



CFe/GK
16043
19 December 2016

Ms Carolyn McNally
Secretary
Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Attention: Cameron Sargent

Dear Ms McNally

**TEMPORARY EXPERIENTIAL ACCOMMODATION, SYDNEY OPERA HOUSE (SSD 7549)
SYDNEY OPERA HOUSE**

This Response to Submissions (RTS) letter has been prepared on behalf of the Sydney Opera House Trust, in relation to the State Significant Development Application SSD 7549, being an application for temporary experiential accommodation within the Sydney Opera House.

The applicant has provided a response to the Department's request for additional information and clarification in **Table 1** below. **Table 2** provides the applicant's response to each of the submissions made to the application. **Table 3** provides the applicant's response to the conditions of consent proposed by the City of Sydney and **Table 4** provides the applicant's response to the conditions proposed by the Heritage Council. The RTS is accompanied by an additional response to the Heritage Council submission (Artefact) (**Appendix A**).

Should you have any queries about this matter, please do not hesitate to contact me on (02) 9956 6962 or cferreira@jbaurban.com.au.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Chris Ferreira'.

Chris Ferreira
Senior Planner



Table 1 – Applicant’s response to Department’s request for additional information

Issue	Requirement	Response
Building use	<i>The RTS should address the issues raised by the Office of Environment and Heritage (Heritage Division) and include additional information justifying in detail the proposed use of the site for temporary experiential accommodation having consideration of all relevant policies identified in the Sydney Opera House (SOH) Conservation Management Plan (third edition).</i>	Refer to commentary made by Artefact in their letter dated 7 December 2016 (Appendix A), which concludes that the use of non-performance spaces for temporary / experiential accommodation does not detract from the primary function of the Opera House and is in keeping with the policies of the Conservation Management Plan (3rd Edition).
Scope of works / heritage impacts	<i>The RTS shall provide details of all building works (including fire safety and accessibility works) that are required to facilitate the use of the building for temporary experiential accommodation. The RTS shall assess the potential impact of these works on significant fabric of the SOH and outline all mitigation and management measures to avoid and/or minimise these impacts.</i>	Fire Safety SOH, in consultation with the Crown Certifier (Group DLA) and the Fire Engineer (Arup Fire) can confirm that there will be no fire safety imposed construction works order for the Crown Certificate to be issued. The requirements that may be placed upon the Opera House will be managerial overlays, such as mandating for a number of staff to be present, but not items that will affect historical building fabric. Therefore, the RtS does not outline any potential impacts on the significant fabric and no mitigation / management measures are required or proposed. Access All spaces proposed for temporary experiential accommodation, except certain levels of the Northern Foyers, are accessible, including by people in wheelchairs. As detailed in Appendix D of the EIS, compliance with the Disability Standards 2010 will be achieved. For the Northern Foyers, this may require hiring specialist equipment, e.g. a stair climber lift. However, this will not involve building works and will not impact on significant fabric. The Opera House provides accessible access and facilities as comprehensively described in Appendix 5 of the Special Event Management Plan.
Traffic and access	<i>The RTS should include an assessment of the potential traffic and access (traffic and patron) impacts of the proposed development. The RTS should include details of potential traffic impacts on the surrounding road network and existing and proposed access arrangements.</i>	Traffic The Sydney Opera House is a major performing arts venue with a 43 year history of staging both major and community events. Each year, it hosts 8.2 million visitors to the site and stages over 2000 events and performances for 1.5 million people. In addition to this, the Opera House precinct is a destination for dining experiences. The Opera House site, and operational and management plans, can facilitate between 15,000 and 17,000 people on site at any one time

