

31 January 2020

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GML Heritage Pty Ltd

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Our Ref: 19-0314phr3

**Re: Luna Park, Sydney—Lavender Green—Temporary Rides,
Amusements and Facilities—Heritage Impact Statement**

Dear Mr Hearne,

We refer to GML Heritage Pty Ltd (GML) commission to prepare a Heritage Impact Statement (HIS) to assess the potential impacts of the proposed building envelope and framework for use of Lavender Green at Luna Park Sydney for temporary rides, amusements and facilities.

This assessment includes an overview of the heritage significance of Luna Park, a brief description and discussion of the heritage significance of Lavender Green, an overview of the proposal, and an impact assessment. This includes a consideration if there are any impacts on the setting of the Sydney Opera House.

We have considered the proposal and assessed its potential heritage impact with regard to the Conservation Management Plan (CMP) for Luna Park, Sydney (GML, December 2019), which was endorsed under Section 38A of the *Heritage Act 1977* by the Heritage Council of NSW in January 2020, as well as relevant statutory controls and guidelines.

A site inspection was not undertaken specifically in the preparation of this HIS, as it was not deemed necessary given the nature of the works and the project team's extensive experience, previous site inspections and ongoing work at the site.

Statutory Heritage Context

The 'Luna Park Precinct' (#01811) was gazetted on the NSW State Heritage Register (SHR) in March 2010.

'Luna Park' (I0536) is also listed on Schedule 5 of the *North Sydney Local Environmental Plan 2013* (LEP). The 'Alfred Street (entrance to Luna Park)' (I0529) is also listed on Schedule 5 of the LEP. Lavender Green is also part of the Lavender Bay Heritage Conservation Area (CA12) on the LEP.

The 'Luna Park Precinct' is identified on the Property NSW Section 170 Heritage and Conservation Register (S170 Register) and includes individual listings for the following Luna Park elements: Entrance Face and Towers

(#2180276); Crystal Palace (#2180278); Dorman Long Wharf (Former) (no listing number); Coney Island (#2180283); Cliff Face (#2180298); and Fig Trees (#2180271).

Heritage Significance

The Statement of Significance for the Luna Park Precinct—as presented in the SHR citation, the 1992 Conservation Plan and the 2019 CMP—is included below:

The site now known as Luna Park Precinct is historically significant as the site of the first regular ferry transport between Sydney and the North Shore, and later the busiest ferry wharf on the Harbour, with the exception of Circular Quay. The Milsons Point site was a major transport interchange during the later part of the 19th Century connecting ferry, train and trams. The site later became crucial to the construction of the Sydney Harbour Bridge. Fabrication and assembly of steel components for the bridge was done on site at the 1925 Dorman Long and Company workshops.

After removal of the workshops the Luna Park amusement park was constructed on the site in 1935 and became a centre for recreation for generations of Sydney residents and visitors. Luna Park has strong association with former park artists Rupert Browne, Arthur Barton, Sam Lipson, Peter Kingston, Gary Shead, Richard Liney and Martin Sharp. Martin Sharp is an important Sydney artist with an international reputation who was influential in the Australian Pop Art movement in the 1960's and 70's.

The Luna Park Precinct has important aesthetic values in its own right, a celebration of colour and fantasy originally in the Art Deco style, and as a landmark on Sydney Harbour. Luna Park occupies an important and prominent location on the northern foreshore of Sydney Harbour and is highly visible from Circular Quay and the Opera House and other key harbour vantage points. Luna Park is one of Sydney's most recognisable and popular icons, the Luna Park face in particular is an instantly recognisable symbol of Sydney. The prominence of Luna Park is enhanced by the high quarried cliff face and the fig trees which provide a landscaped backdrop together with the way it is framed by the Harbour Bridge when viewed from the east.

Luna Park includes a rare collection of murals and amusements that demonstrate mid-20th century popular and traditional technologies. These have been complemented by the art works of Martin Sharp, Richard Liney, Gary Shead and Peter Kingston some of which survive as moveable items associated with the park and stored at other locations such as the Powerhouse Museum.

