



**MODIFICATION REQUEST:
Global Switch Sydney 2 Data Centre
273 Pyrmont Street, Ultimo**

MP 08_0222 MOD 3

**Minor amendments to approved building design
and construction staging**



Director General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

August 2013

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Published August 2013
NSW Department of Planning & Infrastructure
www.planning.nsw.gov.au

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*NSW Government
Department of Planning & Infrastructure*

EXECUTIVE SUMMARY

The purpose of this report is to determine a request by Global Switch Property (Australia) Pty Ltd to modify the approved Project Application MP08_0222.

On 16 November 2010, the Deputy Direct General, Development Assessment and Systems Performance granted approval of Project Application MP08_0222 for:

- construction of a purpose built, six storey data centre building above 3 sub-ground levels comprising technical (22,285sqm) and plant (15,227sqm) areas;
- 12 car parking spaces; and
- landscaping, street upgrade works and building identification signage.

The project approval has been modified on two (2) previous occasions as detailed below:

- Mod 1 – approved on 1 December 2010, by the then Director of Government Lands and Social Projects, to amend the land description of the subject site.
- Mod 2 – approved on 15 March 2012, by the then A / Director of Metropolitan & Regional Projects South, to delete two lower basement levels and reduce the size of the remaining basement level, reduce the gross floor area, reconfigure floor levels and space allocation for plant rooms, undertake internal fit out and occupation over 2 stages including payment of Section 94 contributions, replace the tri-generation system with conventional grid supply electricity including electric chillers and free cooling used for mechanical cooling.

The current modification (Mod 3) seeks to modify the approved Global Switch 2 Data Centre by proposes a series of design amendments. These include:

- adjusting the internal floor levels for a better floor level alignment with the existing Global Switch west facility;
- modifying the basement footprint to facilitate more rational service arrangements / reticulation and structural alignments;
- minor internal layout changes to basements, ground and typical floor levels re-configuration and space allocation of plant rooms;
- minor reorganisation of roof plant and green roof configurations; and
- marginal increase of the gross floor area of the building by 757sqm within the approved building envelope.

The application also seeks to modify a number of conditions, including to allow for the development to be undertaken in three (3) stages and for the payment of Section 94 Contributions to reflect these development stages.

City of Sydney Council does not object to the modification. Initial comments received from the RMS raised issues in relation to the structural design/ loading capacity of the roof structure of the northern end of the building. In this regard, the RMS advise that the building would need to be strengthened to meet their requirements for carrying out of visual inspections, maintenance and rehabilitation work on the Western Distributor. Following further consultation between parties, the RMS has advised that it is satisfied that an agreement can be executed between respective parties to allow for essential maintenance operations, thereby ensuring that the safety and utility of the Western Distributor is not jeopardised.

The key issues in the Department's assessment are design, floor space, development staging, RMS maintenance requirements and changes to the Project Approval.

The proposed modifications are generally consistent with the approved Project Approval. There are no physical changes to the building height or the building envelope. The proposed modifications will not result in any adverse environmental impacts. It is therefore recommended that the application be approved, subject to the modified conditions.

1. BACKGROUND

1.1 The Site

The site is located at 273 Pyrmont Street, Ultimo within the City of Sydney Local Government Area. The site is bound to the north by the Western Distributor, to the east by Pyrmont Street and to the south by Quarry Street. The site adjoins the existing Global Switch Sydney 1 data centre at 400 Harris Street (refer to **Figure 1**). The Western Distributor partially traverses the northern end of the site, where the approved service yard is to be constructed.



Figure 1: Aerial view of the subject site in context of the existing Global Switch Sydney 1.

1.2 Previous Approvals

Major Project MP08_0222

On 16 November 2010, the then Deputy Director General, Development Assessment and Systems Performance approved a Project Application (MP08_0222) for a purpose built, six storey data centre building comprising:

- 22,285sqm of technical area and 15,227sqm of plant area;
- a total of 12 at grade car parking spaces on the northern boundary of the site with vehicular access directly off Pymont Street; and
- landscaping, street upgrade works and building identification signage.