Issue	Requirement	Response
		In the operation of all of these events the Opera House promotes public transport as the means of travel to the events and provides only limited parking on site for people with accessibility needs. The largest element of this proposal involves participation by 100 people and would have negligible traffic impacts on the road network and access arrangements to the site. In addition, participants would be encouraged to utilise public transport hubs, which are in close proximity to the site. The Sydney Opera House car park, operated by Wilson, also facilitates up to 1,200 car spaces.
Noise	<i>The RTS should include an assessment of the potential noise impacts of the proposed development both internally (i.e. on other performance areas within the SOH) and externally on nearby sensitive receivers. The RTS should include details of any proposed noise management and mitigations measures.</i>	The Opera House would like to clarify that this proposal seeks consent for use, rather than any construction. It should be noted that the proposed temporary use is for temporary accommodation which is not anticipated to result in noise impacts during normal sleeping hours. The Opera House is one of the busiest performing arts centres in the country with an ability to undertake events and performing arts functions in the spaces described in the EIS. All spaces (Utzon Room, Board Room, Northern & Southern Foyers) are all performance and function areas, which are covered by the current Opera House Plan of Management. In the case of the Utzon Room and the Board Room, these spaces are physically and acoustically separated from the rest of the internal venues. The Northern and Southern foyer venues are acoustically isolated from the major performance venues of the Concert Hall and the Joan Sutherland Theatre. To further prevent interruption, the use of the Northern and Southern foyer spaces are programmed by SOH management to ensure that these spaces would not be used during major performances in either venue. Regarding external nearby sensitive receivers (i.e. the Bennelong Apartments and the Kirribilli Residences) there would be negligible or no impact from the internal spaces to the external areas of the precinct, let alone the nearby sensitive receivers. These internal spaces are acoustically isolated from the outdoor environment and the proposed temporary use does not look to alter this arrangement. The proposal relates to the use of these current performance spaces and therefore the proposed temporary use could be undertaken concurrently and as part of business as usual operations within the Sydney Opera House.
Additional request from DPE	<i>The Heritage Impact Statement supporting the application (Section 4.3.2) states:</i> <i>"This use would be acceptable on a heritage level on the grounds that:</i>	Please refer to Artefact response dated 5 December 2016 in Appendix A which states: <i>"The final location and number of events proposed does not greatly differ from the proposal assessed by Artefact in the July 2015 report and would not create a greater heritage impact provided all management measures are implemented for each event. The proposed use of certain rooms within</i>

Issue	Requirement	Response
	<i>The use would be temporary with overnight or two nights' stays only and limit to one to three events per year, conserving the primary use of the SOH as a theatre and concert hall; and</i> <i>The proposed accommodation would be essentially located within boardrooms, offices and foyers where the use is not performance-related and less significant for the place. It is understood that performance spaces, such as the Northern Foyers may be used for the bigger events which would occur once yearly".</i> <i>This first point does not appear to align with the subject application noting approval is sought for up to six events per year.</i> <i>Can you please add this issue for clarification in the response to submissions report.</i>	<i>SOH would not result in an impact on the significance of the site due to the temporary nature of the proposed events and the proposed limitations on the number of events and participants. The proposal is an incentive to promote the heritage values of SOH and encourage people to appreciate these values during a short-term accommodation event. The primary function of SOH as an iconic performance venue would not be impacted."</i>
	A further request from the Department was received, requiring information on the 'construction hours' of the project. If these are proposed to be non-standard then these will need to be addressed as part of an acoustic justification.	The proposed works do not seek approval for any form of construction and therefore, no construction hours, as there are no physical works associated with the proposal. As described in response to the City of Sydney submission regarding 'bumping in and out', proposed works associated with the installation of furniture and furnishings can be accommodated within the building envelope and are acoustically isolated from external noise receivers. Traffic associated with these works would be negligible and can be accommodated with access provided via the underground loading dock. The proposed 'works' are minor and would not differ in scale or scope from any other activities managed by SOH on a daily basis, which also fall under the Plan of Management for the Sydney Opera House.

