

State Significant Development Application (SSD 7549) Environmental Impact Statement



Bennelong Point, Sydney

Sydney Opera House Temporary Experiential Accommodation

Submitted to the Department of Planning and Environment
On Behalf of Sydney Opera House Trust

August 2016 ■ 16043

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Statement of Validity

Development Application Details

Applicant name	Sydney Opera House Trust
Applicant address	Bennelong Point, Sydney NSW 2000
Land to be developed	Lot 5 in Deposited Plan 775888 and Lot 4 in Deposited Plan 787933.
Proposed development	Temporary use and fitout of select areas within the Sydney Opera House for experiential accommodation as described in Section 3.0 of this Environmental Impact Statement

Prepared by

Name	Gordon Kirkby
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In respect of	State Significant Development - Development Application

Certification

I certify that I have prepared the content of this EIS and to the best of my knowledge:

it is in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000;

all available information that is relevant to the environmental assessment of the development to which the statement relates; and

the information contained in the statement is neither false nor misleading.

Signature



Name

Gordon Kirkby

Date

25/08/2016

Executive Summary

Purpose of this Report

This submission to the Department of Planning and Environment (the Department) comprises an Environmental Impact Statement (EIS) for a Development Application under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It relates to the temporary use of six areas within the Sydney Opera House for experiential accommodation.

The Sydney Opera House is identified as a State Significant Site in Schedule 2 of State Environmental Planning Policy (*State and Regional Development*) 2011 (SRD SEPP). Under Clause 1 of Schedule 2 of the (SRD SEPP), all development on land identified as being within the Sydney Opera House Site is identified as State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act). A request for the issue of Secretary's Environmental Assessment Requirements (SEARs) was sought on 13 March 2016. Accordingly, the SEARs were issued on 8 April 2016. This submission is in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act, and addresses the issues raised in the SEARs.

Overview of the Project

The proposed SSD will seek consent for the temporary use of six areas within the Sydney Opera House for experiential accommodation. Specifically, the accommodation would be provided by way of the temporary conversion of a number of rooms and spaces within the Sydney Opera House that are currently occupied by offices or foyers. Limitations will be placed on the events including number of events per year, number of consecutive nights and number of people per room or space. The proposal will not involve any permanent features and alterations to the building fabric.

The Site

The Site is known as The Sydney Opera House, which is a World Heritage listed performing arts centre located at Bennelong Point, Sydney.

Planning Context

Section 6.0 of this EIS considers all applicable legislation in detail. The proposal is consistent with the requirements of all relevant SEPPs. The site is zoned B8 Metropolitan Centre under the *Sydney Local Environmental Plan 2012*, and the proposed temporary tourist and visitor accommodation is permissible with consent, meeting the objectives of the zone.

Environmental Impacts

This EIS provides an assessment of the environmental impacts of the project in accordance with the SEARs and sets out the undertakings made by Sydney Opera House Trust to manage and minimise potential impacts arising from the development. Key environmental assessment considerations identified include:

- Heritage;
- Building Code of Australia (BCA);
- Accessibility; and
- Ecologically Sustainable Development (ESD).

Conclusion and Justification

The EIS addresses the SEARs, and the proposal provides for temporary experiential accommodation within the Sydney Opera House. The potential impacts of the development are acceptable and are able to be managed. Given the planning merits of the proposal, the proposed development warrants approval by the Minister for Planning and Environment.

1.0 Introduction

This Environmental Impact Statement (EIS) is submitted to the Department of Planning and Environment (DPE) in support of an application for a State Significant Development (SSD) application relating to the temporary use of areas within the Sydney Opera House for experiential accommodation.

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies development which is declared to be SSD. Under Clause 1 of Schedule 2 of the SEPP SRD, all development on land identified as being within the Sydney Opera House Site is identified as SSD for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This EIS has been prepared by JBA on behalf of Sydney Opera House Trust, and is based on the Architectural Drawings provided by The Sydney Opera House Trust (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), and the requirements of the Secretary of the DPE for the preparation of the EIS, which are included at **Appendix A**. This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report.

1.1 Overview of Proposed Development

The proposed SSD will seek consent for the temporary use of six areas within the Sydney Opera House for experiential accommodation. Specifically, the accommodation would be provided by way of temporary conversion of rooms within the Sydney Opera House that are currently occupied by offices or foyers.

The proposed temporary use will involve the installation of temporary furnishings and fittings that will be removed immediately following an event. Any works associated with the proposal will be internal to the Sydney Opera House building. For absolute clarity, there will be no external works or change to the building.

The proposal will facilitate use of the Sydney Opera House for two types of experiential events subject to the following limitations:

Event A

Event A proposes up to two nights' accommodation for a maximum of five guests, offered five times per year. Smaller areas such as the boardroom will accommodate groups of this size.

Event B

Event B proposes up to two nights' accommodation for a maximum of 100 guests, offered on a single occasion per year. Areas such as the Concert Hall and Joan Sutherland Theatre foyers have the capacity to accommodate groups of this size.

1.2 Objectives of the Development

The objectives of the proposal are:

- To provide a unique opportunity for the community to experience the iconic Sydney Opera House in new and innovative ways, in line with the Sydney Opera House's new brand strategy: to shift perspectives on a well-known public institution, encourage people to visit more often and engage more deeply;
- To ensure that the alternate use will not have an unacceptable impact on the State, National and World Heritage significance of the Sydney Opera House;
- To provide Sydney Opera House corporate partners with an opportunity to support the first objective and promote their support of the Sydney Opera House; and
- To generate tourist interest within Sydney's Cultural and Entertainment Precinct.

1.3 Analysis of Alternatives

Strategic need for the proposal

- The proposed use of the Sydney Opera House will contribute to the ongoing viability of the site by diversifying the range of experiences available to the community.

Alternative Options

Alternative options are available to the Sydney Opera House Trust in responding to the identified need for an alternate use within the Opera House. These include:

- Permanently modifying the Sydney Opera House building to include a room for the purpose of tourist and visitor accommodation; or
- Relocating the proposal to a building of less significance.

Do Nothing

The 'do nothing' option would restrict the Sydney Opera House Trust from exploring new ways of engaging with the community and offering unique visitor experiences that will engage people with the Sydney Opera House's broader renewal story.

1.4 Secretary's Requirements

In accordance with Section 89G of the EP&A Act, the Secretary of the Department of Planning and Environment issued the requirements for the preparation of an EIS on 29 March 2016. A copy of the SEARs has been included at **Appendix B**.

The SEARs require that the EIS include the documents listed in Schedule 1 of the EP&A Regulation and it must meet the requirements of Schedule 2 of the Regulation, in particular the form specifications in Clause 6 and the content specifications in Clause 7. Several stakeholders were identified with whom consultation may occur during the preparation of the EIS (see **Section 4.0**).

