

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 14 September 2011, I approve the modification of the development referred to in Schedule 1, subject to the conditions in Schedule 2.

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 107,427m², 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 3,911m² / height of four storeys);
- car and bicycle parking;
- landscaping, road and public domain works; and
- building identification signage zones.

Modification: **SSD 7317 MOD 1:** Modifications to:

- the timing for the approval of the landscaping and public domain plan (Condition B53a); and
- the timing for the completion of the landscaping and public domain works (Condition B53d).

The SSD approval is modified as follows.

SCHEDULE 2

1) Condition A16 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **bold and struck through** words/numbers as follows:

Staging

A16 The development may be constructed in stages, as outlined within the EIS referred to in Condition A2. A Construction Certificate may be obtained for each of the following stages:

Building 1 Stage 1: All ground works, including sub-structure, lower ground slab, all in ground services, lift and stair cores to level 1;
Stage 2: Structure works
Stage 3: Building services and finishes
Stage 4: Façade works
Stage 5: External works

Building 2 Stage 1: All ground works, including sub-structure, lower ground slab, all in ground services, lift and stair cores to level 1;
Stage 2: Structure works
Stage 3: Building services and finishes
Stage 4: Façade works
Stage 5: External works

Building 3 Stage 1: All ground works, including sub-structure, lower ground slab, all in ground services, lift and stair cores to level 1;
Stage 2: Structure works
Stage 3: Building services and finishes
Stage 4: Façade works
Stage 5: External works

Public domain area 1: Entry Garden, **eastern half of** Innovation Plaza, Central Avenue north of Building 1, **Davy Road south of Village Square, Vice Chancellor's Oval (Eveleigh Green)** and recreation zone south of Building 1
Stage 1: Civil works (below finished level)
Stage 2: Landscaping (above finished level)

Public domain area 2: **Remainder of Innovation Plaza**, Locomotive Street, Mitchell Way, Village Square, ~~Vice Chancellor's Oval (Eveleigh Green), and~~ remainder of Central Avenue ~~and Davy Road~~.
Stage 1: Civil works (below finished level)
Stage 2: Landscaping (above finished level)

2) Condition B53 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **bold and struck through** words/numbers as follows:

Landscaping and Public Domain

B53 Prior to issue of the first Construction Certificate for above ground works, an Arborist report shall be prepared, in consultation with Council, by an appropriately qualified Arborist including an assessment of the age, health, condition and significance of individual trees and recommendations for retention, relocation or removal. The report shall provide details of measures to ensure the health of relocated trees and protection measures for all trees to be retained/relocated during construction.

Landscape and Public Domain Plan

- a) A detailed landscape and public domain plan, drawn to scale, by a qualified landscape architect or landscape designer, must be prepared in consultation with Council and the Heritage Council and approved by **Council the Secretary** prior to the issue of the **first Construction Certificate for above ground building works Building 1 - Stage 4: Façade works**. The plan must reference the industrial character of the precinct, and be generally in accordance with Council's 'Public Domain Manual', and include:
- (i) Provision for the conservation and retention of moveable heritage items;
 - (ii) Interpretive devices for heritage features and in relation to the history of the site overall;
 - (iii) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features;
 - (iv) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable);
 - (v) Deep soil depth, unencumbered by any structures for mature tree growth;
 - (vi) No new trees are to be planted adjacent to the Locomotive Workshop in order to retain the industrial character of the building;
 - (vii) Mature tree species that form a continuous canopy, as well as shrubs and understorey planting that provide a secondary canopy to the Alexandria Child Care Centre which upon full maturity of large trees will form a continuous screen between Building 1 and the Alexandria child care centre;
 - (viii) Details of planting procedures and maintenance; and
 - (ix) Details of drainage, waterproofing and watering systems.
- b) Prior to the issue of the first Construction Certificate for the Public Domain area 1, submit a plan showing an amendment to the pedestrian pathway at the northern entry to the site demonstrating compliance with the current disability access standards and consistency with concept plan - Aspect Studios - SK_LA_001 – Entry Ramp, dated 13.12.16.
- c) Prior to the issue of any Occupation Certificate, a maintenance plan is to be submitted to and approved by the PCA. The maintenance plan is to be complied with during occupation of the development.
- d) ~~All~~ Landscaping and public domain works in the approved plan are to be completed **on a staged basis** prior to **the issue of the** any Occupation Certificate **for each building being issued** (unless an appropriate bond is secured to cover the cost of the outstanding landscaping **for the relevant public domain area**). **Staging is as follows:**
- (i) Public Domain Area 1 will be completed prior to the issue of the Occupation Certificate for Building 1.**
 - (ii) Public Domain Area 2 will be completed prior to the issue of the Occupation Certificate for Building 2.**

End of modification to SSD 7317