

**Major Projects
Council Submission
Project Mars Data Centre (SSD-82052708) (Lane Cove)**

Attention Patrick Copas,
Department of Planning and Environment.

Environmental Impact Statement Response for the Project Mars Data Centre at 12 Mars Road, Lane Cove West.

Thank you for the opportunity to comment on the proposal for a 24-hour operational Data Centre at 12 Mars Road, Lane Cove West with a total overall power consumption of 81 megawatts (EIS confirms 81 but also reported as 90 MWs in other instances).

CONCERNS BY LANE COVE COUNCIL

1. Impacts on Infrastructure

The documentation fails to provide a detailed analysis on the impacts of increased power demand and water usage required for the operation of the proposed development. Data Centres place a significant strain on local utilities and impact the availability of electricity and water. The feasibility section of the Environmental Impact Statement {EIS} confirms that the subject site has been targeted because it is *adequately serviced by the critical utility infrastructure including power and water*.

Cooler climatic conditions generated by proximity to the Lane Cove River and significant Bushland areas result in Lane Cove West being a desirable location for Data Centres. No documentation has been provided considering the accumulative impacts of all existing/proposed Data Centres within the Lane Cove industrial area, refer to **Figure 1** below.

This is of significant concern given the site transitions to the R2 Low Density Residential and C2 Environmental Conservation zones and the sites proximity to multiple public facilities. The 4 sites shown in **Figure 1** have a combined site area of 143,000 sqm and given the established targeting of Lane Cove West, further Data Centres are likely to be proposed within the area. An analysis on resource use should be provided which considers the demands on water and electricity. Consideration must be provided on the accumulative impacts including the following developments:

- The recently constructed Apollo Place Data Centre by Airtrunk - SSD-67407231 - 1 Sirius Road, Lane Cove West And 1 Apollo Place, Lane Cove West.
- The proposal to extend this precinct by Airtrunk known as the Mars Road Data Centre - SSD-108835458 - 3-4 Apollo Place And 87-91 Mars Road, Lane Cove West.
- The Lane Cove Data Centre Alliance which has been recently endorsed by the NSW Governments Investment Development Authority – 16 - 20 Mars Road, Lane Cove West.
- **Figure 1** below illustrates that approximately 40% of the Industrial Zone is proposed to be occupied by Data Centres – consideration should also be given to the scenarios where 50%, 75% and 100% of the Industrial Zone are occupied.

The NSW Department of Planning and Infrastructure {the Department} must consider the impacts in totality which includes the required infrastructure upgrades to accommodate these proposed developments. Specific limitations on the density of Data Centres may be appropriate given the impacts on local infrastructure, as well as, the sensitive residential and environmental areas surrounding the industrial area. The Department should require that analysis is to confirm that the development would not result in further power outages which are already an existing problem within the Lane Cove West area. The prioritisation of sustainable water usage must be explored, and the proposed development should include rainwater capture and reuse given the high water usage proposed.



Figure 1: Data Centres currently existing or proposed for Lane Cove West with the subject site shown in green (Source: Nearmaps)

Fibre Optic Upgrade Impacts – AirTrunk’s Apollo Place Data Centre

The Data Centre at 1 Apollo Place (shown in blue in **Figure 1**) required significant infrastructure upgrades for the fibre optic system, which resulted in devastating impacts to Council’s bushland and public domain. The works necessary for these upgrades were not presented during the assessment phase of the SSDA for this development. These works resulted in widespread damage to verges, footpaths and private property which resulted in adverse environmental impacts and safety hazards for pedestrians. These works also resulted in the failure of many significant trees located in the bushland. These impacts could have been reasonably mitigated if presented at the assessment stage of the development through the implementation of standard conditions. If these matters are not considered for the subject proposal, this is likely to result in similar adverse impacts and expose residents and sensitive bushland areas to unnecessary damage.

Infrastructure Upgrades

Infrastructure surveys and upgrade plans should be provided for Council's assessment prior to the determination of the SSDA. This is to include required upgrades for water, electricity, fibre optic cabling, roads and any other facilities located on public land. This would provide the opportunity to assess the proposed upgrades and their impacts and mitigate unacceptable construction impacts. These requirements should be considered within the design phase of the development, so that practical amendments can be made to reduce adverse environmental impacts based on undesirable public infrastructure and construction methodology outcomes.

