



Planning &
Environment

***MODIFICATION REQUEST:
Global Switch Data Centre
273 Pyrmont Street, ULTIMO
(MP 08_0222 MOD 5)***

Internal Modifications



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

March 2015

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1. BACKGROUND

The purpose of this report is to assess a modification request to the Major Project Approval MP 08_0222 for the construction of a data centre building at 273 Pyrmont Street, Ultimo, pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The modification seeks approval for internal modifications on the ground and second levels of the approved Data Centre.

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 data centre at 400 Harris Street (see **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

On 16 November 2010, the then Deputy Director-General, Development Assessment and Systems Performance approved a Project Application (MP 08_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 Pyrmont Street; and
- landscaping, street upgrade works and building identification signage.

The Department has modified the Project Approval on four occasions as follows:

- 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 Acting Director, Metropolitan & Regional Projects South to remove two of the basement levels, introduce a staged construction and occupation process and changes to reduce the gross floor space of the technical and plant areas;
- MOD 3, approved on 3 September 2013 by the then Director Industry, Key Sites and Social Projects for minor changes to the approved layout and staged construction from two stages to three stages; and
- MOD 4, approved on 12 June 2014 by the then Director Industry, Key Sites and Social Projects to allow the issue of an Interim Occupation Certificate for Stage 1 of the Global Switch East building prior to completion of the Stage 1 public domain works.

2. PROPOSED MODIFICATION

The proposal seeks to make internal modifications to the fit out on the ground and second levels of the approved Data Centre. The proposed changes are required to accommodate one of the confirmed tenants and its specific business needs. The changes include:

- consolidation of four separate rooms into one storage room on the ground floor level; and
- the addition of internal wall partitioning to create a series of work stations, a manager's office, a meeting room, a tea room and a storage room on the second floor level.

The approved internal layout and proposed modifications to each of the ground and second floor plans are outlined in the Figures 2 to 5 below.

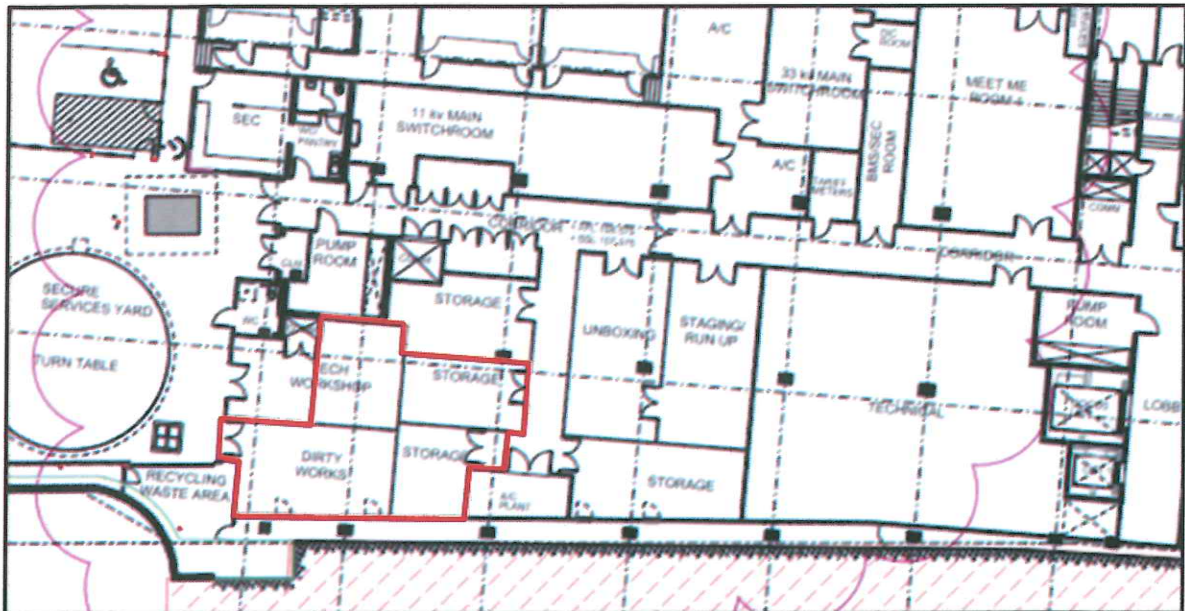


Figure 2: Excerpt of approved ground floor plan layout, four separate rooms.

