

Section 4.55 (2) Modification Application

Powerhouse Ultimo Revitalisation SSD-67588459
Modification 1

500 Harris Street, Ultimo NSW 2000

Submitted to Department of Planning, Housing and Infrastructure
on behalf of Infrastructure NSW





'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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Appendices

Appendix	Title	Author
A.	Amended Architectural Plans	<i>Architectus and Durbach Block Jagger</i>
B.	Design Report	<i>Architectus and Durbach Block Jagger</i>
C.	Traffic Impact Statement	<i>JMT Consulting</i>
D.	Heritage Impact Statement	<i>NBRS</i>
E.	BCA Statement of Compliance	<i>Steve and Watson Partners</i>
F.	Amended Operational Waste Management Plan	<i>Foresight Environmental</i>
G.	Structural Statement	<i>SCP</i>
H.	State Design Review Panel Response	<i>Ethos Urban</i>

Executive Summary

This Modification Report has been prepared by Ethos Urban on behalf of Infrastructure NSW to accompany a Modification Application pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks to modify Development Consent SSD-67588459 relating to the Powerhouse Ultimo Revitalisation (the project) at 500 Harris Street, Ultimo NSW 2000 (the site).

State Significant Development (SSD) Application was approved by the Minister on 24 February 2025 for revitalisation works to the Powerhouse Ultimo precinct, including renewed exhibition spaces and new public domain. This application seeks consent for the following modifications to the development consent.

- Demolition and reconstruction of the structure of the Wran Building and Galleria.
- A revised loading strategy, including the deletion of the loading dock and a reduction to approved excavation.
- Reduction in the scope of works to the Switch House, including the relocation of amenities.
- Removal of the mezzanine levels within the creative commercial spaces.
- Removal of the rooftop bar at the Switch House and the installation of a new low-pitched metal deck roof over the classroom/academy space.
- Replacement of existing glazing with cladding on the eastern façade of the Galleria adjacent to Exhibition Space 2.
- Removal of exhibition hoists and minor internal modifications throughout.
- A number of minor modifications to the wording of approved conditions of consent.

This Modification Application identifies the consent, describes the proposed modifications, and provides an assessment of the relevant matters contained in section 4.55(2) of the EP&A Act. It has been prepared and set out in accordance with the Department of Planning, Housing and Infrastructure (DPHI)'s *State significant development guidelines – preparing a modification report* (October 2022).

Strategic Context

The submitted EIS for SSD-67588459 comprehensively assessed the development against the relevant strategic guidelines at state, regional and local levels, including with regard to the Greater Sydney Region Plan, Pyrmont Peninsula Place Strategy and the Local Strategic Planning Statement – City Plan 2036 (City of Sydney). The proposed amendments do not alter SSD-67588459's consistency with this framework for the reasons set out in **Section 2.0**.

Statutory Context

Section 4.55(2) of the EP&A Act states that a consent authority may modify a development consent if “*it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)*”.

The development, as proposed to be modified, is ‘substantially the same development’ for the following reasons:

- The underlying project objectives of SSD-67588459 remain as below, in particular:
 - Deliver a world-class museum that will deliver a dynamic applied arts and science program.
 - Provide exhibition spaces that are flexible and adaptable.
 - Attract internationally significant exhibitions that are aligned with the Powerhouse's curatorial aims.
- The overarching design and layout of the proposed development does not change.
 - Construction of new museum spaces alongside Harris and Macarthur Street frontages.
 - Conservation and adaptive reuse of the existing Ultimo Power House and other heritage items.
 - The construction of new public spaces.
- The proposed modifications are necessary due to further design development, which has been undertaken post approval of SSD-67588459. This has led to changes in the construction approach for the structure of the Wran Building and Galleria and the removal of the loading dock from the design. The proposal effectively replaces aged structural steel (approved to be cladded) within the Wran Building and Galleria with new structural steel to meet current building standards. The proposed reconstruction of structural steel will be constructed in a manner consistent with the same existing pattern. These amendments are considered minor when considered against the overall scope and scale of the project.

- The overall bulk and space of the development remain unchanged. There are minor amendments to the Galleria building height to match the existing height, although this is a minor change reduction RL 37,565 (existing) to RL 37,350 (proposed). The Amended Architectural Plans at **Appendix A** demonstrate that the development, when viewed from the public domain, will look substantially the same.
- The proposed amendments do not change any land use, or envelope of any of the key parameters of the development. Nor does it change the external appearance of the approved development apart from discrete interventions to the southern façade of the Switch House for the purposes of the loading dock which are no longer proposed.
- The proposed replacement of the existing steelwork structure of the Galleria on a 'like-for-like' basis addresses the significant building compliance and safety challenges as set out in section 4.3. It has been concluded that the heritage impacts of the modification are considered acceptable as the modification mitigates adverse heritage impacts which would have arisen to the most significant elements of the Wran and Galleria being the distinctive form of the double roof arches (see **Section 7.1.1**).
- The proposed modifications do not alter the statement of reasons listed in the notice of decision for SSD-67588459. The project will continue to provide a range of public benefits, is consistent with the NSW Government policies, demonstrates that impacts on the environment and community can be appropriately minimised and the issues raised by the community have been considered and addressed.

The proposed amendments do not otherwise alter SSD-67588459's consistency with the relevant legislation and statutory framework.

Assessment of Impacts

Under section 4.55(3) of the EP&A Act, the consent authority must take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent. This report considers the relevant matters under section 4.15(1) with regard to the proposed amendments sought and the reasons given by the consent authority for granting development consent.

In this regard, it finds that the proposed amendments will not give rise to unacceptable environmental impacts on the amenity of surrounding land uses, including structural, heritage, traffic and waste impacts. **Section 7.0** includes additional mitigation measures relevant to this modification.

The proposed amendments are consistent with the original reasons the Minister gave when granting consent to SSD-67588459 for the reasons set out in **Section 5.4**. The development, as proposed to be modified, remains suitable for the site and in the public interest.

Justification

This modification application has been prepared in response to further design development undertaken following the approval of SSD-67588459. Subsequent to the approval of the Powerhouse Ultimo Revitalisation, significant challenges associated with the retention of existing steel structures were identified within both the Wran Building and the Galleria. This application seeks to address and resolve those structural challenges to ensure the project can be delivered in accordance with the original design intent of SSD-67588459.

This modification also includes a reduction in works affecting the site's heritage fabric, most notably, the removal of the loading dock from the Switch House.

The proposed amendment will deliver the following key additional public benefits to the Powerhouse Ultimo Revitalisation, including:

- The amended proposal will ensure the structural integrity of the Wran Building and Galleria.
- The proposal, as amended, has reduced the scope of works to the Switch House, which results in further preservation of the original and heritage fabric of the Switch House.
- The minor design changes incorporated throughout the development are the result of ongoing design refinement and contribute to improved design outcomes for the Powerhouse Ultimo Revitalisation.

Under the development as amended, the Powerhouse Ultimo Revitalisation, will continue to deliver the following project-wide benefits as identified in the SSD-67588459 EIS:

- The proposal will facilitate the revitalisation of Powerhouse Ultimo and provide world-class museum and exhibition spaces, which will deliver important cultural, industry and economic benefits to the community.

- The proposal represents a significant investment in the applied arts, applied sciences, culture 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 revitalisation of the site buildings supports the high design quality that encourages creative expression and elicits a wide range of innovative design responses to the site. An internationally important public museum development of the highest architectural design quality will be delivered.
- The proposal allows for the significant 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 reorient the entrance to the museum, improving the experience for visitors and the museum's connectivity to public transport and surrounding precincts.
- The proposal will support an estimated 200 direct and 140 indirect FTE jobs, generating approximately \$34.4 million in value, adding to the local and regional economy annually. The estimated 400 FTE direct ongoing workers across the Powerhouse sites will cause an immediate value-add to the economy of \$37.1 million annually. When considering the multiplier effect, total continued employment is estimated at 670 FTE jobs (direct and indirect), including a total value added to the economy of \$68.8 million annually.
- The proposed SSDA allows for the provision of the renewed cultural facilities that respond to the heritage significance of the site, whilst not resulting in impacts on surrounding uses that cannot be managed.
- The proposed works are directly consistent with the Pyrmont Peninsula Place Strategy, the Ultimo Sub-Precinct Plan, the NSW Government's Cultural Infrastructure Plan 2025+ , the NSW Cultural Strategy and the City of Sydney's Local Strategic Planning Statement, as it delivers design excellent, cultural and community facilities.

Given the above, the Department may modify the consent in accordance with Section 4.55(2) of the EP&A Act.

1.0 Introduction

This Modification Report has been prepared by Ethos Urban on behalf of Infrastructure NSW to accompany a Modification Application pursuant to 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks to modify State Significant Development (SSD) SSD-67588459 relating to the Powerhouse Ultimo Revitalisation (the project) at 500 Harris Street (the site).

Section 4.55(2) states consent authority may modify a development consent if it is satisfied that the proposed development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted.

The Modification Application is based on the amended Architectural Plans provided by Architectus and Durbach Block Jagers (DJB) see **Appendix A** and other supporting technical information appended to the Report (see Table of Contents). This Report has been prepared in accordance with Part 5 of the EP&A Regulations and the Department of Planning Housing and Infrastructure's (DPHI) State Significance Development Guidelines – Preparing a Modification Report. It identifies the consent to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration.

1.1 The applicant

The Applicant's details are presented in **Table 1** below.

Table 1 Applicant Details

Applicant:	Infrastructure NSW
Address:	Level 27, 201 Kent Street, Sydney NSW 2000
ABN:	34 945 244 274

1.2 Project background

1.2.1 Consent proposed to be modified – SSD-67588459

Development consent SSD-67588459 was granted by the Minister of Planning on 24 March 2025 for the revitalisation of Powerhouse Ultimo. The project's key elements, as originally approved, comprise:

- Site preparation works, demolition of buildings / structures tree removal and earthworks;
- Alterations, additions, adaptive reuse, maintenance and repair of existing buildings;
- Construction of alterations and additions to the Wran Building
- Provision of service vehicle and bicycle facilities and access;
- Provision of public open space, courtyards and associated hard and soft landscaping; and
- Use of new built form for the purposes of a museum.

