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## Section 75W Modification

MP08\_0222

### Global Switch Sydney Switch East Data Centre

273 Pyrmont Street, Ultimo




Prepared on behalf of Global Switch Property (Australia) Pty Ltd

May 2013



dem

## issue register

Date of Issue	Reason for Issue	Prepared by	Checked by	Signed
30.04.13	Draft No.1 for Global Switch Review and sign off	M Ryan / R Valla	R Valla	
08.05.13	Final Department of Primary Industries Submission Copy for S75W assessment.	M Ryan / R Valla	R Valla	

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## Statement of Validity

Prepared under Part 3A of the Environmental Planning and Assessment Act 1979 (as amended).

### Environmental Assessment prepared by:

Name /	Rudi Valla
Qualifications	B Arch (Hons) Registered Architect NSW 6582 & Michael Ryan BA (Urban & Regional Studies) Curtin University WA Graduate Certificate Public Sector Management, Griffith University QLD Certified Practicing Planner, MPIA
Company	DEM (Aust) Pty Ltd
Address	Level 8, 15 Help Street Chatswood NSW 2067

### Section 75W Modification:

Applicant name	Global Switch (Property) Australia Pty Ltd
Applicant's Address	400 Harris Street, Ultimo NSW
Land to be Developed	273 Pyrmont Street, Ultimo NSW
Proposed Development	Construction of Data Centre Facility
Environmental Assessment Certificate	I certify that the attached environmental assessment has been prepared in accordance with the Environmental Planning and Assessment Act and Regulations and to the best of my knowledge, the information provided is not false or misleading

Signature:



Name: Rudi Valla

Date: April 2013

# 1 Overview

## 1.1 Introduction

This Environmental Assessment Report has been prepared on behalf of Global Switch Property (Australia) Pty Ltd in support of an amendment to Project Application MP08\_0222 pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. The EAR is submitted to the Minister for Planning pursuant to clause 3(1) of Schedule 6A to the Environmental Planning and Assessment Act 1979 (EP&A Act) that provides for the continued application of the provisions of the now repealed Part 3A of the EP&A Act.

MP08\_0222 was originally approved under Section 75J of the EP&A Act on 16 November 2010 for the construction of a purpose built, six storey data centre building above three sub-ground levels containing approximately 22,285 m<sup>2</sup> of technical area and 15,227 m<sup>2</sup> of plant area. A total of 12 car spaces were also to be provided at the Pyrmont Street grade level on the northern boundary of the site. The original approval was subsequently modified via MP08\_0222 MOD2 on 15<sup>th</sup> March 2012 with a revised gross floor area of 18,175 m<sup>2</sup> and a plant area of 7,615 m<sup>2</sup>. This modification also included deletion of two of the basement levels, introduced staged construction and progressive occupancy provisions and implemented minor changes to the approved layouts and building areas.

Since the time of the original the project approval and subsequent modifications to this approval, Global Switch have undertake an extensive design and documentation process as part of their final project design development and Building procurement process to determine the final detailed building configuration in order to proceed to Construction in early 2013. Consequently, a number of minor modifications have been identified in order to facilitate the project's imminent implementation. In summary, the modifications involve minor adjustments to internal floor levels to ensure better floor level alignment with the existing Global Switch West facility; minor internal layout changes to basement ground and typical floor levels; a marginal increase to the overall GFA by 757m<sup>2</sup> (within the established approved building envelope); minor reorganisation of roof plant and green roof configurations and minor amendments to consent conditions wording to facilitate a more streamlined approval of minor internal design changes by the Nominated Private Certifier. A detailed description of the modifications is explained in Section 2.0.

The modifications do not alter the overall height of the building or the approved building envelope, and external elevations and materials remain unchanged.

This report should be read in conjunction with the original Environmental Assessment Report prepared by DEM (Aust) Pty Ltd dated March 2010 that accompanied the original project application (MP08\_0222), the Section 75W Environmental Assessment Report prepared by DEM (Aust) Pty Ltd dated December 2011 that accompanied the modification to the original project application (MP08\_0222 MOD2) and all supplementary documentation appended to this report.



## 1.2 The Site

The subject site is currently vacant land located immediately to the east of the existing Global Switch Sydney 1 facility located at 400 Harris Street, Ultimo and is bounded to the north by the Western Distributor, to the east by Pyrmont Street and to the south by Quarry Street.

The site comprises of three (3) allotments, namely Lot 12 in DP 632526, Lot 3 in DP 632526 and Lot 10 in DP 840467. The development will also be constructed partly over the common boundary with Global Switch Sydney 1, known as Lot 1, DP 109652.

The total site area is 5065.9 m<sup>2</sup>.

### Consultation

In the preparation of this modified application, consultation was undertaken with the NSW Department of Planning at a meeting held on 19<sup>th</sup> April 2013. In summary, staff confirmed that the proposed modifications could be considered as a Section 75W application and did not raise any unforeseen objections to matters discussed.



Figure 1 - Aerial View of the Site

## 2 Proposed Modifications

The following modifications are proposed to the approved development:

- Minor adjustments to internal floor levels to ensure better floor level alignment with the existing Global Switch West facility;
- Minor modifications to the basement foot print to facilitate more rational services arrangements / reticulation and structural alignments;
- Minor internal layout changes to basements, ground and typical floor levels re-configuration and space allocation of the plant rooms;
- Minor reorganisation of roof plant and green roof configurations;
- A marginal increase of the Gross and Net Floor Area of the building from 18,175 m<sup>2</sup> to 18,932 m<sup>2</sup> (within the approved building envelope);
- Minor amendments to consent conditions wording to facilitate a more streamlined approval of minor internal and non external appearance impacting design changes by the Nominated Private Certifier.

The proposed modifications are detailed in architectural plans prepared by DEM, reduced copies of which are attached at Appendix 5.1.

### 2.1 Floor Space

Contained within the 'Master Plan Strategy for the GPO and AML&F sites' was a maximum business floor space total of 79,300 m<sup>2</sup> for both the Global Switch (former GPO site) and the AML&F site, with 32,000 m<sup>2</sup> being apportioned to the AML&F site and 47,300 m<sup>2</sup> apportioned to the GPO site.

The approved project (MP08\_0222) originally proposed a total 'business' (technical) gross floor area (as defined in the Master Plan) of 22,285 m<sup>2</sup> with an additional 15,227 m<sup>2</sup> of dedicated plant and machinery which is critical to the operations of the data centre. The modified approval (MP08\_0222 MOD2) had a revised gross floor area of 18,175 m<sup>2</sup> with plant area of 7,615 m<sup>2</sup> approved as part of the modified approval.

The revised gross floor area as modified is now 18,932 m<sup>2</sup> with plant area of 10,689 m<sup>2</sup> - a marginal increase in GFA of 757 m<sup>2</sup> (within the approved building envelope).

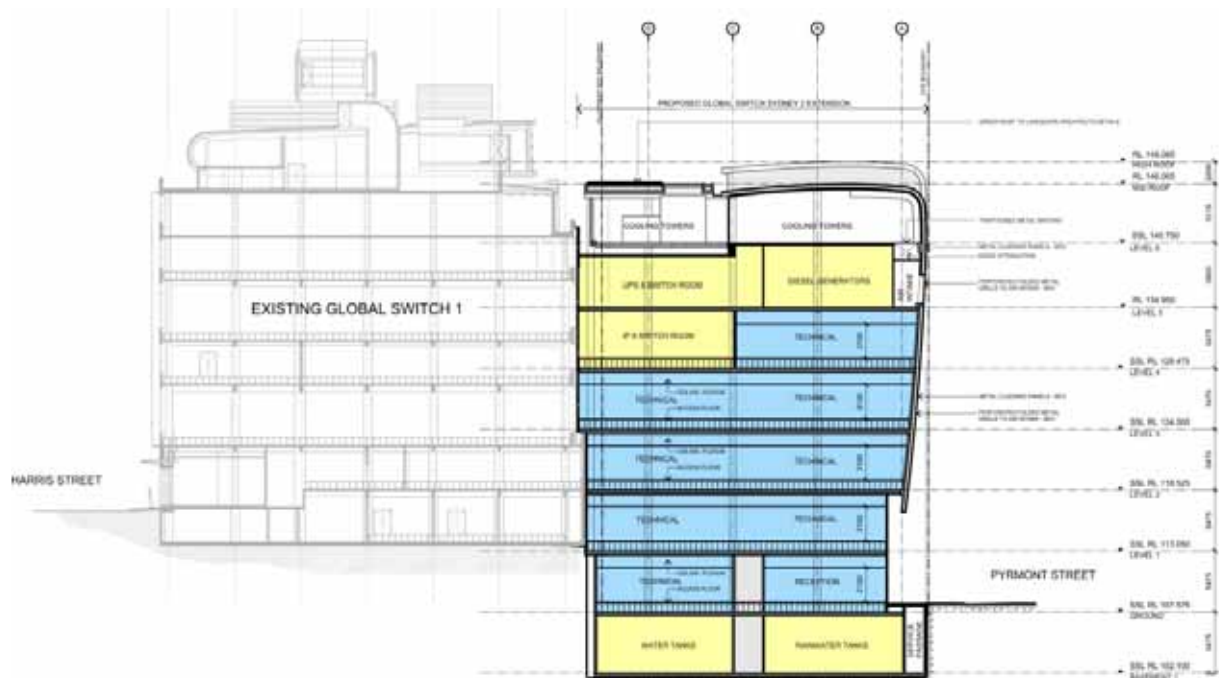
A comparison of the changes to the areas of each floor within the building is provided in Table 1 below.