A report detailing the of public domain improvement works programme should be provided for assessment. This is to detail all new infrastructure and the proposed reconstruction of public assets such as kerb/gutter, roads, footpath, pram ramp, pedestrian crossing etc around the site.

2. Height - Clause 4.6 not supported.

The proposed development includes a height which significantly breaches the maximum permissible height standard, as shown in **Figure 2** below. A Clause 4.6 request to breach this development standard has been provided and is not supported by Council. The proposed development fails to satisfy the relevant tests required for assessing the proposed breach as outlined below.

The proposed development fails to satisfy the relevant objectives of Clause 4.3 of the Lane Cove LEP 2009:

(a) to ensure development allows for reasonable solar access to existing buildings and public areas

The non-compliant portions of the building result in adverse overshadowing impacts. This includes unnecessary adverse impacts on existing landscaped areas on site (significant trees to be retained), the adjoining bushland areas and public recreation areas such as the skate park. The increased shadows detrimentally impact the viability of existing foliage which is extensively relied upon throughout the Visual Impact Statement and this Clause 4.6 Request. Any additional shadowing generated by the non-compliant area of the development is considered to be unreasonable, unnecessary and not warranted in this instance. **Figure 3** illustrates the significant increase in overshadowing resulting from the non-compliant areas in purple (located above the Bushland area). The Clause 4.6 request should not be supported as the proposal fails to satisfy objective (a).

(b) to ensure that privacy and visual impacts of development on neighbouring properties, particularly where zones meet, are reasonable

The non-compliant portions of the building would be visually prominent to the adjoining zones, which has not been adequately reported in the Visual Impact Statement. The non-compliant areas which result in these adverse impacts have been located towards the zonal transition and most sensitive receivers being the Bushland area and residential developments. The Clause 4.6 states that *the built form along the Mars Road frontage will fully comply with the existing height control*. The proposed development includes non-compliant breaches along the frontage areas, as illustrated in **Figure 2** below. The Clause 4.6 request should not be supported as the proposal fails to satisfy objective (b).

(c) to seek alternative design solutions in order to maximise the potential sunlight for the public domain

The Clause 4.6 Variation Request provides that upper level setbacks and articulation along the frontage have been used to ameliorate visual impacts of the development. No treatment has been provided along the eastern and southern facades which face the most sensitive receivers, include the most significant breaches and result in the most significant adverse height impacts. The Clause 4.6 request should not be supported as the proposal fails to satisfy objective (c).

(d) to relate development to topography

A predominate portion of the proposed development roof area exceeds the height development standard. This does not present a development which is constructed in accordance with the site's topography, as illustrated in **Figure 2** below. These impacts are exacerbated due to the level of excavation (up to 8m) proposed to accommodate data halls and service areas well below existing ground level, refer to excavation section later in this response. The development seeks consent to significantly alter the sites natural ground level and its relation to surrounding development. The development is not sympathetic to the sensitive residential and environmental receivers in proximity to the site.

The SSDA has not been accompanied by a thorough character statement detailing the existing character of surrounding built structures, setbacks and envelopes along Mars Road. The Clause 4.6 request confirms that *the data centre will be taller than surrounding industrial buildings within the Lane Cove West Industrial Area*. The provided documentation fails to establish compelling evidence (comparative photomontages and scaled representation including the low density developments) confirming that the proposed design is reasonable and sympathetic of surrounding developments. The proposed development is not considered to be in-keeping with the character of the area and provides an unreasonable transition to the R2 Low Density Residential and C2 Environmental Conservation zones.