An artist's impression of SSD-67588459 as currently approved is provided in **Figure 1** overpage.

SSD-67588459, as approved, will facilitate the revitalisation of Powerhouse Ultimo and provide a world-class museum and exhibition space, which will deliver important community well-being and economic benefits on a local, regional and national scale and this will not change under the proposed modification of SSD-67588459.



Figure 1 *Photomontage of SSD-67588459 as approved, as viewed from Harris Street*

Source: Architectus and DBJ

1.3 Pre-lodgement consultation

Infrastructure NSW and Aurecon, in partnership with the Powerhouse, undertook a range of community and stakeholder engagement to inform the preparation of the Powerhouse Ultimo SSD Application and the EIS. The consultation program included engagement with the local community, neighbours, key stakeholders, and government authorities and agencies to present an overview of the proposed development and gather feedback during the preparation of the SSDA.

Since the approval of the SSDA application, further consultation has been undertaken with the State Design Review Panel (SDRP) on 9 April 2025 regarding the design changes considered in this modification.

Key matters raised included the site strategy and operations, landscaping, and architecture of the proposed development. Although the majority of the SDRP's comments do not directly relate to this modification application, the applicant has provided a detailed response at **Appendix H**, with further discussion on design excellence included at **Section 5.6**.

1.4 Site Overview

The proposed modification does not seek to change the extent of the project site. In line with SSD-67588459 EIS, the extent of the Powerhouse Ultimo Revitalisation comprises:

- Lot 1 DP 631345: Ultimo Powerhouse, Harris Street civic space and museum entrance, café and southern carpark.
- Lot 1 DP 781732: Wran Building.
- Lot 3 DP 631345: Harris Street civic space and museum entrance.
- Lot 37 DP 822345: Harris Street civic space and museum entrance.
- Lot 1 DP 770031: Former Ultimo Post Office.

1.5 Analysis of alternatives

The following development scenarios were considered in the preparation of this Modification Application:

- Do nothing and proceed with SSD-67588459 as approved; or
- Amending the SSD-67588459 approval as proposed.

Analysis of the design choices proposed in this modification application are provided in **Sections 3.0** and **6.0** of this report; however, in essence, the proposed amendments are necessary to support further design development that has been undertaken since the approval of SSD-67588459 and remove elements that are no longer required. The modification application also addresses structural issues that were identified post approval of SSD-67588459, which are necessary to be addressed to deliver the project as approved. In particular, for the reasons set out in **Section 4.3**, whilst the structural steel of the Wran Building was proposed for retention under the development consent, it has subsequently been identified that retention of the structural steel cannot be warranted and creates a material safety risk for construction workers given the substantial height of the roof form of the Wran Building requiring works. Furthermore, to reinforce the structural steel would require construction of additional steel bars which have been assessed as not acceptable from a heritage perspective due to visible impacts upon the distinctive curved roof form of the Wran Building. The replacement of structural steel with new steel consistent with current building standards is considered acceptable from a heritage perspective on the basis of like for like reconstruction where feasible within building compliance requirements.

As outlined in **Sections 3.0** and **6.0**, the benefits of the Modification Application significantly outweigh those of maintaining the existing SSD-67588459 approval unchanged.

2.0 Strategic context

2.1 Site overview

This modification application does not change the SSD-67588459 project site.

Powerhouse Ultimo is situated upon the lands of the Gadigal people of the Eora Nation. The site is located at the interface between the suburbs of Ultimo, Pyrmont, Haymarket, and Darling Harbour, and this is reflected in its strategic positioning in relationship to the local pedestrian, active transport, public transport and road network. The site is located at the northern terminus of the Goods Line from Central Station and close to the southern end of Tumbalong Boulevard. Macarthur Street serves as a pedestrian-friendly east-west connection between Ultimo and the southern CBD. Paddy's Markets and Exhibition Centre Light Rail Stations are both located near the site, and bus stops at Harris Street provide access to Central as well as centres including Ryde and Parramatta via Victoria Road.

The site's street address is 500 Harris Street and comprises the following lots:

- Lot 1 DP 631345: Ultimo Powerhouse, Harris Street civic space and museum entrance, café and southern carpark.
- Lot 1 DP 781732: Wran Building.
- Lot 3 DP 631345: Harris Street civic space and museum entrance.
- Lot 37 DP 822345: Harris Street civic space and museum entrance.
- Lot 1 DP 770031: Former Ultimo Post Office.

2.2 Consistency with the strategic framework

The proposed modification does not change the strategic context of the project.

The submitted Environmental Impact Statement (EIS) for SSD-67588459 comprehensively assessed the approved development against the relevant strategic guidelines at the state, regional and local levels. While this modification application proposes changes to the approved SSD-67588459, the intent and outcomes of the Powerhouse Ultimo Revitalisation remain unchanged. As such, the proposal continues to be consistent with the strategic framework.

4.0 Description of the modifications

This section describes the proposed modifications to the approved project. It also outlines why the development, as proposed to be modified, is substantially the same development as that originally approved.

4.1 Proposed modifications to the consent

This modification application seeks consent for the following modifications to the development consent, which are detailed in the Amended Architectural Plans prepared by Architectus and DJB at **Appendix A**. The modification application seeks consent for the following:

- Demolition and reconstruction of structure of the Wran Building and Galleria.
- A revised loading strategy, including the deletion of the loading dock and a reduction to approved excavation.
- Reduction in the scope of works to the Switch House, including the relocation of amenities.
- Removal of the mezzanine levels within the creative commercial spaces.
- Removal of the rooftop bar at the Switch House and the installation of a new low-pitched metal deck roof over the classroom/academy space.
- Replacement of existing glazing with cladding on the eastern façade of the Galleria adjacent to Exhibition Space 2.
- Removal of exhibition hoists and minor internal modifications throughout.
- A number of minor modifications to the wording of approved conditions of consent.

The proposed modifications aim to support the continued design development by removing elements of the project, such as the loading dock and mezzanine levels, which are no longer necessary. Furthermore, during the detailed design phase, it was determined that the existing Wran Building and Galleria structure are unable to support the approved works under the SSD 67588459. As a result, this modification proposes the demolition and rebuilding of the structure of the Wran Building and Galleria to ensure its structural integrity.

4.2 Modification Overview

The purpose of this modification application is to amend SSD-67588459 to facilitate further design development. The proposed modifications are described in more detail in **Section 3.3** to **Section 3.6**. **Table 2** outlines the key project components and any changes that this modification will result in.

Table 2 Modified Project Summary Table

Component	Original Project	Modified Project	Change (+/-)
Project Summary	Revitalisation of Powerhouse Ultimo	Revitalisation of Powerhouse Ultimo	No change
Project Address	500 Harris Street, Ultimo, NSW, 2000	500 Harris Street, Ultimo, NSW, 2000	No change
Proposed Use	Information and education facility – Museum	Information and education facility – Museum	No change
Site area	17,419.3m ²	17,419.3m ²	No change
GFA	15,842.95m ²	14,859.03m ²	-983.92m ² (Removal of mezzanine and changes to the Switch House)
FSR	0.91:1 (complies with Sydney LEP)	0.91:1 (complies with Sydney LEP)	No change
Maximum Height	Tallest building is RL 37.465 (Galleria building)	Tallest building is RL 37.465 (Galleria building)	No change.
Car spaces	No on-site parking is proposed for visitors	No on-site parking is proposed for visitors	No change

Loading spaces	Five new loading vehicle spaces	Zero loading vehicle spaces	Removal of five loading vehicle spaces (instead utilising existing loading arrangements).
Loading Dock	Construction of a loading dock and ancillary back-of-house amenities	Removal of loading dock and relocation of back of house amenities.	Removal of loading dock and relocation of back of house amenities.
Deep Soil Area	6.2% of site area	6.2% of site area	No change
Exhibition space	Alterations and additions to the Wran Building including an auditorium upgrade and upgrade of exhibition spaces.	No change	No change

4.3 Wran and Galleria Building Structure

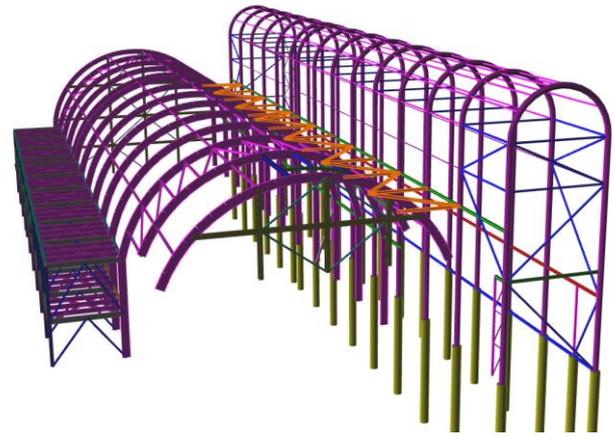
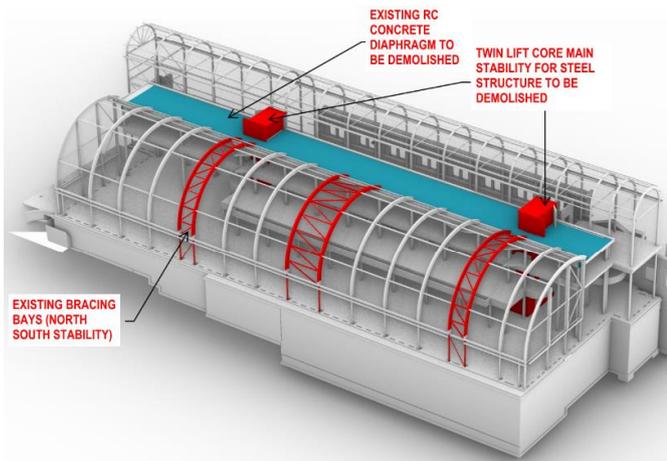
The Wran and Galleria Buildings (the Wran Building) refers to the 1988 purpose-built museum building to the west of the Power House and Switch House buildings. The Wran Building is defined by its large steel arches with frontage to Harris Street. Under SSD-67588459 internal and external alterations were approved to the Wran Building, including partial demolition of external and internal structures, construction of the western arched roof form into a full arch, as well as the recladding and extension of the building. The majority of the existing steel structure was intended to be retained.