Major Project MP08_0222 (MOD 1)

On 1 December 2010, the then Director of Government Lands and Social Projects, approved a modification to Project Application MP08_0222 to:

- amend the 'Land' description of the subject site.

Major Project MP08_0222 (MOD 2)

On 15 March 2012 the then A / Director, Metropolitan & Regional Projects South approved a modification to Project Application MP08_0222 for:

- deletion of two basement levels;
- introduction of staged construction (two stages) and progressive occupancy provisions; and
- minor changes to approved layout and building areas including to reduce the gross floor space of the technical areas and plant areas to 18,75sqm and 7,615sqm, respectively.

The department notes that notification of the above applications included referral to key agencies. This included the RMS given the proximity of the Western Distributor to the northern end of the site. Prior comments provided by the RMS did not include any requirement for the development to accommodate inspections, maintenance and rehabilitation works to the bridge piers and the underside of the Western Distributor. Issues relevant to these matters have been raised in the submission by the RMS in relation to the current modification application- refer to further discussion in **Sections 4.1** and **5.0** below.

2. PROPOSED MODIFICATION

2.1 Modification Description

This application seeks approval to modify Major Project MP08_0222 as follows:

- to adjust the internal floor levels to ensure better floor level alignment with the existing Global Switch West facility;
- to incorporate minor amendments to the basement footprint to facilitate more rationale services arrangements /reticulation and structural alignments;
- to amend the internal layout of the basement, ground and typical floor levels;
- to marginally increase the overall GFA by 757sqm, within the approved building envelope resulting in a total Gross Floor Area of 18,932sqm;
- to reorganisation of roof plant and green roof configurations; and
- to widened the entry vehicle gate off Pymont Street to improve access to the loading bay.

The above modifications do not result in changes to the approved building height or the approved building envelope. Furthermore, the changes to the design are all internal (with the exception of the changes to the roof plant/ green roof configuration and the widening of the entry vehicle gate) and therefore, no change to the building elevations including the materials and finishes composition is proposed.

In order to give effect to the above amendments, the following modifications are proposed to the conditions of approval:

- Amend **Condition A2 – Plans and Documentation** to implement the proposed detailed design development and to permit a more streamlined approval of minor internal design changes by the nominated Private Certifier.
- Amend **Condition B1 – Section 94 Contribution** to stage the Section 94 payments to coincide with proposed construction staging;
- Amend **Condition C2 - Development Staging** to accommodate 3 construction stages (or staging lines);
- Amend the **Statement of Commitments** to reflect the updated list of architectural plans for the proposed detailed design development as per amended plan list in Condition A2.

The Proponent's modification request including floor plans detailing the changes to the building design are provided at **Appendix A**.

3. STATUTORY CONTEXT

3.1 Continuing Operation of Part 3A to Modify the Project Approval

In accordance with Clause 3 of Schedule 6A of the Environmental Planning and Assessment Act (EP&A Act), Section 75W of the EP&A Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6, continues to apply to transitional Part 3A projects.

Consequently this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the modification of the project under Section 75W of the EP&A Act.

3.2 Modification of the Minister's Approval

The modification application has been lodged with the Director-General pursuant to Section 75W of the EP&A Act. Section 75W provides for the modification of a Minister's approval including *'revoking or varying a condition of the approval or imposing an additional condition of the approval'*.

The subject modification seeks to change the terms of the determination through amending the conditions of approval including Statement of Commitments.

3.3 Environmental Assessment Requirements

No additional environmental assessment requirements were issued with respect to the proposed modification, as sufficient information has been provided to the department in order to consider the application.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 75X (2) (f) of the EP&A Act, the Director-General is required to make the modification request publicly available. The modification request was made available on the department's website and referred to City of Sydney Council for comment. Due to the nature of the proposed modification, the modification request was not formally exhibited. No public submissions were received on the modification request.