Luna Park is important as a place of significance to generations of the Australian Public, in particular Sydney siders who have strong memories and associations with the place. Its landmark location at the centre of Sydney Harbour together with its recognisable character has endowed it with a far wider sense of ownership, granting it an iconic status. Luna Park received considerable attention following the tragic Ghost Train fire of 1979 and the ensuing short term closure of the park. It became the focus of considerable public action when it was threatened with redevelopment and remains a subject of high public interest.

Luna Park Precinct has very high potential as an archaeological resource that is likely to yield information about all phases of occupation of the site. In particular evidence of the Dorman Long wharf and the railway.

Luna Park is unique as a rare example of an amusement park and fantasy architecture constructed in the 1930s art deco style. The original murals and design of Luna Park demonstrate an amusement park aesthetic that was originally inherited from America and reinterpreted in an Australian context.

The Luna Park precinct includes many individual elements of significance. The most significant elements are the Entrance Face and Towers; Midway; the Rotor; Coney Island; Crystal Palace; Wild Mouse; the Cliff Face and the Fig Trees.

Lavender Green is identified in the CMP as being of moderate heritage significance for its history of being used as part of Luna Park for rides, amusements, organised events and passive recreation. There is no physical fabric or landscape in Lavender Green which is of heritage significance.

Physical Description/Location

Lavender Green

Lavender Green is located at the northern extent of Luna Park Sydney (Lot 1247 in DP 48514) as shown in the figure below. The site is bound by the Lavender Bay foreshore and Peter Kingston Walkway on the west, Maloney's Corner to the south, the rail line to the east, and a landscaped area to the north.

The area is unenclosed, grassed, surrounded by a low retaining wall and trees on the northern and eastern sides, a low boundary fence on the western side and a gate on the southern side. An existing (temporary) 40m x 12m marquee¹ is located on the site orientated north-south along the eastern boundary.

The area has historically been used for temporary and seasonal rides and amusements, organised outdoor events, and passive recreation. It is advertised by Luna Park Venues as 'a large 780sqm outdoor lawn area right on Sydney Harbour and overlooking picturesque Lavender Bay'.²

