

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-10416 Powerhouse Parramatta
Applicant	Infrastructure NSW
Consent Authority	Minister for Planning and Public Spaces

Decision

The Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (the Act) granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

11 February 2021

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole including 1,100 construction, 2,430 indirect and 300-400 operational jobs, creation of a new world class cultural facility for Parramatta and Western Sydney, provision of new public open spaces and the northern portion of Civic Link within the site;
- the project is permissible with development consent, and is consistent with NSW Government policies;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 10 June 2020 until 21 July 2020 (42 days) and received 1,303 submissions, including 1,244 objections, 24 comments and 35 in support of the project.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include design excellence, built form, heritage, flooding, public domain, landscaping and tree removal and traffic and parking. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
Heritage impacts and site selection	<p>Assessment</p> <ul style="list-style-type: none"> • The site contains two locally listed heritage items, Willow Grove and St George's Terrace. The application proposes to dismantle and relocate Willow Grove and reconstruct it on an alternative site and retain (alter and partly demolish) St George's Terrace. • The Applicant prepared an Analysis of Alternatives for the relocation of Willow Grove, which concluded: <ul style="list-style-type: none"> ○ retention of Willow Grove in its current location would severely compromise the development of the site and delivery of public benefits ○ the site is the only appropriate site for the development ○ the proposal has been the subject of an international design competition, achieves design excellence and represents the best outcome. • The Department considers, on-balance, the dismantling and relocation of Willow Grove is acceptable given the significance of the site and public benefits the proposal will deliver for Parramatta and Western Sydney and as: <ul style="list-style-type: none"> ○ heritage fabric / significance of will be preserved subject to the preparation of a detailed methodology for works and consultation with stakeholders and the community ○ careful selection of a relocation site will be carried out in consultation with stakeholders and the community to relocate Willow Grove and establish an appropriate setting ○ it will allow for Willow Grove to be adaptively re-used and increase public accessibility to the building. • The Department considers the retention of St George's Terrace is acceptable noting this would preserve one of the existing heritage items on the site, which represents a public benefit. <p>Recommended Conditions</p> <ul style="list-style-type: none"> • Preparation of a Relocation Framework and Methodology Plan in consultation with Council, Heritage NSW and the local community. • Undertaken photographic archival recording of both buildings prior to works commencing. • All works to be supervised by a qualified heritage specialist. • Preparation and implementation of a Heritage Interpretation Plan, Statement of Heritage Impact and Conservation Management Plan. • No consent is granted for the use or fit-out of St George's Terrace, which is subject to a separate future application.

	<ul style="list-style-type: none"> • Explore options to integrate Presentation Space 1 and St George's Terrace, activate the space between the buildings and also Phillip Street Plaza.
<p>Flooding impacts</p>	<p>Assessment</p> <ul style="list-style-type: none"> • The undercroft is a crucial component of the flood mitigation strategy, which ensures the site provides sufficient on-site flood capacity and does not result in adverse up or downstream flooding impacts. • It is not possible to replace the undercroft with a sloped open space without significantly and negatively impacting on the development. • The Department has not granted consent for the use of the undercroft for any use or purpose other than for the conveyance of water during a flood event and also requires the installation of fixed, permanent, permeable screens to ensure visitor safety and security. • Subject to appropriate construction and operational flood emergency management plans the museum collection and flood safety risks can be managed and mitigated. • The proposal has undertaken adequate drainage and infrastructure blockage assessment subject to minor design amendments. <p>Recommended Conditions</p> <ul style="list-style-type: none"> • No consent is granted for the use of the undercroft for any purpose other than flood mitigation. • Fixed, permanent and permeable undercroft screens must be provided. • Construction and operational flooding emergency management plans are required. • Inlets shall be designed assuming 50% blockage and the retaining wall adjacent to 330 Church Street shall be increased to 7.5 m AHD.
<p>Built form and visual impact</p>	<p>Assessment</p> <ul style="list-style-type: none"> • Building heights are less than the PLEP maximum building height controls, consistent with the existing and emerging character of the CBD and provide for an appropriate built form transition to adjoining developments. • The bulk and scale of the development has been modulated, is appropriate for the site and has been mitigated through the design of buildings. In addition, the scale and design of the proposal reinforces the civic qualities the development and would make a positive contribution to the Philip Street and Wilde Avenue streetscapes and to views towards the site from surrounding streets and across the Parramatta River. • The Department concludes that the proposed development has been designed to respond appropriately and positively to the site and its context, has landmark qualities and is therefore acceptable.
<p>Traffic and car parking</p>	<p>Assessment</p> <ul style="list-style-type: none"> • The application includes a Transport Impact Assessment (TIA), which predicts the museum would be visited by between 5,000 to 6,000 people spread relatively consistently throughout the day and generate minimal vehicle trips during peak hours. • In addition, the TIA confirms the development does not include on-site car parking, would be subject to a Green Travel Plan (GTP) to encourage sustainable modes of transport and there is sufficient capacity within existing off-site car parking facilities to accommodate predicted demand.