City of Sydney Council

The City of Sydney Council raised no objection to the proposed modification given that the changes are largely internal and will not create any unacceptable amenity impacts on the surrounding area.

Ausgrid

Ausgrid initially advise that they require an electrical substation to be made available on site for the development. Ausgrid also advised that such a requirement may be withdrawn at a later stage following further consultation with the proponent regarding their electrical requirements.

Subsequently, Ausgrid has advised that consultation has progressed with the proponent regarding connection options for the site. On this basis, Ausgrid has withdrawn its requirements for an electrical substation on the site.

Roads and Maritime Authority (RMS)

In relation to MOD 3, the RMS initially raised safety concerns in relation to the proximity of excavation associated with construction of the development on the structural integrity and serviceability of the Western Distributor bridge piers. In addition, the RMS advised that the development and more specifically, the roof over the car park and loading dock area at the northern end of the site, may prevent future access and maintenance. The location of the western distributor relative to the work is shown in **Figures 2a** and **2b** below.

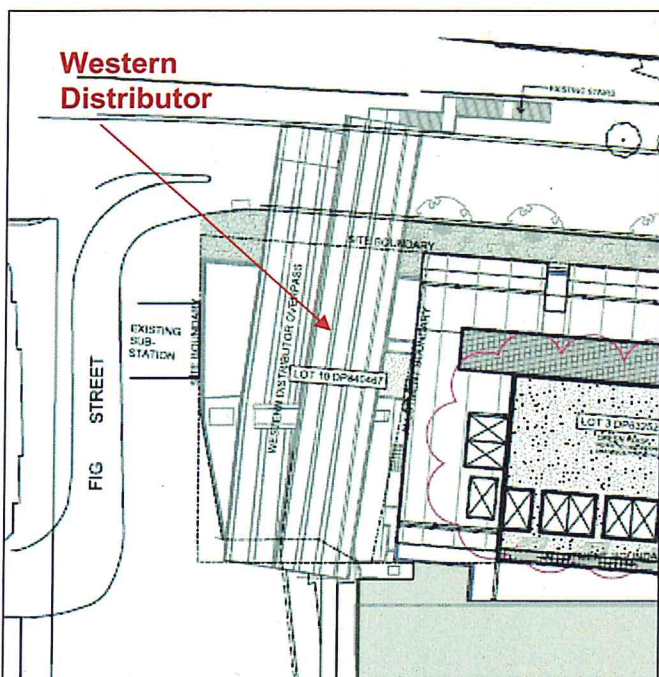


Figure 2a: Extract from site plan showing the location of the Western Distributor at the northern end of the site (Source: dem)

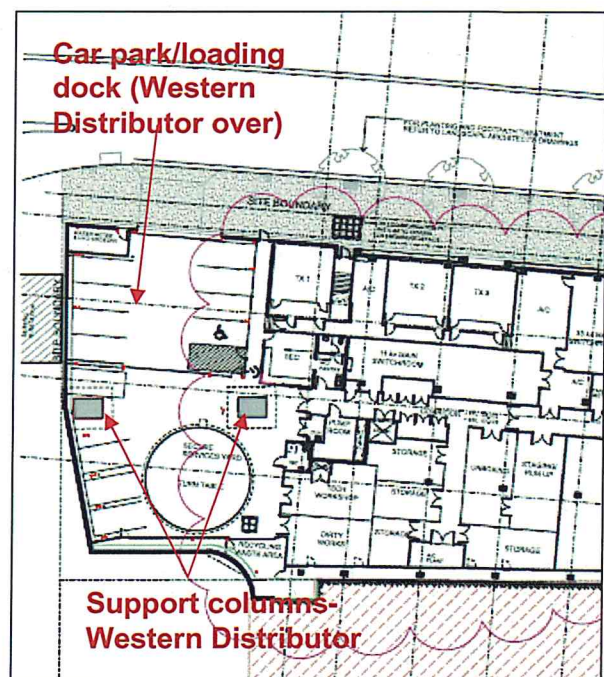


Figure 2b: Extract from ground floor plan (Source: dem)

In response, the proponent clarified that the extent of works to the existing data storage facility affected by the RMS requirements are confined to the proposed northern extension of the ground floor and roof over the car park (first floor level), in proximity to the structural supports for the western distributor. In addition, the proponent advised that while it may be possible to accommodate the RMS requirements, they are onerous, involve cost, risks and may include penalties received from the Principal Contractor for any programme delay.

