

## Director-General's Environmental Assessment Requirements

### Section 75F of the *Environmental Planning and Assessment Act 1979*

<b>Application No.</b>	MP 09_0200
<b>Project</b>	Underground loading dock and vehicle access tunnel
<b>Location</b>	Lot 5 DP 775888 & Lot 4 DP 787933, 2 Circular Quay and Macquarie Street, Bennelong Point (The Sydney Opera House)
<b>Proponent</b>	Sydney Opera House Trust
<b>Date issued</b>	17 December 2009
<b>Expiry date</b>	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director General in relation to the preparation of the environmental assessment.
<b>Key issues</b>	<p>The EA must address the following key issues:</p> <p><b>1. Statutory and Other Requirements</b></p> <p>All relevant legislation and planning provisions applying to the site; including permissibility and the provisions of all plans and policies including:</p> <ul style="list-style-type: none"> <li>• Objects of the <i>Environmental Planning and Assessment Act 1979</i>;</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land;</li> <li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;</li> <li>• Sydney Local Environmental Plan 2005;</li> <li>• Management Plan for the Sydney Opera House 2005; and</li> <li>• Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.</li> </ul> <p><b>2. Heritage and Archaeology</b></p> <p>The EA must include a detailed Heritage Impact Statement prepared by a suitably qualified person which addresses the Conservation Management Plan prepared by J.S. Kerr as well as other matters including, but not limited to:</p> <ol style="list-style-type: none"> <li>a) Details of the underground loading dock, vehicle access tunnel and associated works and assessment of the physical impact of the proposed works on the heritage significance of the Sydney Opera House;</li> <li>b) The measures undertaken to minimise and mitigate potential heritage impacts.</li> <li>c) Alternate designs and solutions that involve lesser intrusion into the forecourt, which may utilise other public and private lands;</li> <li>d) An assessment of the likely impacts of the proposal on Aboriginal cultural heritage values and the protection measures to be adopted during the works;</li> <li>e) An assessment of how much of the existing Sydney Opera House building fabric is to be demolished or removed, level of significance and physical condition;</li> <li>f) Justification for the removal of any intrusive fabric and consideration for reuse. If historic fabric is to be demolished or removed a storage disposal strategy is required outlining preferred options and possible alternatives for the use of</li> </ol>

	<p>historic fabric;</p> <ul style="list-style-type: none"> <li>g) Consideration of measures to conserve and protect the ovoid Bennelong Stormwater outfall;</li> <li>h) Demonstration (if applicable) of adherence to the principles, processes and practices of the Burra Charter (Australia ICOMOS);</li> <li>i) Demonstration (if applicable) of consideration of advice contained in <i>Statements of Heritage Impact</i> published by the Heritage Office; and</li> <li>j) Demonstration of compliance with Sydney Opera House Conservation Plan dated 23 June 2003.</li> </ul> <p>The EA must also include an Archaeological Assessment prepared by a suitably qualified person in accordance with Heritage Council Guidelines and should make reference to any previous archaeological studies.</p> <p><b>3. Visual Impact</b></p> <p>The EA must include an assessment of the potential visual impacts of the proposal on the Sydney Opera House, adjoining properties and the public domain. The EA must demonstrate that the location of the entry ramp and air vents (if proposed) will minimise visual impacts. In this regard, consideration of alternatives for air vent locations and service vehicle access from other locations and adjoining properties, apart from the Sydney Opera House must be outlined.</p> <p><b>4. Noise, Vibration, Odour, Air</b></p> <p>The EA must include a detailed assessment of the noise, vibration, odour and air impacts associated with the construction and operation of the proposal.</p> <p><b>5. Traffic and Vehicular Access</b></p> <p>The EA must include a detailed assessment which assesses the potential construction and operational traffic impacts of the proposal on the local road network, and percentage of vehicle traffic the proposal will address. Restrictions on access to the Sydney Opera House, adjoining properties and the public domain should be identified and mitigation measures discussed.</p> <p><b>6. Excavation and Waste</b></p> <p>The EA must include a detailed analysis of the proposed demolition and excavation works prepared by a suitably qualified person which includes:</p> <ul style="list-style-type: none"> <li>a) An assessment of the likely spoil generation and type;</li> <li>b) An assessment of the potential for contaminated materials;</li> <li>c) A Waste Management Plan for correct disposal and management of waste and materials.</li> </ul> <p><b>7. Geotechnical</b></p> <p>The EA must include a detailed geotechnical report assessing the suitability of the site and groundwater conditions, site stability, erosion hazard, proposed earthworks and retention methods.</p>
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<b>Consultation</b>	Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i> including relevant government agencies.
<b>Deemed refusal period</b>	60 days.

## Plans and Documents to accompany the Application

<b>General</b>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment;</li> <li>3. A thorough description of the proposed development;</li> <li>4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed;</li> <li>5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li> <li>6. The plans and documents outlined below;</li> <li>7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;</li> <li>8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Development SEPP; and</li> <li>9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.</li> </ol>
<b>Plans and Documents</b>	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted;</p> <ol style="list-style-type: none"> <li>1. An <b>existing site survey plan</b> drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• the location of the land, boundary measurements, area (sq.m) and north point;</li> <li>• the existing levels of the land in relation to buildings and roads;</li> <li>• location and height of existing structures on the site; and</li> <li>• location and height of adjacent buildings and private open space.</li> <li>• all levels to be to Australian Height Datum.</li> </ul> </li> <li>2. A <b>Site Analysis Plan</b> must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).</li> <li>3. A <b>locality/context plan</b> drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> <li>• significant local features such as parks, community facilities and open space and heritage items;</li> <li>• the location and uses of existing buildings, shopping and employment areas;</li> <li>• traffic and road patterns, pedestrian routes and public transport nodes.</li> </ul> </li> <li>4. <b>Architectural drawings</b> at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;</li> <li>• detailed floor plans, sections and elevations of the proposed buildings;</li> <li>• elevation plans providing details of external building materials and colours proposed;</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• fenestrations, balconies and other features;</li> <li>• accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;</li> <li>• the height (AHD) of the proposed development in relation to the land;</li> <li>• the level of the lowest floor, the level of any unbuilt area and the level of the ground;</li> <li>• any changes that will be made to the level of the land by excavation, filling or otherwise.</li> </ul> <p>5. <b>Other plans:</b></p> <ul style="list-style-type: none"> <li>• <b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management;</li> <li>• <b>Erosion and Sediment Control Plan</b> – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</li> <li>• <b>Geotechnical Report</b> – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons;</li> <li>• <b>View Analysis</b> - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas;</li> <li>• <b>Landscape plan</b> - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site.</li> <li>• <b>Shadow diagrams</b> showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.</li> </ul>
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>• 1 copy of the EA, plans and documentation for the Test of Adequacy;</li> <li>• 12 hard copies of the EA (once the EA has been determined adequate);</li> <li>• 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 5 copies of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.</li> </ul>