*Note: plant and machinery floor space is excluded from the definition of Gross Floor Area (GFA) as defined in the site specific Master Plan (MPS)*

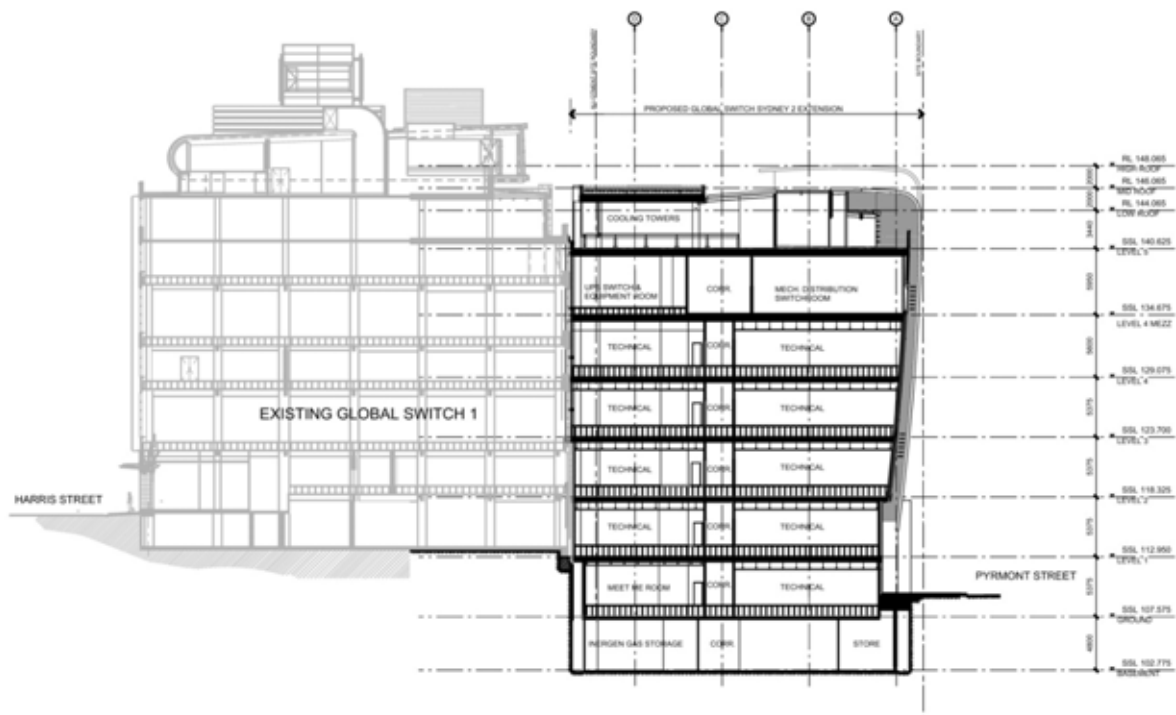
**TABLE 1 – Approved and Revised Floor Space Figures**

Floor	Functions on each Level	Originally Approved GFA m <sup>2</sup> (MP08_0222)	Revised GFA m <sup>2</sup> (MP08_0222 MOD2)	S75W Props'd GFA m <sup>2</sup>	Originally Approved Plant Area m <sup>2</sup> (MP08_0222)	Revised Plant Area m <sup>2</sup> (MP08_0222 MOD2)	S75W Props'd Plant Area m <sup>2</sup>	Originally Approved Total Area m <sup>2</sup> (MP08_0222)	Revised Total Area m <sup>2</sup> (MP08_0222 MOD2)	S75W Props'd Total Area m <sup>2</sup>
<b>Basement 1</b>	Technical & Plant (switchrooms, equipment and connection rooms, pump room, riser ducts, amenities.)	3260	265	278	1020	1285	1577	4280	1550	1855
<b>Ground</b>	Technical & Plant (switchroom, electrical transformers)  Lobby & reception areas  Car Parking & Dock	3390	3050	3054	423	650	636	3813	3700	3690
<b>First</b>	Technical & Plant (switchrooms)  Access link to GSS1 building	3285	3355	3271	620	380	451	3905	3735	3722
<b>Second</b>	Technical & Plant  Access link to GSS1 building	3450	3540	3378	633	360	499	4083	3900	3877
<b>Third</b>	Technical  Access link to GSS1 building	3665	3875	3694	787	370	525	4452	4245	4219
<b>Fourth</b>	Technical & Plant	—	3870	4020	4460	370	248	4460	4240	4268
	Plant Mezzanine (back-up & diesel generators)	-	-	982	-	-	3327	-	-	4309
<b>Fifth</b>	Plant (Diesel generators -remainder of the area is for reticulation of pipework for Cooling towers positioned on the L5 mezzanine).	—	0	0	3920	4200	3426	3920	4200	3426
<b>Roof</b>	Green roof area Breakout / meeting area Amenities Lift overruns	240	220	255	13	0	0	253	220	255
<b>Total Areas</b>		<b>22,285</b>	<b>18,175</b>	<b>18,932</b>	<b>15,227</b>	<b>7,615</b>	<b>10,689</b>	<b>37,512</b>	<b>25,790</b>	<b>29,621</b>





**Approved Cross Section – 1 basement and 6 Storeys (including mezzanines) above**



**Modified Cross Section – 1 basement and 6 Storeys (including mezzanines) above**

## 2.2 External Modifications

The approved building footprint, height and external appearance **remains unchanged**. The only minor external changes proposed relate to the roof level plant area which has some plant equipment reorganised to facilitate better services reticulation and maintenance and the configuration of the Green Roof which has been rationalised to facilitate staging and services reticulation.

All reorganised plant equipment sits below the main roof line and changes to the Green Roof have no impact on the building's external appearance.

Facade materials also remain unchanged from what has been approved.

## 2.3 Internal Modifications

As was discussed at the preliminary briefing meeting with Department of Planning staff on 19<sup>th</sup> April 2013, during the course of the project's final detailed design development and construction documentation resolution a number of minor internal floor layout changes have had to be implemented to address final detailed functional planning, plant and equipment requirements, service reticulation and final construction detailing.

In addition to the proposed internal layout changes the amended plans also include some minor adjustments to internal floor levels to ensure better floor level alignment with the existing Global Switch West facility

None of the changes proposed have any material impact on the external appearance of the building or its proposed uses.

## 2.4 Access, Parking & Loading

Access, parking and loading provisions **remain unchanged**. The approved twelve (12) secured car spaces will still be provided, including one disabled space and a separate loading dock area. Manoeuvring for loading and unloading on site will continue to be via a turntable arrangement adjacent to the dock within the service yard. This will permit service vehicles to enter and leave the site in a forward direction; the entry vehicle gate off Pyrmont Street has been widened slightly to facilitate better heavy vehicle ingress into and out of the loading bay area. Direct pedestrian access into the building from the dock is provided.

## 2.5 Revised Construction Staging

As was discussed at the preliminary briefing meeting with Department of Planning staff on 19<sup>th</sup> April 2013, it is proposed to include an additional stage for the purposes of Construction taking the approved two main construction stages from two (2) stages to three (3) stages. Stage one as currently approved remains unchanged whereas stage 2 is now divided into stages 2 and 3 as illustrated on the submitted S75W drawings.