Table 2 – Response to submissions

Submission	Key issues	Response
1. Heritage Council of NSW	... <i>Tourist based overnight accommodation was not envisaged by the original design. It detracts from the primary function of the Opera House and it is noted that overnight accommodation for patrons is readily available at nearby hotels. However, due to the limited occasions the overnight accommodation events will be held, and the maximum two night duration of the events, it may be acceptable provided conditions of consent are put in place to limit any impacts to significance of the SOH.</i> <i>Therefore, if the proposal as described in the EIS is approved, it is recommended that the events should be limited to six only. On the completion of these proposed events, a review can be conducted to assess any impacts of the proposal to the significant heritage values of the SOH. This will allow any unintended/ unforeseen impacts to be identified and addressed in the future.</i> ...	The Sydney Opera House is willing to accept the provision of a condition of approval which requires a review with the Office of Environment and Heritage and the Department of Planning and Environment after 6 events but does not want to limit the consent to 6 only. The Opera House would welcome a clause that requires the implementation of recommendations as a result of the review however the Opera House is looking for some certainty that the proposed use could be undertaken on an ongoing basis (with the limit to the number of events per year as described in the EIS). The Opera House requests the original provision of: ▪ Event A - 5 events per year ▪ Event B - 1 event per year Furthermore, please refer to the Artefact response on the 5 December 2016 (Appendix A), which concludes: "Artefact is confident that 6 experimental accommodation events per year as described above would be an appropriate maximum number to ensure that SOH retains its primary function as a world renown performance venue."
2. Transport for NSW (TfNSW)	<i>TfNSW advises that it has no issues with the proposed temporary experiential accommodation within the Sydney Opera House.</i>	Noted.
3. Environment Protection Authority	<i>The EPA understands that the entire activity will be undertaken wholly within the confines of existing buildings comprising the Opera House complex. The EPA further understands that the Sydney Opera House Trust proposes to adopt Ecologically Sustainable Development principles in undertaking the project. Accordingly, the EPA has no comment concerning the proposed development.</i>	Noted.
4. Roads and Maritime Services	<i>Roads and Maritime has reviewed the submitted application and raises no objection to the temporary conversion and use of six areas inside the Sydney Opera House for experiential accommodation.</i>	Noted.
5. Lara Milson	<i>What about terrorism? I don't feel comfortable about this. I have previously donated to Sydney Opera House but will not be doing so anymore. I personally feel they have lost the plot.</i>	The safety and security of patrons, visitors and staff is the Opera House's number one priority, who work closely with NSW Police and relevant authorities to ensure appropriate measures are in place.
6. Frances Thompson	<i>I am opposed strongly to this proposal. If used in this way, the opera house becomes a form of couch surfing, with dozy risers wandering around, dishevelled. It demeans the building and I am amazed it would even be considered.</i>	The aim of these limited events would be to provide a unique opportunity for the community to experience the Opera House in new and innovative ways, encouraging people to visit more often and engage more deeply with Australia's most famous building and world renowned cultural centre.

Submission	Key issues	Response
	<i>No matter how the proposal is massaged to give the impression of being controlled and managed, it would be disastrous. Thankyou for allowing me to comment.</i>	The Opera House hopes to join other cultural institutions and performing arts centres – including Arts Centre Melbourne, Taronga Zoo, the Australian Museum and the Museum of Applied Arts and Sciences (Powerhouse) – in offering an overnight experience. Limitations on the events are proposed, including the number of events per year, number of consecutive nights and number of people per room or space. The proposal does not involve any permanent features or alterations to the building fabric.
7. Trish Burt	Submission in relation to SOH's partnership with Airbnb. Final comments provided only: <i>I do not believe this Submission by the Sydney Opera House Trust to host 'sleepovers' is about Temporary Experiential Accommodation. I am firmly of the belief that this is bold and brazen marketing, pure and simple.</i>	The aim of these limited events would be to provide a unique opportunity for the community to experience the Opera House in new and innovative ways, encouraging people to visit more often and engage more deeply with Australia's most famous building and world renowned cultural centre. The Opera House hopes to join other cultural institutions and performing arts centres – including Arts Centre Melbourne, Taronga Zoo, the Australian Museum and the Museum of Applied Arts and Sciences (Powerhouse) – in offering an overnight experience.