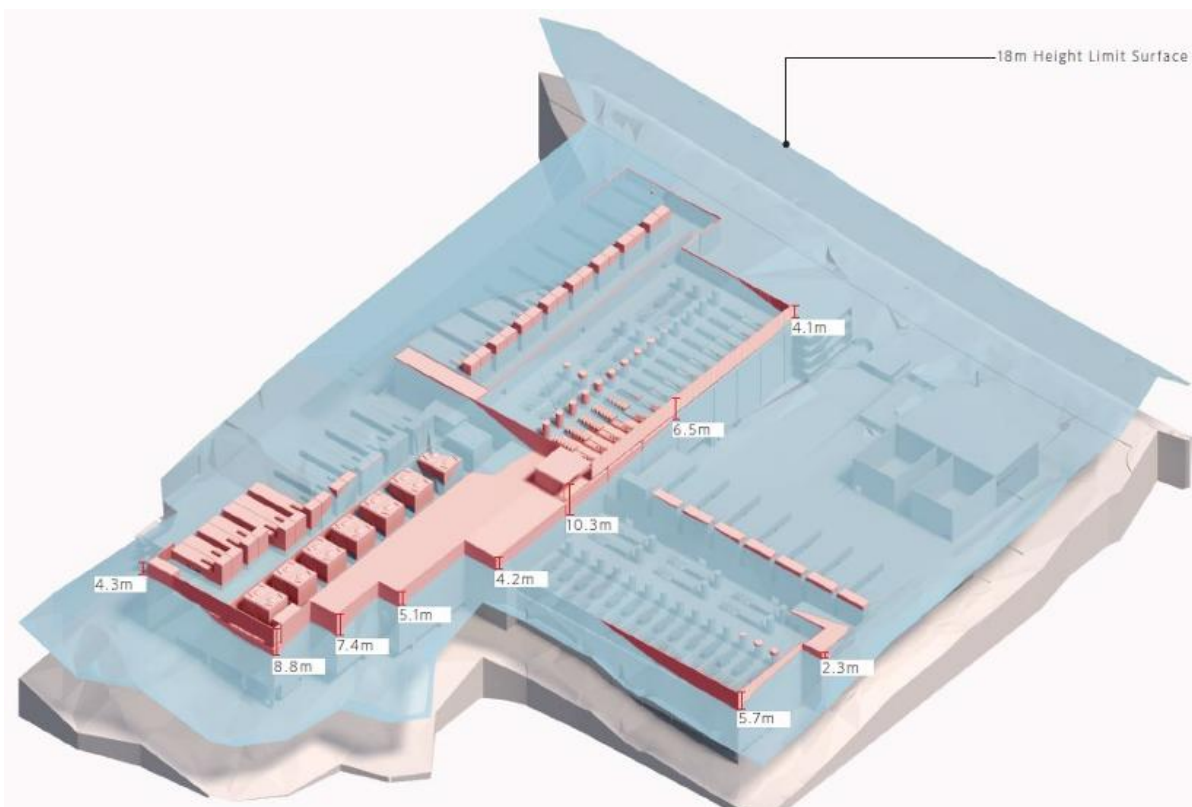


Figure 2: Non-compliant portions located towards sensitive receivers (Source: Council Planner)



21ST JUNE - 3PM - PROPOSED VS 18m HEIGHT PLANE

Not in scale



-  18m Height Plane Shadow
-  Increased Shadow

Figure 3: Non-compliant shadow impacts shown in purple (Source: Clause 4.6 Variation Request)

3. Views

The proposed development is not supported as the Visual Impact Assessment {VIA} has failed to include key locations within the public forum and adequately document/consider the significantly impacted residential dwellings in proximity to the site. This departure provides an inaccurate consideration on visual impacts and prevents a complete assessment of the proposed visual impacts.

The VIA is misleading regarding the coverage provided from existing trees and the document fails to differentiate between the existing canopy being retained and the trees proposed for removal. This significantly affects the extent of screening proposed which is extensively relied upon in the VIA and Clause 4.6 Variation Request. This distorts the visual prominence of the proposed development and in particular the areas which breach the height development standard.

The VIA inaccurately finds that the Proposal would be situated in a *highly urbanised area, with a small and constrained visual catchment due to the presence of significant, mature vegetation on and around the site.*

Seven public domain photomontages are provided in order to assess the visual impacts. The VIA has omitted photomontages from identified locations which present a development with reduced impacts, refer to location 4 on page 10 of the VIA. The photomontages also provide an inaccurate consideration on view impacts with particular reference to VP2 and VP3 on page 17 of the VIA.

The findings of the VIA are concluded:

this report reveals that the proposal will have nil to low visual effects on most baseline factors. The visual impacts from the assessed viewpoints range from Nil to Low, ensuring that the development does not obstruct views to any heritage items or areas of unique scenic quality. The massing above the 18m height plane is visible in only two of the assessed views, blocking a small section of open sky in both instances.

