

25 November 2024

2210545

Annika Hather  
Senior Planning Officer, Key Sites  
Department of Planning, Housing and Infrastructure  
4 Parramatta Square, 12 Darcy Street  
Parramatta, NSW 2124

Dear Annika,

**POWERHOUSE ULTIMO REVITALISATION – SSD-67588459  
RESPONSE TO SUBMISSIONS – POST EXHIBITION LETTER**

This letter has been prepared by Ethos Urban on behalf of Infrastructure NSW (the Applicant) to address the matters raised during the public exhibition following the Response to Submissions of the State Significant Development Application (SSDA) for the Powerhouse Ultimo Revitalisation (SSD-67588459) located at 500 Harris Street, Ultimo.

The SSDA, as exhibited, sought approval for the construction and operation of the revitalised Powerhouse Ultimo. This included the retention and adaptive reuse of the Heritage Core buildings, alterations and additions to the Wran Building, demolition of fabric and structures identified as having no heritage significance and the introduction of a New Building on the southwest corner of the site.

The SSDA was lodged with the Department of Planning, Housing and Infrastructure (DPHI) and was publicly exhibited for 28 days from 3 May until 30 May 2024. In response to the agency and public submissions received during the exhibition of the EIS, a Submissions and Amendment Report was prepared by Ethos Urban (dated 3 September 2024, herein referred to as SAR September 2024), which provided a response to the comments raised by the submissions received, as well as outlined a number of minor changes that were proposed in response to these submissions or as a result of ongoing design development.

Following this, the SAR September 2024 was publicly exhibited by DPHI from 10 September 2024 to 10 October 2024. This secondary Submissions and Amendment Report pack responds to the submissions raised during this secondary exhibition (herein referred to as SAR November 2024).

Further assessment of the amended proposed development has been undertaken by the expert project team as required. Revised and addendum technical studies have been prepared to respond to matters raised in submissions and provide further assessment taking into account the proposed changes to the exhibited project. Where required, this assessment has informed updates to the project Mitigation Measures.

This SAR November 2024 seeks to respond to the submissions received during the exhibition of the SAR September 2024 and is supported by the following appendices:

- Submissions Register prepared by Ethos Urban (**Appendix A**).
- Stormwater and Flooding Response prepared by Arup (**Appendix B**).
- Detailed Response to Submissions Tables prepared by Ethos Urban (**Appendix C**).
- Updated Tree Management Plan prepared by Tyrrell Studio (**Appendix D**).
- Revised Architectural Plans prepared by Architectus (**Appendix E**).
- Transport Responses prepared by JMT Consulting (**Appendix F**).

## 1.0 Analysis of Submissions

This section analyses the submissions received by providing a breakdown of the type of submissions received and identifies the issues raised.

### 1.1 Breakdown of Submissions

During the exhibition of the SAR September 2024, seven agency submissions and 139 public submissions were received.

Submissions were received from the following government agencies/authorities:

- Department of Planning, Housing and Infrastructure.
- The Biodiversity, Conservation and Science (BCS) Group within the Department of Climate Change, Energy, Environment and Water.
- City of Sydney NSW.
- NSW Environment Protection Agency.
- Heritage Council NSW (as delegate under the National Parks and Wildlife Act 1974).
- Heritage Council NSW (as delegate of the Heritage Council for NSW).
- Transport for NSW.

Of the 139 public submissions received, five were in support, three were to comment on the development and 131 were objecting to the proposal. 51 of the public submissions that objected to the revitalisation were identical (form letter). Following the exhibition period, one further late public submission was received which objected to the proposal.

The key issues raised by the submissions were largely the same issues raised during the previous EIS exhibition period, which were responded to in SAR September 2024. The key issues raised were in relation to the museum uses, exhibition space retention, accessibility, government transparency, cost of the development, the merit of the applications, dissatisfaction with the community engagement, and heritage conservation concerns including the heritage listing and the design.

A submissions register is provided at **Appendix A**, which identifies where issues raised in each submission have been addressed. A response to each of the issues raised in the submission is provided in **Appendix C**.

## 2.0 Actions Taken Since Exhibition

In response to matters raised in the submissions in **Appendix C**, the Applicant has undertaken further environmental assessment of the project as undertaken in **Section 3.0** and **Section 4.0**. As set out in the introduction, further assessment of the development was undertaken to address the issues raised by DPHI.

No design changes have been made as a result of the submissions received during the exhibition of SAR September 2024.

## 3.0 Response to Submissions

The Detailed Summary of Submissions Tables at **Appendix C** provides a comprehensive overview of the submissions raised by government agencies key stakeholders, organisations, and the community. It includes detailed responses to each of the issues raised during the consultation period. It should be noted that the majority of the issues raised were the same issues raised during the exhibition of the EIS, however, any new issues raised are addressed in **Appendix C**.

## 4.0 Updated Project Justification

This section was updated as part of SAR September 2024 and does not require any further updates as a result of the submissions received during the exhibition. Given there are no design changes proposed as part of this response (SAR November 2024) there is no increase in the impact of the development. As such, the justification

for the project as previously outlined in SAR September 2024 is reiterated through the presented responses in **Section 3.0** and in **Appendix C** which comprise meaningful amendments to the proposal.

Furthermore, the proposal as set out in SAR November 2024 reinforced the findings of the considerations of alternatives set out in the EIS. In particular, the options of 'Do Nothing' (Option 1) and 'Refurbish Existing' (Option 3) are not feasible when consideration is given to the objectives of the development as set out in Section 1.4 of the EIS and the further assessment provided in this report.

The previously provided project justification is outlined in the following sections.