This will allow Global Switch greater flexibility in its ability to complete and partially occupy the new building on a progressive basis.

## 2.6 Modified Conditions of Approval

The proposed modifications described above require minor changes to the approval conditions which are detailed below. Words proposed to be deleted are shown in ~~bold strike-through~~ and words to be inserted are shown in ***bold italics***. Refer to Appendix 5.2 for a full version of the proposed amended consent conditions.

### SCHEDULE 1

<b>Project Approval:</b>	<b>MP08_0222</b> granted by the Deputy Director General, Development Assessment & Systems Performance, 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 3 and 12 in DP 632526, Lot 10 in 840467, Lot 1 DP 109652
<b>For the following:</b>	<b><i>Staged</i></b> Construction of a six-storey data centre building and one basement level, 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> <li>• <i>works will be constructed in <del>two</del> <b><i>three (3)</i></b> main building stages with internal fitout of the building being undertaken progressively;</i></li> <li>• the works are to be occupied progressively in line with staged construction and fitout of the new building.</li> </ul>
<b>Modification:</b>	<del><b>MP-08_0222-MOD2</b></del> <b><i>MP 08 0222 MOD3</i></b> : Modification includes: <ul style="list-style-type: none"> <li>• <i>deletion of the lower basement levels and reduction of the size of the remaining basement level;</i></li> <li>• <del>reduction</del> <b><i>a marginal increase</i></b> of the Gross Floor Area of the building from <del>22,285m<sup>2</sup></del> <b><i>18,175m<sup>2</sup></i></b> to <del>18,175m<sup>2</sup></del> <b><i>18,932m<sup>2</sup></i></b>;</li> <li>• <b><i>reconfiguration of the floor levels and space allocation of plant rooms, technical space, plant and equipment on all basement and upper floors and the roof plant area;</i></b></li> <li>• <b><i>reconfiguration of the green roof area;</i></b></li> <li>• undertaking the development in <del>two</del> <b><i>three (3)</i></b> stages with internal fitout and occupation to occur progressively, including staged payment of Section 94 Contributions;</li> <li>• replacing the co-generation for the first stage of development by drawing power from the existing Global Switch electrical supply;</li> <li>• <i>introduction of an energy efficient free cooling air conditioning system to offset the deletion of the original proposed tri-generation system;</i></li> <li>• removal of gas engines from the upper levels; and</li> <li>• relocation of the roof level breakout area to the north of the building to coincide with the new position of the lift core</li> </ul>

## **SCHEDULE 2**

Schedule 2 is to be updated to reference the amended drawing numbers. Superseded drawings are shown in **~~bold strike through~~** and new drawing No's / dates are shown in **bold italics**. Refer to Appendix 5.2 for a full version of the proposed amended consent conditions.

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

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

<b>A. Environmental Assessment report for Global Switch Sydney <del>2-dated March 2010</del> <u>East Data Centre dated May 2013</u>, including appendices <del>and Preferred Project Report</del> prepared by dem (aust) Pty Ltd dated <del>August 2010 including appendices</del> <u>8<sup>th</sup> May 2013</u></b>			
<b>B. Statement of Commitments prepared by dem (aust) Pty Ltd contained in Schedule 3</b>			
<b>C. Section 75W Modification Application dated <del>December 2011</del> <u>May 2013</u>, including modified Statement of Commitments, prepared by dem (aust) Pty Ltd</b>			
<b>D. Architectural Drawings prepared by dem (aust) Pty Ltd itemised as follows:</b>			
Drawing No	Issue	Name of Plan	Date
Cover Page	B02	ar--cv00	22/12/2011
Site Plan	<del>B03</del> <b><u>B04</u></b>	ar--0200	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Basement level 1	<del>B03</del> <b><u>B04</u></b>	ar--1202	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Ground Floor	<del>B04</del> <b><u>B05</u></b>	ar--1203	<del>22/12/2011</del> <b><u>08/05/13</u></b>
First floor	<del>B03</del> <b><u>B04</u></b>	ar--1204	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Second Floor	<del>B03</del> <b><u>B04</u></b>	ar--1205	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Third Floor	<del>B03</del> <b><u>B04</u></b>	ar--1206	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Fourth Floor	<del>B03</del> <b><u>B04</u></b>	ar--1207	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Fourth floor mezzanine	<del>B03</del> <b><u>B04</u></b>	ar--1208	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Fifth Floor	<del>B03</del> <b><u>B04</u></b>	ar--1209	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Fifth Floor mezzanine	deleted	ar--1210	22/12/2011
Roof Plan	<del>B03</del> <b><u>B04</u></b>	ar--1211	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Section One	<del>B03</del> <b><u>B04</u></b>	ar--2100	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Section Two	<del>B04</del> <b><u>B05</u></b>	ar--2101	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Section Three	<del>B03</del> <b><u>B04</u></b>	ar--2102	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Section Four	<del>B03</del> <b><u>B04</u></b>	ar--2103	<del>22/12/2011</del> <b><u>08/05/13</u></b>
North & South Elevations	<del>B03</del> <b><u>B04</u></b>	ar--2500	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Eastern elevation	<del>B03</del> <b><u>B04</u></b>	ar--2501	<del>22/12/2011</del> <b><u>08/05/13</u></b>
Signage Views	B01	ar--5004	22/02/2010
Landscape Plan Ground Floor	A02	la--0501	15/02/2010
Landscape Plan Roof Level	<del>A02</del> <b><u>A03</u></b>	la--0502	<del>22/12/2011</del> <b><u>08/05/13</u></b>

## PART B—PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

### B1 Section 94 Contribution

The overall quantum of Section 94 payments **remains unchanged**. It is requested that Condition B1 be reworded so that the timing of Section 94 payments is aligned with the proposed revised staging depicted on the revised architectural drawings and as detailed below – words proposed to be deleted are shown in **bold strike through** and words to be inserted are shown in **bold italics**.

#### Timing of Payment

The contribution shall be paid prior to the release of staged Construction Certificates as follows;

- 50% payment on release of the Stage 1 Construction Certificate;
- **50% payment on release of the Stage 2 Construction Certificate.**
- **25% payment on release of the Stage 2 Construction Certificate.**
- **25% payment on release of the Stage 3 Construction Certificate.**

## PART C—PRIOR TO THE COMMENCEMENT OF WORKS

### C2 Development Staging

It is requested that Condition C2 be reworded based on the revised staging depicted on the revised architectural drawings and as detailed below – words proposed to be deleted are shown in **bold strike through** and words to be inserted are shown in **bold italics**.

Approved condition	Modified Condition sought
<p>The proponent is to comply with the conditions contained in this instrument for all stages of development subject to this approval.</p> <p>Prior to the commencement of each stage of works, the proponent is to notify the Department and Council of the proposed works and compliance to date with this approval. The proponent, or any party acting upon this approval, shall also submit a report addressing future compliance with all relevant conditions of this approval.</p> <p>The development will be constructed in two (2) main building stages with internal fitout of each stage being undertaken, completed and occupied progressively. 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 release of the relevant staged Construction Certificate.</p>	<p>The proponent is to comply with the conditions contained in this instrument for all stages of development subject to this approval.</p> <p>Prior to the commencement of each stage of works, the proponent is to notify the Department and Council of the proposed works and compliance to date with this approval. The proponent, or any party acting upon this approval, shall also submit a report addressing future compliance with all relevant conditions of this approval.</p> <p><i>The development will be constructed in <b>two (2)</b> <b><u>Three (3)</u></b> main building stages with internal fitout of each stage being undertaken, completed and occupied progressively. 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 release of the relevant staged Construction Certificate.</i></p>

## 2.7 Modified Statements of Commitments

**SCHEDULE 3**  
**STATEMENT OF COMMITMENTS**

The Revised Statement of Commitments **remains unchanged** for that previously approved. The proposed modifications require minor changes to the approval Statement of Commitments detailed below to reference amended drawing numbers. Superseded drawing number references are shown in **~~bold strike through~~** and amended drawing number references are shown in **bold italics**.