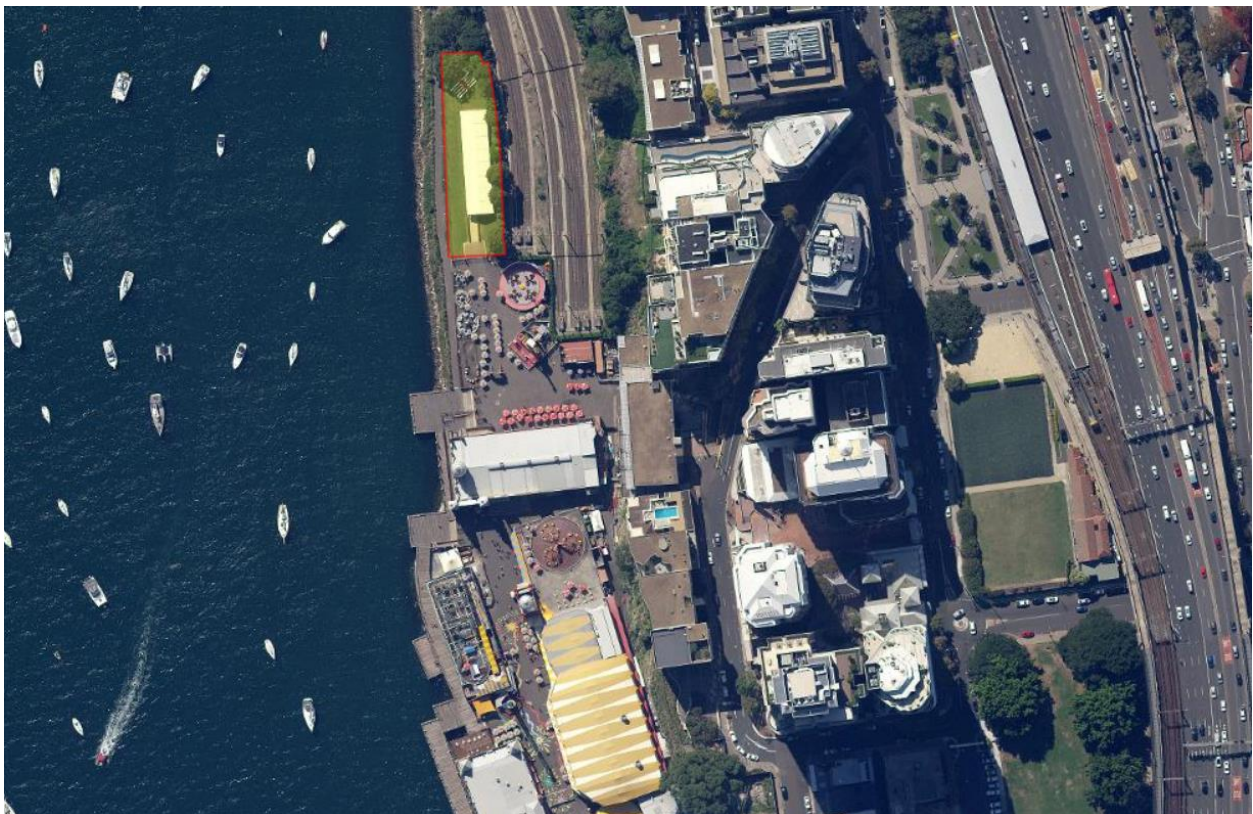


Figure A Site plan showing the location and extent of Lavender Green as defined by its Lot and DP. (outlined in red and shaded in yellow). (Source: SIX Maps)

¹ Luna Park Venues, Milsons Point NSW, 'Lavender Green Upgrade', viewed on 3 July 2019, <<https://lunaparkvenues.com/lavender-green-upgrade>>.

² Luna Park Venues, Milsons Point NSW, 'Lavender Green', viewed on 3 July 2019, <<https://lunaparkvenues.com/lavender-green>>.



Figure B View south of the western boundary of Lavender Green, showing a portion of the Peter Kingston Walkway, low boundary fence and marquee. (Source: Exhibition & Event Association of Australasia, October 2017)



Figure C View north of the southern boundary of Lavender Green, showing the gate between Maloneys Corner and the subject site. (Source: Sydneyfun.com.au)

Description of Proposed Works

The following description of the proposal is extracted from the Statement of Environmental Effects (Ethos Urban, July 2019).

The proposed development seeks consent for envelope on Lavender Green in which temporary rides, amusements and facilities can be installed, modified, and removed without further approval. This will formalise the existing and historic seasonal use of this space.

Building envelope

The footprint of the building envelope comprises Lavender Green, excluding the foreshore and boardwalk area. The proposed envelope has a maximum height of RL 14m, which aligns with the height of existing mature trees that form the eastern boundary of the site that is shared with the rail line.

Temporary rides and amusements

The land within the building envelope will be used for installing, modifying and removing temporary rides, amusements and facilities to cater for additional demand (such as in school holidays) and to provide new attractions for visitors on an ongoing basis. These rides, amusements and facilities will be wholly located within the building envelope and include, but not be limited to: petting zoos; children's ice-skating rinks; inflatables; street performances / entertainers; mobile food stalls; portable toilets; fencing/wayfinding; marquees; and small rides and amusement devices of a type that a child of 120cm tall could ride (ie: ages 5-9).



