

Modification of Development Consent

Section 4.55(1A) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Ben Lusher
Director
Key Sites Assessments

Sydney

29 June

2018

SCHEDULE 1

Development Consent: SSD 7317 granted by the Planning and Assessment Commission on 20 December 2016.

For the following:

- 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 107,833m², comprising:
 - Building 1 for commercial/office, retail and child care uses (GFA of 46,830m² / height of nine storeys);
 - Building 2 for commercial/office and retail uses (GFA of 56,686m² / height of seven storeys);
 - Building 3 for retail, gym, child care, community office and commercial uses (GFA of 4,317m² / height of four storeys);
 - car and bicycle parking;
 - landscaping, road and public domain works; and
 - building identification signage zones.

Applicant: Minister for Planning

The 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).

Modification: **SSD 7317 MOD 5:** Modifications to:

- excavate and construct part of a concrete tunnel below Locomotive Street
- construct an opening and remove three car parking spaces within the lower ground floor level car park in Building 2.

SCHEDULE 2

The consent (SSD 7317) is modified as follows:

- (a) Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold and 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) The Section 96(1A) modification application SSD 7317 Mod 3, prepared by Ethos Urban Pty Ltd, dated 25 August 2017, response to submissions dated 6 October 2017 and additional information dated 30 October 2017 and 23 November 2017;
- k) The Section 4.55(1A) modification application SSD 7317 Mod 5, prepared by Ethos Urban Pty Ltd, dated 25 January 2018, and the Response to Submissions from Ethos Urban Pty Ltd, dated 7 May 2018;** and
- l) 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.

Architectural (or Design) Drawings prepared by fjmt and SISSONS			
Drawing No.	Revision	Name of Plan	Date
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
Building 1			
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	DA5	Level 08 Plant GA Plan	25.07.17
Fjmt-AR-DWG-11009	DA7	Roof Plan	25.07.17
Fjmt-AR-DWG-11050	DA7	Elevations – South & East	25.07.17
Fjmt-AR-DWG-11051	DA7	Elevations – North & West	25.07.17
Fjmt-AR-DWG-11052	DA0	Sections	16.12.15
Fjmt-AR-DWG-11053	DA1	Sections	27.04.16
Building 2			
Fjmt-AR-DWG-BB-B2-300L	<u>P</u> <u>A</u>	General Arrangement Plans – Lower Ground – <u>Commercial layout</u>	<u>10.10.17</u> <u>10/10/17</u>
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
<u>SA-AR-DWG-BB-B4-0410</u>	<u>A</u>	<u>Building 2 – Travelator B2/B4 Link</u>	<u>12.09.17</u>
<u>SA-AR-DWG-BB-B4-0411</u>	<u>A</u>	<u>Building 2 – Travelator Plan & Sections</u>	<u>12.09.17</u>
<u>AR-ST-DWG-BB-B4-3010</u>	<u>A</u>	<u>Travelator Plan and Details</u>	<u>30.04.18</u>

<u>SA-AR-DWG-BB-B4-0480</u>	<u>A</u>	<u>Travelator Excavation Extent – Locomotive Street</u>	<u>04.05.18</u>
Building 3			
DA_3000B	2	DA PLAN – BELOW GROUND	17.10.17
DA_3000G	4	DA PLAN - GROUND	30.10.17
DA_3101	2	DA PLAN – LEVEL 01	17.10.17
DA_3102	3	DA PLAN – LEVEL 02	17.10.17
DA_3103	2	DA PLAN – LEVEL 03	17.10.17
DA_3104	2	DA PLAN – LEVEL 04	17.10.17
DA_3105	2	DA PLAN – LEVEL 5 (ROOF)	17.10.17
DA_3300	3	DA ELEVATIONS – WEST AND NORTH	17.10.17
DA_3000B	2	DA PLAN – BELOW GROUND	17.10.17
DA_3301	5	DA ELEVATIONS – EAST AND SOUTH	30.10.17
DA_3350	4	NOMINATED SIGNAGE ZONES	17.10.17
DA_3400	3	DA SECTIONS	17.10.17
DA_3501	1	FAÇADE DETAILS – L00 GABION WALL	17.10.17
DA_3502	1	FAÇADE DETAILS – L01 GLAZING	17.10.17
DA_3503	1	FAÇADE DETAILS – L02 SCREEN & GLAZING	17.10.17
DA_3504	1	FAÇADE DETAILS – L03 GLAZING	17.10.17
DA_3505	1	FAÇADE DETAILS – L03 CANOPY	17.10.17
DA_3901	1	DA 3D PERSPECTIVES	17.10.17
DA_3902	1	DA 3D PERSPECTIVES	17.10.17
DA_3903	1	DA 3D PERSPECTIVES	17.10.17
DA_3904	1	DA 3D PERSPECTIVES	17.10.17
DA_3906	1	DA 3D PERSPECTIVES	17.10.17
DA_3907	1	DA 3D PERSPECTIVES	17.10.17
DA_6001	A	SCREEN MATERIALS STUDIES – WHITE	23.11.17
Public Domain / Landscape Drawing prepared by Aspect Studios			
Drawing No.	Rev.	Name of Plan	Date
14080_LA_001	Response to Council	Landscape Master Plan	May 2016

- (b) Condition A5A is added by the insertion of the following **bold and underlined words / numbers** as follows:

A5A. No approval is granted or implied for any future works outside of the site boundary within the Locomotive Workshop nor for any future traveller within the concrete tunnel below Locomotive Street.

- (c) Condition B8 is amended by the insertion of the following the **bold and underlined words / numbers** and deletion of the **bold and struck out words / numbers** as follows:

Car Parking

B8 A maximum total of **738 735** new car parking spaces will be provided, comprising:

- 205 car parking spaces in Building 1;
- 500 497** car parking spaces in Building 2;
- 33 on-street car parking spaces within the ATP (comprising spaces for parking, drop off and loading as shown on plan SK.03 Rev A, dated 7/8/2017).

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- (d) Condition B48A (Heritage) is added by the insertion of the following **bold and underlined words / numbers** as follows

B48A. Details of an appropriate exclusion zone around the turntable within Locomotive Street is to be provided to the satisfaction of the Heritage Division prior to the issue of the Construction Certificate for any works associated with the tunnel below Locomotive Street.

- (e) Condition C24 is added by the insertion of the following **bold and underlined words / numbers** as follows:

C24. Prior to commencement of excavation and construction of the tunnel below Locomotive Street, vibration testing of the actual equipment on site and monitoring must be undertaken to determine appropriate mitigation measures required to minimise the risk of structural damage to the Locomotive Workshop and Building 2.

- (f) Condition D10A added by the insertion of the following **bold and underlined words / numbers** as follows:

D10A. The recommended noise and vibration mitigation measures identified in the Construction Noise and Vibration Statement – Travellator prepared by Renzo Tonin & Associates dated 11 April 2018, and any additional mitigation measures in response to testing and monitoring required by Condition C24, shall be implemented during excavation and construction of the tunnel below Locomotive Street.

- (g) Condition D11A added by the insertion of the following **bold and underlined words / numbers** as follows:

D11A. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:

- a) **9.00 am to 12.00 pm, Monday to Friday**
- b) **2.00 pm to 5.00 pm Monday to Friday**
- c) **9.00 am to 12.00 pm, Saturday**

- (h) Condition E2 is amended by the insertion of the following the **bold and underlined words / numbers** as follows:

E2. A Section A site audit statement must be prepared at the end of each stage of development, **including the excavation and construction of the tunnel below Locomotive Street**, certifying the suitability of land for the proposed use.

End of modification to SSD 7317