In addition to the above, the applicant has prepared in **Table 3** below a response to the recommended Conditions of Consent proposed by the City of Sydney Council in their submission.

Table 3 – Applicant's response to City of Sydney Council's proposed Conditions of Consent

Condition	COS Proposed wording	Applicant's response
(1) Acoustic Design	<i>(a) The proposed alterations must not affect the existing acoustic integrity of the building in relation to the control of noise emissions from the premises</i>	Noted, the proposal does not make any reference to works that would need to be undertaken that would impact on the acoustic integrity of the building.
	<i>(b) No additional equipment may be installed or changes made to the acoustic design unless certified by a suitably qualified acoustic consultant* that the equipment will not increase noise emissions from building.</i> <i>Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.</i>	Noted, the proposal does not make any reference to works that would need to be undertaken that would impact on the acoustic integrity of the building.
(2) Noise – General	<i>(a) The emission of noise associated with the use of the premises including the cumulative operation of any mechanical plant and equipment, and air conditioning shall comply with the following:</i> <i>(i) The LAeq, 15 minute noise level emitted from the use must not exceed the project specific noise level for that receiver as determined in accordance with the NSW EPA Industrial Noise Policy. Noise must be measured in accordance with</i>	It is noted that the proposed temporary accommodation, by its very nature, is not anticipated to generate noise which requires any additional attenuation measures or conditions, other than those already in place for the Sydney Opera House. The proposed temporary accommodation is not 'new development' per se, but rather seeks an alternative, temporary use of existing rooms in the Opera House at a maximum of 6 nights per annum. Accordingly, the conditions recommended by the City of Sydney, which are standard conditions

Condition	COS Proposed wording	Applicant's response
	<i>the Industrial Noise Policy and relevant requirements of Australian Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise.</i> <i>(ii) Project specific noise levels shall be determined by establishing the existing environmental noise levels, in complete accordance with the assessment LA90, 15 minute / rating LA90, 15 minute process to be in accordance with the requirements for noise monitoring listed in the NSW EPA Industrial Noise Policy and relevant requirements of Australian Standard AS1055-1997 Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise.</i> <i>(iii) Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable.</i> <i>(b) An LAeq,15 minute noise level emitted from the use must not exceed the LA90, 15 minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any habitable room of any affected residence or noise sensitive commercial premises provided that;</i> <i>(i) Where the LA90, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead.</i> <i>(ii) The LAeq,15 minute noise level and the LA90, 15 minute noise level shall both be measured with all external doors and windows of the affected residence closed;</i> <i>(iii) The relevant background noise level (LA90, 15 minute) is taken to mean the day, evening or night rating background noise level determined in complete accordance with the methodology outlined in the NSW EPA Industrial Noise Policy and Australian Standard AS1055.1997 Acoustics – Description and measurement of environmental noise.</i> <i>(iv) Background noise shall be established in the absence of all noise emitted from the use but with the ventilation equipment normally servicing the affected residence operating. Background noise measurements are to be representative of the environmental noise levels at the affected location.</i> <i>(v) Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable. Internal Noise measurements are not to be corrected for duration.</i>	recommended for new development, are not considered warranted or required given the nature of the proposal and the negligible noise impacts of the proposal. The proposed use of the spaces do not require additional services (i.e. air conditioning) or amenity design for these spaces. The operational patron numbers for the spaces are; a) Utzon Room- designed for 200-270 patrons - proposed to have maximum 5 occupants in this proposal. b) Board Room - designed for 15 patrons - proposed to have maximum 5 occupants in this proposal. c) Concert Hall Northern Foyer - designed for 1000 patrons - proposed to have maximum 100 occupants in this proposal. d) Concert Hall Southern Foyer - designed for 400 patrons - proposed to have maximum 100 occupants in this proposal. e) Joan Sutherland Theatre Northern Foyer - designed for 650 patrons - proposed to have maximum 100 occupants in this proposal. f) Joan Sutherland Theatre Southern Foyer - designed for 250 patrons - proposed to have maximum 100 occupants in this proposal. Therefore, the amenities and servicing of these spaces would not require additional mechanical equipment and will have no additional impact from the proposal. The existing conditions placed on the Opera House for the Plan of Management for the site should be considered adequate in this instance.
(3) Compliance with Building	<i>The proposed work must comply with the Building Code of Australia (BCA).</i>	Noted. As per Appendix D of the EIS submitted these works will be delivered in accordance with the BCA requirements.