### 1. Documentation

The development will be undertaken generally in accordance with architectural and landscape drawings prepared by DEM (Aust) Pty Ltd and all documentation appended to the *Section 75W Modification* report and the *following supporting documentation*, listed as follows:

- Architectural Drawing Nos. ar-cv00(B02), ~~ar-0200(B03), ar-1202(B03), ar1203(B04), ar1204 – 1209 (all Revision B03), ar1211(B03), ar-2100(B03), ar-2101(B04), ar-2102(B03), ar-2103(B03), ar-2500(B03), ar-2501(B04)~~, ar-5004(B01, ar-0200(B04), ar-1202(B04), ar1203(B05), ar1204 – 1209 (all Revision B04), ar1211(B04), ar-2100(B04), ar-2101(B05), ar-2102(B04), ar-2103(B04), ar-2500(B04), ar-2501(B04))
- Landscape Drawings Nos. la--cv00 revA02, la--0201 revA02, la—0501 revA02, la—0502 ~~revA02~~ revA03, la—3301 revA02.
- Landscape Maintenance Strategy dated February 2010.
- Signage Plan ar-5003 prepared by DEM (Aust) Pty Ltd.
- External Finishes Schedule prepared by DEM (Aust) Pty Ltd.
- Part 3A Acoustic Report, Ref: 36148-013-01, dated 29 January 2010 Rev 01.
- Engineering Response Report, Ref: 36148/3.8 dated 15 March 2010 Rev 4.
- Air Quality & Greenhouse Gas Impact Assessment dated February 2010 Rev00
- Assessment of Transport, Traffic & Parking Implications Ref 0953 dated February 2010
- Geotechnical Investigation Report Ref: 22706VTrpt dated 23 April 2009.
- BCA Assessment Report No. 1321-15 Rev 02 dated 17 February 2010 and modified BCA Significant Issues Report prepared by AE&D dated December 2011.
- Construction Management Plan as modified 19 December 2011.
- Access Report dated 19 February 2010 and modified Access Review Report prepared by AE&D dated December 2011.
- PB response letter, Ref: 2117107ARevA/LT\_2686 dated 26 August 2010.
- AUR Environmental Noise Criteria Report, Ref: 36148-013-01, dated 30 June 2010.

### 2. Lot Consolidation & Easements

Easements and restrictions as to user affecting Lots 3 and 12 in DP 632526 will be extinguished and relocated, where necessary.



### **3. Acoustics**

All appropriate recommendations and commitments detailed in the Part 3A Acoustic Report prepared by Aurecon, Ref: 36148-013-01, dated 29 January 2010 Rev 01 and updated Environmental Noise Criteria Report prepared by Aurecon, Ref: 36148-013-01, dated 30 June 2010 will be implemented. A SoundPLAN environmental noise model will be developed during the detailed design stage which consists of:

- A 3D model of the affected area incorporating topography and existing structures
- Identifying and modelling all of the noise emissions from site based on specifications of equipment and operating conditions/scenarios
- Noise propagation to be calculated utilising the ISO 9613-2 method
- Calculate total noise emission from the development site to the affected sensitive receivers
- Develop noise contours showing the extent of noise emissions from site

The results of this model will then be used during the design process to optimise the noise emissions from site through the introduction of additional noise mitigation measures to ensure compliance with the applicable project specific noise emission criteria.

### **4. Utilities & Services**

All appropriate recommendations and commitments detailed in the Engineering Response to Director General's Requirements Report, Ref 36148/3.8 dated 15 March 2010 Rev 4 will be implemented, in relation to the following services:-

- Electrical
- Telecommunications
- Security
- Mechanical
- Fire
- Hydraulic

### **5. Emissions**

All mitigation and management measures recommended in Section 10.2 of Air Quality & Greenhouse Gas Impact Assessment dated February 2010 Rev00 and updated PB additional Preferred Project Report response letter Ref. 2117107ARevA/LT\_2686 dated 26 August 2010 to control emissions in the operation phase of the data centre will be implemented.

### **6. Traffic & Parking**

Access, servicing and parking arrangements will be undertaken in accordance with the architectural drawings and Assessment of Transport, Traffic & Parking Implications Report prepared by Transport & Traffic Planning Associates, Ref 0953 dated February 2010.

### **7. Geotechnical**

Recommendations contained within the Geotechnical Investigation Report Ref 22706VTrpt dated 23

April 2009 will be implemented. In reference to site remediation, the applicant will implement the recommendations contained within Section 6 of Geotechnical Investigation Report Ref 22706VTrpt dated 23 April 2009

## **8. Drainage**

A detailed stormwater drainage plan will be prepared to the satisfaction of the Director General to harvest rainwater for re-use, and dispose of excess rainwater to the existing street drainage system.

## **9. Reflectivity**

A reflectivity study to assess the impact of solar reflectivity and glare from materials of the new building façade will be prepared as part of the Construction Certificate.

## **10. Energy Performance (ESD)**

An ESD Performance Report that investigates appropriate benchmarking for data centre facilities, as the application of NABERS Office Energy & NABERS Office Water tools are considered not appropriate for use due to protocol limitations. The report will also reference international guidelines of the U.S. Green Building Council's LEED program. This will be the basis against which the design, construction and ongoing operation phases of the building will be assessed. The elements of sustainability that will be addressed will include:

- Local planning provisions where applicable to the development type
- Energy & water efficiency measures and benchmarks
- Materials & waste minimisation
- Operational monitoring & reporting.

## **11. Access & Mobility**

An Access & Mobility Assessment of the detailed design of the building will be prepared and demonstrate how the proposed development satisfies the following statutory and regulatory guidelines to ensure effective, appropriate and safe use by all people including those with a disability:

- AS 1428.1, AS 1428.2, AS 1428.4, AS 1735.12, AS2890.1.
- Parts D3.2, D3.3, D3.6, D3.8, E3.6, and F2.4 of the Building Code of Australia (BCA)
- Disability Discrimination Act

## **12. Archaeological & Aboriginal Relics**

In the event that archaeological resources are unearthed during any stage of the development, work in the immediate vicinity is to cease and an archaeologist contacted to make an assessment of the find. Consultation with the Heritage Branch and further assessment may be required prior to works progressing on site. Further research may be required. It should be noted by the Client that further research and an application for an excavation permit would delay construction schedules.

In the event that objects pertaining to the Aboriginal cultural values are unearthed during any stage of the development, works will cease and an archaeologist contacted to make an assessment of the find. Consultation with the Department of Environment, Climate Change and Water may be required prior to works progressing on the site.

## **13. BCA**

All proposed building works will comply with the deemed-to-satisfy provisions of BCA, or will be supported by an alternative solution to demonstrate compliance with the performance requirements of the BCA.

## **14. Waste Management**

A detailed waste management plan will be prepared in accordance with the recommendations of Section 8.2.3 of the Engineering Response to Director General's Requirements Report, 36148/3.8 dated 15 March 2010 Rev 4.

## **15. Construction & Traffic Management**

All measures and recommendations contained within the construction management plan prepared by Global Switch will be implemented in relation to the following services:-

- Public safety, Amenity and Site Security;
- Operating Hours, Noise and Vibration Controls;
- Air and Dust Management;
- Stormwater and Sediment Control;
- Waste and Materials Re-Use; and
- Traffic Management and Materials handling.

Additional mitigation and management measures relating to dust and vehicle emissions as recommended in Section 10.1 of Air Quality & Greenhouse Gas Impact Assessment dated February 2010 Rev00 will be incorporated into the construction management plan.

## **16. Erosion & Sediment Control**

An erosion and sediment control plan will be prepared as part of the Construction Certificate and will be implemented and maintained by the Contractor responsible for carrying out the works.

## **17. Hours of Operation**

### **Operational –**

The Data Centre will operate 24 hours, 7 days per week.

### **Construction –**

The construction hours, including the delivery of materials to and from the site, will be restricted as follows:

- Between 7.00 am and 5.00 pm Mondays to Fridays;
- Between 8.00 am and 1.00 pm Saturdays;
- No work on Sundays and Public Holidays.

### 3 Environmental Assessment

As detailed in Table 2, **all the specialist reports submitted with the approved project remain unchanged** from an environmental viewpoint. The modifications remain within the scope of works identified and referred to in the approved project.