Table 1 provides a detailed summary of the individual matters listed in the SEARs and identifies where these requirements have been addressed in this report and the accompanying technical studies.

Table 1 – Secretary's Environmental Assessment Requirements SSD 7549

Director-General's Environmental Assessment Requirement	Location in Report	
	Report	Appendix
General Requirements		
The EIS must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> .	Environmental Impact Statement	
Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.	Section 6.0	
Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include: - adequate baseline data; - consideration of potential cumulative impacts due to other development in the vicinity; and - measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.	Section 4.0	
The EIS must be accompanied by a report from a qualified quantity surveyor providing: - a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; - a close estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and - verification that the CIV was accurate on the date it was prepared	The extent of the works proposed involve the installation of temporary furnishings and fittings that will be removed immediately following an event. As such no physical works are being proposed, therefore a CIV is not applicable. Venues will be serviced by existing staff.	
Key Issues	Report	Appendix
1. Relevant EPIs, Policies and Guidelines		
Address the statutory provisions contained in all relevant environmental planning instruments, including: State Environmental Planning Policy (State & Regional Development) 2011;	Section 5.1	-
Sydney Local Environmental Plan 2012	Section 5.1	-
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 and Foreshores and Waterways DCP	Section 5.1	
Address the relevant planning provisions, goals and strategic planning objectives in the following: NSW 2021	Section 5.1	-
A Plan for Growing Sydney	Section 5.1	-
Draft Sydney City Sub-Regional Strategy; and	Section 5.1	-
Sydney's Walking Future	Section 5.1	-
2. Proposed Use	Report	Appendix
Provide operational details for the temporary accommodation, including: areas of the Sydney Opera House proposed to be used for the proposed development;	Section 3.0	Appendix B

Director-General's Environmental Assessment Requirement	Location in Report	
the frequency of use and number of patrons;	Section 3.0	-
proposed permanent or temporary works and furnishings;	Section 3.0	-
management and operational plans including provision of services for guests, bathroom facilities, and food and drink service.	Section 3.0	-
Detail any changes to the Sydney Opera House's Building Code of Australia (BCA) classification as a result of the proposed use and any required building alterations as a result of any changed classification.	Section 5.3	Appendix D Appendix E
3. Heritage	Report	Appendix
The application must include a Heritage Impact Statement (HIS) prepared by a qualified Heritage Consultant addressing any impact to the heritage significance of the Sydney Opera House and its setting, including impacts to the world heritage buffer zone and/or Aboriginal, historic or archaeological significance. The HIS must assess the proposal against the requirements of the following documents: - NSW Heritage Manual; <i>Matters of National Environmental Significance Significant Impact Guidelines 1.1</i>; <i>Management Plan for the Sydney Opera House</i>; <i>Conservation Management Plan Sydney Opera House: A Revised Plan for the Conservation of the Sydney Opera House and its Site (3rd Edition)</i>; <i>Utzon Design Principles</i>; and <i>Relevant Council EPIs</i>	Section 5.2	Appendix C
4. Access	Report	Appendix
The EIS shall outline the provision of dignified and equitable access for people with a disability, in accordance with relevant legislation and regulations.	Section 5.4	Appendix D
5. Ecologically Sustainable Development (ESD)	Report	Appendix
Identify how the development will incorporate ESD principles in the design, construction and operation phases of the development.	Section 5.5	-
6. Consultation		-
Undertake an appropriate level of consultation with council and State Government agencies; and	Section 4.0	-
Provide details on the Community Engagement Framework to guide the public consultation process.	Section 4.0	-

2.0 Site Analysis

2.1 Site Description

The Sydney Opera House is a State, National and World Heritage listed performing arts centre located on the Sydney Harbour foreshore at Bennelong Point. The Sydney Opera House Site is shown at **Figure 1** and the extent of the World Heritage Boundary is shown at **Figure 2**. The Site has the real property title reference of Lot 5 in Deposited Plan 775888 and Lot 4 in Deposited Plan 787933. The site contains an underground car park which is a separately owned commercial entity managed by 'Wilson Parking'. Vehicle access and parking is available 24 hours a day, 7 days per week.



Figure 1 – Site aerial as viewed obliquely from the south



Figure 2 – Sydney Opera House World Heritage Boundary

2.2 Surrounding Development

The Sydney Opera House is bound by Sydney Harbour to the north, east and west. The building's southern forecourt provides a buffer to the Botanic Gardens (50m) and the Bennelong residential apartments (150m) to the south. The Site is in close proximity to a number of transport nodes, including the Circular Quay Ferry Platforms and Railway Station (500m). The broader area is characterised by a range of land uses, generally comprising ground floor retail with residential or commercial towers above.

3.0 Description of the Development

3.1 Proposed Events

This chapter of the EIS provides a detailed description of the proposed development. Architectural Drawings are included at **Appendix B**.

The proposed SSD will seek consent for the temporary use of six areas within the Sydney Opera House for experiential accommodation. Specifically, the accommodation would be provided by way of temporary conversion of a number of rooms and spaces within the Sydney Opera House that are currently occupied by offices or foyers, including minor fit out works. The proposed use would be activated on a promotional basis subject to limitations outlined in the tables below.

The proposed temporary use will involve the installation of temporary furnishings and fittings that will be removed immediately following an event. Any works associated with the proposal will be internal to the Sydney Opera House building. For absolute clarity, there will be no external works or change to the building.

The proposal will facilitate use of the Sydney Opera House for two types of experiential events subject to the following limitations:

Event A

Event A proposes up to two nights' accommodation for a maximum of five guests, offered five times per year. Smaller areas such as the boardroom will accommodate groups of this size. A proposed schedule for Event A is shown in **Table 2** below. Event A is proposed to occur in the Board Room and the Utzon Room.

Table 2 – Proposed schedule, Event A

Time	Activity
Day 1	
1530	Check in with SOH Host + VIP backstage tour of the Opera House - Guests would be met at stage door & 'checked in' - Guest provided with safety, security and emergency access/ egress 'induction' and introduction to the House.
1800	Cocktails and Dinner at Bennelong
2000	Watch show in SOH Concert Hall (TBC)
2200	Meet the artist(s) (subject to approval) back stage
2300	Sleep
Day 2	
0800	Shower (SOH Dressing Room)
0900	Meet / Breakfast with VIP guest (TBC) in the Boardroom
1000	Perform own piece on the stage
1100	Experience concludes, guests escorted out through Stage Door

Proposed furnishings associated with Event A include:

- Queen size bed and mattress, plus bedding;
- Bed side tables;
- Task lighting;
- Desk and chair;
- Sofa and lounge chair; and
- Cushions and other room dressing.