#### 4.1.1 Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

Neither SAR September 2024 nor SAR November 2024 have identified any serious threat of irreversible damage to the environment and therefore the precautionary principle is not relevant to the project. The proposal (as amended) will deliver a high standard of ESD outcomes and initiatives at the site, as described above (and in the EIS), and will minimise environmental impacts in areas of energy, water, and materials efficiency. Proactive measures to prevent environmental degradation have been included within the design, construction and operation phases of the proposed Powerhouse revitalisation. The contractor will implement environmental management plans during the construction phase and operational procedures of the Powerhouse will actively pursue the relevant targets to meet the relevant mitigation measures and mitigate or minimise potential environmental risks.

#### 4.1.2 Intergenerational Equity

Inter-generational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The project (as amended in SAR September 2024) has been designed to benefit both the existing and future generations by:

- Delivering a highly operational precinct that contributes to the delivery of strategic State and Local Government directives for activation of visitor and night-time economies, while creating publicly accessible and open spaces to encourage the local community to engage with the precinct.
- Providing for new local employment opportunities close to public transport including approximately 200 new jobs, increasing the total number of people employed flexibly across the suite of four Powerhouse sites to 400.
- Enhancing opportunities for cultural and social interaction for residents, workers, and visitors in the local area through renewed, programmed internal museum space, and enhanced open space and pedestrian infrastructure within the site. This will positively improve daily living routines due to increased amenity and walkability.
- Delivering new/revitalised creative and learning spaces for creative, research and learning programs, providing enhanced opportunities to collaborate with schools, universities, and industry. This has the potential to improve lifelong education outcomes for students thereby supporting long-term social and economic wellbeing.
- Supporting sustainability and the transformation of Ultimo alongside Tech Central and Darling Harbour as an internationally renowned innovation precinct and cultural destination. The proposal has the potential to enhance the cultural significance and characteristics of the south-eastern CBD.
- Incorporating sustainability in the design of new built form using materials with longevity and thermal efficiency, such as the proposed brick materiality to the Wran Building and the New Building respectively.
- Recognising and appropriately considering the site's rich heritage and architectural fabric which was appropriately adapted and contributes to Powerhouse Ultimo as a vital component of the ongoing cultural life of Sydney.
- As set out in the Amended HIS submitted with SAR September 2024, the history of the Powerhouse Museum Complex is multifaceted and the proposed development recognises the enduring Connection with Country, including through First Nations co-design; the industrial heritage of the Heritage Core buildings; the role of the Wran Building in the c1988 adaptive reuse of the site for the purposes of the museum; and the evolving needs of the museum to continue to be a museum for the applied arts, sciences and technology for current and future generations.

The proposal has integrated short and long-term social, financial, and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal are avoided and/or minimised through construction planning and the application of safeguards and management measures described in this Submissions and Amendment Report and the exhibited EIS and the appended technical reports, including through the reuse of recycled brick on site. Works on the heritage significant spaces within the site are to be conducted in accordance with the recommendations in the Amended HIS in light of the SHR Listing 2024.

#### **4.1.3 Conservation of Biological Diversity and Ecological Integrity**

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The project (as amended by SAR September 2024) will not have any significant effect on the biological diversity and ecological integrity of the study area. A detailed Construction Management Plan will also be in place to ensure works do not adversely affect the retained vegetation and trees on the site, including measures to protect the trees that are to be retained. The proposed landscaping works enhance the biodiversity of the site through the choice of endemic species throughout the site's landscaped areas. The species have been chosen in collaboration with First Nations peoples as detailed in the Landscape and Public Domain Report at Appendix Q and the Connecting with Country Report in Appendix U submitted with SAR September 2024.

#### **4.1.4 Improved Valuation, Pricing and Incentive Mechanisms**

The principles of improved valuation and pricing of environmental resources require consideration of all environmental resources that may be affected by a project, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance. As outlined in the ESD Report submitted with the EIS, the project (as amended) will conduct a life cycle cost analysis to evaluate cost-effective measures to reduce on-site operational carbon emissions. The proposed development has set a series of environmental goals, including with respect to the energy performance of the buildings within the Powerhouse Museum Complex, and is seeking to invest in addressing those goals now rather than maintaining the status quo with respect to the operation of the site.

## 5.0 Conclusion

As set out in this letter, the Applicant has reviewed each of the submissions made by members of the general public and State and local Government agencies. In response to issues raised in these submissions, as well as matters identified by DPHI, the Applicant has undertaken further environmental assessment and provided clarification regarding the scope of the proposed development that is the subject of this planning application. This SAR November 2024 has set out these matters as required under section 59(2) of the *Environmental and Planning Assessment Regulation 1979* (EP&A Regulations) and in accordance with the DPHI's State Significant Development Guidelines, including Appendix C – Preparing a Submissions Report and Appendix D- Preparing and Amendment Report.

The proposal will facilitate the revitalisation of Powerhouse Ultimo and provide world-class museum and exhibition space, which will deliver important community well-being and economic benefits on a district, regional and national scale, as well as a local scale. The proposal represents a significant investment in the cultural, arts and creative industries, and the revitalisation of this significant national public cultural facility, the associated public programming and community infrastructure will be widespread, significant and long-term.

The proposed amendments to the Powerhouse Ultimo Revitalisation allow for the improvement of the public domain on and around the site, allowing for improved connection to The Goods Line and surrounding precincts including Darling Square and Darling Harbour. This will redefine the entrance to the museum, improving the experience for visitors.

The environmental assessment concludes that subject to the implementation of final mitigation measures submitted as part of the previous SAR, the proposed development would not result in any unacceptable impacts and will generate a number of significant social and economic benefits for the Pyrmont Peninsula, the City of Sydney LGA as well as to the broader Powerhouse Museum visitors. Accordingly, DPHI is requested to complete its assessment of the project and recommend the project be approved by the Minister for Planning and Public Spaces.

Yours sincerely,



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