Subsequent meetings have been convened between the department, the proponent and the RMS to resolve this matter. The department notes that the access and maintenance requirements of the RMS have not been identified in any prior comments provided by the RMS in relation to this project application. Despite the RMS initially advising that the working load of the roof structure would be required to be redesigned and strengthened to be not less than 2.5 kN/m² (noting that the current approved design is 1kN/m²) and furthermore, that visual inspections and maintenance work would

need to be undertaken entirely from the surface of the roof (thereby, necessitating the need for the roof to support increased loading to 2.5 kN/m²), the RMS has recently advised of the following:

- Its preference to enter into a formal agreement with the owner to ensure future access is available for routine inspection purposes rather than pursue changes to existing development consent for upgrading the roof as an RMS work platform;
- that it is possible for future maintenance activities to be undertaken from a suspended work platform, as required; and
- that the support columns contained within the new building footprint will also be subject to an access agreement.

The matters raised by the RMS are further considered in **section 5.4** below.

5. ASSESSMENT

The Department considers the key issues for the proposed modification to be:

- design amendments
- floor space
- development staging
- RMS maintenance requirements
- changes to the Project Approval

5.1 Design amendments

The design amendments proposed the building reflect the further design refinement of the project. The minor adjustments to the floor levels are contained within the approved building envelope, with the high roof component of the development complying with the approved building height of RL 148.0065.

The proponent has advised that the minor adjustments to the floor levels and the refinement of the layout are necessary to meet the function and operational requirements of the data storage operation. The changes to the arrangement of the green roof and plant will not be visible from the public domain. In addition, the location of the cooling towers (although, slightly amended) retain their alignment along the western edge of the building (where the building adjoins the existing Global Switch 1 building) where their visual impact from Pymont Street is also minimised.

As illustrated in **Figure 3** below, the proposal also includes an increase to the dimension of the roller shutter door providing access to the loading dock area. The department raises no objection to this amendment given it will aid access to the loading dock and its location remains consistent with that already approved.