TABLE 2

Original Documentation	Prepared by	Modified
Site Survey Information	Hard & Forrester	Unchanged
Architectural plans	DEM (Aust) Pty Ltd	Revised – Refer Appendix 5.1
Landscape Plans	DEM (Aust) Pty Ltd	Revised – Refer Appendix 5.1
Landscape Maintenance Strategy	DEM (Aust) Pty Ltd	Unchanged
Shadow Diagrams	DEM (Aust) Pty Ltd	Unchanged
External Finishes	DEM (Aust) Pty Ltd	Unchanged
Proposed Signage	DEM (Aust) Pty Ltd	Unchanged
Stakeholder and Community Consultation Plan and Responses	Id Planning	Unchanged
Acoustic Report	Aurecon	Unchanged
Engineering Response to DGRs	Aurecon	Unchanged
Air Quality & Greenhouse Gas Impact Assessment	Parsons Brinckerhoff Aust. Pty Ltd	Unchanged
Traffic & Parking	Transport & Traffic Planning Associates	Unchanged
Geotechnical Investigation Report	Jeffery & Katauskas P/L	Unchanged
Archaeological Assessment	Austral Archaeology Pty Ltd	Unchanged
Statement of Heritage Impact	Graham Brooks & Associates	Unchanged
BCA Report	AE & D	Unchanged
Construction Management Plan	Global Switch Property (Australia) Pty Ltd	Unchanged
Access Report	Accessibility Solutions Pty Ltd	Unchanged
Quantity Surveyor Certification of Cost	Turner & Townsend Pty Ltd	Unchanged

#### 3.1 Relevant Environmental Planning Instruments

Clause 3 of Schedule 6A of the EP&A Act provides that the provisions of Part 3A, including the modification powers in Section 75W continues to apply to "transitional Part 3A projects", including relevantly, approved projects. This means that project approvals, such as the subject MP10\_0023 Bulk Excavation and Basement Car Parking can still be modified under section 75W of the EP&A Act.

Clause 3 of Schedule 6A of the Act also states that any State environmental planning policy or other instrument made under or for the purposes of Part 3A, as in force on the repeal of that Part and as amended after that repeal continues to apply to and in respect of a transitional Part 3A project (as defined).As detailed

in Section 2.0, the proposed modifications are considered to be significantly minor in nature and do not depart from the original Director General Requirements (DGR's) issued on 10 February 2009.

The original DGR's identified the following Environmental Planning Instruments (EPIs) policies and guidelines as being relevant to the project:

- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Contaminated Sites
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Sydney Harbour Foreshores & Waterways Area DCP
- Darling Harbour Development Plan No.1
- Ultimo Pyrmont Section 94 Contributions Plan, and
- The Former GPO and Australian Mortgage Land and Finance Company Site Master Plan, March 2000 (the Master Plan).

No new DGR's were issued for the modifications now proposed.

With the exception of the *GPO and Australian Mortgage Land and Finance Company Site Master Plan*, the proposed modifications will not adversely affect the Approved Project's consistency with the above mentioned planning controls.

### 3.2 Modification to Floor Space

As detailed in Section 2.1 a significant component of accommodating data storage equipment is the need to provide expansive areas of plant and machinery. The approved data centre facility proposed a total 'business' (technical) gross floor area (*as defined in the Master Plan*) of 22,285 m<sup>2</sup> with an additional 15,227 m<sup>2</sup> of dedicated plant and machinery, totalling 37,512 m<sup>2</sup>. The floor area was revised as part of approval MP08\_0222 MOD2 to total floor area of 25,790 m<sup>2</sup>, comprising 18,175 m<sup>2</sup> technical floor area and 7,615 m<sup>2</sup> of plant and machinery.

This Section 75W application proposes a revised total floor area which is now 29,621 m<sup>2</sup>, comprising 18,932 m<sup>2</sup> technical floor area and 10,689 m<sup>2</sup> of plant and machinery. Consequently, the revised floor space calculations are significantly less than the originally approved project overall floor area of 37,512 m<sup>2</sup>.

### 3.3 Car Parking

Under the approved project, provision was made for twelve (12) secured car spaces, including one disabled space and a separate loading dock area. The modified application proposed no changes to these arrangements apart from the entry vehicle gate off Pyrmont Street which has been widened slightly to facilitate better heavy vehicle ingress into and out of the loading bay area. Both the quantity and location of onsite parking remains unchanged as part of this modified application.

All parking and loading facilities will be constructed as part of Stage 1.

### 3.4 Visual Impact

A detailed analysis of the visual impact of the project building was comprehensively addressed in the original EAR, and as stated, the building will be visible from the north, south and east of the site. As there are no changes proposed to the external appearance of the building in terms of height, envelope or finishes and materials, the visual impact assessment submitted with the original project application suffices for the purpose of this Section 75W modification.

## 4 Conclusion

This modified application seeks the following minor amendments to Project MP08\_0222 MOD2 in order to facilitate the project's imminent implementation.

- Minor adjustments to internal floor levels to ensure better floor level alignment with the existing Global Switch West facility;
- Minor modifications to the basement foot print to facilitate more rational services arrangements / reticulation and structural alignments;
- Minor internal layout changes to basements, ground and typical floor levels re-configuration and space allocation of the plant rooms;
- Minor reorganisation of roof plant and green roof configurations;
- A marginal increase to the Gross Floor Area of the building from 18,175 m<sup>2</sup> to 18,932 m<sup>2</sup> (within the approved building envelope);
- Minor amendments to consent conditions wording to facilitate a more streamlined approval of minor internal and non external appearance impacting design changes by the Nominated Private Certifier.

The modifications **do not** alter the overall height of the building or the approved building envelope, and external elevations and materials remain unchanged.

As demonstrated in this environmental assessment report, the modifications are minor in nature resulting in a marginal increase of gross floor area of 757 m<sup>2</sup> as a result of rationalisation of internal plant and equipment areas. The overall building envelope, external appearance and general configuration of the building remains unchanged and consistent with the approved project outline. The modifications will not result in any adverse environmental impacts, particularly with respect to the building's external presentation and overall functions.

We therefore request that the Minister or his delegate approve the Modification Application in accordance with the modified conditions detailed in Section 2.6.



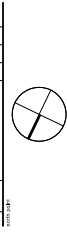
## **5 Appendices**



## **5.1 Section 75W Modified Drawings**





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division: planning, urban design

level 8 15 help street chatswood nsw 2067  
p: po box 5035 west chatswood nsw 1515  
t: (02) 8966 6000 f: (02) 8966 6111

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**Global Switch Sydney 2  
Extension**  
273 Pyrmont Road  
Ultimo NSW 2007

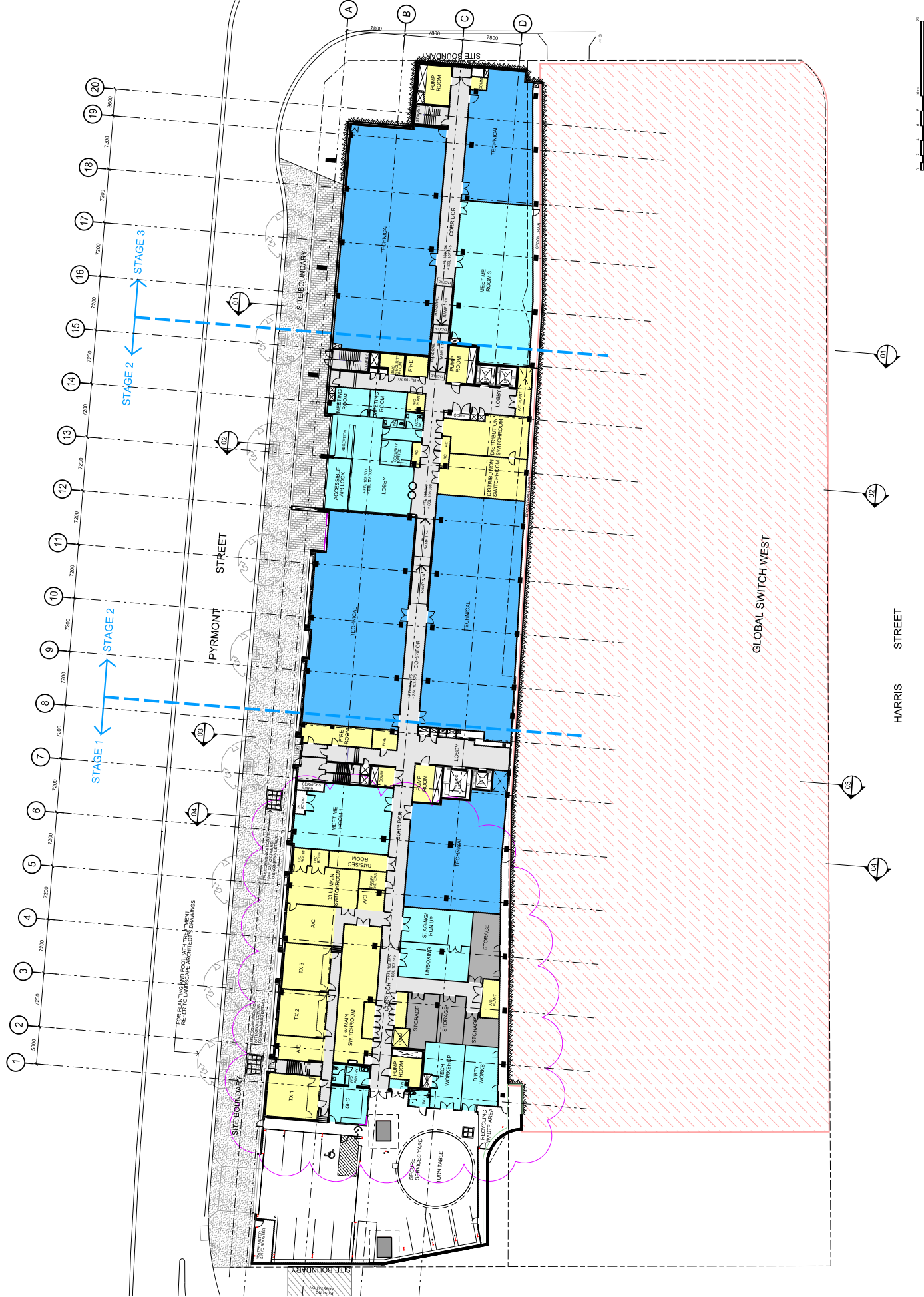
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Ultimo NSW 2007