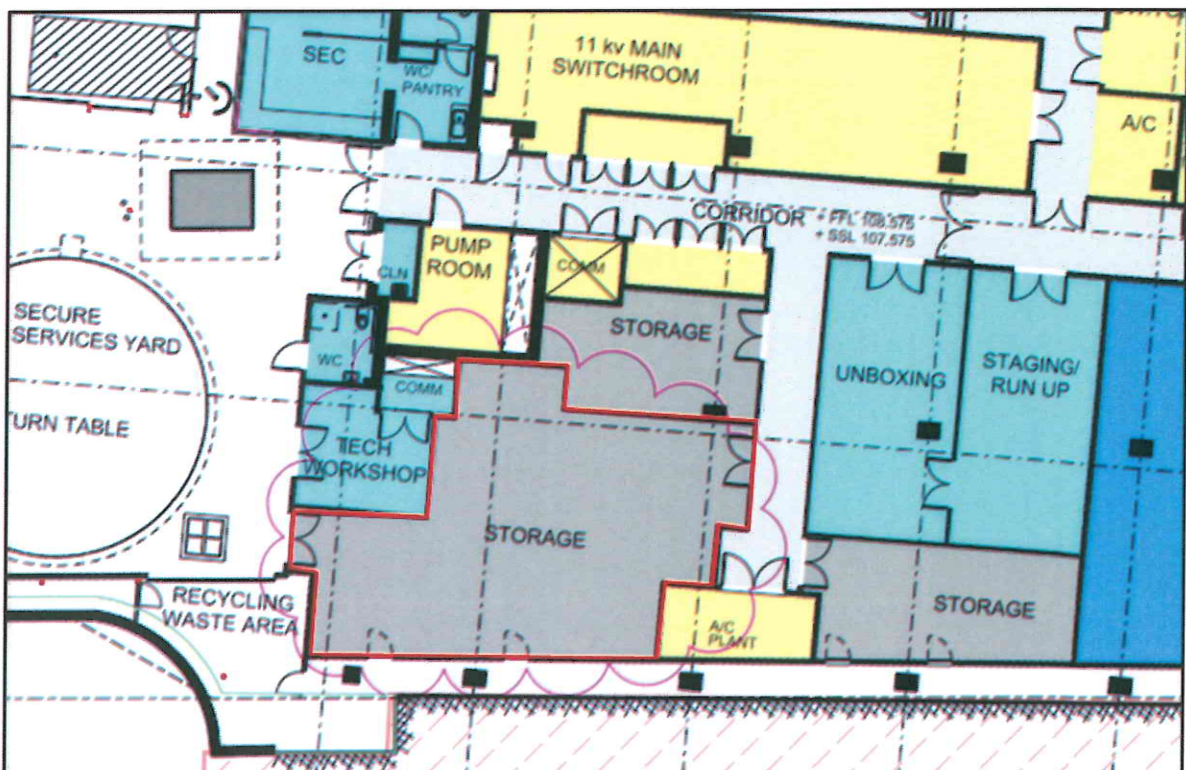


Figure 3: Excerpt of proposed ground floor plan layout, conversion to a single storage space