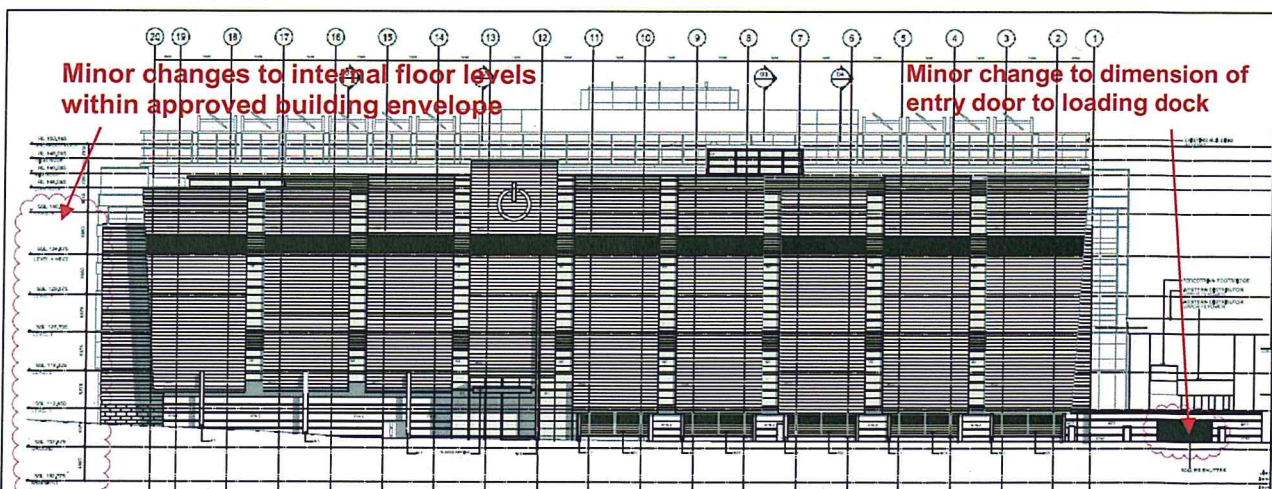


Figure 3: East elevation (Source: dem)

Having regard to the above, the department is satisfied that the design changes will not result in any adverse environmental impacts, and therefore, recommends that the amendments be approved.

5.2 Floor Space

A Master Plan Strategy was adopted by the Minister for Urban Affairs and Planning on the 12 November 1999 and implemented in March 2000 to assist in guiding future development on both the subject site and the adjoining property (being the existing Global Switch 1 Building directly to the west). Under the provisions of this Master Plan, the maximum total floor space permitted on both the sites is 47,300sqm (this excluded plant rooms). MP 08_0222 originally gave approval for a building comprising a gross floor area of 22,285sqm of business/technical with an additional 15,227sqm of dedicated plant and machinery. This represented an overall gross floor space on both sites of 51,053sqm (excluding the plant area of 15,227sqm within the subject building) or an increase in gross floor space of 3,753sqm or 8% over the maximum 47,300sqm under the Master Plan.

Subsequent amendments approved in MOD 2 resulted in the business/technical gross floor area of the building being reducing to 18,175sqm with a further reduction in the gross floor area of the dedicated plant and machinery to 7,615sqm. This resulted in the building having a total gross floor area of 25,790sqm (or some 11,722sqm less than that originally approved).

MOD 3 seeks approval for further modifications to the gross floor area distribution in the building. In this regard, it is proposed to marginally increase the business/technical gross floor area of the building to 18,932sqm (or an increase of 757sqm) and to increase the gross floor area of the dedicated plant and machinery to 10,689sqm (or an increase of 3,074sqm) resulting in the building having a proposed total gross floor area of 29,621sqm (or an overall increase of 3,931sqm). As the overall gross floor area of the building remains 7,891sqm below that originally approved and given the changes to the floor layout are accommodated within the approved building envelope, the department remains satisfied that the bulk and scale of the building is compatible with the prevailing form of neighbouring buildings and it's design will appropriately integrate with the existing Global Switch 1 Building.

5.3 Development Staging

MOD 2 approved the construction of the development in two (2) stages allowing for the progression occupation of the building on completion. The current modification application proposes to further adjust the construction program to allow for three (3) stages as illustrated in **Figure 4**. As with MOD 2, MOD 3 will allow for the building to be progressively constructed from northern end of the site. Final details of the main building stages and progressive internal fitout and occupation of the building are to be provided to the PCA for approval prior to the release of the relevant Construction Certificate.

The department has considered the proposed construction stages (refer **Figure 4**) relative to the internal layout and function of the building and raises no objection to the proposal. It is noted that Stage 1 includes the completion of the load dock and parking area at the northern end of the site. This is considered appropriate for the ongoing functioning of the building through to construction completion and will also ensure that traffic impacts associated with occupation can be contained on-site.

In conjunction with the staged construction of the building, it is proposed to stage the payment of the section 94 Contributions to reflect the development stage. The extent of the proposed Stage 1 works roughly accords with the extent of Stage 1 works approved in MOD 2. In the determination of MOD 2, Condition B1 was amended to require 50% of the contributions to be paid at Stage 1 with the remaining 50% to be paid at Stage 2. On this basis, the department raises no objection to the proposed timing for the payment of the contribution recommended by the proponent, with the contributions being paid in stages as follows:

- 50% payment prior to the issues of the Stage 1 Construction Certificate;
- 25% payment prior to the issue of the Stage 2 Construction Certificate; and
- 25% payment prior to the issue of the Stage 3 Construction Certificate.