**Aurecon Group**  
116 Military Road  
Neutral bay  
NSW 2089

ground floor plan

## section 75W

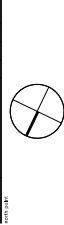
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NO.	REVISION	DATE	BY	FOR	REASON
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planning, urban design, architecture,  
landscape architecture, interior design  
Level 8, 15 Mac Street, Ultimo NSW 2007  
T: (02) 8886 6000 F: (02) 8886 6111  
E: Sydney@dem.com.au

**Global Switch Sydney 2  
Extension  
273 Pyrmont Road  
Ultimo NSW 2007**

Global Switch Property (Australia)  
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Ultimo NSW 2007

Aurecon Group  
116 Military Road  
Neutral Bay  
NSW 2089

first floor plan

**section 75W**  
b1 1200 dbg 4019-00  
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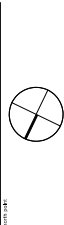




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landscape architecture, interior design  
Level 8, 150 Pitt Street, Sydney, NSW 2007  
T: (02) 8886 6000 F: (02) 8886 6111  
E: Sydney@dem.com.au

**Global Switch Sydney 2  
Extension  
273 Pyrmont Road  
Ultimo NSW 2007**

Global Switch Property (Australia)  
400 Harris Street  
Ultimo NSW 2007

Aurecon Group  
116 Military Road  
Neutral Bay  
NSW 2089

third floor plan

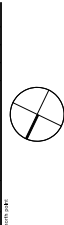
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p: po box 5036 west chatswood nsw 1515  
t: (02) 8966 6000 f: (02) 8966 6111

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Extension**  
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fourth floor plan

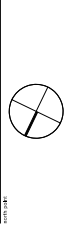
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planning, urban design, architecture,  
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Level 8, 5 Napier Street, Ultimo NSW 2007  
T: (02) 8866 6000 F: (02) 8866 6111  
E: Sydney@dem.com.au

**Global Switch Sydney 2**  
**Extension**  
**273 Pyrmont Road**  
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NSW 2089

fourth floor mezzanine  
floor plan

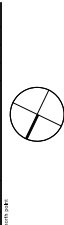
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DATE	12/01/2014
BY	dem
FOR	dem
PROJECT NO.	4019-00
SECTION NO.	B04





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2	Jane Smith	Junior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
3	Michael Johnson	Senior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
4	Sarah Lee	Junior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
5	David Kim	Senior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
6	Emily White	Junior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
7	Robert Brown	Senior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
8	Lisa Green	Junior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
9	James Black	Senior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West
10	Maria Garcia	Junior Analyst	Active	Inactive	On Hold	Cancelled	North	South	East	West



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p: po box 5036 west chalswood nsw 1515  
: (02) 8966 6000 f: (02) 8966 6111

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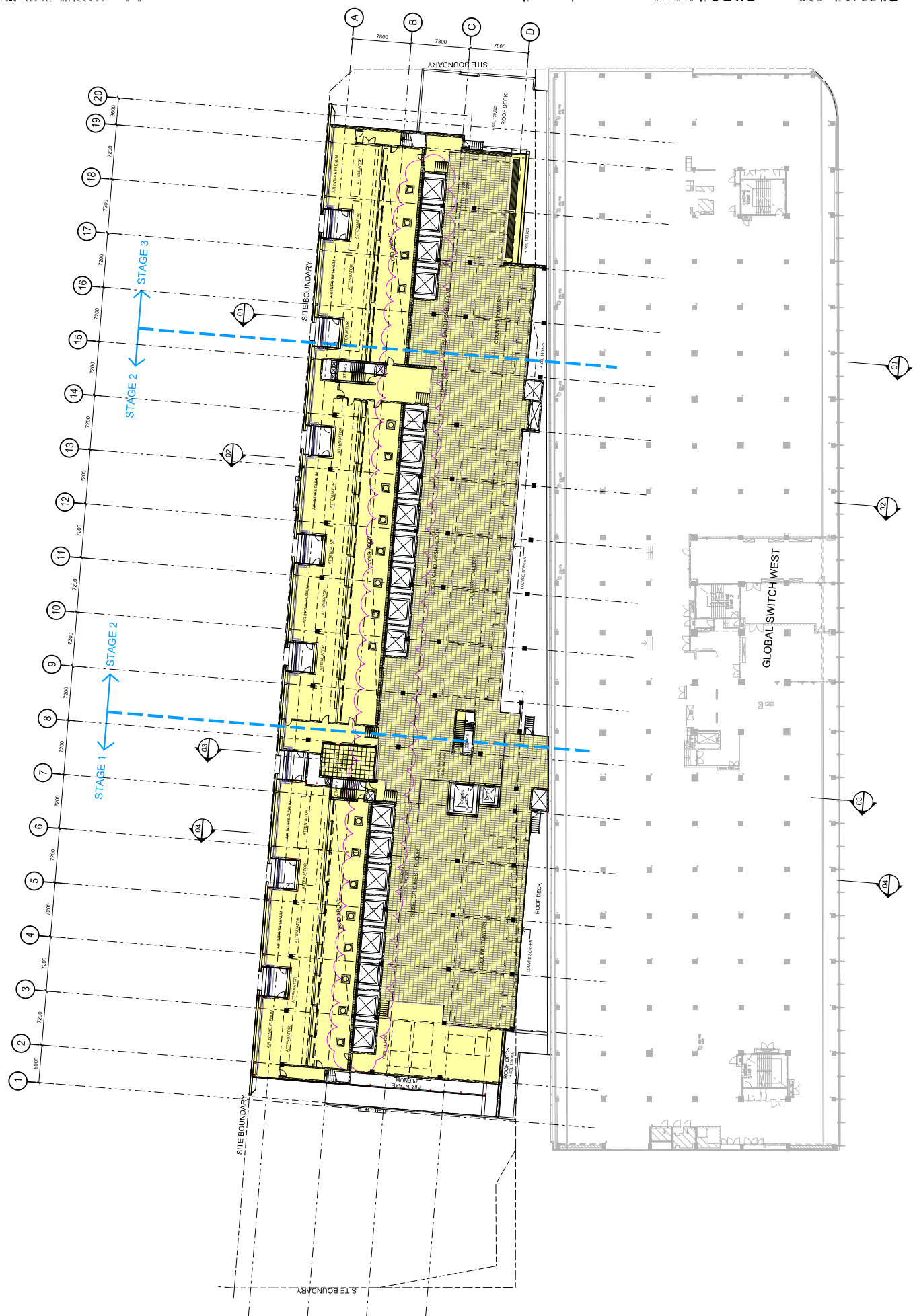
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Aurecon Group  
1116 Military Road  
Neutral bay  
NSW 2089

standing 330  
fifth floor plan

## section 75W

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planning, urban design, architecture,  
landscape architecture, interior design  
level 5, 10 Pyrmont Street, Ultimo NSW 2007  
t: (02) 8668 6000 f: (02) 8668 6111  
e: sydney@dem.com.au

Global Sydney Switch 2  
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116 Military Road  
Neutral Bay  
NSW 2089

Landscape Plan  
Roof Level

section 75W

project no. 4019-01  
date 1/200 JL  
drawing no. A03

la - 0502

NOTE:  
FOR ROOF PLANT SCHEDULE  
REFER DRG. No. la-0501

TOP & BOTTOM  
OF RETAINING WALL

RETAINING WALL

SYDNEY LIGHT RAIL

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## **5.2 Proposed Modified Consent Conditions**

# PROPOSED APPROVAL WORDING CHANGES 08.05.2013

## Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I approve the modification of the application referred to in Schedule 1, subject to the conditions in Schedule 2.