Figure D Floorplan of the proposed building envelope. (Source: Ethos Urban, July 2019)

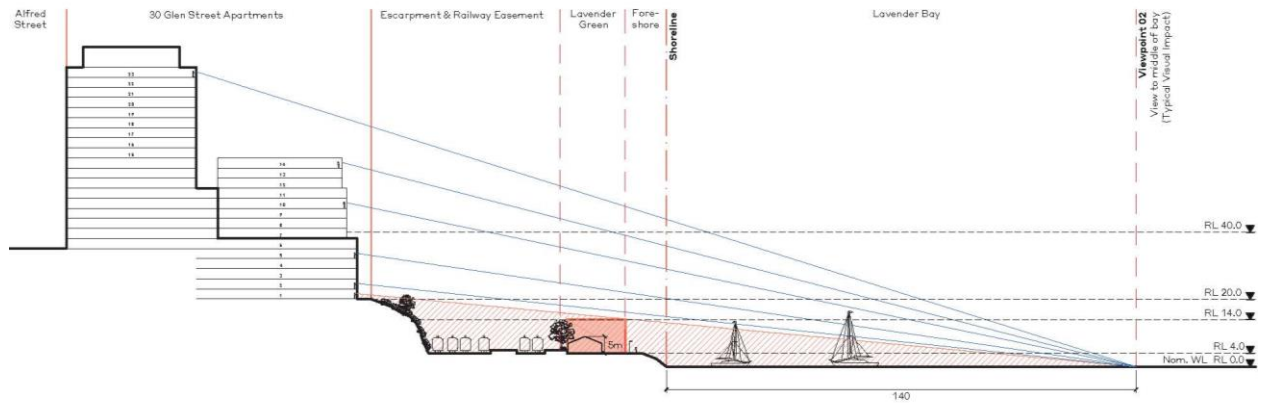


Figure E Section through site showing proposed building envelope and relationship with surrounding topography and land uses. (Source: Ethos Urban, July 2019)