Through further building investigations and construction methodology planning, significant challenges to the retention of the steel structure have been identified. These challenges include:

- lack of supply-chain documentation regarding the structural and metallurgical characteristics of the existing steelwork noting it has been 37 years since the museum first opened;
- requirements for destructive investigations to ascertain the structural integrity of the existing steelwork;
- uncertainty regarding existing material fatigue and structural integrity changes during the building revitalisation process;
- requirement to remove stabilising concrete structures to facilitate the approved building works;
- material worker safety risks associated with steel testing and retention, including requirements for much of the steelwork investigations to occur at substantial heights within a working environment of uncertain structural condition; and
- the need for significant intrusive additions to facilitate the in-situ retention of the existing steel structure during the construction and operational phase that would significantly impact upon the heritage-significant properties associated with the structure and volume of the arches;
- inability to certify building compliance with the National Construction Code and applicable Australian Standards;
- inability to warrant the existing steelwork for the intended lifespan of the overall revitalisation project; and
- significant cost impacts associated with the abovementioned challenges.

Of the abovementioned reasons, the impacts of new structural additions that would be required to retain the existing steel structure in-situ on the heritage qualities of the Wran Building and Galleria identified of State heritage significance (namely the distinctive curved roof form and general scale) are considered to be unacceptable on heritage grounds as outlined further in **Section 6.2**. The removal of the existing steel structure, with archival recording, and installation of new steelwork that is representative of the existing structure, is considered to be a superior option. Furthermore, it is substantially the same as the proposed development as it will result in retention of the curved roof form and general scale of the arches albeit with structural steel that meets current standards.

The Structural Report prepared by SCP at **Appendix H** elaborates further on the reasons that the removal and rebuilding of the steel structure is preferred and includes further details of the dismantling and construction methodology proposed to reinstate the Wran Building and Galleria spaces. **Figure 2** overpage shows a comparison of the existing and proposed Wran Building structure as part of this modification, illustrating that the replacement structure will be consistent with the existing building.



Existing Wran structure building, highlighting existing lift cores and lateral diaphragm bracing

External view Looking north south, restraining truss highlighted

Figure 2 Comparative assessment of Wran Structure

Source: SCP Engineers

4.4 Loading Dock

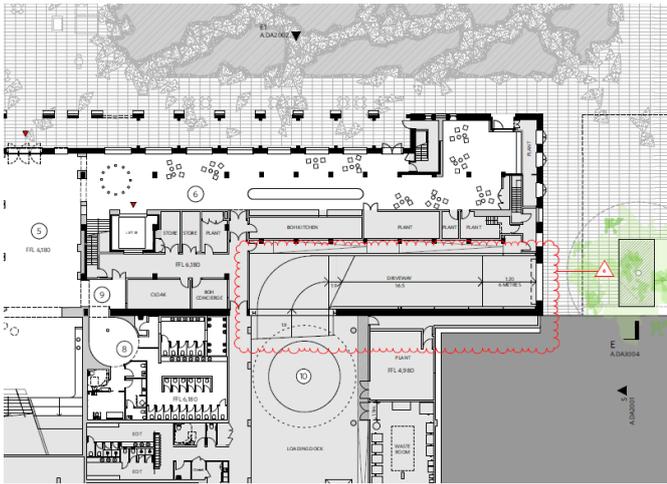
The approved loading dock under SSD-67588459 is proposed to be removed from the design. The loading dock was proposed to be located at the south-western corner of the site. This location was previously chosen due to this area being the only unoccupied portion of the site with access to the road. **Figure 3** details a comparison between approved plans under SSD-67588459 and the proposed modified plans that detail the removal of the loading dock.

A revised loading and servicing strategy is provided within the Transport Impact Statement (TIS) prepared by JMT Consulting at **Appendix C**. The TIS has determined that the loading dock is no longer required as it was later evident that the existing arrangement within the Harwood Building loading dock could sufficiently cater for the loading activities of the development approved under SSD-67588459.

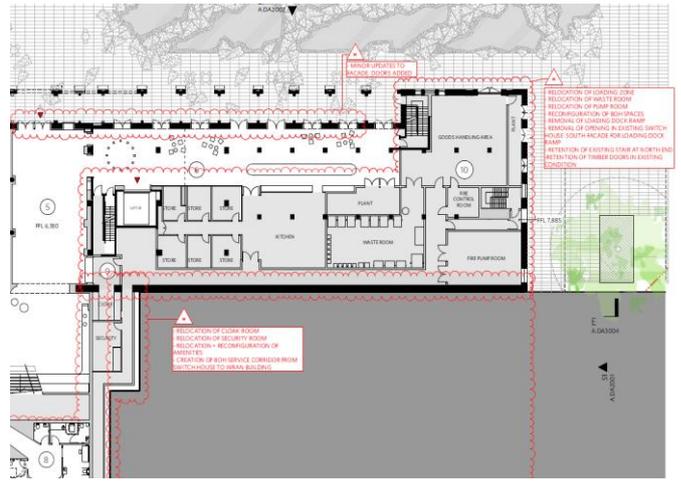
The majority of goods loading is proposed to occur through the Harwood Building, consistent with the current loading arrangements of the existing Powerhouse operations. The loading of larger items directly into the Boiler House and Turbine Hall will remain as per the approved development.

A goods handling area will be located on the ground floor of the Switch House, in place of the now-removed loading dock.

This amendment will result in modifications to the layout of the floor plans within Switch House, which are detailed in **Section 3.5**.



Approved Loading dock – Ground floor plan



Proposed removal of loading dock – Ground floor plan

Figure 3 Comparison of approved loading dock and proposed loading dock – Ground floor plan

Source: Architectus and DJB

4.5 Other proposed changes

Table 3 below summarises other smaller scale changes that are proposed as part of this modification application. These changes are detailed in the Architectural Plans at **Appendix A**.

Table 3 Other proposed changes

Proposed Change Description	Justification
Switch House	
Ground Floor	
<ul style="list-style-type: none"> Amendments to the design of the fire stairs exiting to Macarthur Street. Revised location of back of house facilities, waste and storage rooms, plant and fire pump and control rooms. Revised locations for amenities, cloaking and security rooms and vertical transport. Removal of end of trip facilities, including (with facilities being provided in Harwood Building). This includes the approved 16 bicycle spaces being moved to the Harwood Building. The proposal seeks to increase the bicycle spaces to 20. Revised layout for food and beverage retail. Removal of exhibition hoist. Existing brick infill to be retained. Approved glazed windows to be replaced with doors. 	<p>The reconfiguration of the ground floor of the Switch House results from the removal of the loading dock (see Section 6.3), leading to a reduction in the overall scope of work required for the Switch House.</p>
Level 1	
<ul style="list-style-type: none"> Retention of plant in existing location and retention of entire floor slab. Revised locations for vertical transport. New ramp to access internal courtyard through west façade of Switch House. 	<p>The proposed changes to level 1 of the Switch House are a result of the removal of the loading dock from the Switch House. The proposed modifications are required to ensure the design of level 1 of the Switch House have been updated to align with the</p>

- This modification proposes new glazed windows to existing bricked in openings on Level 1 western façade of the Switch House.

removal of the loading dock. Refer to the Design Report at **Appendix B** for further details.

Level 2

- Retention of existing floor slab and windows.
- Relocation of plant.
- Existing brick in fill to be retained.

The proposed changes to level 2 of the Switch House are the result of the removal of the loading dock from the Switch House. The proposed modifications are required to ensure the design of level 2 has been updated to align with the removal of the loading dock.

Level 3

- Removal of proposed roof top bar and terrace and replacement with new roof lining to ensure water protection.

During further design development, it was determined that the approved rooftop bar and terrace were no longer required as part of the Powerhouse Ultimo Revelation. Therefore, the rooftop of the Switch House has been amended to incorporate a heritage responsive roof that will sit below the existing parapet of the Switch House.

Creative Industries

- Removal of mezzanine levels at the western façade of the Wran building to become single-level structures with the currently approved mezzanine levels removed.

Removal of mezzanine structures is proposed as a result of the demolition and reconstruction of the existing Wran building structure. Refer to the Design Report at **Appendix B** for further details. This results in a reduction of 983.92m² of GFA, and therefore a revised GFA of 14,859.03m².

4.6 Modifications to conditions

The proposed modifications described above necessitate amendments to the consent conditions, which are identified below. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

Condition A1

The Development must be carried out:

- In compliance with the conditions of this consent;*
- In accordance with the EIS, RTS and SRtS; and*
- In accordance with the approved plans in the table below, as modified by the conditions of this consent:*

Drawing Number	Rev	Name of Plan	Date
<i>Architectural drawings prepared by Architectus, Durbach Block Jagers and Youssofzay + Hart</i>			
A.DA0001	<i>FG</i>	TITLE PAGE	<i>22.07.2024-30.04.25</i>
A.DA0080	<i>FG</i>	BULK EXCAVATION PLAN	<i>22.07.2024-30.04.25</i>
A.DA0100	<i>FG</i>	PROPOSED SITE PLAN	<i>22.07.2024-30.04.25</i>
A.DA1000	<i>FG</i>	FLOOR PLAN - BASEMENT 2	<i>22.07.2024-30.04.25</i>
A.DA1001	<i>FG</i>	FLOOR PLAN - BASEMENT 1	<i>22.07.2024-30.04.25</i>
A.DA1002	<i>GH</i>	FLOOR PLAN - GROUND	<i>04.11.2024-30.04.25</i>