Alan Bright  
A/Director, Metropolitan & Regional Projects South

Sydney 15 MARCH 2012

### SCHEDULE 1

**Project Approval:** MP 08\_0222 granted by the Deputy Director General, Development Assessment & Systems Performance, on 16 November 2010.

**For the following:** **Staged** Construction of a six-storey data centre building and three basement levels, including:

- site preparation works;
- excavation;
- 12 car parking spaces;
- plant and equipment;
- landscaping and street upgrade works; and
- building identification sign.

**Modification:**

**MOD 3**  
MP 08\_0222 ~~MOD 2~~ Modification includes:

- deletion of the two lower basement levels and reduction of the size of the remaining basement level;
- **reduction** of the Gross Floor Area of the building from ~~22,285m<sup>2</sup>~~ to 18,175m<sup>2</sup>; **+ to 18,132m<sup>2</sup>**
- re-configuration of the floor levels and space allocation of the plant rooms; **+ three (3)**
- undertaking the development in ~~two~~ stages with internal fitout and occupation to occur progressively, including staged payment of Section 94 Contributions;
- replacing the co-generation for the first stage of the development by drawing power from the existing Global Switch 1 electrical supply;
- introduction of an energy efficient free cooling air conditioning system to offset the deletion of the original proposed tri-generation system;
- removal of gas engines from the upper levels; and
- relocation of the roof level breakout area to the north of the building to coincide with the new position of the lift core.

**a marginal increase** →

**technical space; plant and equipment on all basement and upper floors and the roof plant area;**

**reconfiguration of the green roof area;**



## SCHEDULE 2

- 1) Condition A1 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the struck-out words/numbers as follows:

### **A1. Development Description**

Project Approval is granted for the construction of a six-storey data centre building and three **one** basement levels.

- 2) 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. Development in Accordance with Plans and Documentation**

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

East dated May 2013

A. Environmental Assessment report for Global Switch Sydney <del>dated March 2010</del> , including appendices <del>and Preferred Project Report</del> prepared by dem (aust) Pty Ltd dated <del>August 2010 including appendices</del> <b>8th May 2013</b>			
B. Statement of Commitments prepared by dem (aust) Pty Ltd contained in Schedule 3			
C. Section 75W Modification Application dated <del>December 2011</del> , including modified Statement of Commitments, prepared by dem (aust) Pty Ltd			
DC. Architectural Drawings prepared by dem (aust) Pty Ltd dated February 2010, itemised as follows:			
Drawing No	Issue	Name of Plan	Date
CV-00	B01 <b><u>B02</u></b>	Cover Sheet, Drawings List, Abbreviations	22/02/2010 <b><u>22/12/2011</u></b>
0200	B01 <b><u>B034</u></b>	Site Plan	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1200	B01	Basement Level 3	15/02/2010
1201	B01	Basement Level 2	22/02/2010
1202	B01 <b><u>B034</u></b>	Basement Level 1	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1203	B02 <b><u>B045</u></b>	Ground Floor	06/07/2010 <b><u>22/12/2011</u></b> 08/05/13
1204	B01 <b><u>B034</u></b>	First Floor	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1205	B01 <b><u>B034</u></b>	Second Floor	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1206	B01 <b><u>B034</u></b>	Third Floor	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1207	B01 <b><u>B034</u></b>	Fourth Floor	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1208	B01 <b><u>B034</u></b>	Fourth Floor Mezzanine	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1209	B01 <b><u>B034</u></b>	Fifth Floor	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
1210	B01	Fifth Floor Mezzanine	22/02/2010
1211	B01 <b><u>B034</u></b>	Roof	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
2100	B01 <b><u>B034</u></b>	Section One	15/02/2010 <b><u>22/12/2011</u></b> 08/05/13
2101	B02 <b><u>B045</u></b>	Section Two	06/07/2010 <b><u>22/12/2011</u></b> 08/05/13
2102	B01 <b><u>B034</u></b>	Section Three	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
2103	B01 <b><u>B034</u></b>	Section Four	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13
2500	B01 <b><u>B034</u></b>	North & South Elevations	22/02/2010 <b><u>22/12/2011</u></b> 08/05/13



2501	B02 <del>B03</del>	East Elevation	06/07/2010 <del>22/12/2011</del> 06/05/13
5004	B01	Signage Views	22/02/2010
0501	A02	Landscape Plan Ground Floor	15/02/2010
0502	A02 <del>3</del>	Landscape Plan Roof Level	<del>15/02/2010</del> 08/05/13

- 3) Condition B1 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the struck-out words/numbers as follows:

**B1 Section 94 Contribution**

**Contribution required**

In accordance with Section 94(2) of the *Environmental Planning and Assessment Act 1979* and Sydney City Council's "Ultimo Pyrmont Section 94 Contributions Plan," a cash contribution shall be paid in the form of a bank cheque made out to the Sydney Harbour Foreshore Authority and lodged with the Department of Planning.

**Amount of contribution**

The amount of the contribution shall be calculated in accordance with the Ultimo Pyrmont Section 94 Contributions Plan and agreed between the proponent and SHFA. The agreed amount of the contribution shall be notified to the Department of Planning and endorsed by the Director General.

**Timing of Payment**

The contributions ~~shall be paid prior to the release of any Construction Certificate~~ **may be paid in stages as follows:**

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

**Indexing**

~~25% payment prior to issue of the Stage 3 Construction Certificate~~  
If the contribution is paid after 31 December of the year in which the approval is granted, then the figure calculated shall be indexed in accordance with clause 19 of the Ultimo Pyrmont Contributions Plan 1994.

- 4) Condition B3 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the struck-out words/numbers as follows:

**B3 Stormwater and Drainage**

- (a) Prior to the issue of a **the relevant** Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standards requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to a Construction Certificate being issued and prior to the commencement of any work within the public way.
- (c) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued.

- (d) An 'Application for Approval of Stormwater Drainage Connections' must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.
- 5) Condition B5 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

**B5 Public Domain Plan**

- (a) A detailed Public Domain Plan must be prepared and lodged with Council's Public Domain Section and approved by Council prior to the issue of a **the relevant** Construction Certificate being issued for new building work, excluding approved preparatory, demolition or shoring work.
- (b) The Public Domain Plan must be prepared in accordance with the City of Sydney's Public Domain Manual and the Ultimo Pyrmont Public Domain Manual. The works to the public domain are to be completed in accordance with the approved plan **being before** any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.

Note: A security deposit will be required for the public domain works, in accordance with the City of Sydney's adopted fees and charges. You should contact Council to determine the deposit amount prior to payment.

- 6) Condition B7 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

**B7 Car Parking Spaces and Dimensions**

A maximum of 12 off-street car parking spaces must be provided. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1-2004 Parking Facilities. The details must be submitted to and approved by the PCA prior to a **the relevant** Construction Certificate being issued.

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

**B8 Accessible Parking Spaces**

The design, layout, signage, line marking and physical controls of all off-street accessible parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.6-2009 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the PCA prior to a **the relevant** Construction Certificate being issued.

- 8) Condition C2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

**C2 Development Staging**

The proponent is to comply with the conditions contained in this instrument for all stages of development subject to this approval.

Prior to the commencement of each stage of works, the proponent is to notify the Department and Council of the proposed works and compliance to date with this



approval. The proponent, or any party acting upon this approval, shall also submit a report addressing future compliance with all relevant conditions of this approval.

**three (3)**  
The development will be constructed in ~~two~~ (2) main building stages with internal fitout of each stage being undertaken, completed and occupied progressively. 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 release of the relevant Construction Certificate.

- 9) Condition E1 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

***E1 Occupation Certificate to be Submitted***

An **Interim and Final** Occupation Certificates must be obtained from the PCA and a copy submitted to the Department and Council prior to the commencement of occupation or use of **staged components** of the building.