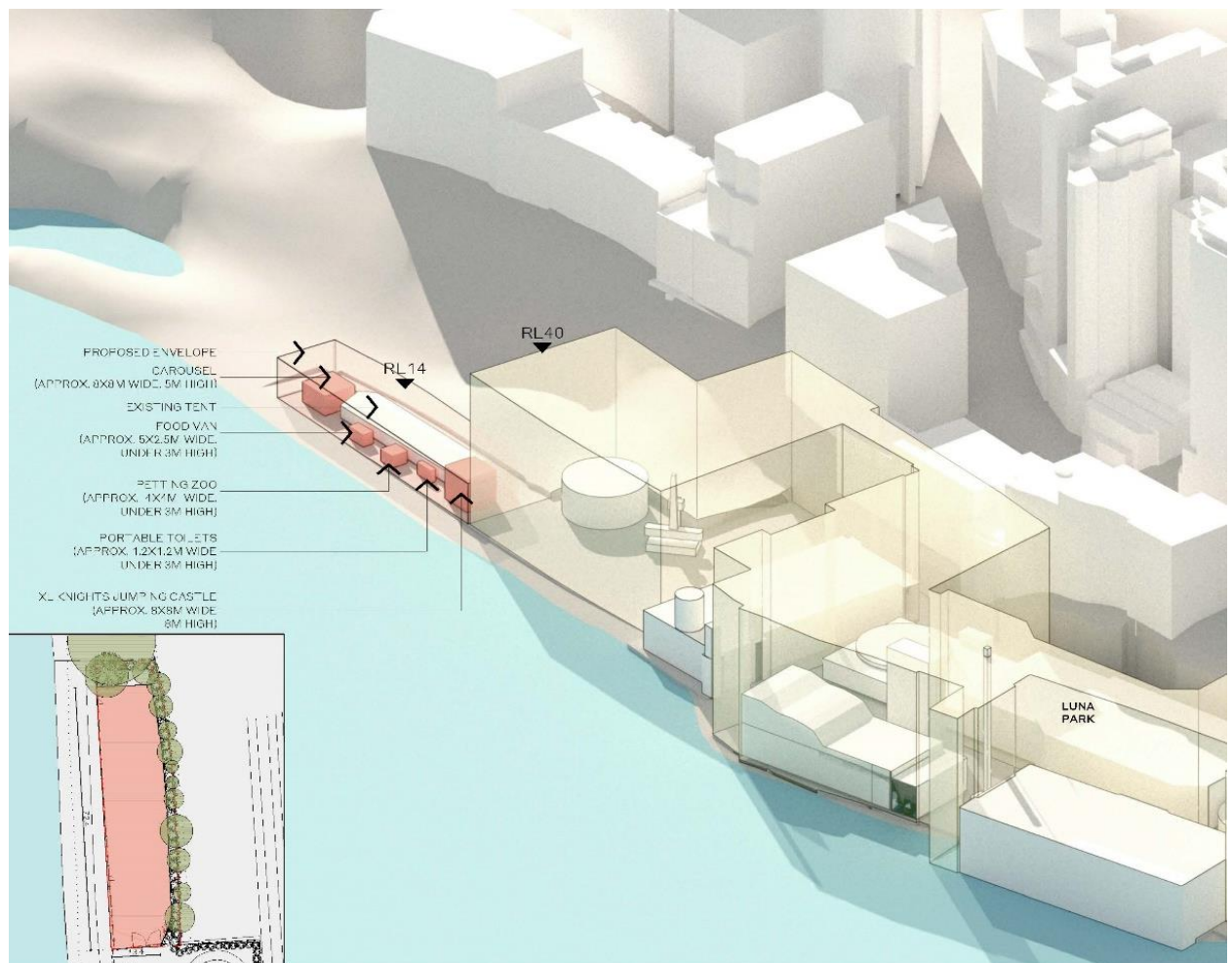


Figure F 3D modelling of proposed building envelope. (Source: Ethos Urban, July 2019)

Resources

This assessment of heritage impacts is based on the documentation provided by Luna Park Sydney Pty Ltd outlined below:

- Lavender Green - Olympic Drive, Milsons Point, Statement of Environmental Effects (prepared by Ethos Urban, July 2019); and
- Plans, sections and 3D modelling drawings (prepared by Ethos Urban, July 2019).

Heritage Impact Assessment

The proposal clarifies and continues an existing and historic use for Lavender Green within the broader Luna Park site, which is the use of the lawn as a location for temporary rides and amusements, organised events and passive recreation.

The proposed framework for use of Lavender Green maintains the temporary nature of any installation, retains the landscape setting of the area and precludes any permanent impacts on the site (eg footings, foundations, permanent structures, etc). The proposed works would be reversible without permanent impact or damage to Lavender Green. No permanent structures would be constructed and the height limit of the envelope would limit any potential visual impacts.

The contribution that Lavender Green makes to the historic use of the Luna Park site would continue within the proposed framework and the area would function as an extension of Maloneys Corner, which allows for seasonal rides and amusements to vary the visitor experience.

The rides will not have an adverse impact on the heritage values of the nearby Coney Island or on Luna Park site more generally. The proposal is consistent with the values of Luna Park as an amusement park and its continued use by patrons. There is no impact on the heritage values of the SHR listed Luna Park Precinct.

Heritage Provisions in the North Sydney Local Environmental Plan and Development Control Plan (2013)

Lavender Green is not included in the 'Luna Park Neighbourhood' (refer to Part C9-12 to C9-14 of the DCP). However, it is part of the Lavender Bay Planning Area (refer to Section 9 of the DCP) and the Lavender Bay Conservation Area (refer to Schedule 5 of the LEP).

The proposal supports the conservation of a landmark feature of Milsons Point, which positively contributes to the local identity and provides public recreation. Access to the harbour foreshore and boardwalk, and open space within Luna Park for passive recreation is maintained. The character, bulk and scale of new development would be managed so that the original features of Luna Park, when viewed from within the site and from Sydney Harbour, would be retained.

