Visual clutter is also reduced in view corridors towards the Lower Concourse by replacing the multiple peaks of the existing umbrella structures with shade covers of a flatter, lower, profile.

5.3.2.3 Exterior

Exterior Form

Policy 6.1 The Opera House should retain unchanged its external form of roof shells, glass wall concept, podium and podium steps, forecourt and broadwalk.

The proposed works will not result in change to these elements/characteristics.

Policy 6.2 Proposals that obscure the original exterior form of the Opera House are unacceptable.

The proposed works will not obscure the original exterior form of the Opera House. They are located on the Lower Concourse and as outlined above, will not block existing views towards the Opera House on approach.

The Forecourt and Lower Forecourt (Lower Concourse)

Policy 15.1 The fan pattern granite setts or cobbles and the high quality solid granite strips and paving on the forecourt and lower forecourt should be retained and conserved.

This finish is preserved, with the exception of cutting holes to fix the shade structure masts. This work is required to securely fix the structures. The impact on the fabric (which, while dating from 1988 is ranked 'B') is acceptable because the holes are small compared to the entire surface area and will be visually unobtrusive. The Concourse, while considered significant by the Conservation Plan, is not part of the original building. Should the structures be removed at a later date, the holes can be repaired.

Exterior Furniture

There are no formal policies under this subheading. There are, however, the following observations:

Furniture on the surrounds of the Opera House should:

- *be strictly controlled in accordance with policies 3.2 to 3.5 to prevent the proliferation of items and retain the uncluttered aspect of the open areas;*
- *be located away from key visual features. For example, furniture should not be placed at the bases of the pedestals from which the shell ribs spring, nor should items obscure the bases of the lower forecourt columns;*
- *be made of materials that will not result in damage to, or disfigurement of, the fabric*

-
- on which the item sits.*
- *avoid excessive brightness and harsh tonal and colour contrasts with adjacent fabric. White umbrellas, tables and seating are, for example, highly obtrusive in a reconstituted granite setting and in direct competition with the tiled shells.*

The proposed new shade structures will not increase visual clutter or obscure the base of the Lower Concourse columns. They are low-pitched, well-designed structures, set within the base wall of the Forecourt above. The proposed colours and finishes are neutral and will not compete with the tiled shells above. The reasons for drilling holes into the granite floor are discussed above.

5.3.2.4 Sequence and Access

Design Sequence of Interior Public Spaces

Policy 17.1 Both original arrival sequences with their different and changing experiences should be retained:

- *forecourt, grand staircase, podium, box office foyer, and auditoria foyers;*
- *vehicle concourse, stairways, box office foyers and auditoria foyers.*

The proposed works will have no impact on the original arrival sequence detailed in the Conservation Plan.

5.3.2.5 Lighting

There are no policies in this section that relate to lighting in the Lower Concourse area. Utzon acknowledges that task specific lighting is required. The proposed lighting will be located beneath the shading structures. Mounting locations are identified as the structural columns and framing elements of the shading structures. They will thus not be attached to significant fabric. The openings of the lights will face the shade structures thereby preventing glare and uncontrolled light spill. It will not unduly draw the eye to this part of the Concourse and away from the main sculptural elements of the Opera House.

5.3.2.6 Care of the Fabric

Policy 38.1 Any proposal to remove or alter original and/or significant fabric should:

- *have regard to the level of significance of the fabric and to the impact on the character and quality of the place affected;*
- *be checked to ensure that there is no feasible alternative;*
- *only be considered in the context of an overall plan.*

The only significant fabric to be altered by the proposed works is the granite paving, in which holes will be drilled to anchor each structure. The paving is ranked 'B' (considerable significance) by the Conservation Plan. This is the only way to safely and securely anchor the structures. The impact is acceptable because the holes are small compared to the entire surface area and will be visually unobtrusive. The Concourse, while significant, is not part of the original building.

5.3.2.7 Managing the Process of Change

Policy 49.1 The Sydney Opera House should continue its primary use as a performing arts centre and its importance as a tourist attraction should be recognised. The building and its setting should not be altered to accommodate uses that will vitiate its significance and character. The approach should be

sufficiently flexible to permit the delivery of a high level of performance and provision of services.

The proposed works improve services in a way that does not diminish the building's significance and character.

Compatibility

Policy 50.1 Uses are unacceptable if they require alterations, additions and facilities that:

- *vitiate the original concept of the designers of those elements of the place that are assessed as being of exceptional significance;*
- *degrade the character and quality of fabric, spaces and relationships;*
- *are likely to cause excessive wear and tear, or disfigurement, to significant fabric.*

The Lower Concourse was designed in 1988 as a retail space as well as a covered accessway to the Opera House. The proposed works support this use. As set out above, the proposed works will not degrade the character or quality of fabric, spaces and relationships.