The following documents should be forwarded to the Department and Council within two (2) days of the date of the Certificate being determined:

- (1) A copy of the determination;
- (2) Copies of any documents that were lodged with the **Interim or Final** Occupation Certificate application;
- (3) A copy of **the Interim or Final** Occupation Certificate, if it was issued;
- (4) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
- (5) A copy of any missed inspections; and
- (6) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the **Interim or Final** Occupation Certificate.

- 10) Condition E2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

***E2 Infrastructure Repair***

Prior to issue of the **any Interim or Final** Occupation Certificate, the PCA must be satisfied that any damaged public infrastructure caused as a result of construction works **related to the relevant stage of the works completed** (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

- 11) Condition E3 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

***E3 Existing Light Rail Line Corridor***

Prior to the issue of the **any Interim or Final** Occupation Certificate, a joint Inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and Sydney Metro Transport Pty Ltd and the proponent. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.

Prior to the issue of an **any Interim or Final** Occupation Certificate, the proponent is to submit to RailCorp a copy of the final As-Built drawings **for the relevant portion of the completed works** and surveyed location of all rock anchors used.

- 12) Condition E4 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

***E4 WAE Plans for Stormwater Management and Disposal***

Prior to issue of the **any Interim or Final** Occupation Certificate, a registered surveyor must provide a works as executed (WAE) survey of the completed stormwater drainage and management systems **for the relevant portion of the completed works**. The survey must be submitted to and approved by the PCA prior to issue of the **any Interim or Final** Occupation Certificate. The survey must indicate:

- as built (reduced) surface and invert levels for all drainage pits
- gradients of drainage lines, materials and dimensions
- as built (reduced) level(s) at the approved point of discharge to the public drainage system
- as built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site
- the achieved storage volumes of the installed retention and detention storages and derivative calculations
- as built locations of all access pits and grates in the detention and retention system(s), including dimensions
- the size of the orifice or control fitted to any on-site detention system
- dimensions of the discharge control pit and access grates
- the maximum depth of storage possible over the outlet control
- top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system

The works as executed plan(s) must show the as built details above in comparison to those shown on the drainage plans approved with the Construction Certificate prior to commencement of **the relevant stage of the** works. All relevant levels and details indicated must be marked in red on a copy of the PCA stamped construction certificate stormwater plans.

- 13) Condition E5 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

***E5 Sydney Water Section 73 Compliance Certificate***

Prior to issue of an **any Interim or Final** Occupation Certificate, the Section 73 Sydney Water Compliance Certificate **for the relevant portion of the completed works** must be obtained and submitted to the PCA.

- 14) Condition E7 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

***E7 Mechanical Ventilation***

Following completion, installation and testing of all the mechanical ventilation systems **for the relevant portion of the completed works**, the PCA shall be satisfied of the following prior to the issue of any **Interim or Final** Occupation Certificate:

- The installation and performance of the mechanical systems complies with:
  - the Building Code of Australia
  - Australian Standard AS1668
  - Australian Standard AS3666 where applicable



- The mechanical ventilation system in isolation and in association with other mechanical ventilation equipment, when in operation will not be audible (i.e. not produce a measured noise level above the background noise level) within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest adjoining boundary.

Note: Written confirmation from an acoustic engineer that the development achieves the above requirements is to be submitted to the PCA prior to the issue of the any Interim or Final Occupation Certificate.

- 15) Condition E8 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

#### ***E8 Accessibility***

Prior to the issue of an any Interim or Final Occupation Certificate, the PCA shall be satisfied that the relevant part of the buildings works satisfy the following:

- the lift design and associated functions are compliant with AS 1735.12 & AS 1428.2
- the level and direction of travel, both in lifts and lift lobbies, is audible and visible
- the controls for lifts are accessible to all persons and control buttons and lettering are raised
- international symbols have been used with specifications relating to signs, symbols and size of lettering complying with AS 1428.2
- the height of lettering on signage is in accordance with AS 1428.1 – 1993
- the signs and other information indicating access and services incorporate tactile communication methods in addition to the visual methods

- 16) Condition E9 is amended by the insertion of **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

#### ***E9 Works as Executed Plans***

Prior to final occupation of the fully completed building, one (1) full set of works as executed plans, and other supporting documentation including further studies and revised plans required by this approval, shall be submitted to Council for information purposes only.

- 17) Condition E10 is amended by the insertion of **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

#### ***E10 Post-Construction Dilapidation Report***

The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the relevant completed stages of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.

The report is to be submitted to the Department and the Council and is to:

- (a) Compare the post-construction dilapidation report with the pre-construction dilapidation report, identifying the nature and costs of damage (if any) which has occurred during and as a result of construction, and

- (b) Have written confirmation from the relevant authority that there is no adverse structural damage to its infrastructure and roads (as far as reasonably practical) or that satisfactory arrangements have been made to remedy any damage. If this has been unreasonably delayed by the relevant authority, attempts to seek such confirmation shall be given to the satisfaction of the Department.
- 18) Condition E11 is amended by the insertion of **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

**E11 Cooling Towers**

Prior to the commencement of use **of the relevant portion of the completed works**, the owner or occupier of the premises must apply to Council for the registration of water cooling systems and warm water systems installed on the premises in accordance with the *Public Health (Microbial Control) Regulation 2000*.

- 19) Part F – Post Occupation Note to be added by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

**PART F – POST OCCUPATION**

**Note: Part F applies to the fully completed works or staged works as appropriate at the completion of each stage.**

**F1 Annual Fire Safety Certification**

The owner of the building shall certify to Council and the NSW Fire Brigade every year that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. The purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

**F2 Outdoor Lighting**

All outdoor lighting shall not detrimentally impact upon the amenity of other premises and adjacent dwellings and shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

**F3 Noise Control - Operational**

- (1) The  $L_{aeq}$ , 15 minutes noise level emitted from the use must not exceed 5dB above the background ( $L_{90}$ ) noise level in any Octave Band Centre Frequency (31.5 Hz to 8kHz inclusive) between the hours of 7.00 am and 12 midnight when assessed at the boundary of any affected receiver. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.
- (2) The  $L_{aeq}$ , 15 minutes noise level emitted from the use must not exceed the background ( $L_{90}$ ) noise level in any Octave Band Centre Frequency (31.5Hz to 8kHz inclusive) between the hours of 12 midnight and 7.00 am when assessed at the boundary of any affected receiver. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.
- (3) The use of the premises shall be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the *Protection of the Environment Operations Act 1997*, to any affected receiver.

Notwithstanding the noise limits specified in F3 above, the use of the premises must always operate in accordance with noise limits specified in the environmental protection licence issued under the *Protection of the Environment Operations Act 1997* for the development. If there is an inconsistency with the noise limits outlined above with those specified in the Environmental Protection Licence, the noise limits specified in the Environmental Protection Licence shall prevail.

#### **F4 Noise Control – Plant and Machinery**

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- (1) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any affected receiver.
- (2) A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.
- (3) Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.
- (4) Notwithstanding the noise limits specified in (1), (2) and (3) above, the use of the premises must always operate in accordance with noise limits specified in the environmental protection licence issued under the *Protection of the Environment Operations Act 1997* for the development. If there is an inconsistency between the noise limits outlined above with those specified in the Environmental Protection Licence, the noise limits in the Environmental Protection Licence prevail.

#### **F5 Loading**

All loading and unloading, including deliveries to and from the site in connection with the use, must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.

#### **F6 Cooling Towers**

All cooling towers and cooling and warm water systems must be operated and maintained in accordance with AS 3666.2:1995 (or AS 3666.3:2000 subject to prior notification of Council), the *Public Health Act 1991*, and *Public Health (Microbial Control) Regulation 2000*.

A true copy of the annual certificate as stipulated in clause 9(2) of the *Public Health (Microbial Control) Regulation 2000* which certifies the effectiveness of the process of disinfection used for the water cooling system, must be submitted to Council prior to the period ending 30 June each year.

- 20) Condition AN1 is amended by the insertion of **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

**AN1 Long Service Levy**

Under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* any work costing \$25,000 or more is subject to a Long Service Levy. The levy rate is 0.35% of the total cost of the work **for each stage** and shall be paid to either the Long Service Payments Corporation or Council. Under section 109F(1) of the *Environmental*

*Planning & Assessment Act 1979* this payment must be made prior to commencement of building works **for each stage**.

**End of modification to MP08\_0222**