Event B

Event B proposes up to two nights' accommodation for a maximum of 100 guests, offered on a single occasion per year. Areas such as the Concert Hall and Joan Sutherland Theatre foyers have the capacity to accommodate groups of this size. A proposed schedule for Event A is shown in **Table 3** below. Event B is proposed to occur in the Concert Hall Southern and Northern Foyers and the Joan Sutherland Theatre Northern and Southern Foyers.

Table 3 – Proposed schedule, Event B

Time	Activity
Day 1	
1530	Check in with SOH Host + VIP backstage tour of the Opera House - Guests would be met at stage door & 'checked in' - Guest provided with safety, security and emergency access/ egress 'induction' and introduction to the House. - Large groups given staggered arrival times to alleviate queuing issues.
1800	Cocktails and Dinner at SOH
2000	Watch show in SOH Venue
2200	Meet the artist(s) (subject to approval) back stage
2300	Sleep
Day 2	
0900	Meet / Breakfast with VIP guest (TBC) in the Boardroom
1000	Perform own piece on the stage
1100	Experience concludes, guests escorted out through Stage Door

Proposed furnishings associated with Event B include:

- Sleeping 'cots' mattress, plus bedding;
- Bed side tables and lighting;
- Task lighting as required;
- Sofa and lounge chair within 'caves'; and
- Cushions and other room dressing.

3.2 Rooms and Proposed Furnishings

Tables 2-7 below provide information on each of the rooms to be utilised for the experiential accommodation. For absolute clarity, **Tables 4-9** do not represent the cumulative total of nights that will be offered. Also provided below is a list of rooms and areas in the Sydney Opera House which will be utilised, as referenced in the BCA Statement in **Appendix D**.

Board Room:

- Plan - 10 BG 20904 S08 Rev J L1 +030
 - Location - Board Room (Rm 1532)
 - Location - Associated Toilets (1530A Female & 1538B Male)

Utzon Room:

- Plan - 10 BG 20904 S08 Rev J L1 +030
 - Location - Utzon Room (Rm 1525/3, 1525/2, 1525/5)
 - Location - Associated Toilets (1526E Male & Female 1526C)

Joan Sutherland Theatre Northern Foyers:

- Plan - 10 BG 20904 S09 Rev H L2 +042

- Location - 2506A East Caves, 2502A West Caves, 2504B Lounge, 2504A Lounge
- Plan - 10 BG 20904 S10 Rev G L3 +051
 - Location - 3504A Mural, 4500A Granite, 3505B Toilet, 3503B Toilet
- Plan - 10 BG 20904 S11 Rev G L4 +061
 - 4500A Granite, 4500B Upper Granite, 4500C Upper Granite

Joan Sutherland Theatre Southern Foyer:

- Plan - 10 BG 20904 S08 Rev J L1 +030
 - Location - 1530A Female Toilet & 1538B Male Toilet
- Plan - 10 BG 20904 S09 Rev H L2 +042
 - Location - 2510A Eastern Foyers, 2510E Western Foyer, 2510B Southern Foyer

Concert Hall Northern Foyers:

- Plan - 10 BG 20904 S09 Rev H L2 +042
 - Location - 2514A East Caves, 2520A West Caves, 2517A Lounge, 2517C Lounge
- Plan - 10 BG 20904 S10 Rev G L3 +051
 - Location - 3515A Mural, 4501A North Foyer, 3514&3513A Toilet, 3516&3517 Toilet
- Plan - 10 BG 20904 S11 Rev G L4 +061
 - 4501A Granite, 4501B Upper Granite, 4501C Upper Granite

Concert Hall Southern Foyers:

- Plan - 10 BG 20904 S08 Rev J L1 +030
 - Location - 1557C Female Toilet & 1557D Male Toilet
- Plan - 10 BG 20904 S09 Rev H L2 +042
 - Location - 2526A Eastern Foyers, 2526E Western Foyer, 2526B Southern Foyer

Access to the rooms will be accompanied by staff or security. Access is gained via the Stage Door, located on the ground floor level off the Vehicle Concourse, at the southern end of Central Passage. All rooms are wheelchair accessible.

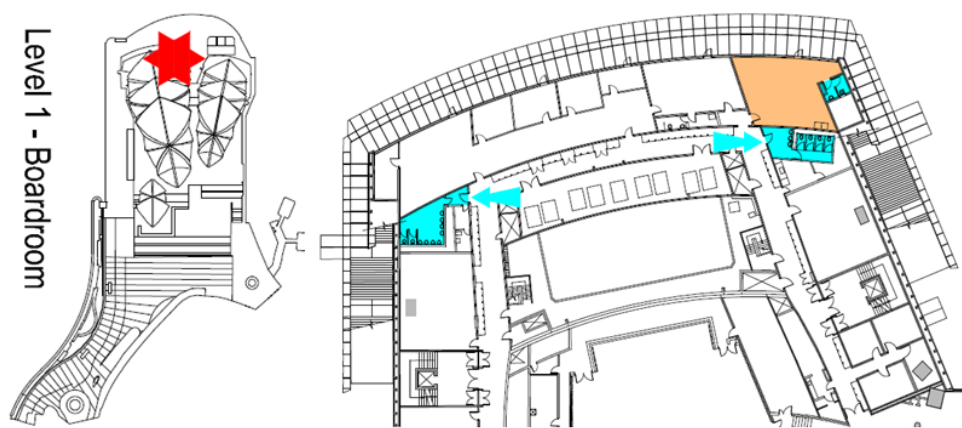
The proposed rooms are illustrated in light brown below with toilets and amenities shown in light blue.

Boardroom

The Boardroom specifications are detailed in **Table 4**. The location is illustrated in **Figure 3**.

Table 4 – Boardroom accommodation details

Boardroom	Comment
Area	63m ²
Maximum Guest Capacity	5
Maximum number of Consecutive Nights	2
Maximum events per year	5
Bathroom	Internal and located in adjacent corridors
Disabled Access	✓
Current Use	Meetings and small events



Note:

- Boardroom identified in light brown
- Associated amenities identified in light blue

Figure 3 – Location and area of the existing boardroom (Level 1)

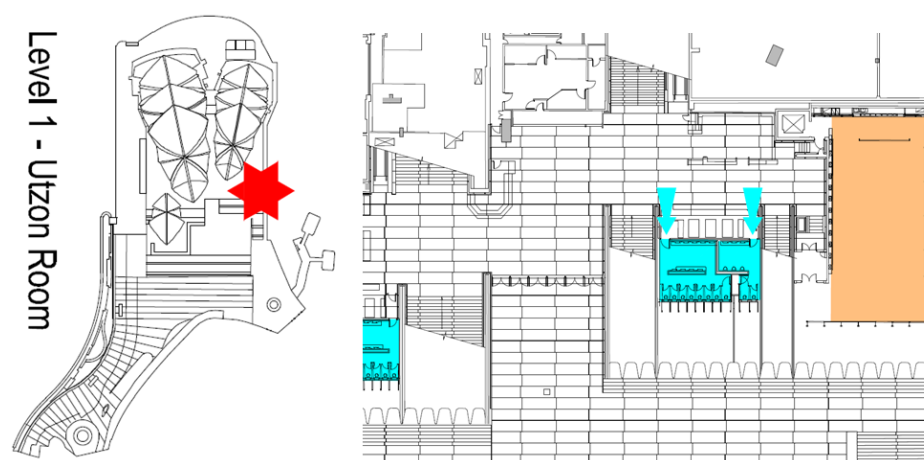
Source: Sydney Opera House Trust

Utzon Room

The Utzon Room specifications are detailed in **Table 5**. The location is illustrated in **Figure 4**.