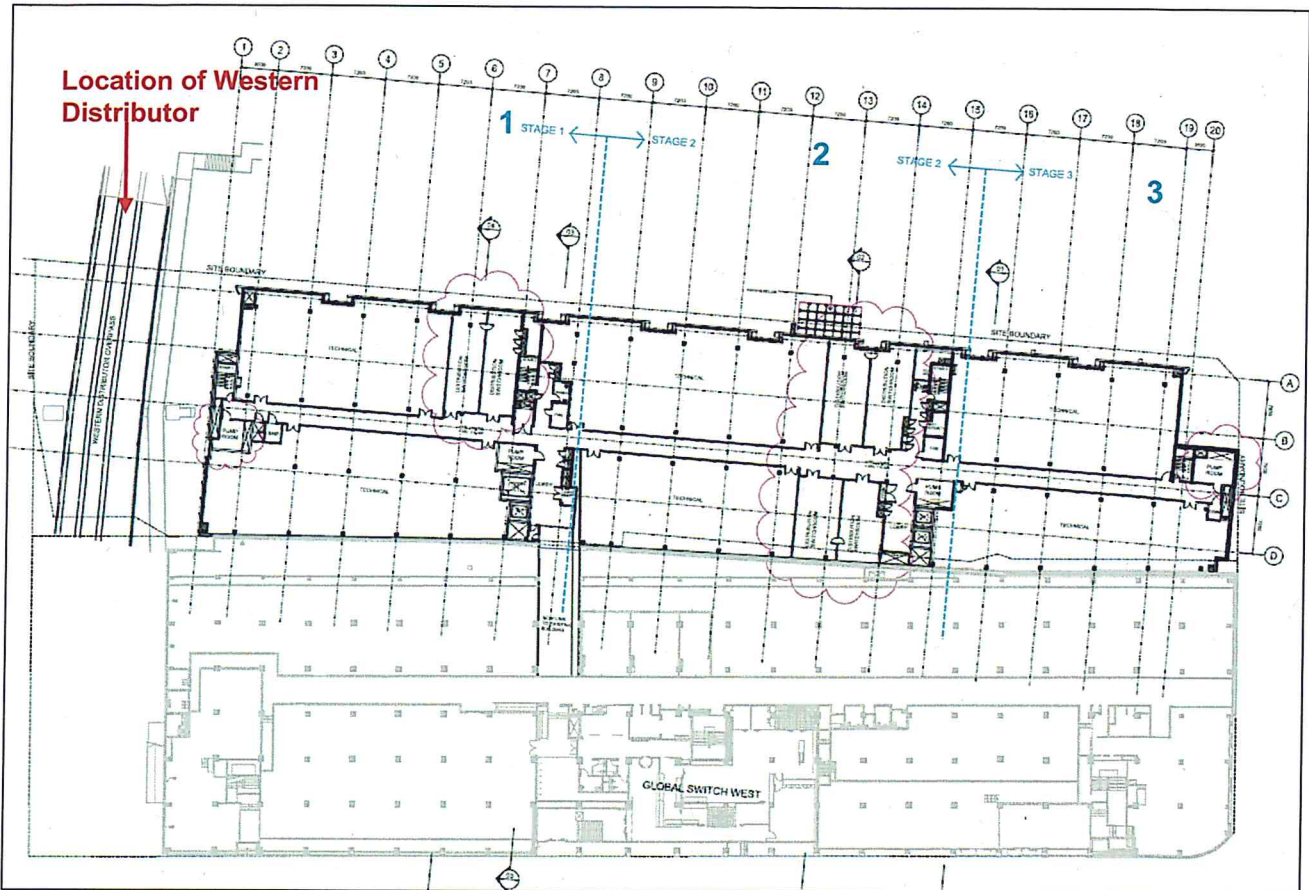


Figure 4: Proposed construction and progressive occupation stages (source: dem)

5.4 RMS maintenance requirements

As outlined in section 4.1 of this report, the RMS submission has identified the need for the RMS to obtain future access to the site in order to undertaken visual inspections and ongoing maintenance works to the Western Distributor, which traverses the northern end of the site- Refer Figure 4 above.