Condition	COS Proposed wording	Applicant's response
Code of Australia		
(4) Loading and unloading	<i>The following requirements apply:</i>	Noted, as per the description of the works provided in the EIS there are no foreseen items that would not be able to be 'bumped in or out' from the Sydney Opera House site.
	<i>(a) All loading and unloading associated with 'bump in' 'bump out' activity must be accommodated on site."</i>	
	<i>(b) If, during 'bump in' or 'bump out', it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.</i>	
	<i>(c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.</i>	
(5) Waste and recycling management	<i>(f) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 must be obtained.</i>	The Opera House has the ability to bring vehicles off the road network via the underground loading dock or over the forecourt. These appear to be generic City of Sydney conditions that are not applicable to this proposal or the Opera House.
	<i>(a) The Waste Management Plan accompanying this Development Application has not been approved by this consent.</i>	
	<i>(b) A Waste Management Plan is to be approved by the Certifying Authority prior to a Construction Certificate being issued. The plan must comply with the Council's Policy for Waste Minimisation in New Developments 2005. All requirements of the approved Building Waste Management Plan must be implemented during construction of the development.</i>	
	Upon Completion of Development <i>(c) Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifying Authority must ensure that waste handling works have been completed in accordance with: the Waste Management Plan; other relevant development consent conditions; and Council's Policy for Waste Minimisation in New Developments 2005.</i>	
(6) Annual Fire Safety	<i>An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial</i>	The Sydney Opera House already has a process in place whereby the Annual Fire Safety Certificate is issued to Council and the NSW Fire Brigade.

Condition	COS Proposed wording	Applicant's response
Statement Form	<i>Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier.</i>	The Annual Fire Safety Statement (AFSS) form is published in the SOH Annual report which is updated in accordance with the Environmental Planning and Assessment Regulation 2000 – Division 5, Clause 175 and 178. Each year the incumbent maintenance contractors at the Opera House certify their respective fire safety measures and the Director of Building at the Opera House certifies that the essential fire safety measures have been assessed and are deemed suitable by a suitably qualified person. The statement is then issued publicly and displayed adjacent to the Stage Door of the Opera House. Therefore, it is deemed that the Opera House is already compliant with this clause and there is no requirement for this condition.
(7) Structural Certification for Design – BCA (All Building Classes)	<i>Prior to the issue of a Construction Certificate, structural details and a Structural Certificate for Design by a qualified practising structural engineer and in accordance with Clause A2.2(a)(iii) of the Building Code of Australia (applicable to class 2-9 building) and Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of Council (where Council is the Certifying Authority).</i>	These works were submitted under a Crown Building Certificate (refer to Appendix D) and therefore the reference to a Construction Certificate is not correct and not warranted as the works will not be submitted to Council as they are not the certifying authority. Advice from our Crown Certifier details that this is not required as the structural elements of the fabric are not proposed to be affected by this proposal.
(8) Access and facilities for persons with disabilities	<i>The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. If, in complying with this condition, amendments to the development are required, the design changes must be submitted to and approved by Council prior to a Construction Certificate being issued.</i>	These works were submitted under a Crown Building Certificate (refer to Appendix D) and therefore the reference to a Construction Certificate is not correct and not warranted as the works will not be submitted to Council as they are not the certifying authority. As per the Capability Statement provided by Group DLA these works will be undertaken in accordance with the BCA and in accordance with the Disability (Access to Premises – Buildings) Standards 2010.
(9) General heritage	<i>The proposed works are to be carried out in a manner that results in no demolition, alterations or new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.</i>	Noted, no penetrations or fixings proposed.
(10) Plan of Management	<i>The use must always be operated / managed in accordance with the Plan of Management, prepared by the Sydney Opera House dated 22 August 2016 that has been approved by the Department of Planning. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.</i>	Noted. The proposed use will be managed generally in accordance with the Plan however refinements may be made.