A.DA1003	GH	FLOOR PLAN - LEVEL 1	04.11.2024 30.04.25
A.DA1004	GH	FLOOR PLAN - LEVEL 2	04.11.2024 30.04.25
A.DA1005	GH	FLOOR PLAN - LEVEL 3	04.11.2024 30.04.25
A.DA1006	GH	FLOOR PLAN - LEVEL 4	04.11.2024 30.04.25
A.DA1007	FG	FLOOR PLAN - LEVEL 5	22.07.2024 30.04.25
A.DA1008	FG	FLOOR PLAN - ROOF	22.07.2024 30.04.25
A.DA2000	GH	ELEVATION-WEST	18.02.25 30.04.25
A.DA2001	GH	ELEVATION- SOUTH	18.02.25 30.04.25
A.DA2002	GH	ELEVATION - EAST	18.02.25 30.04.25
A.DA2003	GH	ELEVATION- NORTH	18.02.25 30.04.25
A.DA3000	GH	SECTION A	18.02.25 30.04.25
A.DA3001	GH	SECTION B	18.02.25 30.04.25
A.DA3002	GH	SECTION C	18.02.25 30.04.25
A.DA3003	GH	SECTION D	18.02.25 30.04.25
A.DA3004	HI	SECTION E	18.02.25 30.04.25
A.DA3005	GH	SECTION F	18.02.25 30.04.25
A.DA5000	F	MATERIAL SCHEDULE	22.07.2024
A.DA6000	GH	AREA PLANS SHEET 01	04.11.2024 30.04.25
A.DA6001	GH	AREA PLANS SHEET 02	04.11.2024 30.04.25
A.DA7000	FG	DEMOLITION BASEMENT 2	22.07.2024 30.04.25
A.DA7001	FG	DEMOLITION BASEMENT 1	22.07.2024 30.04.25
A.DA7002	FG	DEMOLITION GROUND	22.07.2024 30.04.25
A.DA7003	FG	DEMOLITION LEVEL 1	22.07.2024 30.04.25
A.DA7004	FG	DEMOLITION LEVEL 2	22.07.2024 30.04.25
A.DA7005	FG	DEMOLITION LEVEL 3	22.07.2024 30.04.25
A.DA7006	FG	DEMOLITION LEVEL 4	22.07.2024 30.04.25
A.DA7007	FG	DEMOLITION LEVEL 5	22.07.2024 30.04.25
A.DA7008	FG	DEMOLITION ROOF	22.07.2024 30.04.25
A.DA9001	A	WRAN GALLERIA SECTION	04.11.2024
A.DA9002	A	FACADE DETAIL SECTION	04.11.2024
Landscape drawings prepared by Tyrrell Studio			
LA.DA-0001	P04	COVER SHEET AND DRAWING LIST	16.07.2024
LA.DA-0101	P03	ILLUSTRATED SITE PLAN	16.07.2024
LA.DA-0201	P06	PROPOSED SITE PLAN	16.07.2024

LA.DA-0102	P04	CADASTRAL LOT BOUNDARY PLAN	16.07.2024
LA.DA-0211	P04	SSA PROJECT BOUNDARY AND INTERFACE ZONE	16.07.2024
LA.DA-1001	P01	LANDSCAPE DEMOLITION PLAN	16.07.2024
LA.DA-1050	P05	TREE MANAGEMENT PLAN	24.10.2024
LA.DA-2001	P06	GENERAL ARRANGEMENT PLAN SHEET 1	16.07.2024
LA.DA-2001	P01	GRADING PLAN SHEET 1	16.07.2024
LA.DA-2002	P06	GENERAL ARRANGEMENT PLAN SHEET 2	16.07.2024
LA.DA.2102	P01	GRADING PLAN SHEET 2	16.07.2024
LA.DA-2450	P05	PLANTING PALETTE	25.11.2024
LA.DA-8002	P05	PROPOSED CANOPY COVER PLAN	16.07.2024
LA.DA-8003	P04	PROPOSED GREEN COVER PLAN	16.07.2024
LA.DA-8004	P04	DEEP SOIL PLANTING PLAN	16.07.2024
LA.DA-2001	P01	GRADING PLAN SHEET 1	16.07.2024

Civil drawings prepared by ARUP

PUR-ARP-DRW-CI-000001	P01	COVERSHEET	08/03/2024
PUR-ARP-DRW-CI-000002	P01	DRAWING INDEX	08/03/2024
PUR-ARP-DRW-CI-000006	P01	GENERAL NOTES SHEET 1 OF 3	08/03/2024
PUR-ARP-DRW-CI-000007	P01	GENERAL NOTES SHEET 2 OF 3	08/03/2024
PUR-ARP-DRW-CI-000008	P01	GENERAL NOTES SHEET 3 OF 3	08/03/2024
PUR-ARP-DRW-CI-000011	P01	GENERAL LEGEND	08/03/2024
PUR-ARP-DRW-CI-000056	P01	GENERAL ARRANGEMENT AND STORMWATER PLAN	08/03/2024
PUR-ARP-DRW-CI-001001	P01	EROSION AND SEDIMENT CONTROL PLAN	08/03/2024
PUR-ARP-DRW-CI-001091	P01	EROSION AND SEDIMENT CONTROL DETAILS	08/03/2024

Condition B2

Prior to commencement of construction of above ground works, the Applicant must provide evidence to the Certifier that the revised plans detailing the following revisions have been reviewed by Heritage NSW and the SDRP and submitted to and approved by the Planning Secretary:

(a) remove the Switch House rooftop annex:

~~(b) retain the windows originally proposed to be reinstated on the Southeast (Macarthur Street) facades of the Switch House.~~

Reason: The two items within Condition B2, relating to previously approved Switch House design elements are proposed to be addressed as part of this modification. As a result, the condition is no longer required and can be deleted. The rooftop bar at the top of Switch House is proposed to be removed as part of this modification application, whilst this modification proposes new glazed windows within the existing opening on the the east and south facades of the Switch House. As such, Condition B2 is proposed to be deleted.

Condition B9

Prior to construction within the Heritage Core buildings, the Applicant must submit evidence to the Certifier demonstrating the design has been reviewed and endorsed by the nominated Heritage Consultant for the project. The evidence must demonstrate:

- (a) *the detailed design includes elements and techniques that are lightweight, fully reversible, and commensurate with the heritage character and style of the heritage item.*
- ~~(b) **All bricked in windows of the southern facade of the Switch House are reinstated as glazed windows where feasible.**~~
- (c) *The final design and materials used for windows, doors and openings.*
- (d) *The design includes retention of windows and doorways within the Boiler House constructed as part of the 1980s conversion to a museum with the proposed materials for any upgrades.*
- (e) *Any changes to the materials proposed for existing roofing or guttering.*
- (f) *Final designs for any fixings, bracings and insertions into significant fabric.*
- (g) *Confirmation following testing that any changes to the paintwork will not cause harm to the brickwork and mortar.*
- (h) *All paintwork of significant fabric that was historically painted will remain.*
- (i) *No new painting of significant fabric that has not been painted.*
- (U) *Any proposed paint to be used is chemically compatible with the existing brick fabric and colour is sampled prior to selection.*

Reason: Condition B9 (b) is requested to be deleted to reflect the proposed modification, which meets the requirements of this condition.

Condition B13

~~**Prior to the commencement of any construction, the Applicant must submit evidence to the Certifier demonstrating that the identified parts of the original structure of the Wran Building have been retained, in accordance with architectural drawing A.DA9002 Rev A 'Facade Detail Section' dated 4 November 2024 and Demolition Plans A.DA7000-7008 Rev F dated 22.07.2024.**~~

Reason: Condition B13 is to be deleted to align with the proposed modification, which includes the demolition and rebuilding of the structure of the Wran Building and Galleria. The justification for this change is discussed at Section 6.1.

Condition B14

~~**Prior to the commencement of any construction, the Applicant must submit evidence to the Certifier demonstrating that a Structural Engineering Assessment Report (SEAR) accompanied by working drawings and specifications has been submitted to and approved by the Planning Secretary. The SEAR must demonstrate:**~~

- ~~(a) **be prepared by a suitably qualified Structural Engineer with demonstrated experience in dealing with items of heritage significance and heritage fabric**~~
- ~~(b) **the portions and fabric of the existing buildings shown for retention on the approved plans, can tolerate altered structural loading and that the structural integrity of such retained fabric will not be unduly compromised;**~~
- ~~(c) **the temporary and or permanent measures that will be implemented to stabilise, secure, retain and protect the portions and fabric of the existing buildings shown for retention on the approved plans**~~
- ~~(d) **the excavation works will not cause the collapse in part or in full of any section of the building, its footings or substrate, as shown on the approved plans to be retained;**~~
- ~~(e) **how the new gable ends to the Wran Building would be supported; and**~~

~~(f) any works in respect of seismic upgrades to heritage fabric have been endorsed by the nominated heritage consultant.~~

Reason: The proposed modifications include the demolition and rebuilding of the structure of the Wran Building and Galleria, as such, this condition is proposed to be deleted. The justification for this change is discussed at **Section 6.1**.

Condition B23

~~Prior to the commencement of construction for above ground works, evidence must be submitted to the Certifier that the service vehicle operational access and parking arrangements comply with the following requirements:~~

- ~~(a) provision of three service vehicle parking spaces for use during operation of the development that are designed in accordance with the latest versions of AS/NZS 2890.2 – 2002 Parking facilities Part 2~~
- ~~(b) provision of a vehicle turntable;~~
- ~~(c) the swept path of the longest vehicle entering and exiting the site (including garbage truck) in association with the new work, as well as manoeuvrability through the site, are in accordance with AUSROADS;~~
- ~~(d) the size of vehicles servicing the property must not exceed 8.8m in length;~~
- ~~(e) signs must be erected within the loading/unloading area confirming the service vehicle parking is for service vehicles only;~~
- ~~(f) appropriate pedestrian advisory signs must be provided at the egress from parking areas;~~
- ~~(g) all works/regulatory signposting associated with the Development must be at no cost to the relevant roads authority;~~
- ~~(h) all vehicles are to be wholly contained on site before being required to stop; and~~
- ~~(i) all vehicles must enter and leave the subject site in a forward direction~~

Reason: Condition B23 is to be deleted to reflect the proposed modifications, specifically, the removal of the loading dock.

Condition E6

~~Prior to the issue of any Occupation Certificate or commencement of use, a system of traffic lights and/or mirrors must be installed at the ends of any single lane ramp(s), to indicate traffic movement on the ramp(s).~~

Reason: Condition E6 is requested to be deleted to reflect the proposed modifications, specifically, the removal of the loading dock.