This conclusion is inaccurate and the following must be considered to provide a complete consideration on visual impacts.

Public and Residential Areas Impacted

Blackman Park is one of Council's premier sporting precincts and the VIA merely provides analysis from 1 distant oblique angle, refer to **Figure 4 and 5** below. Council has listed the Public Areas which would be subject to significant visual impacts and are required to be considered at a minimum, refer to **Figures 6 to 22c** below. The existing structures have been highlighted in white, and it is important to consider that the proposed development is up to 15m taller than the existing building which is already this height in some instances. Photomontages should be proposed for these areas and should include an outline of the existing development for context of the impacts to ensure a complete assessment on visual impacts.

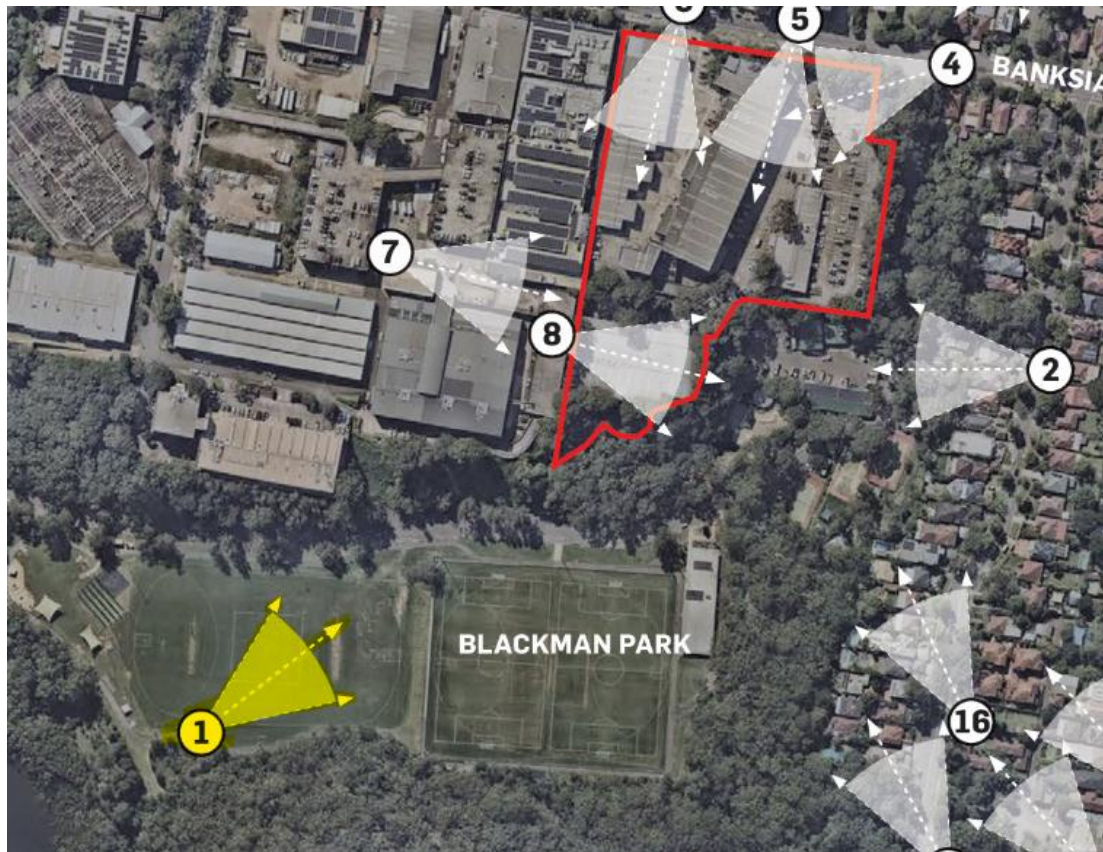


Figure 4: Location of view points for the VIA (Source: VIA)



Figure 5: Photomontage from sports field B3, the pink depicts the extent of the development which is above the permissible 18m height plane. (Source: VIA)

An assessment and photomontage has not been provided for the following key public recreation areas and residential dwellings which are subject to adverse visual impacts:



Figure 6: Lane Cove West Tennis Club, existing structures shown in white. (Source: Council Planner)