Table 5 – Utzon Room accommodation details

Utzon Room	Comment
Area	225m ²
Maximum Guest Capacity	5
Maximum number of Consecutive Nights	2
Maximum events per year	5
Bathroom	Located on the same level (Box Office)
Disabled Access	✓
Current Use	Venue hire, accommodating parties, corporate functions and small performances



Note:

- Utzon room identified in light brown
- Associated amenities identified in light blue

Figure 4 – Utzon Room (Level 1)

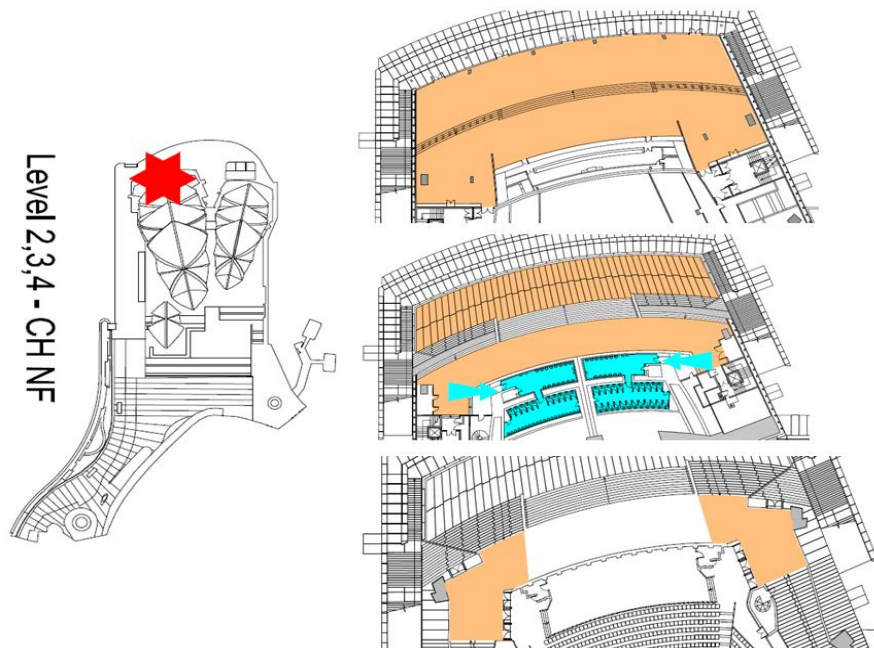
Source: Sydney Opera House Trust

Concert Hall Northern Foyer

The Concert Hall Northern Foyer specifications are detailed in **Table 6** below. The location is illustrated in **Figure 5**.

Table 6 – Concert Hall Northern Foyer accommodation details

Concert Hall Northern Foyer	Comment
Area – 4 levels	
▪ Lounge and Bar Caves	840m ²
▪ Mural Level	290m ²
▪ Granite Level	325m ²
▪ Upper Granite Level	165m ²
Maximum Guest Capacity	100
Maximum number of Consecutive Nights	2
Maximum events per year	1
Bathroom	Bathrooms are located at the mural level, servicing all levels of the foyer
Disabled Access	Only to Lounge and Bar Caves
Current Use	Venue hire, accommodating receptions, media launches, business presentations and parties



Note:

- Concert Hall Northern Foyer (Levels 2, 3 and 4) identified in light brown
- Associated amenities identified in light blue

Figure 5 – Concert Hall Northern Foyer (Levels 2, 3 and 4)

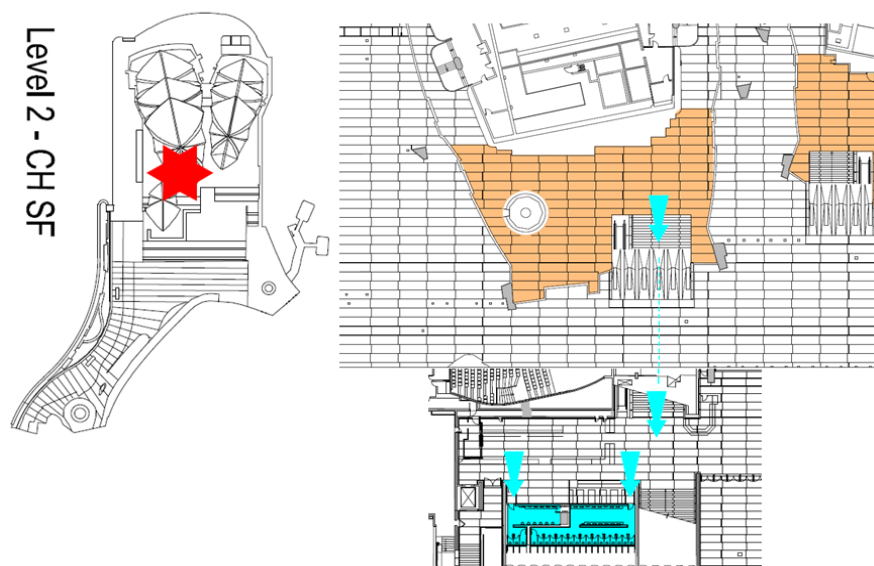
Source: Sydney Opera House Trust

Concert Hall South Foyer

The Concert Hall Southern Foyer specifications are detailed in **Table 7** below. The location is illustrated at **Figure 6**.