Condition E33

~~Prior to the issue of any Occupation Certificate or commencement of the use, evidence must be submitted to the Certifier demonstrating that:~~

- ~~(a) the service vehicle facility has been provided in accordance with Condition B23;~~
- ~~(b) all bicycle parking and end-of-trip facilities for staff are provided in accordance with Condition B24;~~
- ~~(c) all works/regulatory signposting associated with the proposed developments have been undertaken at no cost to the relevant roads authority;~~
- ~~(d) Loading dock way finding signage is installed within the site identifying the location of the on-site service vehicle area;~~
- ~~(e) bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas; and~~
- ~~(f) the bicycle parking spaces are located in easy to access, well-lit areas that incorporate passive surveillance.~~

Reason: Condition E33 is requested to be amended to reflect the proposed modifications, specifically, the removal of the loading dock.

Condition F9

~~Signs must be erected within the loading/unloading area confirming the service vehicle parking is for service vehicles only.~~

Reason: Condition F9 is requested to be deleted to reflect the proposed modifications, specifically, the removal of the loading dock.

5.0 Substantially the same development

Section 4.55(2) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

The development, as proposed to be modified, is substantially the same development as that originally approved in that:

- The underlying project objectives of SSD-67588459 remain as approved, in particular:
 - Deliver a world-class museum that will deliver a dynamic applied arts and science program.
 - Provide exhibition spaces that are flexible and adaptable.
 - Attract internationally significant exhibitions that are aligned with the Powerhouse's curatorial aims.
- The overarching design and layout of the proposed development does not change.
 - Construction of new museum spaces alongside Harris and Macarthur Street frontages.
 - Conservation and adaptive reuse of the existing Ultimo Power House and other heritage items.
 - The construction of new public spaces.
- The proposed modifications are necessary due to further design development, which has been undertaken post approval of SSD-67588459. This has led to changes in the construction approach for the structure of the Wran Building and the removal of the loading dock from the design. The proposal effectively replaces aged structural steel with new structural steel to meet current building standards. The proposed reconstruction of structural steel will be constructed in a manner consistent with the existing pattern where feasible. These amendments are considered minor when considered against the overall scope and scale of the project.
- The overall bulk and scale of the development remains unchanged. There are minor amendments to the Galleria building height to match the existing height, although this is a minor change from RL 37,565 to RL 37,350. The Amended Architectural Plans at **Appendix A** demonstrate that the development, when viewed from the public domain, will look substantially the same.
- The proposed amendments do not change any land use, GFA, or envelope of any of the key parameters of the development. Nor does it change the external appearance of the approved development apart from discrete interventions to the southern façade of the Switch House for the purposes of the loading dock no longer being proposed.
- The proposed replacement of the existing steelwork structure of the Wran Building and Galleria addresses the significant building compliance and safety challenges as set out in section 4.3.
- The replacement of the Galleria structure on a ‘like-for-like’ basis with the same visual character and spatial rhythm is considered acceptable on heritage grounds as the modification mitigates adverse heritage impacts which would have arisen to the most significant elements of the Wran and Galleria being the distinctive form comprising the double arches.
- The proposed modifications do not alter the statement of reasons listed in the notice of decision for SSD-67588459. The project will continue to provide a range of public benefits, is consistent with the NSW Government policies, demonstrates that impacts on the environment and community can be appropriately minimised and the issues raised by the community have been considered and addressed.

The proposed changes, considered in totality and in the context of the scale of the overall development, are relatively minor and in any event substantially the same as the development for which consent was originally granted. It is noted there is existing case law pertaining to whether a modification application is substantially the same as the original development, including but not limited to:

- *Sydney City Council v Ilence Pty Ltd* (1984) 54 LGRA 217 confirms that the word "modify" in this context can also be defined as "to alter without radical transformation". This approach was followed by Mason P in the NSW Court of Appeal in *Transport Action Group Against Motorways Inc v Roads and Traffic Authority* (1999) 104 LGERA 133 in the context of a modification to an activity approval under Part 5 of the EP&A Act.
- In *Transport Action Group*, Sheller JA offered an alternative definition of "modify" in the following terms: “I think it is correct to say that what there was meant by "modify" was a change which might add to or subtract from the proposed activity, the substance of which continued, and which was less than its wholesale rejection and replacement.”

- *Moto Projects (No 2) Pty Ltd v North Sydney Council* [1999] NSWLEC 280 in the context of s96 of the EP&A Act (now s4.55) the Court held the test of substantially the same development requires '*...a comparison between the development, as currently approved, and the development as proposed to be modified. The result of the comparison must be a finding that the modified development is "essentially or materially" the same as the (currently) approved development.*'

For the reasons set out in this report, the proposed amendments are 'essentially and materially' the same from both a qualitative and quantitative perspective. The proposed amendments do not constitute a "radical transformation" to SSD-67588459 and are certainly less than its "wholesale rejection and replacement".

It is understood that the consent authority needs to be satisfied of the substance of the matters set out in s4.55(2)(a) of the EP&A Act rather than having to refer to the ways these or other various Court decisions have suggested that provision may be addressed. This modification application has addressed the requirements of s4.55(2)(a) of the EP&A Act by comparing the development as originally approved with the development as proposed to be modified and setting out the reasons why the two developments are substantially the same. For the above reasons, the consent authority may be satisfied that the modified proposal represents substantially the same development for which consent was originally granted.

5.1 Updated project description

The proposed modification requires amendments to the SSD-67588459 project description. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

Specifically, consent sought:

- Site preparation works, including site services and infrastructure works, tree removal, earthworks, remediation and the erection of site protection hoardings and fencing.
- Demolition of existing buildings on the site, including:
 - Harris Street forecourt.
 - Structures in the forecourt entrance at The Goods Line, including the café.
 - Internal demolition of non-heritage elements of the Ultimo Power House Buildings.
- Construction and use of new museum spaces along Harris Street and Macarthur Street frontages, including the following uses:
 - ~~Loading dock and~~ Ancillary back-of-house amenities.
 - Library and education spaces.
 - Museum.
 - Creative industry studios.
- ***Construction of alterations and additions to the Wran Building including Alterations to the demolition and rebuild of the structure of the Wran Building including***, auditorium upgrade and upgrade of exhibition spaces.
- Conservation and adaptive reuse of the existing Ultimo Power House and Ultimo Post Office heritage items for museum purposes.
- Construction of new public open spaces including:
 - At the southeastern corner of the site to connect with the Ultimo Goods Line.
 - An internal courtyard garden wrapped by the building alterations fronting Harris Street.
 - A creative courtyard between the Post Office and Wran Building.

6.0 Statutory context

This section provides an assessment of the proposed amendments against the relevant sections of the Environmental Planning & Assessment Act 1979 (EP&A Act) and the relevant Environmental Planning Instruments (EPIs). It has been set out in accordance with the DPHI's State significant development guidelines – preparing a modification report (October 2022), which identifies the categories to be used to identify the statutory requirements of a project, being that of the following:

- Power to grant approval (**Section 5.1**).
- Permissibility (**Section 5.2**).
- Other approvals (**Section 5.3**).
- Pre-conditions to exercising the power to grant approval (**Section 5.4**).
- Mandatory matters for consideration (**Section 5.5**).

6.1 Power to grant approval

SSD-67588459 was declared to be State Significant Development (SSD) pursuant to Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021, which lists development that is declared State significant development. Section 13 states that it is being carried out as an information and education facility with a CIV of over \$30 million.

The proposed amendments do not alter SSD-67588459 eligibility as SSD. The proposed development, as proposed to be modified, is substantially the same development as that originally approved (see **Section 4.0**). The consent authority has the power to grant consent to the modification application.

6.2 Permissibility

SSD-67588459 currently approves the revitalisation of the Powerhouse Ultimo, which is characterised as an 'information and education facility' under the Sydney Local Environment Plan 2012. The proposed modifications do not alter the uses at the site. As such, the land uses at the site remain permissible with consent, and the overall permissibility of the project remains unchanged.

6.3 Other approvals

SSD-67588459 did not include approvals from any other agencies.

6.4 Pre-conditions to exercising power to grant approval

The proposed amendments do not alter SSD-67588459's consistency with the following pre-conditions to exercising power to grant approval.

- The development is subject to a waiver from the requirement to prepare a Biodiversity Development Assessment Report (BDAR) as per the *Biodiversity Conservation Act 2016* and there is no change to the proposed development in respect of biodiversity.
- Section 2.48 the *State Environmental Planning Policy (Transport and Infrastructure) 2021* requires the consent authority to give written notice to the electricity supply authority for the area and take into consideration any response to that notice before granting consent to a development likely to affect an electricity transmission or distribution network. Furthermore, under Section 2.119, the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that new development does not compromise the effective and ongoing operation of classified road or prevent potential traffic noise and vehicle emission on development adjacent to classified roads. This is consistent with the proposed modifications.
- Section 3.6 of *State Environmental Planning Policy (Industry and Employment) 2021* stipulates that a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of the SEPP, and the signage satisfies the assessment criteria specified in Schedule 1 of the SEPP. It is noted that no signage is proposed as part of this SSDA. No signage is proposed as part of this modification application.

- A Detailed Site Investigation has been prepared by JBS&G as part of the submission of SSD-67588459 as required by *State Environmental Planning (Resilience and Hazards) 2021*. The proposed modification does not change the remediation action plan, nor is any amendment proposed to the conditions of the development consent in respect of implementation of the remediation action plan, preparation of any long term environmental management plan (if necessary) and validation report. The extent of excavation has reduced given the removal of the loading dock; however, excavation works are still required. As such, no changes to the remedial action plan are required. Accordingly, the consent authority can continue to be satisfied that the site is suitable for its intended purpose.
- The proposed modification exhibits design excellence for the reasons set out in section 6.5.1 below.
- For the purposes of clause 5.10 of the *Sydney Local Environmental Plan 2012*, the proposed modification does not have an adverse effect on the heritage significance of the listed State and local heritage items within and in the vicinity of the site, nor on the Powerhouse Museum Complex or the surrounding heritage conservation areas as set out in **Section 7.1**.
- The proposed modification does not change the flood planning considerations made at the time of the granting of development consent for the purposes of clause 5.21 of the *Sydney Local Environmental Plan 2012*. The removal of the loading dock does not have any impact on the approved flooding outcomes on the site.

