

# 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 16 February 2015, 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, 22 August 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 2:** Modifications to:

- the timing of the Voluntary Planning Agreement (Condition B4);
- the required car parking provision (Condition B8);
- the building identification signage zone on the south elevation of Building 1; and
- the ground level layout of Building 2.

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 **bold and struck through** 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; **and**
- 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) 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.	Rev	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
<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	Level 08 Plant GA Plan	27.04.16
Fjmt-AR-DWG-11009	DA1	Roof Plan	27.04.16

<b>Fjmt-AR-DWG-11050</b>	<b>DA1</b>	Elevations – South & East	<b>27.04.16</b>
<b><u>Fjmt-AR-DWG-11050</u></b>	<b><u>DA4</u></b>		<b><u>22.03.17</u></b>
Fjmt-AR-DWG-11051	DA1	Elevations – North & West	27.04.16
Fjmt-AR-DWG-11052	DA0	Sections	16.12.15
Fjmt-AR-DWG-11053	DA1	Sections	27.04.16
<b>Building 2</b>			
<b>Fjmt-AR-DWG-2100L</b>	<b>DA0</b>	<b><u>General Arrangement Plans</u> – Lower Ground-Plan</b>	<b>16.12.15</b>
<b><u>Fjmt-AR-DWG-BB-B2-300L</u></b>	<b><u>P</u></b>		<b><u>19.07.17</u></b>
<b>Fjmt-AR-DWG-2100M</b>	<b>DA0</b>	<b><u>General Arrangement Plan</u> – Mezzanine Floor-Plan</b>	<b>16.12.15</b>
<b><u>Fjmt-AR-DWG-BB-B2-300M</u></b>	<b><u>P</u></b>		<b><u>19.07.17</u></b>
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
<b>Fjmt-AR-DWG-21051</b>	<b>DA0</b>	Elevations – South & East	<b>17.12.15</b>
<b><u>Fjmt-AR-DWG-BB-B2-3300</u></b>	<b><u>01</u></b>		<b><u>04.04.17</u></b>
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
<b><u>Fjmt-AR-DWG-BB-B2-3401</u></b>	<b><u>B</u></b>	<b><u>Sections E &amp; F</u></b>	<b><u>19.10.16</u></b>
<b><u>SK.03</u></b>	<b><u>A</u></b>	<b><u>Indicative Parking Plan</u></b>	<b><u>07.08.17</u></b>
<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 B3(b) is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **bold and struck through** words/numbers as follows:

Amended Plans

B3 (b) Prior to the issue of the Construction Certificate for the Stage 2 Structure works for the relevant building, amended architectural plans / elevations and documentation shall be submitted for approval by the Secretary showing:

1. removal of the external car park and canopy to the west of Building 1 and replacement with suitable landscaping, including mature trees, to visually screen the adjacent child care centre; **and**
2. removal of the substation at the south east corner of Building 3, or its relocation within the building fabric, and amendments to the eastern elevation stair / lift core of Building 3 to increase activation of the Vice Chancellor's Oval and shall be consistent with the following concept plans;  
SisArch-CD\_002 REV 1 – ATP Community Building – GA Plan & Section – dated 13.12.16; and  
SisArch-CD\_003 REV 1 – ATP Community Building – 3D Perspectives – dated 13.12.16; **and**
3. ~~relocation of the loading dock entrance in Building 2 to be consolidated with the vehicle entrance in Building 2.~~

- 3) Condition B4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **bold and struck through** words/numbers as follows:

Voluntary Planning Agreement

B4 A Voluntary Planning Agreement in accordance with the public benefit offer dated 8 August 2016 between the Applicant (or its nominated entity) and the Council of the City of Sydney shall be prepared, publicly exhibited, executed and registered on the title of the land with the Office of Land and Property Information.

The Voluntary Planning Agreement, ~~as executed, must be registered on the title of the land prior to the issue of the first Construction Certificate for any façade works~~ **must be executed prior to the issue of the Construction Certificate for Building 1 Stage 4 Façade Works and registered on the title of the land prior to the issue of the Building 1 Occupation Certificate.**

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

Car parking

B8 A maximum total of 738 new car parking spaces shall be provided, comprising:

- a) **207 205** car parking spaces in Building 1;
- b) **489 500** car parking spaces in Building 2; and
- c) **42 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**).

End of modification to SSD 7317