Figure 7: Lane Cove West Tennis Court 1, existing structures shown in white. (Source: Council Planner)



Figure 8: Lane Cove West Tennis Court 3, existing structures shown in white. (Source: Council Planner)



Figure 9: Lane Cove Skate Park, existing structures shown in white. (Source: Council Planner)



Figure 10: Lane Cove Skate Park, existing structures shown in white. (Source: Council Planner)



Figure 11: Council Nursery entrance at Banksia Close. (Source: Council Planner)



Figure 12: Council Nursery, existing structures shown in white. (Source: Council Planner)



Figure 13: B1 and B2 Synthetic field, existing structures shown in white. (Source: Council Planner)



Figure 14: Front yard of 10 Banksia Close (Source: Council Planner)





Figure 15: Rear yard of 8 Banksia Close, existing structures shown in white. (Source: Council Planner)



Figure 15: Rear yard of 40 Wood Street, existing structures shown in white. (Source: Council Planner)



Figure 16: Rear yard of 44 Wood Street, existing structures shown in white. (Source: Council Planner)



Figure 17: Rear yard of 60 Wood Street, existing structures shown in white. (Source: Council Planner)



Figure 18: Rear yard of 66 Wood Street, existing structures shown in white. (Source: Council Planner)



Figure 19: 71 Wood Street, existing structures shown in white. (Source: Council Planner)



Figure 20: Avalon Avenue, existing structures shown in white. (Source: Council Planner)



Figure 21: Llyod Rees Drive, existing structures shown in white (Source: Council Planner)



Figure 22: Llyod Rees Drive, existing structures shown in white (Source: Council Planner)



Figure 22a: 32 Wood Street, existing structures shown in white. (Source: Council Planner)



Figure 22b: 41 Wood Street, existing structures shown in white. (Source: Council Planner)

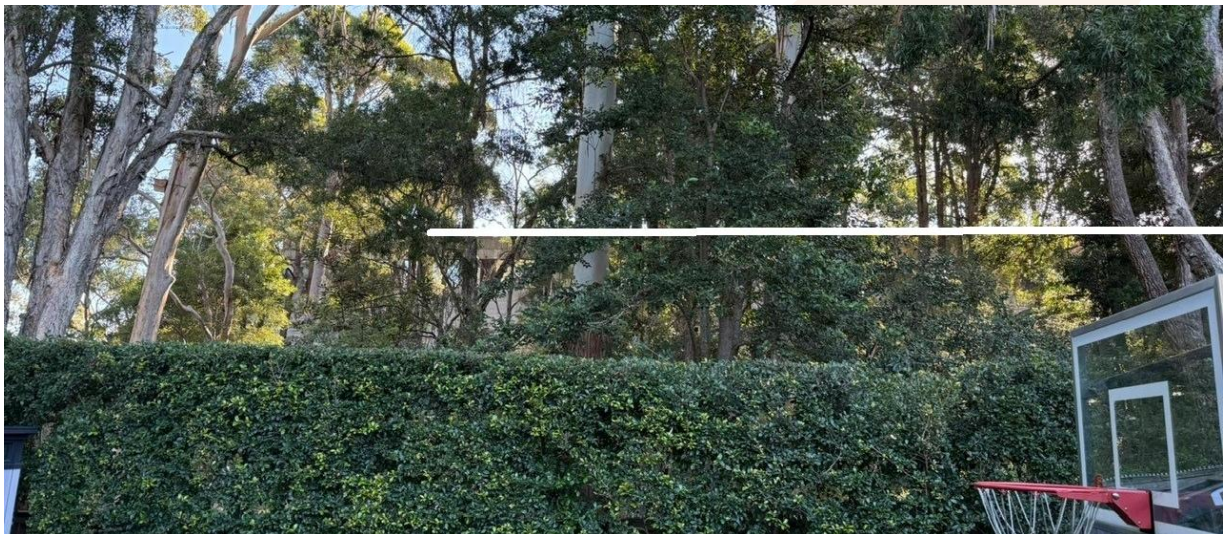


Figure 22c: 64 Wood Street, existing structures shown in white. (Source: Council Planner)

4. Excavation

The proposed development includes significant excavation within a sensitive environment. This excavation has been utilised to facilitate the floor space ratio allowance which is not favourable for the design of Data Centres given the large ceiling heights of the data halls. Council raises significant concerns with potentially devastating impacts on the water table and the sensitive Riparian area located adjacent to the site.

