

# Modification of Development Consent

Section 96(1A) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning, under delegation dated 11 October 2017, I approve the modification of the development referred to in Schedule 1, subject to the conditions in Schedule 2.

Ben Lusher  
Director  
Key Sites Assessments

Sydney

20th OCTOBER 2017

## SCHEDULE 1

**Application No.:** SSD 7317

**Applicant:** Mirvac Projects Pty Ltd

**Consent Authority:** Minister for Planning

**Land:** Australian Technology Park, Eveleigh

Lot 8 in DP 1136859 (Building 3), Lot 9 in DP 1136859 (Building 1), Lot 10 in DP 1136859 (Existing Channel 7 / Media City building & surrounds), Lot 12 in DP 1136859 (Building 2) and PT 4007 in DP 1194309 (Public domain and streets).

**Development:** Commercial campus at the Australian Technology Park, including:

- site preparation works, site clearance, excavation and remediation;
- construction of three mixed use buildings with a total gross floor area (GFA) of 107,427m<sup>2</sup>, comprising:
  - Building 1 for commercial/office, retail and child care uses (GFA of 46,830m<sup>2</sup> / height of nine storeys);
  - Building 2 for commercial/office and retail uses (GFA of 56,686m<sup>2</sup> / height of seven storeys);
  - Building 3 for retail, gym, child care, community office and commercial uses (GFA of 3,911m<sup>2</sup> / height of four storeys);
- car and bicycle parking;
- landscaping, road and public domain works; and
- building identification signage zones.

**Modification:** **SSD 7317 MOD 4:** Modifications to:

- rooftop mechanical exhausts, flues, vents and photovoltaic panels which will increase the overall height of Building 1 to 60.9 m AHD

The SSD approval is modified as follows.

## SCHEDULE 2

- 1) Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

- A2 The Applicant shall carry out the project generally in accordance with the:
- a) State significant development application and conditions of consent (SSD 7317);
  - b) Environmental Impact Statement (EIS) prepared by JBA Urban Planning Consultants Pty Ltd, dated December 2015;
  - c) The Remedial Action Plan entitled 'Australian Technology Park Remedial Action Plan, 2 Locomotive Street, Eveleigh NSW dated 15 June 2016 and prepared by JBS&G;
  - d) The Site Audit Report entitled 'Site Audit Report - Remedial Action Plan for Australian Technology Park dated June 2016 and prepared by Graeme Nyland of Ramboll Environ Australia Pty Ltd;
  - e) Response to Submissions (RtS) and Amended Proposal prepared by JBA Urban Planning Consultants Pty Ltd, dated May 2016;
  - f) Additional information submitted subsequent to the RtS;
  - g) The Section 96(1A) modification application SSD 7317 Mod 1, prepared by JBA Urban Planning Consultants Pty Ltd, dated 11 April 2017 and response to submissions dated 29 May 2017;
  - h) The Section 96(1A) modification application SSD 7317 Mod 2, prepared by JBA Urban Planning Consultants Pty Ltd, dated 20 April 2017, response to submissions dated 19 June 2017 and correspondence from Ethos Urban dated 7 August 2017; and
  - i) The Section 96(1A) modification application SSD 7317 Mod 4, prepared by Ethos Urban Pty Ltd, dated 31 August 2017, correspondence from FJMT Architecture dated 11 October 2017 and correspondence from Ethos Urban dated 13 October 2017 and 17 October 2017;**
  - j) following drawings as set out in the table below, except for:**
    - i) any modifications which are Exempt or Complying Development;
    - ii) otherwise provided by the conditions of this consent.

<b>Architectural (or Design) Drawings prepared by fjmt and SISSONS</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
Fjmt-AR-DWG-G1000	DA2	Drawing List	18.05.16
Fjmt-AR-DWG-G1001	DA1	Site Plan	27.04.16
Fjmt-AR-DWG-G1002	DA1	Site Analysis	27.04.16
Fjmt-AR-DWG-G1003	DA1	Site Retail Plan UG + LG	27.04.16
<b>Building 1</b>			
Fjmt-AR-DWG-1100L	DA2	Lower Ground GA Plan	18.05.16
Fjmt-AR-DWG-1100M	DA2	Mezzanine GA Plan	18.05.16
Fjmt-AR-DWG-1100U	DA0	Upper Ground Floor Plan	17.12.15
Fjmt-AR-DWG-11001	DA0	Level 01 Plan	16.12.15
Fjmt-AR-DWG-11002	DA0	Level 02 Plan	16.12.15
Fjmt-AR-DWG-11003	DA0	Level 03 Plan	16.12.15
Fjmt-AR-DWG-11004	DA0	Level 04 Plan	16.12.15
Fjmt-AR-DWG-11005	DA0	Level 05 Plan	16.12.15