6.5 Mandatory matters for consideration

The proposed amendments do not alter SSD-67588459’s consistency with the relevant matters for consideration, that include the following:

- Objects of the *Environmental Planning & Assessment Act 1979*;
- Consistency with *State Environmental Planning Policy (Resilience and Hazards) 2021*;
- Consistency with *State Environmental Planning Policy (Sustainable Buildings)* in particular the considerations under Chapter 3, clauses 3.2, 3.3 and 3.4; and
- Consistency with *State Environmental Planning Policy (Biodiversity and Conservation) 2021* in particular, Chapter 6. clauses 6.6, 6.7, 6.8, 6.9 and 6.10.
- Consistency with *Sydney Local Environmental Plan 2012* is discussed further in Section 5.5.1.

6.5.1 Sydney Local Environmental Plan 2012

Design Excellence

Under the proposed modifications, the development continues to exhibit design excellence consistent with Clause 6.21, Design excellence.

Table 4 Assessment of the development as modified against 6.21 Design Excellence of the Sydney LEP

Clause 6.21 Design Excellence	
EIS Response SSD-67588459	Changes as per this modification
(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,	
<p>The project demonstrates a high standard of architectural design, materials and detailing that is appropriate to the function and role of the Powerhouse Museum Ultimo within the site and locality, as well as within the cluster of creative industries fostered within the Ultimo-Pyrmont locality. The Architectural Design Report (Appendix E) and Architectural Drawings (Appendix E) set out clearly the architectural response to the project objectives to ensure that the development will achieve a very high standard of architecture that positively contributes to the locality and the wider form of the Eastern Harbour City.</p>	<p>The proposed design changes remain consistent with the high level of architectural design and materials that were originally approved. The proposed changes to the materials of the Wran Building are to the structural elements of the building to ensure structural integrity and are not proposed to be visible. The Amended Architectural Plans and Design Report demonstrates the continued high standard of architecture and materials used to support this modification application and are provided at Appendix A and Appendix B, respectively.</p>

(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,

The external form and appearance of the development will significantly enhance the quality and amenity of the public domain, as outlined in the Architectural Design Report (Appendix E). In particular, the enhanced activation of Harris Street, aligned with the aims of the Pyrmont Peninsula Place Strategy, with creative industries uses will significantly enhance the activation and appearance of the museum to Harris Street. Likewise, the reorientation of the museum entrance towards The Goods Line will significantly enhance the activation of this space and the presentation of the museum to the public domain. The use of materials will complement and enhance the conservation and restoration of retained heritage and non-heritage building elements to improve the overall external appearance and form of the development.

The proposed external form and appearance of the development, as modified, largely remain unchanged. The proposed removal of the loading dock will further enhance the quality and amenity of the public domain. This change also supports the retention of the Switch House's high-value elements, allowing more of the building to be preserved in its original form because there will no longer be an opening on the western façade to facilitate a loading dock entry.

(c) whether the proposed development detrimentally impacts on view corridors,

The proposed development will not impact on any identified view corridors or viewlines, as identified in the Visual Impact Assessment at Appendix S.

Remains as approved within SSD-67588459.

(d) how the proposed development addresses the following matters—

(i) the suitability of the land for development,

The site is suitable for the proposed development, being the location of the existing Powerhouse Museum which has a longstanding operational and cultural presence within the Pyrmont-Ultimo locality and containing buildings and key collection items that are aligned with the purpose of the Powerhouse.

Remains as approved within SSD-67588459.

(ii) the existing and proposed uses and use mix

The proposal seeks to leverage off the existing museum uses to provide an enhanced museum function that is aligned with the wider aims and network of facilities operated by the Powerhouse, and to incorporate new functions and capacity within the museum and Powerhouse organisation to contribute more widely to the creative industries cluster within the Ultimo Pyrmont locality.

Remains as approved within SSD-67588459.

(iii) any heritage issues and streetscape constraints,

The proposal responds appropriately to the heritage considerations of this site, as outlined in the Heritage Impact Statement (Appendix U) and seeks to enhance the Harris Street streetscape by showcasing the creative industries uses along the key Harris Street movement corridor.

The potential heritage impacts attributed to the proposed modifications have been assessed in the Heritage Impact Statement at **Appendix D**. The Heritage Impact Statement confirms that the proposed modifications have acceptable heritage impacts.

(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers, existing or proposed, on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

No tower is proposed

No tower is proposed as part of this modification application.

(v) the bulk, massing and modulation of buildings,

The bulk, massing and modulation of the building forms represents a high quality response to the functional requirements of the Powerhouse to deliver presentation volumes that are flexible and adaptable to the requirements of an international-standard museum, whilst ensuring that the form is appropriate to the local context and urban form. Further information is set out in the Architectural Design Statement provided at Appendix CC.

The proposed development as modified, continues to represent a high-quality response to the requirements of the Powerhouse. It does not change the bulk, massing and modulation of the approved development.

(vi) street frontage heights,

The proposed street frontage heights are appropriate and sit comfortably within the form and scale of existing street-fronting buildings within the immediate and broader locality, as well as within the desired future character for Harris Street.

Remains as approved within SSD-67588459.

(vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,

The proposed development achieves design excellence with respect to the environmental impacts arising from the development, which are acceptable and able to be managed in an appropriate fashion, as outlined in Section 6 and in the relevant technical studies which form part of the EIS.

Remains as approved within SSD-67588459.

(viii) the achievement of the principles of ecologically sustainable development,

The project achieves the principles of ESD as set out in Section 7.1 of this EIS. The development has been registered with the Green Building Council of Australia and will achieve a minimum of a 5 Star Green Star Buildings rating with an aspiration to achieve a 6 Star Green Star Buildings v1 Rating. A 5 Star Rating is considered current Australian excellence while a 6 Star Rating is considered current world excellence. The project will also achieve alignment with the City of Sydney's relevant sustainability policies.

Remains as approved within SSD-67588459.

(ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,

The proposal achieves design excellence through the movement strategy for the site, which seeks to ensure efficient and orderly servicing of the museum, promote sustainable travel forms and importantly will significantly enhance the accessibility and permeability of the site and the museum for pedestrians which will facilitate better connections for the community with the museum. Reorienting the museum towards the goods Line and creating new pedestrian access points, along with clearer internal circulation routes, will significantly enhance the integration of the project with local pedestrian movement networks.

The development, as modified, proposes the removal of the loading dock from the Switch House entry point; the traffic impacts have been assessed within the Transport Statement at **Appendix C**.

(x) the impact on, and any proposed improvements to, the public domain,

The proposed development will facilitate significant enhancements to the public domain as outlined in the Public Domain Report provided at Appendix F. In particular, the reorientation of the museum and creation of the enhanced courtyard towards the Ultimo Goods Line significantly enhance and extend the public domain to improve the relationship between the museum and the city. The reactivation of Harris Street through the introduction of new creative industries spaces that directly address the street will also significantly improve the urban quality and liveliness of Harris Street, which is identified as a key corridor in the PPPS.

Remains as approved within SSD-67588459.

(xi) the impact on any special character area

The proposed development will not impact on any special character area, and is directly aligned with the aims and objectives for this locality as outlined in the PPPS Sub-Precinct Master Plan

Remains as approved within SSD-67588459.

(xii) achieving appropriate interfaces at ground level between the building and the public domain,

The proposed development will achieve appropriate and high quality interfaces at ground level to enhance the public domain and deliver a building that demonstrates design excellence. In accordance with the PPPS, the proposed development seeks to reorient the main museum entrance towards the Ultimo Goods Line, making this a key interface for the museum. The development also facilitates improved connections for the museum with Harris Street and Pyrmont Street, in a manner that supports an efficient and clear internal wayfinding network. The reactivation of Harris Street through the introduction of new creative industries spaces that directly address the street will also significantly improve the interface to this key corridor and foster enhanced prominence of the creative industries cluster within Pyrmont-Ultimo along this key movement corridor.

Remains as approved within SSD-67588459.

(xiii) excellence and integration of landscape design

Through the design moves outlined in the Public Domain Report provided at Appendix F, the proposed development will achieve excellence in landscape design that creates a series of spaces which enhance public amenity, the user experience within the Powerhouse, and integrate closely with surrounding landscapes. The landscape design has been informed by principles and knowledge imparted through a process of Connecting with Country.

Remains as approved within SSD-67588459.

6.6 Draft Heritage Listing

It should be noted that there is a proposal to broaden the existing heritage listing for the Powerhouse Ultimo site under the *Sydney Local Environmental Plan 2012* (SLEP). The City of Sydney have prepared a Planning Proposal that has been presented to the Central Sydney Planning Committee.

The Planning Proposal seeks to amend the item name, property description and mapped boundary of the existing heritage item listed under Schedule 5 (Environmental heritage), Part 1 (Heritage items) of the SLEP. The proposed amendments are for the following item:

Powerhouse Museum, 500 Harris Street, Ultimo: 'Powerhouse Museum former warehouse buildings, including interior' – Item no. I2031.

This Planning Proposal arises from a 2024 heritage assessment by Lovell Chen, commissioned by the City of Sydney following a May 2023 Council resolution to investigate the entire Powerhouse Museum site for heritage significance. The assessment, conducted under the NSW Heritage Assessment Criteria (2023), recommended amendments to the current SLEP 2012 heritage listing. While the Powerhouse Museum is already listed, the proposal seeks to update the listing, including in respect of unlisted elements such as the Wran and Harwood Buildings. This Planning Proposal was reported to the Central Sydney Planning Committee on 8 May 2025, where it was resolved to be submitted to the Department of Planning, Housing and Infrastructure for gateway determination. This Planning Proposal has not yet been on formal exhibition following gateway determination.

As a result, it is important to note that the Draft Heritage listing is not a matter for consideration for this modification application as at the date of this report as it has not been on formal exhibition. Section 4.15(a)(ii) of the EP&A Act 1979 notes the following (emphasis added):

*(1) **Matters for consideration—general** In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—*

*(ii) any proposed instrument that is or **has been the subject of public consultation** under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved),*

7.0 Assessment of impacts

Under section 4.55(3) of the EP&A Act, the consent authority must take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent. The following assessment considers the relevant matters under section 4.15(1) with regards to the proposed amendments sought.

