

# Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 16 February 2015, I approve the modification of the project application referred to in Schedule 1, subject to the amendments to conditions in Schedule 2.



Anthea Sargeant  
Executive Director  
Key Sites and Industry Assessments

Sydney 18 April

2017

## SCHEDULE 1

<b>Application No.:</b>	MP 08_0222 granted by the Minister for Planning on 16 November 2010
<b>Proponent:</b>	Global Switch Property (Australia) Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	273 Pyrmont Street, Ultimo Lot 1 DP 1189030 and Lot 1 DP 109652
<b>Project:</b>	The construction of a six-storey data centre building and three basement levels, including: <ul style="list-style-type: none"><li>• site preparation works;</li><li>• excavation;</li><li>• 12 car parking spaces;</li><li>• plant and equipment;</li><li>• landscaping and street upgrade works; and</li><li>• building identification sign.</li></ul>
<b>Modification Number:</b>	MP 08_0222 MOD 7
<b>Modification</b>	Extended hours of construction for Stage 2 for internal works from 5.30 pm to 12.00 am (Monday to Friday) and from 3.30 pm to 12.00 am on Saturdays with no work on Sundays or Public Holidays.

## SCHEDULE 2

- In Part A, Condition A2 is modified by the deletion of the ***struck out*** words and the insertion of the ***bold italics*** words as follows:

### **A2 Development in Accordance with Plans and Documentation**

The development shall be generally in accordance with the following plans, documentation and recommendations made therein:

A. Environmental Assessment report for Global Switch Sydney dated March 2010, including appendices and Preferred Project Report prepared by dem (aust) Pty Ltd dated August 2010 including appendices			
B. Statement of Commitments prepared by dem (aust) Pty Ltd contained in Schedule 3			
C. Architectural Drawings prepared by dem (aust) Pty Ltd dated February 2010, itemised as follows:			
<ul style="list-style-type: none"> <li>Section 75W Modification Application dated December 2011, including modified Statement of Commitments, prepared by dem (aust) Pty Ltd.;</li> <li>Section 75W Modification Application dated May 2013, including modified Statement of Commitments, prepared by dem (aust) Pty Ltd.;</li> <li>Section 75W Modification Application dated 5 February 2015 prepared by Helen Mulcahy Urban Planning Pty Ltd.;</li> <li>Section 75W Modification Application dated 16 June 2015 prepared by Helen Mulcahy Urban Planning Pty Ltd; <b><i>and</i></b></li> <li><b><i>Section 75W Modification Application dated 13 December 2016 prepared by Helen Mulcahy Urban Planning Pty Ltd, Response to Submissions Report dated 27 March 2017 prepared by Helen Mulcahy Urban Planning Pty Ltd and accompanying letters dated 15 March 2017 and 29 March 2017 prepared by Acoustic Logic.</i></b></li> </ul>			
Drawing No	Issue	Name of Plan	Date
CV-00	B02	Cover Sheet, Drawings List, Abbreviations	22/12/2011
0200	B05	Site Plan	05/06/2015
1202	B05	Basement Floor Plan	05/06/2015
1203	B07	Level 0 Floor Plan	05/08/2015
1204	B05	Level 1 Floor Plan	05/08/2015
1205	B06	Level 2 Floor Plan	05/07/2015
1206	B05	Level 3 Floor Plan	05/08/2015
1207	B05	Level 4 Floor Plan	05/08/2015
1208	B05	Level 5 Floor Plan	05/08/2015
1209	B05	Level 6 Floor Plan	05/08/2015
1211	B05	Roof Plan	05/08/2015
2100	B04	Section One	08/05/2013
2101	B06	Section Two	05/06/2015
2102	B04	Section Three	08/05/2013
2103	B04	Section Four	08/05/2013
2500	B04	North and South Elevations	08/05/2013
2501	B05	East Elevation	05/08/2015
5004	B01	Signage Views	22/02/2010
0501	A02	Landscape Plan Ground Floor	15/02/2010
0502	A03	Landscape Plan Roof Level	08/05/2013

*Note: Any changes which impact on the external appearance and/or form of the building, require the approval of the Minister.*

- In Part C, insert a new Condition C12 as follows:

At least one week prior to the commencement of each period of internal building works to be carried out on site during the extended construction hours permitted under Condition D8A of this approval, the Proponent must conduct a letter drop to potentially affected receivers (including nearby residents).

The letter must include details of the extended construction hours approved under MP 08\_0222 MOD 7, the period of works, the Principal Certifying Authority (including contact address and certification details), the name of the site manager, the responsible managing company, its address and a 24-hour contact phone number for any enquiries, including construction/noise complaints.

- In Part D, insert new Condition D8A as follows:

**D8A Extended Construction Hours - Stage 2 Internal Works**

In addition to the construction hours permitted under Condition D8 of this approval, internal building works within Stage 2 of the approved project may be undertaken between the hours of 5.30 pm to 12.00 midnight between Monday to Friday, and 3.30 pm to 12.00 midnight on Saturday, with no work on Sundays and/or public holidays.

For the avoidance of doubt, works undertaken during the extended construction hours permitted under this condition shall be restricted to Stage 2 internal building works only and shall be inaudible at the nearest residence. The noise management controls outlined in Section 6.0 of the Noise Impact Assessment prepared by Acoustic Logic and dated 29 November 2016 must be implemented and complied with for the duration of these works. The Applicant shall ensure that:

- a) no jackhammering is undertaken on site during the extended construction hours permitted under this condition;
- b) angle grinding works within 10 m of Stage 2 and Stage 3 are only undertaken during Category 2 hours as defined in Council's *Construction Hours/Noise within the Central Business District - City of Sydney - Code of Practice 1992* (Code of Practice) or standard construction hours;
- c) angle grinding works are not undertaken during Category 4 hours as defined in the Code of Practice;
- d) the external façade of the building (including the façade along Pyrmont Street) is fully installed, sealed and airtight, prior to the commencement of works associated with the extended construction hours permitted under this condition;
- e) no fit-out works are undertaken external to the building;
- f) any cutting of slabs or hobs is undertaken during standard construction hours only;
- g) materials handling is only undertaken within the stage basement level and no handling operations are carried out at street level; and
- h) an after-hours contact number of the Site Manager is advertised outside the building site for the duration of works associated with the extended construction hours permitted under this condition, so he/she can be contacted by residents; and
- i) all persons working on site during the extended construction hours are made aware of the above noise management controls.

- In Part D, insert new Condition D8B as follows:

**D8A Heavy Vehicle Movements Outside Normal Hours of Construction**

The Proponent must ensure that no materials deliveries or heavy vehicle movements occur to and from the site outside the normal hours of construction permitted under Condition D8 of this approval.

**End of modification to MP 08 0222 MOD 7**