Table 7 – Concert Hall Southern Foyer accommodation details

Concert Hall Southern Foyer	Comment
Area	440m ²
Maximum Guest Capacity	100
Maximum number of Consecutive Nights	2
Maximum events per year	1
Bathroom	Located on the level below (Box Office)
Disabled Access	✓
Current Use	Congregation space and small events



Note:

- Concert Hall Southern Foyer (Level 2) identified in light brown
- Associated amenities identified in light blue

Figure 6 – Concert Hall Southern Foyer (Level 2)

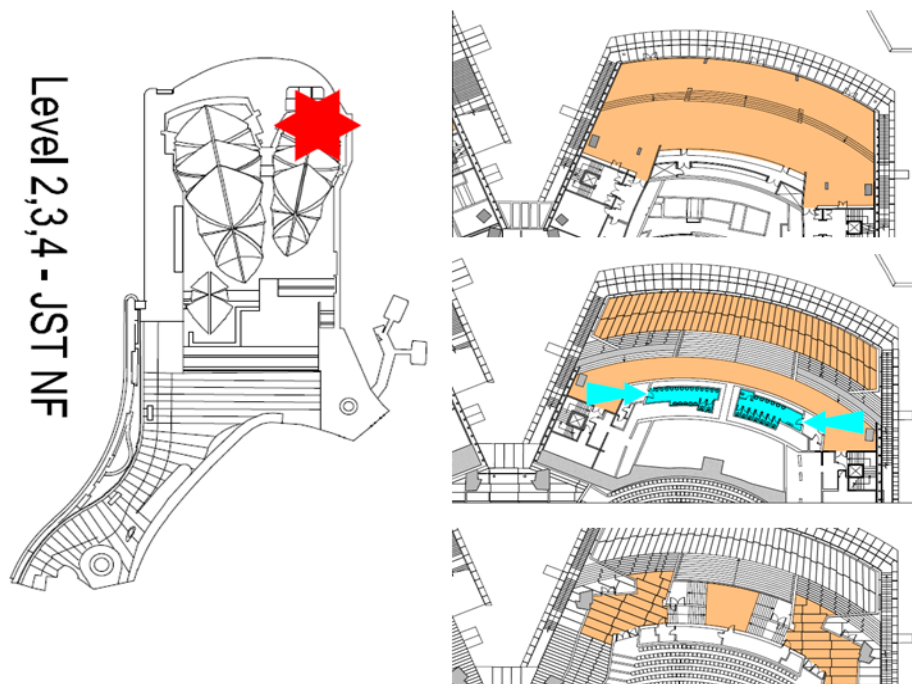
Source: Sydney Opera House Trust

Joan Sutherland Theatre Northern Foyer

The Joan Sutherland Northern Foyer specifications are detailed in **Table 8** below. The location is illustrated in **Figure 7**.

Table 8 – Joan Sutherland Theatre Northern Foyer accommodation details

Joan Sutherland Theatre Northern Foyer	Comment
Area – 4 levels	
▪ Lounge and Bar Caves	540m ²
▪ Mural Level	150m ²
▪ Granite Level	195m ²
▪ Upper Granite Level	165m ²
Maximum Guest Capacity	100
Maximum number of Consecutive Nights	2
Maximum events per year	1
Bathroom	Bathrooms are located at the mural level, servicing all levels of the foyer
Disabled Access	Only to Lounge and Bar Caves
Current Use	Venue hire, accommodating receptions, media launches, business presentations and parties



Note:

- Joan Sutherland Theatre Northern Foyer (Levels 2, 3 and 4) identified in light brown
- Associated amenities identified in light blue

Figure 7 – Joan Sutherland Theatre Northern Foyer (Levels 2, 3 and 4)

Source: Sydney Opera House Trust

Joan Sutherland Theatre Southern Foyer

The Joan Sutherland Theatre Southern Foyer specifications are detailed in **Table 9** below. The location is illustrated at **Figure 8**.

Table 9 – Joan Sutherland Theatre Southern Foyer accommodation details

Joan Sutherland Theatre Southern Foyer	Comment
Area	278m ²
Maximum Guest Capacity	100
Maximum number of Consecutive Nights	2
Maximum events per year	1
Bathroom	Located on the level below (Box Office)
Disabled Access	✓
Current Use	Congregation space



Note:

- Joan Sutherland Theatre Southern Foyer (Levels 2) identified in light brown
- Associated amenities identified in light blue

Figure 8 – Joan Sutherland Theatre Southern Foyer (Level 2)

Source: Sydney Opera House Trust

Proposed Fit out

The proposed use of the rooms will require a temporary fitout to service the occupants. The fitout will be sympathetic to the heritage significant interior design language and will be located internally, therefore will not be visible from the public domain. The arrangement and number of beds will be influenced by the nature of the activation, however will be limited to maximum capacity of each room.

Event A components will include hotel style furnishings consistent with existing Danish interior fabric (refer to **Figure 9**). Event B components will include individual resting stations comprising bedding, pillows and blankets (refer to **Figure 10** and **Figure 11**).



Figure 9 – Indicative Event A furnishing
Source: Decoist



Figure 10 – Indicative Event B furnishing (Max Richter 'Sleep' performance)
Source: WrongMog



Figure 11 – Indicative Event B furnishing (Max Richter 'Sleep' performance)
Source: *Guardian News and Media Limited*

As shown in **Figures 10** and **11**, the Sydney Opera House has previously hosted an overnight event in conjunction with the Sydney Vivid Festival 2016. Specifically, the event featured an eight-hour immersive performance by Max Richter called "Sleep" in which 158 guests were provided with bedding to experience a live contemporary music performance in the Joan Sutherland Foyer and the Utzon Room. In contrast to the proposal, the 'Sleep' event provides use of the Sydney Opera House as a place of assembly for the presentation of music in accordance with the *Sydney Opera House Trust Act 1961*. As such, the event did not require development consent.

Management of Guests

Upon arrival, guests will be escorted by Sydney Opera House staff or security to the overnight venue, in which they will be briefed on the location of the nearest amenities, and the emergency evacuation plan including the nearest exits.

Experiences are likely to include complementary meals at the current bars and restaurants associated with the Sydney Opera House venue. Occupants are not provided with access to any cooking facilities.

A Draft Special Events Management Plan has been prepared and is included in **Appendix F** which provides more information.

4.0 Consultation

The SEARs for the proposed development require that consultation be undertaken with the relevant Local, State or Commonwealth Government authorities and the community. It has been communicated that the proposal will be entirely internal to the Sydney Opera House building, with no discernible impacts to the adjoining areas.

On 15 July 2016, the Sydney Opera House Trust briefed City of Sydney Council Planning Officers.

The Commonwealth Department of the Environment were briefed on the 21 June 2016. After discussion with the Department of Environment, the Sydney Opera House Trust has determined that the proposal will not require a referral to the Department of the Environment under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Given the NSW Heritage Council is responsible for overseeing the Sydney Opera House's management of its State heritage obligations, the SEARs request was referred to the NSW Heritage Council seeking input. The recommendations from the referral have been addressed within the Heritage Impact Statement and are detailed in **Section 5.2** below.

