



Cameron Sargent
Team Leader, Metropolitan and Regional Projects North
NSW Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Mr Sargent

Thank you for your letter of 8 November 2012 to my predecessor, Theo Hooy, inviting a submission on the modification application for the Vehicle and Pedestrian Safety (VAPS) Project at the Sydney Opera House (MP09_0200 MOD 2). I am pleased to provide the following input on behalf of the Department of Sustainability, Environment, Water, Population and Communities (the department).

As you are no doubt aware, the Sydney Opera House is inscribed on the World Heritage List and is also included in the National Heritage List. The VAPS Project was originally approved by the New South Wales Minister for Planning and Infrastructure in accordance with the *Agreement relating to actions approved and taken in accordance with the Bilaterally Accredited Management Plan for the Sydney Opera House* (the Bilateral Agreement) which ceased on 21 December 2010. I note that modifications to this project are therefore not covered by the Bilateral Agreement and should be referred to the department under the *Environment Protection and Biodiversity Conservation Act 1999* if they are likely to have a significant impact on the property's World or National Heritage values.

The department has reviewed the material provided in relation to the proposed VAPS Project modifications for an additional pedestrian tunnel at basement level, changes to the balustrade around the opening to the underground loading dock in the forecourt, and revised location and design for the Gate House. The changes to the loading dock entry perimeter and Gate House in particular will have visual impacts on the setting of the Sydney Opera House and as such will impact its World and National Heritage values. We consider any adverse impacts are, however, appropriately mitigated by the proposed approach, including by using materials and design elements consistent with those already at the property.

Yours sincerely

Nigel Routh
Assistant Secretary
Heritage South Branch

19 December 2012