

# Notice of decision

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

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD-10472 Expansion of the Museums Discovery Centre
<b>Applicant</b>	DEPARTMENT OF PREMIER AND CABINET
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Executive Director under delegation from 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 [here](#).

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

### Date of decision

23 April 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;
- the considerations under s 7.14(2) and 7.16(3) of the Biodiversity Conservation Act 2016 (NSW);
- 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, including, 150 full time equivalent construction jobs and 35 operational jobs;
- the new storage facilities will support the new Powerhouse Parramatta and community access to the Powerhouse collection through a range of spaces for visible storage, research and education opportunities at the Museum Discovery Centre facility;
- 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 4 November 2020 until 2 December (28 days). The Department publicly exhibited the Response to Submissions for the project from 19 February 2021 until 4 March 2021. A total of 14 public submissions were received in response to the exhibition of the EIS and RtS, including 13 objections and one providing comments.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include tree removal, the need for the proposal, the business case, alternative site/s, car parking and access to public transport, management of the collection, over development and traffic, vehicle access and safety. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
Tree removal	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions objected to the proposed removal of plantation vegetation, in particular about the loss of shade and green space, impacts on flora and fauna, inadequate replanting and the non-Aboriginal heritage and scientific significance of the essential oils plantation.</li> <li>The application includes an Arboricultural Impact Assessment (AIA), which concludes the proposed tree replacement will mitigate the proposed tree removal as the canopy cover lost to the proposal will, in time, be restored with better performing and more varied plantings. In addition, the proposed mix of indigenous and native plantings will achieve greater, long term biodiversity outcomes than the existing plantation trees.</li> <li>The application also includes a Biodiversity Development Assessment Report which concludes the vegetation and habitat quality is poor and lacks important habitat features. It recommended a Flora and Fauna Management Plan be prepared to protect vegetation to be retained, protecting any threatened snail species found on the site, unexpected finds and weed management.</li> <li>The heritage significance of the plantation was previously considered as part of the planning proposal to rezone the site to Infrastructure (Information and education facility), which concluded that the existing planting have low significance.</li> <li>The Department concludes that subject to conditions regarding tree replacement and new landscaping, the proposed tree removal is, on-balance, acceptable.</li> </ul> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>Retiring of one biodiversity credit to offset the tree removal</li> <li>Preparation and implementation of a Tree Replacement Implementation Plan</li> <li>Preparation and implementation of a Flora and Fauna Management Plan</li> <li>Landscape Plan to recognise and reflect the indigenous and non-Aboriginal history of the site and include interpretation of the former MDC plantation</li> </ul>
Need for the Proposal / Adequate facilities provided at Ultimo (Harwood Building)	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions objected to the proposal, stating that additional storage was not needed following the Government decision to retain Powerhouse Ultimo. Submissions were concerned that the proposal seeks to replace existing storage facilities within the Harwood building (Ultimo Tram Depot) and will lead to/justify the redevelopment or sale of the Harwood building.</li> <li>The Applicant has advised that the proposal does not seek to replace existing operational or functional components of the Powerhouse. It notes that expanded storage facilities are required at the MDC to not only house existing collections but provide storage for future collections.</li> <li>The Department has assessed this proposal for a new building for storage, display, research and education on its merits and concludes that it will make a positive contribution to the MDC, has acceptable impacts and is in the public</li> </ul>

	<p>interest. Any proposal for the Powerhouse at Ultimo will be subject to a separate planning process and will be assessed on its merits.</p> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>No conditions necessary.</li> </ul>
Inadequate business case / Spending of Government money	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions raised concern about the business case for the proposal and the potential cost and appropriateness of the spending of State funds on the proposal.</li> <li>The Department has assessed the application in accordance with 4.15(1)(b) of the EP&amp;A Act and concludes that the proposal would result in positive economic outcomes for the Hills and Western Sydney.</li> </ul> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>No conditions necessary.</li> </ul>
Alternative site/s	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions raised concern that alternative sites have not been considered.</li> <li>The Applicant outlined that a separate site would not allow for efficient operation of collection management and would increase the need for transportation of collection items and staff.</li> <li>The Department has assessed this proposal for a new building for storage, display, research and education on the MDC site on its merits and concludes that it will make a positive contribution to the MDC, has acceptable impacts and is in the public interest.</li> </ul> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>No conditions necessary.</li> </ul>
Insufficient car parking and access to public transport	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions objected to the insufficient car parking and access to public transport to support increased visitation to the MDC.</li> <li>The proposal is not expected to significantly change the existing operations of the MDC and the existing 54 space car park is adequate to meet the car parking needs of staff and visitors to the MDC.</li> <li>In addition, a shuttle bus operates on open days to transport visitors from Hills Showground metro station to the MDC.</li> <li>On this basis, the Department is satisfied that the existing car parking and access to public transport, including the shuttle bus is sufficient.</li> </ul> <p>Recommended Conditions</p> <ul style="list-style-type: none"> <li>Preparation and implementation of an Operational Management Plan including management car parking and the operation of the shuttle bus on open days.</li> <li>Preparation and implementation of a Green Travel Plan including a Transport Access Guide to encourage public transport.</li> </ul>
Management of the Powerhouse collection	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions objected to the inadequate display and workshop space, access for very large objects, safety, security and potential for damages during transport.</li> <li>The Applicant notes the MDC expansion does not seek to replace existing operational or functional components of Powerhouse. The MDC has served as a collection storage facility for the Powerhouse for many years and is located in good proximity to the recently approved Powerhouse Parramatta.</li> <li>The Applicant also notes the Powerhouse manage the collection in accordance with relevant legislation and collection management policies to ensure the safety and security of the collection.</li> <li>The Department notes that development provides for modern and large-scale storage and display spaces and will</li> </ul>

	<p>complement the existing Powerhouse Museum which will be retained in Ultimo and the approved Powerhouse Parramatta. The design, location and spaces has been undertaken in response to the needs to the MDC.</p> <ul style="list-style-type: none"> <li>The Department considers the design of the proposal is acceptable and concludes the spaces within the building are appropriate for their intended purpose.</li> </ul> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>No conditions necessary.</li> </ul>
Overdevelopment	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions objected to the proposal as it results in overdevelopment of the site including limiting the future expansion opportunities for TAFE.</li> <li>The Department concludes that the proposal is permissible with consent, is consistent with the height control applying to the site, results in a built form consistent with the character of the locality and does not cause any adverse amenity or other environmental impacts.</li> </ul> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>No conditions necessary.</li> </ul>
Traffic, vehicle access and safety	<p>Assessment</p> <ul style="list-style-type: none"> <li>Public submissions objected to the proposed expansion of the MDC as the site is not suitable given the surrounding traffic conditions and site access. Submissions raised concern about potential safety issues for the Powerhouse collection.</li> <li>The Applicant notes the Powerhouse manage the collection in accordance with relevant legislation and collection management policies to ensure the safety and security of the collection during transport.</li> <li>The Department is satisfied that the proposal will not materially impact on traffic generation in the local area, and that acceptable vehicle access is provided, subject to a condition limiting the Showground Road access to heavy vehicles only.</li> </ul> <p>Recommended Conditions</p> <ul style="list-style-type: none"> <li>Showground Road access restricted to heavy vehicles only.</li> </ul>