Fjmt-AR-DWG-11006	DA0	Level 06 Plan	16.12.15
Fjmt-AR-DWG-11007	DA0	Level 07 Plan	16.12.15
Fjmt-AR-DWG-11008	DA1 <b><u>DA5</u></b>	Level 08 Plant GA Plan	<del>27.04.16</del> <b><u>25.07.17</u></b>
Fjmt-AR-DWG-11009	DA1 <b><u>DA7</u></b>	Roof Plan	<del>27.04.16</del> <b><u>25.07.17</u></b>
Fjmt-AR-DWG-11050	DA4 <b><u>DA7</u></b>	Elevations – South & East	<del>22.03.17</del> <b><u>25.07.17</u></b>
Fjmt-AR-DWG-11051	DA1 <b><u>DA7</u></b>	Elevations – North & West	<del>27.04.16</del> <b><u>25.07.17</u></b>
Fjmt-AR-DWG-11052	DA0	Sections	16.12.15
Fjmt-AR-DWG-11053	DA1	Sections	27.04.16
<b>Building 2</b>			
Fjmt-AR-DWG-BB-B2-300L	P	General Arrangement Plans – Lower Ground	19.07.17
Fjmt-AR-DWG-BB-B2-300M	P	General Arrangement Plan – Mezzanine	19.07.17
Fjmt-AR-DWG-2100U	DA1	Upper Ground Plan	27.04.16
Fjmt-AR-DWG-21001	DA0	Level 1 Plan	16.12.15
Fjmt-AR-DWG-21002	DA0	Level 2 Plan	16.12.15
Fjmt-AR-DWG-21003	DA0	Level 3 Plan	16.12.15
Fjmt-AR-DWG-21004	DA0	Level 4 Plan	16.12.15
Fjmt-AR-DWG-21005	DA0	Level 5 Plan	16.12.15
Fjmt-AR-DWG-21006	DA0	Level 6 Plan	16.12.15
Fjmt-AR-DWG-21007	DA0	Roof Plan	16.12.15
Fjmt-AR-DWG-21050	DA0	Elevations – North & West	17.12.15
Fjmt-AR-DWG-BB-B2-3300	01	Elevations – South & East	04.04.17
Fjmt-AR-DWG-21052	DA0	Sections	16.12.15
Fjmt-AR-DWG-21053	DA0	Sections	16.12.15
Fjmt-AR-DWG-21054	DA0	Sections	16.12.15
Fjmt-AR-DWG-BB-B2-3401	B	Sections E & F	19.10.16
SK.03	A	Indicative Parking Plan	07.08.17
<b>Building 3</b>			
SisArch-AR-DWG-3100B	DA0	Below Ground GA Plan	15.12.15
SisArch-AR-DWG-3100G	DA1	Ground Level GA Plan	28.04.16
SisArch-AR-DWG-31001	DA0	Level 01 GA Plan	15.12.15
SisArch-AR-DWG-31002	DA1	Level 02 GA Plan	06.05.16
SisArch-AR-DWG-31003	DA0	Level 03 GA Plan	15.12.15

SisArch-AR-DWG-31004	DA0	Level 04 Plant GA Plan	15.12.15
SisArch-AR-DWG-31005	DA0	Roof Plan	15.12.15
SisArch-AR-DWG-31050	DA0	Elevations	15.12.15
SisArch-AR-DWG-31060	DA0	Elevations	15.12.15
<b>Public Domain / Landscape Drawing prepared by Aspect Studios</b>			
<b>Drawing No.</b>	<b>Rev.</b>	<b>Name of Plan</b>	<b>Date</b>
14080_LA_001	Response to Council	Landscape Master Plan	May 2016

- 2) Condition A14 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

#### **Airspace Protection (Building 1)**

A14 For the purposes of controlled activities within the protected airspace of Sydney Airport, Building 1 must not exceed a maximum height of ~~57.9m~~ **60.9m** AHD, inclusive of all lift over-runs, vents, chimneys, aerials, TV antennae, lighting rods, any roof top garden plantings, exhaust flues etc.

Separate approval must be sought under the Airports (Protection of Airspace) Regulations 1996 for any cranes required to construct the building (see **Condition B59**).

**End of modification to SSD 7317**