Exhibition of the SSD application will provide community stakeholders with ample opportunity to comment on the proposal. In the absence of any environmental impacts, it is considered consultation has been undertaken appropriately.

5.0 Environmental Assessment

This section of the report assesses and responds to the environmental impacts of the proposed development. It addresses the matters for consideration set out in the SEARs (see **Section 1.4**).

The Mitigation Measures in **Section 6.0** complement the findings of this section.

5.1 Relevant EPIs, Policies and Guidelines

The relevant strategies, environmental planning instruments, policies and guidelines as set out in the SEARs are addressed in **Table 10**.

Table 10 – Summary of consistency with relevant Strategies, EPIs, Policies and Guidelines

Instrument/Strategy	Comments
Strategic Plans	
NSW 2021	NSW 2021 is a 10-year plan to rebuild the economy, return quality services, renovate infrastructure, strengthen our local environment and communities and restore accountability to Government. A section of the Plan is devoted to strengthening our local environment and local communities and a key goal of this is enhancing cultural and creative opportunities. The proposal is consistent with NSW 2021 in that it will deliver a unique cultural experience within Sydney's flagship cultural icon. The unique experiential accommodation will provide occupants with opportunities for social and cultural enrichment on a personal and communal level. Further to this, the proposal will provide a unique opportunity for the Sydney Opera House's corporate sponsors to promote their association with the Sydney Opera House. This enhances the Sydney Opera House's sponsorship value proposition, enabling greater investment in this key State asset, which in turn is invested in the Sydney Opera House's programming and cultural experiences.
A Plan for Growing Sydney	In December 2014, the NSW Government released an updated metropolitan strategy titled 'A Plan for Growing Sydney'. This strategy establishes key goals and objectives to guide the development of Sydney over the next 20 years. Key Actions relating to the proposal include: ▪ Diversifying the CBD by enhancing the Cultural Ribbon which connects new and revitalised precincts including Barangaroo, Darling Harbour, Walsh Bay and the Bays Precinct. ▪ Promoting Sydney's arts and culture, tourism and entertainment industries The proposed development encompasses these aspects and is consistent with the strategy in that it: ▪ Is located within the Sydney Opera House, a key driver of Sydney's Cultural Ribbon; ▪ Provides an alternate use and experience effectively diversifying the range of uses within an established cultural and entertainment facility; and ▪ Generates interest amongst the local, national and international communities.
Draft Sydney City Sub-Regional Strategy	The Sydney subregion is nominated as a 'Global Centre' in the Draft Sub-Regional Strategy, which is the "main focus for national and international business, professional services, specialised health and education precincts, specialised shops and tourism, it is also a recreational and tourist destination for the Sydney region and has national and international significance".

Instrument/Strategy	Comments																																		
	Key Actions relating to the proposal in the sub-regional strategy include: ▪ Tourism NSW [now Destination NSW], together with Sydney Harbour Foreshore Authority and the City of Sydney Council to continue to promote key tourist and visitor destinations in Sydney City Subregion, identify future visitor accommodation and facility demands. ▪ Support magnet infrastructure. The proposal is consistent with these actions, as it constitutes a progressive approach to enhancing the cultural experience within existing magnet infrastructure. The proposal will generate tourist interest on a domestic and international scale.																																		
Sydney's Walking Future	Whilst the proposal does not propose any walking or cycling infrastructure it is consistent with the Strategy in that it: ▪ is within walking distance of other services and amenities, including retail and entertainment opportunities offered by the CBD. ▪ is in close proximity to pedestrian and cycle facilities along the Harbour foreshore.																																		
Commonwealth Legislation																																			
EP&BC Act	The Commonwealth Department of the Environment has been engaged. The Sydney Opera House trust has determined that the proposal is not required to be referred to the Australian Government Minister for the Environment.																																		
State Legislation																																			
EP&A Act	The proposed development is consistent with Division 4.1 of the EP&A Act, particularly for the following reasons: ▪ the development has been declared to have state significance; ▪ the development is not prohibited by an environmental planning instrument; and ▪ the development has been evaluated and assessed against the relevant heads of consideration under section 79C.																																		
EP&A Regulations	The EIS has addressed the specification criteria within clause 6 and clause 7 of Schedule 2. Similarly, the EIS has addressed the principles of ecologically sustainable development through the precautionary principle (and other considerations), which assesses the threats of any serious or irreversible environmental damage (see Section 5.4). As required by Clause 7(1)(d)(v) of Schedule 2, the following additional approvals will be required in order to permit the proposed development to occur. <table> <tr> <th>Act</th><th>Approval Required</th></tr> <tr> <td colspan="2">Legislation that does not apply to State Significant Development</td></tr> <tr> <td>Coastal Protection Act 1979</td><td>N/A</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>N/A</td></tr> <tr> <td>Heritage Act 1977</td><td>Y</td></tr> <tr> <td>National Parks and Wildlife Act 1974</td><td>N/A</td></tr> <tr> <td>Native Vegetation Act 2003</td><td>N/A</td></tr> <tr> <td>Rural Fires Act 1997</td><td>N/A</td></tr> <tr> <td>Water Management Act 2000</td><td>N/A</td></tr> <tr> <td colspan="2">Legislation that must be applied consistently</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>N/A</td></tr> <tr> <td>Mine Subsidence Compensation Act 1961</td><td>N/A</td></tr> <tr> <td>Mining Act 1992</td><td>N/A</td></tr> <tr> <td>Petroleum (Onshore) Act 1991</td><td>N/A</td></tr> <tr> <td>Protection of the Environment Operations Act 1997</td><td>N/A</td></tr> <tr> <td>Roads Act 1993</td><td>N/A</td></tr> <tr> <td>Pipelines Act 1967</td><td>N/A</td></tr> </table>	Act	Approval Required	Legislation that does not apply to State Significant Development		Coastal Protection Act 1979	N/A	Fisheries Management Act 1994	N/A	Heritage Act 1977	Y	National Parks and Wildlife Act 1974	N/A	Native Vegetation Act 2003	N/A	Rural Fires Act 1997	N/A	Water Management Act 2000	N/A	Legislation that must be applied consistently		Fisheries Management Act 1994	N/A	Mine Subsidence Compensation Act 1961	N/A	Mining Act 1992	N/A	Petroleum (Onshore) Act 1991	N/A	Protection of the Environment Operations Act 1997	N/A	Roads Act 1993	N/A	Pipelines Act 1967	N/A
Act	Approval Required																																		
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Petroleum (Onshore) Act 1991	N/A																																		
Protection of the Environment Operations Act 1997	N/A																																		
Roads Act 1993	N/A																																		
Pipelines Act 1967	N/A																																		
SEPP (Infrastructure)	The proposed development does not trigger any required consultation with NSW Roads and Maritime Services (RMS) under the provisions of the SEPP.																																		