The planning assessment of the proposed modified development remains generally unchanged with respect to the matters addressed in the initial assessment, but the following sections address matters that warrant further assessment.

7.1 Heritage Impacts

A Heritage Impact Statement (HIS) has been prepared by NBRIS and is provided at **Appendix D**. The HIS has assessed the modifications' potential heritage impacts, particularly the demolition and rebuilding of the structure of the Wran Building and the modifications proposed to the approved Switch House design.

7.1.1 Structure of the Wran Building

As outlined in **Section 3.3**, retention and adaptation of the existing double-arch steelwork structure of the Wran Building as approved under SSD-67588459 is not considered to be achievable. Heritage assessment of the impacts arising from the works that would be necessary to facilitate the retention of this steelwork has informed this approach.

As outlined in the HIS, the heritage significance (categorised as being 'moderate') of the Wran Building is associated with the distinctive roof form (comprising two arches) within the context of the building's (then) new use as a high quality and innovative museum facility and the general scale of the building. NBRIS notes in **Appendix D** that the existing steel structure was itself identified by Curio Projects in the exhibited HIS as having little significance.

As outlined in **Section 3.3** and the Structural Report prepared by SCP (**Appendix G**), the approved approach of retaining the existing steelwork would require the introduction of significant additional permanent structural bracing that would impact upon the ability to understand and appreciate the scale and form of the double-arches within the new building. Such structural interventions would diminish the value of the prominent galleria structure and its distinctive spatial character, resulting in an adverse heritage impact.

Replacing the existing steelwork structure addresses the significant structural, compliance and safety challenges identified in construction planning, and will also result in an improved heritage outcome by ensuring that the spatial quality and significance of the Wran Building will be retained and interpreted for the future.

As outlined in the Heritage Impact Statement (**Appendix D**), the structure within the Galleria building maintains a spatial quality that is considered worthy of retention. Whilst the approved development will clad this existing structure (meaning it is no longer visible), NBRIS note that retention of the spatial qualities is warranted in the event that future works would remove this cladding and expose the structure once again. To mitigate the heritage impact associated with the proposal, the new Galleria structure will be of a similar, code compliant, steel construction. The reconstructed steel portal frames to the space will be of the same visual character and rhythm, matching the same number and location of circular, arched components designed to meet current code requirements and detailed in consultation with the nominated heritage consultant for the project. This approach is acceptable from a heritage perspective as it ensures the original form of arched building form is conserved, and furthermore the original design intent and aesthetic of the steel framing system of the Galleria can be recaptured in the future, should the interior fitout of the building change. Accordingly, it is assessed as a neutral heritage impact.

NBRIS have outlined mitigation measures including the requirement to undertake photographic archival recording and the production of detailed measured drawings on the Wran Building and Galleria, and requirements to ensure that the new steel structure for the Galleria achieves a 'like-for-like' outcome in terms of the design character, visual appearance and materiality of that of the 1988 buildings.

Having regard to the above, NBRIS conclude that the heritage impacts of the modification are acceptable as the modification mitigates adverse heritage impacts which would have arisen to the most significant elements of the Wran Building, being the distinctive form of the double-arches and general scale, and mitigates the impact of removal of existing steel fabric that is of little significance through archival recording and 'like-for-like'

replacement. NBRS is also of the opinion that the proposed modification ensures that the Wran Building is protected through the continuing use of the site as a contemporary and innovative museum.

7.1.2 Switch House

Loading dock heritage impacts

The removal of the loading dock from the design results in the reconfiguration of the approved internal layout of the Switch House. This facilitates the retention of additional fabric, particularly the southern facade of the building. The removal of the loading dock removes the requirement for excavation works, which are currently required under SSD-67588459 to install a new vehicle ramp, turning bay, and loading dock.

As such, the removal of the loading dock from the Switch House reduces the potential for damage to the heritage fabric. The retention of the loading dock in the Harwood Building is positive and reduces the risks of everyday use/wear and tear of the loading dock within the Switch House. As such, the proposed modification to continue to use the Harwood Building as the loading dock is beneficial as it will reduce potential damage to the Switch House heritage fabric. The proposed modifications result in less invasive modifications to its existing form and, as such, reduced heritage impacts to the Switch House.

Deletion of the Switch House rooftop bar

Under SSD-67588459, the existing 1980s roof annex (not heritage fabric) is approved to be demolished. This modification confirms removal of the rooftop bar from the design and seeks approval for a new roof in its place. The new roof is proposed to be constructed to below existing parapet level of the building, ensuring it is not visible from surrounding vantage points. The proposed modification results in less invasive changes to the Switch House and allows more of the Switch House heritage fabric to be recaptured and retained.

The proposed modifications to the Switch House achieve an improved heritage outcome and result in further conservation of the fabric of the building and support the continued use of the site as a museum.

7.2 Traffic

A Traffic Impact Statement has been prepared by JMT Consulting and is provided at **Appendix C**. The statement confirms that the proposed changes to loading, and the Switch House are feasible and have acceptable impacts from a traffic perspective.

7.2.1 Deletion of the loading dock

As detailed in **Section 3.3**, the removal of the loading dock, including the access door and ramp to the Switch House, is proposed. The detailed revised loading strategy is detailed in **Appendix C**.

The majority of goods loading is proposed to occur through the existing loading dock within the Harwood Building, which is consistent with the existing loading arrangements of the Powerhouse Museum. Smaller delivery vehicles will load directly into the goods handling area adjacent to the Switch House within the public domain. Typically, the museum will experience 15 to 20 deliveries a day, which is consistent with the existing operations of the Powerhouse Museum. Minor changes include the servicing of the food and beverage outlet on the ground floor, waste to be stored in the waste room, and all large deliveries to be directed to the Harwood Building. The loading of larger items directly into the Boiler House and Turbine Hall across the Terrace will remain as per the approved development.

The assessment undertaken by JMT Consulting confirms that this arrangement will ensure adequate transport access to the site. A dock management system will allow an on-site team to efficiently schedule truck deliveries and assign loading docks within the Harwood Building through an online booking system. Additionally, the on-site management of the loading areas will involve a dock manager and a trained security officer stationed outside the building. This approach will effectively mitigate potential conflicts between pedestrians and vehicles.

The proposed modification will not affect the surrounding road network, as it does not increase the amount of floor space or car parking arrangements on site. Therefore, there will be no additional traffic impacts resulting from the modifications. Further, the removal of the loading dock, with its retention within the Harwood Building, is expected to have negligible impacts.

7.2.2 Bicycle parking

The development approved under SSD-67588459 included 16 bicycle parking spaces and end-of-trip facilities within the Switch House for museum staff. The proposed modification seeks to remove the bicycle parking and end-of-trip facilities from the Switch House. Alternatively, 20 bicycle parking spaces will be provided within the Harwood Building, which exceeds the 16 bicycle parking spaces conditioned at B 24 of SSD-67588459.

Cyclists will access the Harwood Building via the Mary Ann Street entrance which will be facilitated by the dedicated off-road cycle way, or, Macarthur Street, both of which are well connected to the broader cycling network. The Harwood Building is well located, being in close proximity to end of trip facilities within the same building. The installation of bicycle parking spaces is assessed as having no impact on the heritage values of this structure. As outlined in the Heritage Impact Statement (**Appendix D**), the installation of bicycle spaces is consistent with the site specific exemptions that apply to this component of the Powerhouse Museum Complex.

As such, it is efficient and practical to locate the bicycle parking within the Harwood Building and will facilitate convenience for staff cycling to work. The modification to relocate the bicycle parking to the Harwood Building and increase the number of spaces available has positive impacts for staff and the overall project. The arrangement of the bicycle spaces within the Harwood Building is shown below in **Figure 4**.