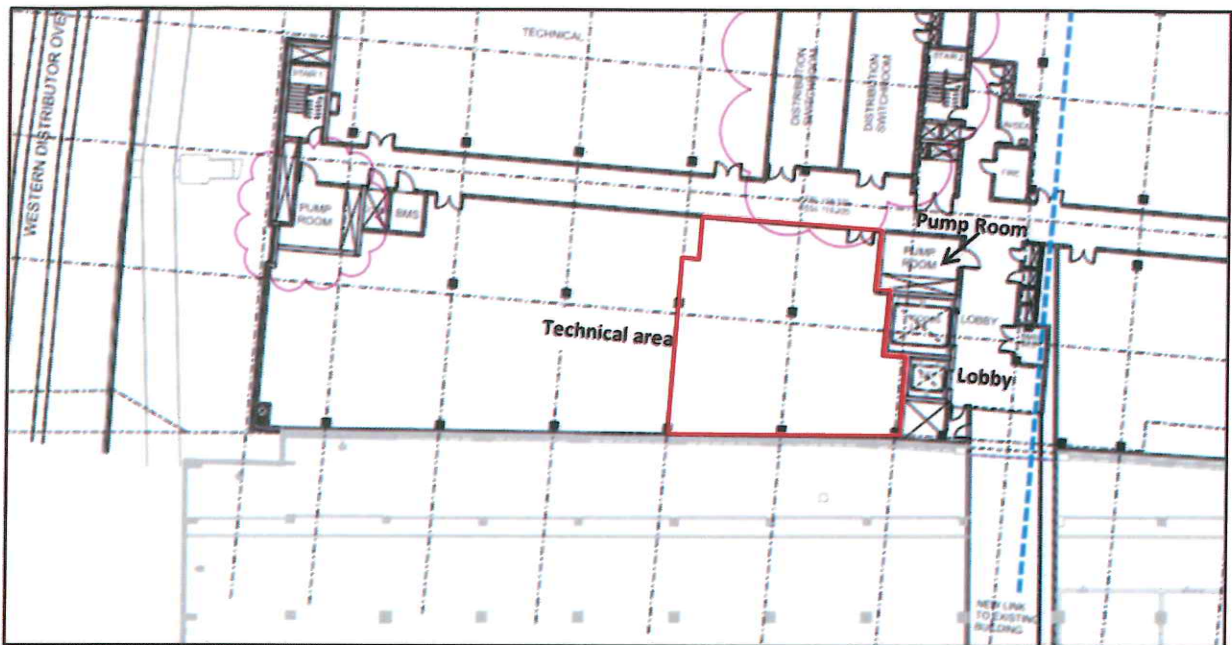


Figure 4: Excerpt of the approved second floor plan layout (south-west corner) with proposed area to be changed outlined in red.

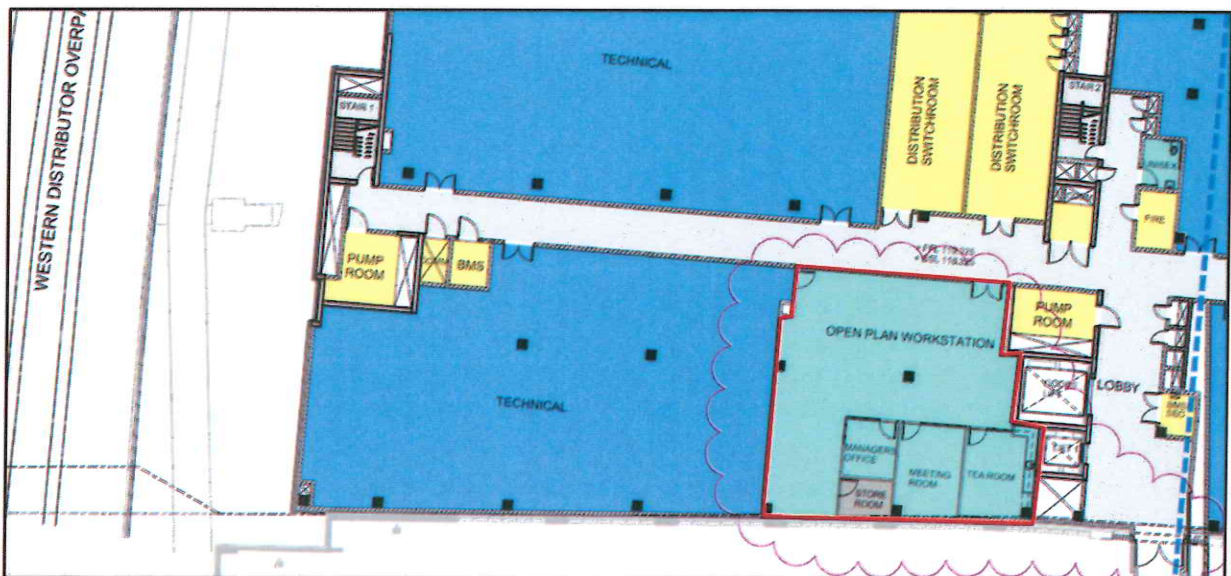


Figure 5: Excerpt of the proposed second floor plan layout (south-west corner) with additional internal partitioning.