Instrument/Strategy	Comments	
SEPP (State and Regional Development)	Under Schedule 2 Clause 1 of the SEPP, any development application relating to the Sydney Opera House is defined as SSD, and is to be accompanied by an EIS.	
SREP (Sydney Harbour Catchment) 2005	Clause 15 of Part 2 with the SREP details the planning principles for heritage conservation within the catchment. The proposal is consistent with these principles, in particular subclause (b), in that the proposal does not undermine the heritage significance of the Opera House. The intent of the proposal is to promote recognition of the cultural heritage icon through a diversified use. Part 3, Division 2 within the SREP refers to matters which are to be taken into consideration by consent authorities before granting consent for development. The matters for consideration are not generally applicable to the proposed development, however the proposal complies with the 'Aims of the Plan' and Clauses 20- 27 of the SREP. In particular, Clauses 25 and 26 of the SREP relate to the impact of development on views and heritage of the Sydney Harbour. The proposed development does not increase the bulk and scale of the development and will have no impact on views to and from Sydney Harbour given the proposed venues are existing and located internally.	
Local Planning Instruments and Controls		
Sydney Local Environmental Plan 2012	Clause 2.1 – Zone	The proposed visitor accommodation use is permissible with development consent within the B8 Metropolitan Centre zone
	Clause 4.3 – Height of Buildings	There is no change to the building height
	Clause 4.4 – Floor Space Ratio	There is no change to the FSR
	Clause 5.10 – Heritage Assessment	A Heritage Impact Statement has been prepared by Artefact (Appendix C) which concludes that the proposal will have a 'negligible indirect impact' on the heritage significance of the Sydney Opera House.
Sydney Development Control Plan 2012	2.1.4 Circular Quay Special Character Area	The proposal is consistent with the character statement and supporting principles of the area given that the fitout and use will be internal to the building, and as such, will not impact on any important views. The proposal has the potential to enhance the celebratory nature of Sydney Harbour, as experiential accommodation may be offered on dates that align with significant public celebratory events.
	3.9 Heritage	A Heritage Impact Statement has been prepared by Artefact and is available at Appendix C. The proposal has been prepared in accordance with the Conservation Management Plan <i>Sydney Opera House: A Revised Plan for the Conservation of the Sydney Opera House and its Site (3rd Edition)</i>. The proposal does not change the exterior or structural interior. Temporary furnishings will be sympathetic to the interior fabric, where possible, and will be removed from the venue upon completion of the event. Whilst the proposed use represents a departure from the current use of the Sydney Opera House as a theatre, concert hall and place of assembly,

Instrument/Strategy	Comments	
		it is important to consider the temporary nature of the use and the absence of any significant environmental or heritage impacts.
Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005	2.2 Ecological Assessment General Aims	The proposal is consistent with the general aims of this clause for the following reasons: ▪ The fitout and temporary use will not impact any ecological communities; ▪ The proposal will take place within the existing building and as such, will not remove native vegetation; ▪ It is not appropriate to provide revegetation as part of this SSD application; and ▪ The use will have a negligible impact on the water quality of the harbour.
	3.2 Landscape Assessment General Aims	The proposal is consistent with the general aims of this clause for the following reasons: ▪ The proposal will take place within the existing building envelope and as such, will not have an impact on significant views, vistas and the landscape character of the area.

5.2 Heritage

A Heritage Impact Statement (HIS) has been prepared by Artefact and is included at **Appendix C**. A site visit has informed the HIS and it provides an assessment of the proposal against the relevant policies and regulatory considerations in order to determine the impact of the proposal on the heritage significance of the Sydney Opera House.

With respect to the state, national and world heritage significance of the Sydney Opera House, the HIS provides a number of recommendations to ensure the proposal will not impact the existing fabric or undermine the value of the site. Artefact consider the implementation of a 'Special Events Management Plan' (SEMP) as an appropriate response to the nature of the events. The SEMP would:

- Provide a description and assessment of the temporary fittings and furnishings;
- Identify existing items to be removed to facilitate the events;
- Identify damage risks associated with the proposal and any measures to mitigate these risks; and
- Provide recommended timeframes for each event as to limit any 'clutter'.

Accordingly, the Sydney Opera House Trust has prepared a Draft Special Events Management Plan (**Appendix F**). This plan provides a framework for the management of events in relation to the proposed use of the Sydney Opera House for temporary accommodation. It includes information on the event types, event organisation and planning, the Sydney Opera House's safety and security framework, and details on patron and staff access, food and beverages, and cleaning protocols.

Provided these recommendations are implemented, Artefact conclude that the proposal will have a 'negligible indirect' impact on the heritage significance of the site, and will in effect enhance the appreciation of the site's heritage character by providing a unique opportunity to the local and broader public.

5.3 Building Codes and Standards

A BCA Statement has been prepared by GroupDLA (**Appendix D**) and is complemented by a Fire Engineering Statement prepared by ARUP (**Appendix E**).

GroupDLA identify that the BCA Statement has been prepared in accordance with the provisions of the *Building Code of Australia 2016* as per the requirements under Clause 98 of the *Environmental Planning & Assessment Regulation 2000*. In addition, a site visit was conducted on the 21 July, therefore it is understood that the proposed change of use is limited to a certain number of rooms and spaces within the Sydney Opera House and does not involve the alteration, enlargement or extension of the building.

Group DLA determine that:

Compliance with the BCA for these specific works will be able to be achieved by a combination of compliance with the deemed-to-satisfy (DTS) provisions and the Performance Requirements.

The Fire Safety Engineer has confirmed the feasibility of Performance Solutions with regard to such items as:

- *Rationalisation of fire rated bounding construction.*
- *Omission of fire separation of certain common areas from certain sole occupancy units.*
- *Relaxation of the required smoke detection system.*
- *Omission of fire suppression (sprinklers) from certain areas.*

Additionally, justified Performance Solutions from the Access Consultant for wheelchair accessibility compliance limitations will be considered for the Northern Foyers. Compliance with the Disability (Access to Premises – Buildings) Standards 2010 will also be achieved to the degree necessary as required.

The EP&A Regs defined Category 1 measures have also been considered with no material impacts recognised.

For mitigation purposes, the Sydney Opera House employs 13 trained fire wardens, of which one warden will be present on site at all times. Upon arrival, the fire warden will brief the visitors on the emergency evacuation plan, specifically noting the most appropriate entries and exits. Further to this, the current Sydney Opera House Emergency Evacuation Management Plan will be amended to include specific fire evacuation procedures relating to temporary overnight events.