5.3.3 Summary of Impacts

Relating the above back to the statements of significance provided in Section 4.0 of this statement, the following conclusions are drawn. The proposed works will:

- Improve shelter along the Lower Concourse, which in turn provides improved access to the Opera House and promotes activities that enhance enjoyment and appreciation of the site and its harbour setting. The way in which the Lower Concourse provides 'unimpeded sheltered access' to the Opera House in wet weather is ranked as 'B' by the Conservation Plan. The proposed works support this aspect of significance.
- Have no impact on the ability to understand the Sydney Opera House as a masterpiece of twentieth century architecture that incorporates unique and innovative design, engineering and technology. These values largely reside in the podium, shells, original interiors, original forecourts/approaches and ability to understand how the building interacts with its Harbour setting. The proposed works are minor, not located within an original space and are designed to be visually subservient to the original building when visible within views towards it.
- The proposed works will not impact upon the overall way in which the Opera House reads within its Harbour setting. The Opera House will continue to read as a free-standing sculptural form. The Lower Concourse sits below the main podium and was designed to be visually subservient to it. The proposed shade structures have been carefully designed to minimise their visual impact. The shelter covers are set entirely within the base wall of the Forecourt above.
- The proposed structures will 'de clutter' the Lower Concourse by replacing groups of 6/7 umbrellas, each with a peaked roof and an individual shaft with 3/4 larger structures with lower, flatter roof profiles and no shafts.
- View corridors within the undercroft of the Lower Concourse and towards the Harbour are improved by raising the height of the underside of the structures and removing the individual umbrella shafts.
- The distinctive form of the Opera House, as comprising solid rock faced podium contrasting with the sculptural forms of the white tiled shells, will not be impacted upon. Views to and from the Harbour from all vantage points within the Opera House precinct are retained.

- Lighting, heaters and speakers are concealed beneath the proposed shade structures. Light spill across the Lower Concourse is thus managed and will not interfere with the flood lighting of the podium and shells above.
- The proposed works will not impact upon the ability to understand the site's association with significant people and events.
- Visual relationships with nearby heritage items are retained.

5.4 Effect of Work on Heritage Items/Conservation Areas in the Vicinity

The proposed works are not of a scale, magnitude or location with respect to the items identified in Section 4.2 above such that they will impact on the ability to understand their individual historic, technological, social and/or aesthetic significances.

The proposed works will have not block view corridors towards any of the heritage items identified in Section 4.2 above.

The proposed works will not block corridors from any of the heritage items identified in Section 4.2 above.

The proposed works will be visible in view corridors towards or from many of the items identified in Section 4.2 above and will form part of their wider setting. The impact is minimal and acceptable for the following reasons:

- The proposed works are minor and, as outlined above, have been carefully designed to be visually recessive. The podium and shells will continue to be the dominant elements of the Opera House in view corridors from these items and within their general settings. The Opera House will continue to read from these items as a monumental, free-standing, sculptural form.
- Light spill is well managed.

6.0 CONCLUSION

This heritage impact statement has considered the likely impacts of proposed new shelters on the Lower Concourse of the Sydney Opera House on the significance of the site and on nearby heritage items/conservation areas. The proposed works will considerably improve amenity not only for people attending performances within the Opera House but also for people enjoying its unique location. The proposed works support one of the most important functions of the Lower Concourse: to provide sheltered access in wet weather, a characteristic of the Lower Concourse ranked 'B' by the Conservation Plan.

The proposed works are consistent with the Conservation Plan for the Site, the Management Plan for the site and Utzon's design principles. The impact is minimal and acceptable because the shelters have been carefully designed to be recessive against the granite podium of the Opera House and the original, principal, approaches to the Opera House. The shelters are designed to lie below the height of the Forecourt, within the base wall. Significant view corridors to and from the Opera House are thus retained. The underside of the shelters is raised into the same zone, thereby maintaining views along and out of the Lower Concourse. The primacy of, and relationship between, the solid granite podium below and the tiled white shells above, is retained. There will be no impact on the ability to understand the building's architectural and technological significance and no impact upon the way in which it reads as a free standing sculptural element within its harbour setting.

The proposed works will not block view corridors to/from nearby heritage items/conservation areas and will have no impact on the character of the setting of nearby heritage items/conservation areas because they are minor and visually recessive. The Opera House will continue to read as an outstanding sculptural element within the general setting of these items/areas.

Under the *EPBC Act 1999*, works to a World Heritage Site or site listed on the National Heritage List will require approval from the minister if the action has, will have, or is likely to have, a significant impact on a matter of national environmental significance. A significant impact is defined by the *Matters of National Environmental Significance Significant Impact Guidelines 1:1* as:

‘A ‘significant impact’ is an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts. You should consider all of these factors when determining whether an action is likely to have a significant impact on matters of national environmental significance.’

The proposed works are minor and do not give rise to a significant impact as it is defined by the *Matters of National Environmental Significance Significant Impact Guidelines 1:1*. It is considered that works do not require a separate approval under this Act. This Act does, however, require that the likely impacts be assessed. This statement fulfils this requirement.

Although a SSD approval means that separate approval is not required under the *Heritage Act 1977* (*Environmental Planning and Assessment Act 1979*, s. 89J), the Management Plan for Sydney Opera House requires that Section 60 Approval be obtained.