The proposed framework generally comply with the heritage conservation clauses of the North Sydney LEP, in that it allows for the continuing and historic use of a heritage item (Clause 5.10). The proposal is consistent with the aims, objectives and controls of the *North Sydney Development Control Plan* (DCP), specifically:

- allow sympathetic change to occur to heritage items (Section 13.5.1—Objective 2);
- significant features of heritage items are retained and that development is sympathetic to these features (Section 13.5.1—Objective 3); and

- are temporary and reversible (Section 13.5.1—Objective 8).

Conservation Management Plan Compliance

The proposal complies with the policies and requirements of the 2019 Luna Park CMP (Section 9):

- The proposed framework requires that proposed works are undertaken consistent with the CMP, with relevant heritage exemptions or approval (9.2.7);
- The proposed framework maintains the use of Lavender Green and is consistent with Luna Park's primary function as a traditional amusement park (9.2.8);
- The proposed framework respects the significant views into and from the site, particularly the visual relationship to the harbour and other significant features including the Sydney Harbour Bridge and Sydney Opera House (9.2.9);
- The proposed framework maintains the landscape and urban design of Lavender Green, and Luna Park's visual quality and contribution to the foreshore of Sydney Harbour is maintained (9.2.9);
- The proposed framework allows traditional, temporary and/or seasonal rides and amusements to continue to be located on Lavender Green (9.2.12); and
- The proposed framework is an appropriate proposal which clarifies and confirms the sympathetic and considered development of Lavender Green, while not detracting from the visual setting or significance of Luna Park as a whole (9.2.15).

The proposed framework is in accordance with the Site Specific Exemption 2 (Installation of Amusement Devices including modification/removal/replacement/relocation in identified areas) as it relates to Lavender Green, is not adjacent to the cliff, does not affect significant fabric, landscape or archaeological features, and does not obstruct primary views.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Harbour REP)

Luna Park is located within the World Heritage Listed Sydney Opera House's buffer zone, identified in Amendment 1 to the Harbour REP. Division 3A of the Harbour REP relates to the matters to be taken into consideration for development within this buffer zone. These provisions include the need to preserve views and vistas between the Sydney Opera House and other public places within that zone, the need to preserve the World Heritage values of the Sydney Opera House, and the need to avoid any diminution of the visual prominence of the Sydney Opera House.

Luna Park is sited on the opposite side of Sydney Harbour from the Sydney Opera House, a considerable distance to the northwest. Visual connections between the two sites are framed by the dominant presence of the Sydney Harbour Bridge with key features such as the face of Luna Park and Crystal Palace the most discernible items to be seen when viewed from the Sydney Opera House.

There will be no visual impact on the vista between the Sydney Opera House and Luna Park. The proposed framework relates to a building envelope at Lavender Green, which is located behind Coney Island and blocked by the building. The distance and angle from the Sydney Opera House renders any view of Lavender Green difficult, if not impossible. In addition, the amusements, rides or structures are temporary, limited in height and any potential visual impact would be reversible.

Conclusion

In conclusion, the proposed building envelope and framework for Lavender Green, and any resultant development on the subject site, undertaken in accordance with the framework, is not likely to have an adverse impact on the heritage significance of the State heritage listed Luna Park Precinct, any individual elements of heritage significance on the site as identified in the CMP, or on the wider Lavender Bay Conservation Area. The framework and any subsequent development would not impact on the Outstanding Universal Value of the Sydney Opera House in its harbourside setting.

As stated in the 2019 CMP for Luna Park Sydney, rides and amusements are fundamental to the continuing traditional use of Luna Park. As with any other amusement park, the rides, attractions and other entertainment offerings at Luna Park are required to change over time in order to provide patrons with new and exciting experiences. The economic sustainability of the site, as an operating amusement park, is essential to the long-term protection and management of the heritage significance of the place.

The proposed building envelope and framework for Lavender Green is assessed as acceptable in the context of the heritage values of the site and its continuing operation as an amusement park.

If you have any queries relating to this advice, please do not hesitate to contact me.

Yours sincerely
GML Heritage Pty Ltd



Julian Siu
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