Riparian Land

The EIS identifies that the subject site is located adjacent to Riparian Land and states that the assessment has been addressed through the *Ground and Water Assessment Appendix V*.

The geotechnical comments provided in this document provided no assurance that the proposed development has been adequately assessed. The comments include assumptions on the proposed development, assumptions on proposed mitigation measures and provide no detailed assessment of the actual proposal. Accordingly, no confidence is provided that the concluding comments relating to the impacts of the development on the Riparian land are factually considered. The following comments have been provided within the *Assessment of potential impacts* in the *Ground and Water Conditions Assessment*:

“Details of the earthworks to be undertaken at the Site (e.g. civil cut-fill plans) are not known to PSM however the provided architectural plans by HDR indicate that the proposed development will include excavation of soil and rock up to 8 m depth as well as some areas of filling.”

“We assume the excavation support for the basement will be designed to avoid impacts on neighbouring structures.”

“It is expected that appropriate erosion control will be implemented during construction and the civil designer will design the stormwater system, surface gradients and landscaping to control surface water flows and minimise”

Based on these assumptions the report then states:

“The impacts of the proposed development on riparian lands on and near the site will be minimal given appropriate erosion and surface water flows controls as mentioned above are implemented.”

“Impacts on surface water resource (quality and quantity), impacts on dependent ecosystems, drainage lines, downstream assets and watercourses are not addressed by PSM.”

“The excavation for the Lower Ground level is below the current ground water level. PSM has therefore undertaken an assessment of the impact of the proposed excavation on the ground water level including assessment of potential inflows into the excavation.”

The report is then concluded:

“This report concludes that the proposed data centre (as designed) is suitable from a groundwater perspective and warrants approval.”

Section 6.3 Riparian Land of the Lane Cove LEP 2009 seeks to ensure that development does not adversely impact on riparian land, as identified in **Figure 23** below, and requires that:

“(3) Despite any other provision of this Plan, development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the impact of the proposed development on the land and any opportunities for rehabilitation of aquatic and riparian vegetation and habitat on that land.”

The proposed development should not be supported as the consent authority cannot be satisfied that the impacts of the development on the Riparian land has been adequately considered. The reports provided by the Applicant confirm that the detailed design and any of the mitigation measures required have not been considered.

Further, Council raises significant concern with impacts to the ground water table (as established by PSM above), and potential contamination impacts which have not been considered in this assessment. Council also raises significant concerns with the proposed sediment and erosion controls. The proposed controls are inadequate for ensuring the protection of adjoining sites during the construction phase of the development, this matter is detailed later in the Bushland section of this response.

This is of particular concerns where the *Remedial Action Plan – Appendix CC* (nor PSI or DSI) does not identify the adjoining Riparian land within the *Table 2.2 Property Environmental Setting – Hydrology – The surface water features within 1km of the site*. Council can reasonably assume that no consideration for the protection of this sensitive area has been considered or addressed in the RAP. This poses significant environmental impacts from the mismanagement of contaminated soils into this adjoining land with inadequate consideration for protection.