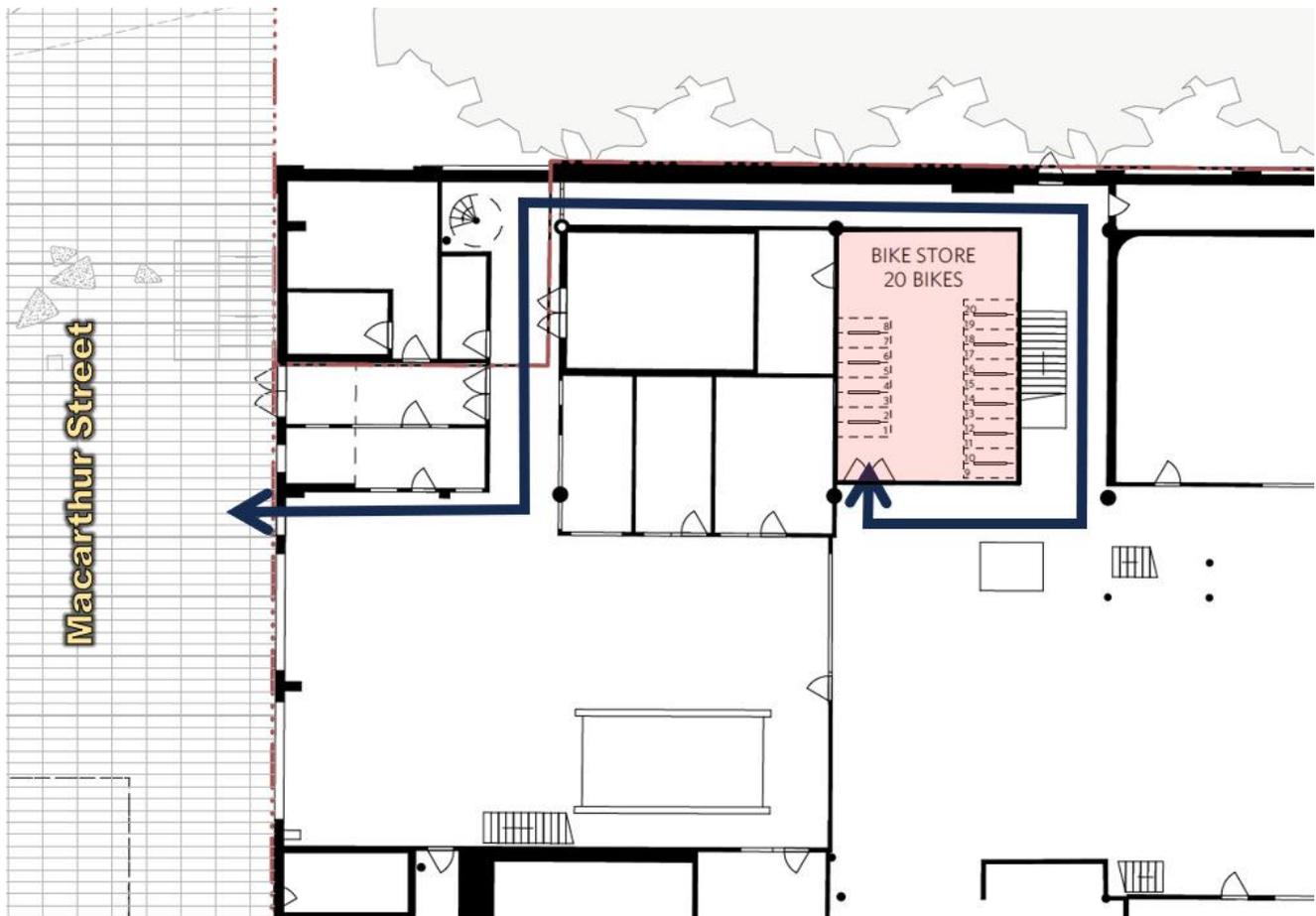


Figure 4 Proposed bicycle parking within the Harwood Building

Source: Architectus/ JMT Consulting

7.3 Waste

An Amended Operational Waste Management Plan (OWMP) has been prepared by Foresight Environmental and is provided at **Appendix F**.

The central waste storage area has been updated to reflect the changes to the Switch House. **Appendix F** details the allocated area for the central waste storage area within the ground floor. Further to this, public bins positioning and back-of-house bins have been provided in the updated OWMP.

The ground floor waste travel paths to the central waste storage area have been updated to reflect the changes to the Switch House and are detailed in **Figure 5** below.

The collection of waste operations has been updated to reflect the changes to the Switch House and removal of the loading dock. Prior to the private waste contractor arriving, staff will move the bins to the designated collection point outside the Goods Handling area, as shown in **Figure 5** below. The waste contractor will access the site from McCarthur Street, entering through an access point onto the site. The collection point is on a hardstand area, allowing the vehicle to stop safely, load the bins, empty them into the truck, return the empty bins, and turn around to exit the site. Staff will return the empty bins to the storage area as soon as possible.

The OWMP demonstrates that the development, as modified, can adequately cater for the operational waste management requirements and is consistent with the City of Sydney guidelines and Green Star requirements.

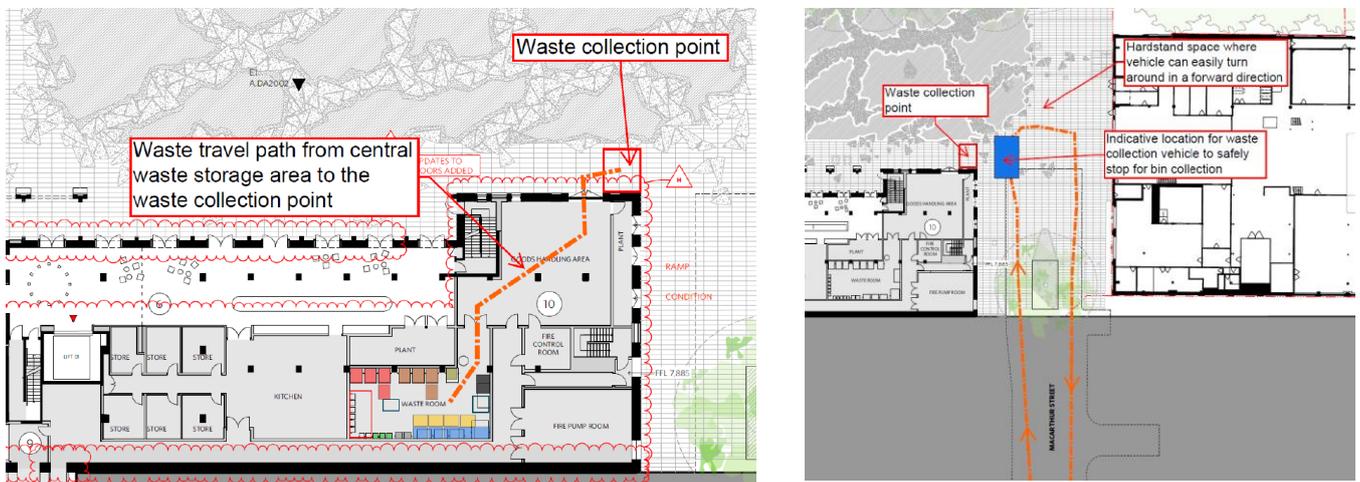


Figure 5 Ground floor waste path of travel and MRV travel path to waste collection point

Source: Foresight Environmental

8.0 Mitigation Measures

This section details the additional mitigation measures that are associated with the proposed modifications. These are to be read in conjunction with the approved mitigation measures under SSD-67588459.

8.1 Heritage

To mitigate any potentially adverse impacts from the proposal, NBRS has provided the following recommendations, as detailed in **Appendix D**.

R1 – Photographic Archival Recording

A Photographic Archival Recording of the Wran Building should be carried out during the deconstruction the existing steel structure and during the construction of the new structure. Progress photos of the deconstruction of the steel structure should be taken, particularly of the galleria space. Additionally, progress photos of the construction of the new steel structure should be included.

Reason: *To document the existing heritage fabric and the new fabric of the Wran Building. The photographs may contribute to the Heritage Interpretation Plan.*

R2 – Measured Drawings

A detailed measured drawing and/or 3D model of the 1988 Wran Building should be prepared as part of the archival recording of the Wran Building.

Reason: *To document the original 1988 Wran Building. The measured drawings/ model may contribute to the Heritage Interpretation Plan.*

R3 – Heritage Interpretation Plan

The 1988 Wran Building should be incorporated into the overall heritage interpretation plan of the site. Consideration should be given to the historic, social and associative significance of the building, and would be implemented prior to issuance of Occupation Certificate.

Reason: *To document the 1988 Wran Building.*

R4 – New Steel Structure to the Wran Building

Consideration must be given to the member sizes, profiles and column set out of the new steel structure to both arches. The new steel structure to the galleria is to be a 'like-for-like' replacement of the existing steel structure in terms of its original design character, visual appearance and materiality. The final design is to be developed in consultation with the heritage architect of the project.

Reason: *To conserve the original design intent and appearance of the structural framing system and retain the spatial character of the 1988 Wran Building.*

9.0 Justification of the modification project

The proposed modifications relate to further design development and refinements to the Powerhouse Ultimo Revitalisation, as well as facilitating solutions to structural challenges. Specifically, consent is sought for:

- Demolition and rebuilding of the structure of the Wran Building;
- A revised loading strategy including the deletion of the loading dock and a reduction in excavation.
- Reduced scope of works to the Switch House, including the relocation of amenities.
- Removal of the mezzanine levels within the creative commercial spaces.
- Removal of the rooftop bar at the Switch House and the installation of a new low-pitched metal deck roof over the classroom/academy space.
- Replacement of existing glazing with cladding on the eastern façade of the Galleria adjacent to b Exhibition Space 2.
- Removal of exhibition hoists and minor internal modifications throughout.

The proposed amendments will deliver the following key additional benefits to the Powerhouse Ultimo Revitalisation:

- The amended proposal will ensure the structural integrity of the Wran Building, enabling the approved cladding under SSD-67588459 to be properly and safely supported.
- The proposal as amended, has reduced the scope of works to the Switch House, which results in further preservation of the original and heritage fabric of the Switch House.
- The minor design changes incorporated throughout the development are the result of ongoing design refinement and contribute to improved design outcomes for the Powerhouse Ultimo Revitalisation.
- The proposed modification supports the *Environmental Planning and Assessment Regulation 2021* principle of inter-generational equity, clause 193. By restructuring the Wran Building and Galleria, these elements of the Powerhouse Ultimo will be able to be enjoyed by existing and future generations.

Under the development as amended, the Powerhouse Ultimo Revitalisation, the project will also continue to deliver the following project-wide benefits as identified in the SSD-67588459 EIS:

- The proposal will facilitate the revitalisation of Powerhouse Ultimo and provide world-class museum and exhibition spaces, which will deliver important community cultural, industry and economic benefits to a district, regional and national scale, as well as a local scale.
- The proposal represents a significant investment in the applied arts, applied sciences, culture 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 revitalisation of the site buildings supports the high design quality that encourages creative expression and elicits a wide range of innovative design responses to the site. An internationally important public museum development of the highest architectural design quality will be delivered.
- The proposal allows for the significant 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 reorient the entrance to the museum, improving the experience for visitors and the museum's connectivity to public transport and surrounding precincts.
- The proposal will support an estimated 200 direct and 140 indirect FTE jobs, generating approximately \$34.4 million in value, adding to the local and regional economy annually. The estimated 400 FTE direct ongoing workers across the Powerhouse sites will cause an immediate value-add to the economy of \$37.1 million annually. When considering the multiplier effect, total continued employment is estimated at 670 FTE jobs (direct and indirect), including a total value added to the economy of \$68.8 million annually.
- The proposed SSDA allows for the provision of the renewed cultural facilities that respond to the heritage significance of the site, whilst not resulting in impacts on surrounding uses that cannot be managed.
- The proposed works are directly consistent with the Pyrmont Peninsula Place Strategy, the Ultimo Sub-Precinct Plan, the NSW Government's Cultural Infrastructure Plan 2025+ , the NSW Cultural Strategy and the City of Sydney's Local Strategic Planning Statement, as it delivers design excellent, cultural and community facilities

In accordance with section 4.55(2) of the EP&A Act, the consent authority may modify the consent as development as proposed to be amended is substantially the same development as development for which the consent was granted. We trust that this information is sufficient to enable assessment of the proposed modification request.