In addition to the above, the applicant has prepared in **Table 4** below a response to the Conditions of Consent proposed by the Heritage Council of NSW in their submission.

Table 4 – Applicant's response to Heritage Council of NSW's proposed Conditions of Consent

Condition	Heritage Council Proposed wording	Applicant's response
1. Site protection and works	<i>a) Significant building fabric, fixed fittings and elements identified as being at risk of damage are to be protected for the duration of the event from potential damage.</i>	Noted.
	<i>b) The proposed works shall ensure temporary furnishings and fittings are not fixed to existing fabric, and are removed immediately after the event.</i>	Noted.
2. Code compliance	<i>c) Any significant fire safety or accessibility measures to address code compliance are to be referred to the Heritage Division for review/approval prior to any works being undertaken.</i>	SOH, in consultation with the Crown Certifier (Group DLA) and the Fire Engineer (Arup Fire), can confirm that there will be no fire safety or accessibility imposed construction works order for the Crown Certificate to be issued. The requirements that may be placed upon the Opera House will be managerial overlays, such as mandating for a number of staff to be present or the temporary use of a stair climber lift, but not items that will affect historical building fabric. Therefore, the RTS does not outline any potential impacts on the significant fabric and no mitigation / management measures are proposed.

Appendix A – Response to Heritage Council submission (Artefact)

Appendix A – Response to Heritage Council submission (Artefact)



artefact

19 December 2016

Chris Barling
Project Manager, Renewal
Sydney Opera House
Bennelong Point
GPO Box 4274 Sydney NSW 2001

Dear Chris,

**Re: Response to Heritage Division submission - State Significant Development Application
Temporary Experiential Accommodation, Sydney Opera House (SSD 7549)**

Artefact prepared a Heritage Impact Statement in July 2016 for a State Significant Development (SSD) submission to the Department of Planning & Environment (DP&E) for experiential accommodation at the Sydney Opera House (SOH). This letter aims to clarify the proposal assessed in the July 2016 report as well as respond to heritage concerns raised by the Heritage Division in their submission to DP&E.

Proposal clarifications

The July 2015 report assessed the proposal on the basis of the following information:

- Use of six areas for accommodation by way of temporary removal of existing furniture and installation of temporary accommodation furniture and furnishings
- Event A would include up to two nights' accommodation for a maximum of five guests, offered three times per year. Smaller areas such as the boardroom would accommodate groups of this size.
- Event B would include up to two nights' accommodation for a maximum of 100 guests, offered on a single occasion per year. Areas such as the concert hall foyers would have the capacity to accommodate groups of this size.

The report acknowledged that the exact rooms to be used were not yet confirmed. The rooms concerned would be primarily non-performance related with performance spaces being used to accommodate bigger groups such as for the Type B event.

After reviewing the relevant conservation management policies and considering any direct or indirect impacts that the proposal would have onto SOH, Artefact concluded that the proposal would have a nil to negligible impact. It was assessed that the proposed occasional temporary change of use of designated areas within SOH would not result in a significant impact to heritage values and that the site would continue to function and be appreciated for its intended purpose as a concert hall and theatre. The report provided recommendation for a Special Events Management Plan to be implemented to minimize any direct or visual impacts during the events.