5.4 Accessibility

As outlined in **Section 3.0**, access to the rooms will be accompanied by staff or security. Access is gained via the Stage Door, located on the ground floor level off the Vehicle Concourse, at the southern end of Central Passage. Equitable access has been considered in determining the suitability of each room. Despite the northern foyers only providing wheelchair access to the Lounge and Bar Caves, this will not exclude disabled visitors from attending the experiential events. Ample access opportunity is provided at the other levels of these foyers.

5.5 Ecologically Sustainable Development

The EP&A Regulation lists 4 principles of ecologically sustainable development to be considered in assessing a project. It is noted that the proposal contains no permanent physical works or construction and only operates on a temporary basis, as such the proposal:

- Does not pose threats of serious or irreversible environmental damage, and will not contribute to environmental degradation as per the 'Precautionary Principle';
- Ensures that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations by creating a use with no environmental impact, maximising the facilities of an existing well-resourced asset, and ensuring no damage to the environment during operation, as per the 'Intergenerational Principle';
- Has considered the conservation of biological diversity and ecological integrity in its design as per the 'Biodiversity Principle'; and
- Will have a negligible impact on energy and water efficiency energy consumption and pollution as per the 'Valuation Principle'.

6.0 Environmental Risk Assessment

The Environmental Risk Assessment (ERA) establishes a residual risk by reviewing the significance of environmental impacts and the ability to manage those impacts. The ERA for the development has been adapted from Australian Standard AS4369.1999 Risk Management and Environmental Risk Tools.

In accordance with the SEARs, the ERA addresses the following significant risk issues:

- The adequacy of baseline data;
- The potential cumulative impacts arising from other developments in the vicinity of the Site; and
- Measures to avoid, minimise, offset the predicted impacts where necessary involving the preparation of detailed contingency plans for managing any significant risk to the environment.

Figure 13 indicates the significance of environmental impacts and assigns a value between 1 and 10 based on:

- The receiving environment;
- The level of understanding of the type and extent of impacts; and
- The likely community response to the environmental consequence of the project;

The manageability of environmental impact is assigned a value between 1 and 5 based on:

- The complexity of mitigation measures;
- The known level of performance of the safeguards proposed; and
- The opportunity for adaptive management.

The sum of the values assigned provides an indicative ranking of potential residual impacts after the mitigation measures are implemented.

Significance of impact	Manageability of impact				
	5 Complex	4 Substantial	3 Elementary	2 Standard	1 Simple
1 – Low	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)	3 (Low)	2 (Low)
2 – Minor	7 (High/Medium)	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)	3 (Low)
3 – Moderate	8 (High/Medium)	7 (High/Medium)	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)
4 – High	9 (High)	8 (High/Medium)	7 (High/Medium)	6 (Medium)	5 (Low/Medium)
5 – Extreme	10 (High)	9 (High)	8 (High/Medium)	7 (High/Medium)	6 (Medium)

Figure 12 – Risk Assessment Matrix

Item	Potential Environmental Impact	Proposed Mitigation Measures and / or Comment	Significance of Impact	Manageability of Impact	Residual Impact
Heritage	Potential to impact on the site's heritage significance	- Limitations have been placed on the capacity and frequency of the events - Furnishings will be sympathetic to the heritage significant fabric - Special Events Management Plan will be prepared	1	1	2 Low
BCA	Potential to encounter a fire	- A Fire Warden will be present on site at all times - Guests will be briefed by the Fire Warden prior to entry - The Opera House Emergency Evacuation Management Plan will be amended to incorporate specific procedures for temporary overnight events - Any requirements of the BCA consultants and fire engineer	3	2	5 Low/Medium
Access	- Lack of efficient access in the event of an emergency - unequitable access to events	- Guests will be briefed by Opera House Management on the nearest entries and exits; - Rooms have been chosen based on existing lift access	2	1	3 Low

7.0 Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed in **Table 11** below. These measures have been derived from the previous assessment in **Section 5.0** and those detailed in appended consultants' reports.

Table 11 – Mitigation Measures

Mitigation Measures
Heritage
▪ The proposal will be in accordance with the recommendations of the Heritage Impact Assessment prepared by Artefact ▪ Implementation of a Special Events Management plan with recommendations consistent with those outlined in Section 5.2
BCA
▪ A Fire Warden will be present on site at all times ▪ Guests will be briefed by the Fire Warden prior to entry ▪ The Opera House Emergency Evacuation Management Plan will be amended to incorporate specific procedures for temporary overnight events ▪ Any requirements of the BCA consultants and fire engineer
Access
▪ Guests will be briefed by Opera House Management on the nearest entries and exits; ▪ All venues (excluding upper levels within the northern foyers) can be accessed via existing lifts
Environmentally Sustainable Design
▪ The proposal has been prepared in accordance with the four principles of ESD

8.0 Justification for the Proposal

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. As a result, the EP&A Act specifies that such a justification must be made having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development. This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed development involves a temporary fitout and temporary use of six areas within the Sydney Opera House for experiential accommodation. The assessment must therefore focus on the identification and appraisal of the effects of the proposed change over the site's existing condition.

Various components of the social and economic environments have been examined in this EIS and are summarised below.

8.1 Site Suitability

With regard to the characteristics of the Site and its location, the development is considered to be suitable in that:

- It will have no significant impact on the heritage values of the Sydney Opera House;
- There is capacity within the existing building to accommodate the proposal without resulting in material changes to the heritage significance of the building;
- The site is appropriately serviced in order to accommodate the proposed use;
- The proposed temporary use is permissible within the B8 Metropolitan Centre zone of the Sydney LEP 2012; and
- The site is in close proximity to transport infrastructure, shops and other services.

8.2 Public Interest

The proposed development is considered to be in the public interest as it:

- Provides a unique experience within a heritage rich building recognised on a global scale;
- Will generate interest among local, national and international communities, within an established tourist destination;
- Will not detract from the primary use of the Sydney Opera House as a theatre, concert hall and place of assembly;
- Provides equitable access to all overnight venues;
- Will improve community connections with the Sydney Opera House; and
- Will not impact on the amenity of surrounding residents.

9.0 Conclusion

This EIS has been prepared to consider the environmental, social and economic impacts of the proposed temporary experiential accommodation with the Sydney Opera House. The EIS has addressed the issues outlined in the SEARs requirements and accords with Schedule 2 of the EP&A Regulation with regards to consideration of the relevant environmental planning instruments and social and environmental impacts, including heritage and accessibility.

Having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The assessment of this proposal has demonstrated that the development will not generate any environmental impacts that cannot be appropriately managed, and is consistent with the relevant planning controls for the site;
- The proposal will not undermine the heritage significance of the Sydney Opera House; and
- The proposal is consistent with the principles of ecological sustainable development as defined by Schedule 2(7)(4) of the EP&A Regulation 2000.

Given the planning merits described above, and significant public benefits proposed, it is requested that the Minister approve the application.