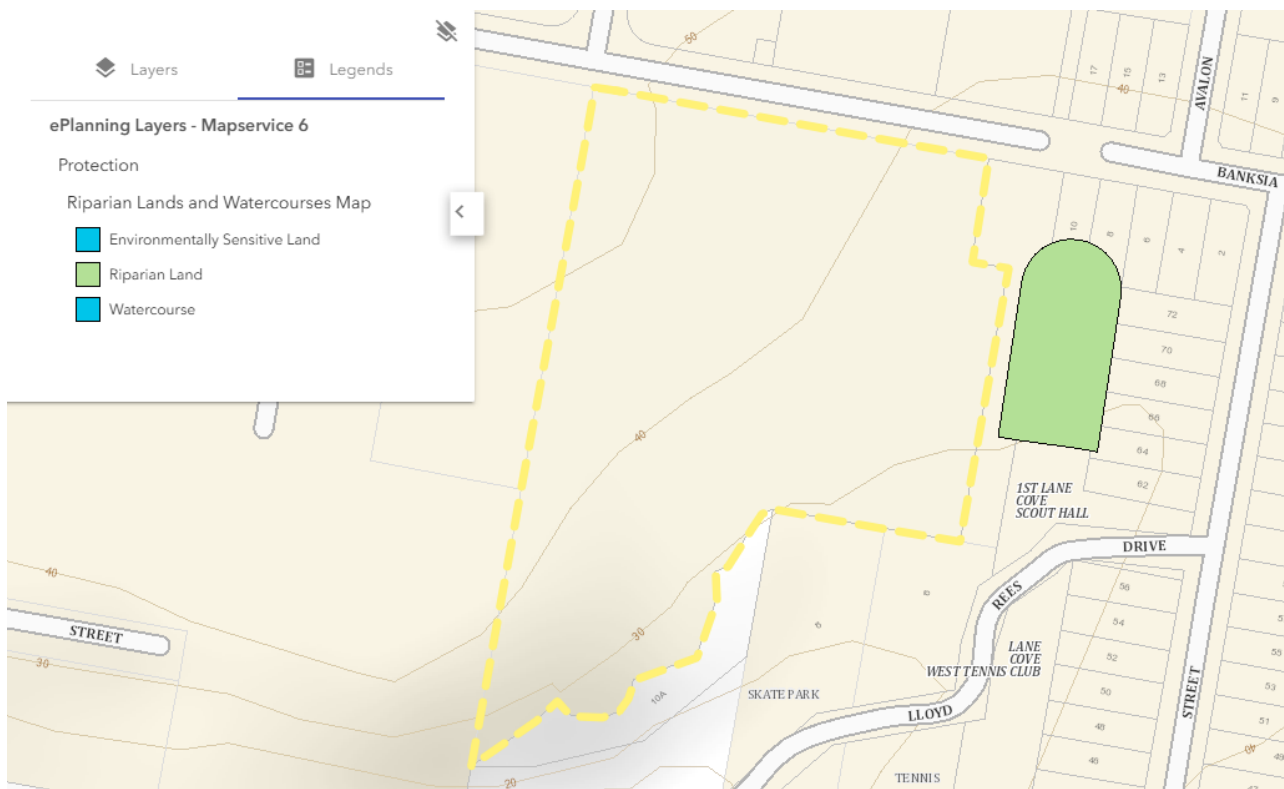


Figure 23: Riparian Land Mapped in Green and adjoining the site (Source: ePlanning Spatial Viewer)

Excessive Excavation

The proposed development includes excavation well beyond what is considered reasonable for the industrial zone. No developments within the industrial zone provide excavation beyond 8m. This is of particular concern where sensitive Bushland and Riparian areas are located adjoining (and naturally down slope) of the subject site, which have not been considered as discussed throughout this response. The proposed excavation is not provided in small sections to address site topography, but expands the full width of the development, as shown **Figures 24 to 27** below.

The proposed development is not considered to have satisfied the relevant objective of Council LEP 2009 Clause 6.1A:

(1) (a) to ensure that earthworks for which development consent is required **will not have a detrimental impact on environmental functions and processes**, neighbouring uses, cultural or heritage items or features of the surrounding land,

(3) The consent authority must ensure the EIS provides adequate information to address the following matters –

(a) **the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,**

(b) the effect of the proposed development on the likely future use or redevelopment of the land,

(c) the quality of the fill or the soil to be excavated, or both,

(d) **the effect of the proposed development on the existing and likely amenity of adjoining properties,**

(e) the source of any fill material and the destination of any excavated material,