Since preparation of the report, it has been confirmed that the Type A event would occur in the Boardroom or Utzøen Room a maximum of five times a year, and the Type B event would occur in the

Northern & Southern Foyer of the Concert Hall or Northern & Southern Foyer of the Joan Sutherland a maximum of once a year, with a maximum total of 5 Type A events and 1 Type B events per year.

The final location and number of events proposed does not greatly differ from the proposal assessed by Artefact in the July 2015 report and would not create a greater heritage impact provided all management measures are implemented for each event. The proposed use of certain rooms within SOH would not result in an impact on the significance of the site due to the temporary nature of the proposed events and the proposed limitations on the number of events and participants. The proposal is an incentive to promote the heritage values of SOH and encourage people to appreciate these values during a short-term accommodation event. The primary function of SOH as an iconic performance venue would not be impacted.

Artefact is confident that 6 experimental accommodation events per year as described above would be an appropriate maximum number to ensure that SOH retains its primary function as a world-renowned performance venue. Any physical impacts to SOH would be managed via the Special Events Management Plan initially recommended in the HIS. The plan would include monitoring after each event to ensure no unintended or unforeseen impacts have occurred, and management measures reviewed if necessary.

Compatibility with Conservation Management Plan

The Heritage Division commented that “the proposal to use the Sydney Opera House for overnight accommodation is not compatible with its primary function as a world renowned performing arts venue. The conservation policies in the Conservation Management Plan for the Sydney Opera House seek to allow adaptations which will make the place more effective as a performing arts centre, and to prevent the place being overloaded with uses and functions that will result in its progressive degradation” (28 October 2016).

The Conservation Management Plan (CMP) currently endorsed for the site was prepared by James Semple Kerr in 2003 (third edition). A further review of the CMP and its conservation policies was carried out by Artefact to confirm the compatibility of the proposal with the heritage values of SOH.

The following relevant policies and comments are provided in response to the submission made:

- Policy 49.1 of the CMP recommends that “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 application does not propose a permanent change of use of SOH or of any performance or non-performance space within SOH. The application proposes to use selected spaces within SOH for limited short-term events. All spaces within SOH would be used in their regular capacity but for one space during each event. The events would be limited to six a year. Therefore, the primary use of SOH as a performance centre would not be affected by the proposal in the long-term. The proposed temporary and localised change of use would not act contradict the use-related policy of the CMP.

- Policy 50.1 of the CMP prescribes that “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; and are likely to cause excessive wear and tear, or disfigurement, to significant fabric.”

The proposal has been designed to minimise any fabric impacts on interior spaces via the preparation and implementation of a Special Events Management Plan. The proposal includes an

interior design package that has been prepared to be respectful of the design principles of Utzøen and Hall with the use of appropriate and sympathetic materials, colours and finishes. These measures would enable to control degradation of the fabric and character of the spaces to be temporarily used.

- The first policy of the CMP (Policy 1.1) prescribes that “all work on the Sydney Opera House should be carried out within the framework of Jørn Utzøen’s design principles as endorsed in 2002”. The guidelines to the policy specifies that Utzøen’s “second idea was the creation of sensory experiences that would bring pleasure to the users of the place.”

The proposal for experiential accommodation does not intend to provide a service of overnight accommodation to patrons in the same way a hotel would, but instead would provide a unique sensory experience by enabling patrons to enjoy an exceptional use of a carefully designed and crafted place for a short period of time. From this viewpoint, the proposal does not contradict the conservation policies of the CMP and would not disrespect the recognised heritage values of the Sydney Opera House.

Please do not hesitate to contact me with any questions.

Yours faithfully,



Emmanuelle Fayolle

Senior Heritage Consultant

Artefact Heritage

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