3. STATUTORY CONTEXT

3.1 Continuing Operation of Part 3A to Modify Approvals

In accordance with Clause 3 of Schedule 6A of the 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 6A, 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 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

Section 75W (2) of the EP&A Act provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project, as modified, would be consistent with the original approval. As the proposal seeks to modify the approval, the application will require the Minister's approval.

3.3 Secretary's Environmental Assessment Requirements

In this instance, it was not considered necessary to notify the proponent of the Secretary's Environmental Assessment Requirements (SEARs) pursuant to Section 75W (3) of the EP&A Act, as sufficient information was provided to assess the modification application.

3.4 Delegated Authority

In accordance with the Minister's delegation of 10 November 2014, the Acting Director, Key Site Assessments who reports to the Executive Director, Infrastructure and Industry Assessments may determine the applications as:

- the relevant local Council has not made an objection;
- a political donation disclosure statement has not been made in relation to this or any previous application; and
- no public submissions in the nature of objections have been received.

4. CONSULTATION AND SUBMISSIONS

4.1 Notification

In accordance with Section 75X (2) (f) of the EP&A Act, the Department is required to make the modification request publicly available. The modification request was made available on the Department's website. The Department also notified the City of Sydney Council (Council). Due to the minor internal changes of the proposal, the modification request was not exhibited by any other means. No submissions were received from the public.

4.2 City of Sydney Submission

Council does not object to the modification request noting that the proposed changes relate to the internal configuration of rooms and result in no external impacts.

5. ASSESSMENT

The Project Approval for the Data Centre provides a centralised office space for storage, management and distribution of data and information. The proponent is currently securing tenants for Stage 1 of the project.

The proposed internal modifications are required to meet the business needs of a specific tenant of the Data Centre. The modifications are very minor and do not result in any changes to the overall use and function of the Data Centre in accordance with the Project Approval.

The Department also notes that internal fit out works of this nature can generally be carried out as complying development, under *State Environment Planning Policy (Exempt and Complying Development Codes) 2008*. However, in this instance, the site is within an identified foreshore area where complying development provisions cannot be applied.

The Department previously assessed the development against the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* and concluded that it was consistent with the aims and objectives of the SREP.

As the works are internal to the approved building, the Department is satisfied that the modification remains consistent with the SREP and that the works will have no environmental impacts.

6. CONCLUSION

The Department has considered the proposal to modify the Project Approval and is satisfied that the proposed internal amendments are minor. On this basis, the Department supports the proposal as the proposed modifications do not:

- result in any change to the external finishes, scale or envelope of the building;
- alter the overall character or use of the development; and
- change the gross floor area, access to parking or loading arrangements to the project approval.

The minor internal modifications will ensure that the fit out of the commercial office space meets the needs of the future tenant.

It is therefore recommended that the modification application be approved, as outlined in the recommend Instrument of Modification.

7. RECOMMENDATION

It is recommended that the Acting Director, Key Site Assessments:

- a) **consider** the findings and recommendations of this report;
- b) **approve** the modification under Section 75W of the EP&A Act; and
- c) **sign** the attached Modifying Instrument to the Stage 1 Project Approval (**Appendix C**).

Prepared by: Fiona Gibson
Metropolitan Projects

Endorsed by:

AWatson

Amy Watson
Team Leader
Metropolitan Projects

Approved by:

BL 5.3.15

Ben Lusher
Acting Director
Key Site Assessments

APPENDIX A MODIFICATION REQUEST

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6928

APPENDIX B SUBMISSIONS

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6928

APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