Based on recent advice received by the RMS, the department is satisfied that a suitable agreement for access can be reached with Global Switch to allow for essential maintenance operations, thereby ensuring that the safety and utility of the Western Distributor is not jeopardised. In order to ensure that this matter is resolved in timely manner, the department has recommended a condition to require the agreement to be in place prior to the release of the final Occupation Certificate for the building.

5.5 Changes to the Project Approval

Changes to a number of conditions and the Project Approval are required to reflect the modification proposal. These are outlined below and reflected in the recommended Instrument of Modification at Tag A:

Condition A2- development in accordance with Plans and Documents

It is recommended that Condition A2 be relevantly amended to reference the amended plans and associated documents submitted with the application.

The proponent has also recommended a minor change to the wording of this consent condition to facilitate a more streamlined approval of minor design changes by the nominated Private Certifier which are 'generally' consistent with the approved plans. Subject to such changes being limited to the interior of the building, the department raises no objection to this amendment.

Condition B1- Section 94 Contributions

It is recommended that the timing for the payment of the Section 94 Contributions pursuant to the Ultimo Pyrmont Section 94 Contributions Plan be amended to reflect the three (3) development stages proposed. As detailed in section 5.3 above, the quantum of the contribution payable is to be apportioned at 50%, 25% and 25% for Stages 1 to 3, respectively.

Condition C2- Development Staging

As outlined in section 5.3 above, and in order to remain consistent with Condition B1 above, it is appropriate that Condition C2 be amended to reference the three (3) stages of construction.

Condition E12- Maintenance Requirements of the RMS

Further to the discussion in section 5.4 of the report, and to ensure that access to the site is available to the RMS for maintenance of the underside of the Western Distributor, it is recommended that new Condition E12 be imposed to require an agreement between the RMS and proponent to be in place prior to the issue of the Final Occupation Certificate for the project.

Statement of Commitments

The proponent has recommended that a number of amendments be incorporated into the Statement of Commitments referenced in Section 3 of the Project Approval. The department considers the amendments necessary to appropriately reflect the proponent's commitment to delivery of the project as documented in this modification application.

6. DELEGATION

On 1 October 2011, the Minister delegated his powers and functions under section 75W of the EP&A Act to the Directors of the Urban Renewal and Major Sites Division, in cases where the relevant local authority has not made an objections, a political disclosure statement has not been made and there are less than 10 public submissions in the form of objections.

In this instance, the City of Sydney Council does not object to the proposal, no reportable political donation has been declared and no public objections were made on the application.

For the reasons outlined above, the terms of the Minister's delegation can be met and as such, the modification application can be determined under delegation by the Director, Industry, Social Projects & key Sites.

7. CONCLUSION

The department has assessed the merits of the modification and is satisfied that the proposed changes will not give rise to any adverse environmental impacts. The department is also satisfied that the impacts can be adequately covered via existing and new conditions of approval, as well as the Statement of Commitments.

All statutory requirements in relation to the proposed modification have been met, and the department considers the application warrants support and should be approved, subject to the recommended condition outlined in **Section 5.5** of this report.

8. RECOMMENDATION

It is recommended that the Director, Industry, Social Projects & Key Sites:

- a) Consider the findings and recommendations of this report;
- b) Approved the modification under section 75W of the EP&A Act; and
- c) Sign the attached Instrument of Modification (Tag A).



**Contract Planner
Industry, Social Projects & Key Sites**



3/9/13

**Director
Industry, Social Projects & key Sites**

APPENDIX A MODIFICATION REQUEST

See the Department's website at: <http://majorprojects.planning.nsw.gov.au>

APPENDIX B SUBMISSIONS

See the Department's website at: <http://majorprojects.planning.nsw.gov.au>