	<ul style="list-style-type: none"> The Department concludes the proposal would not have an adverse impact on the operation of the surrounding local road network or performance of intersections. In addition, the creation of a car-free development is appropriate and the proposal would promote sustainable modes of transport subject to the preparation and implementation of a GTP. <p>Recommended Conditions</p> <ul style="list-style-type: none"> Preparation and implementation of a GTP.
Tree removal	<p>Assessment</p> <ul style="list-style-type: none"> The application includes an Arboricultural Impact Assessment (AIA), which concludes that there is no feasible option to retain 56 of the 58 existing trees on the site and proposed 120 replacement trees achieving a site-wide tree canopy coverage of 30%. The Department considers due to the location of the majority of existing trees their removal to facilitate the redevelopment is unavoidable and 57% are of poor health, structural condition and/or of low retention value. The Department has recommended the Applicant assess the potential to retain four additional existing trees located on the foreshore and additional planting within Presentation Space 1 open space. The Department concludes that subject to conditions regarding tree replacement, retention and protection, the proposed tree removal is, on-balance, acceptable. <p>Recommended Conditions</p> <ul style="list-style-type: none"> Assess the retention of four existing trees and provision of additional tree planting. Protect the two trees identified for retention during construction. Provide at least 120 replacement trees, a tree canopy coverage of 30% and consult Council about the provision of street tree planting.
Construction impacts	<p>Assessment</p> <ul style="list-style-type: none"> The Applicant submitted a Noise and Vibration Impact Assessment (NVIA), which confirmed construction may result in noise impacts on adjoining properties. The NVIA recommended mitigation measures including preparation of a Construction Noise and Vibration Management Plan (CNVMP), noise monitoring and mitigation measures where noise limits are exceeded. The Applicant has committed to preparing a Construction Pedestrian and Traffic Management Plan (CPTMP) and a Construction Environmental Management Plan (CEMP), including air quality and waste management assessments, a communications strategy and dilapidation survey. The Department considers the Applicant's mitigation measures are acceptable and recommends works be restricted to standard hours of construction consistent with the Interim Construction Noise Guideline (7am to 6pm Monday to Friday and 8am to 1pm Saturdays), preparation and implementation of the various construction management plans, respite periods and other controls. The Department concludes, subject to conditions, noise and vibration impacts can be satisfactorily managed and mitigated to ensure the amenity and operations of surrounding sensitive receivers is not adversely impacted upon. <p>Recommended Conditions</p> <ul style="list-style-type: none"> Preparation and implementation of a CEMP, CPTMP and CNVMP.

	<ul style="list-style-type: none"> Construction work shall be carried out in accordance with the Applicant's management and mitigation measures, limited to standard construction hours, include respite periods, not be 'offensive noise' and all construction vehicles shall only arrive at the site during the permitted hours of construction.
Adequacy of exhibition / storage space	<p>Assessment</p> <ul style="list-style-type: none"> The development includes approximately 18,000 m² flexible exhibition space and the Applicant has confirmed the Powerhouse manages its collection in accordance with their legislation and established collection management policies. The Department considers the development provides for modern and large scale exhibition spaces, which responds to needs and is the result of a design competition and was subject to the advice of the Design Integrity Panel.
Adequacy of consultation	<p>Assessment</p> <ul style="list-style-type: none"> The Applicant has confirmed it undertook a range of community and stakeholder engagement prior to, and following, the lodgement of the application. The Department exhibited the EIS for 42 days which exceeds the minimum 28 days statutory requirements of the EP&A Act. It also made the Applicant's RtS and SRtS publicly available and has considered all additional submissions received in its assessment. The Department is satisfied that sufficient consultation has been undertaken.