(f) the likelihood of disturbing relics,

(g) **the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.**

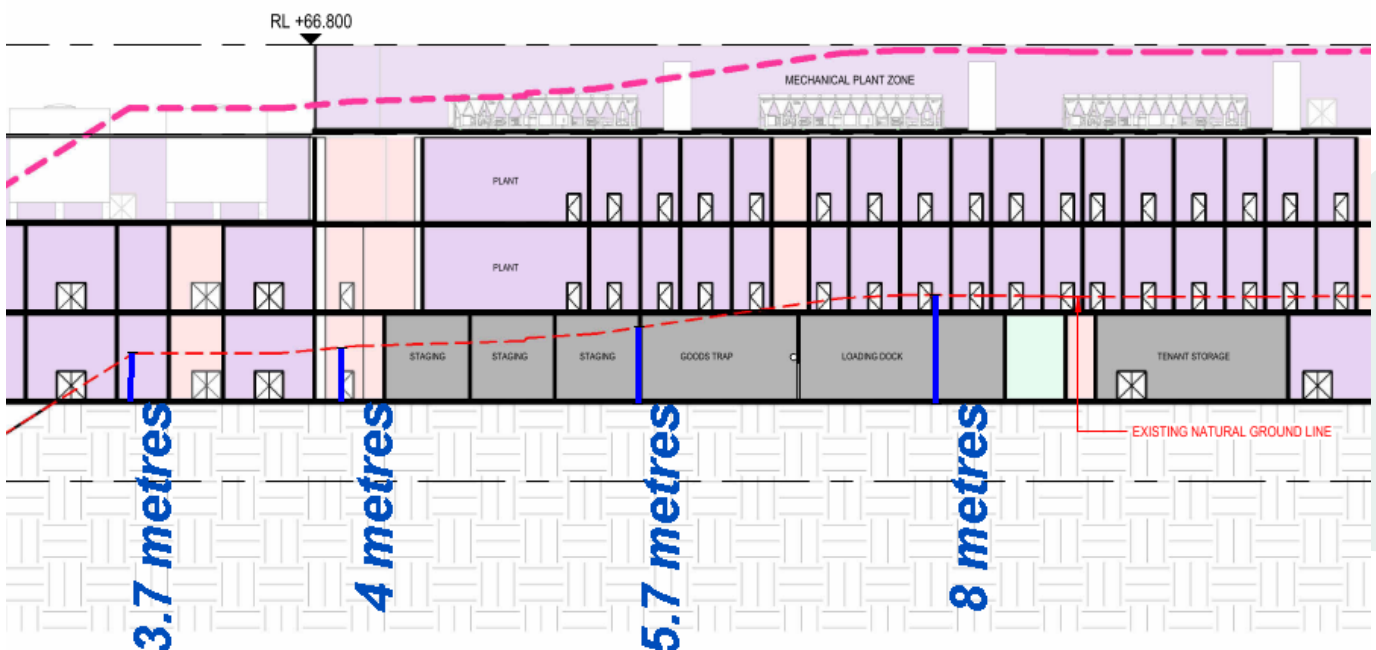


Figure 24: Section through the site with existing ground level in dashed red and levels of excavation depicted in blue (Source: Architectural Plans)

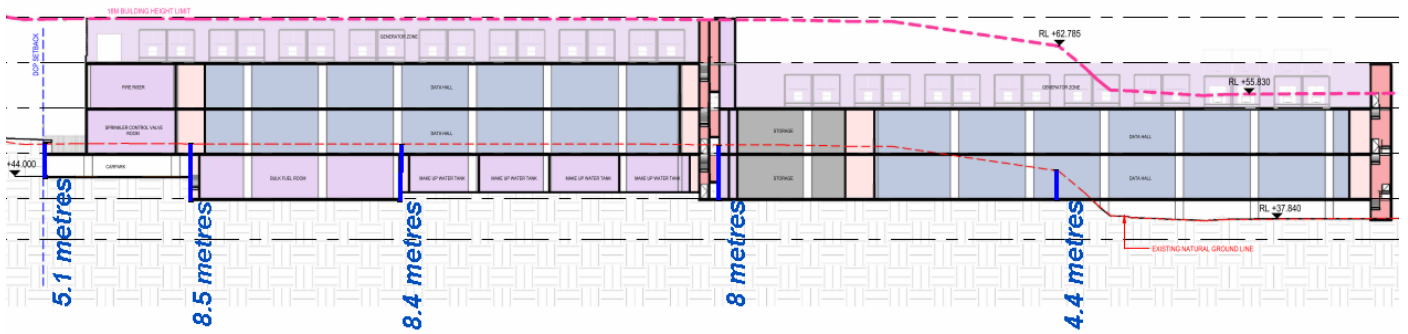


Figure 25: Section through the site with existing ground level in dashed red and levels of excavation depicted in blue (Source: Architectural Plans)

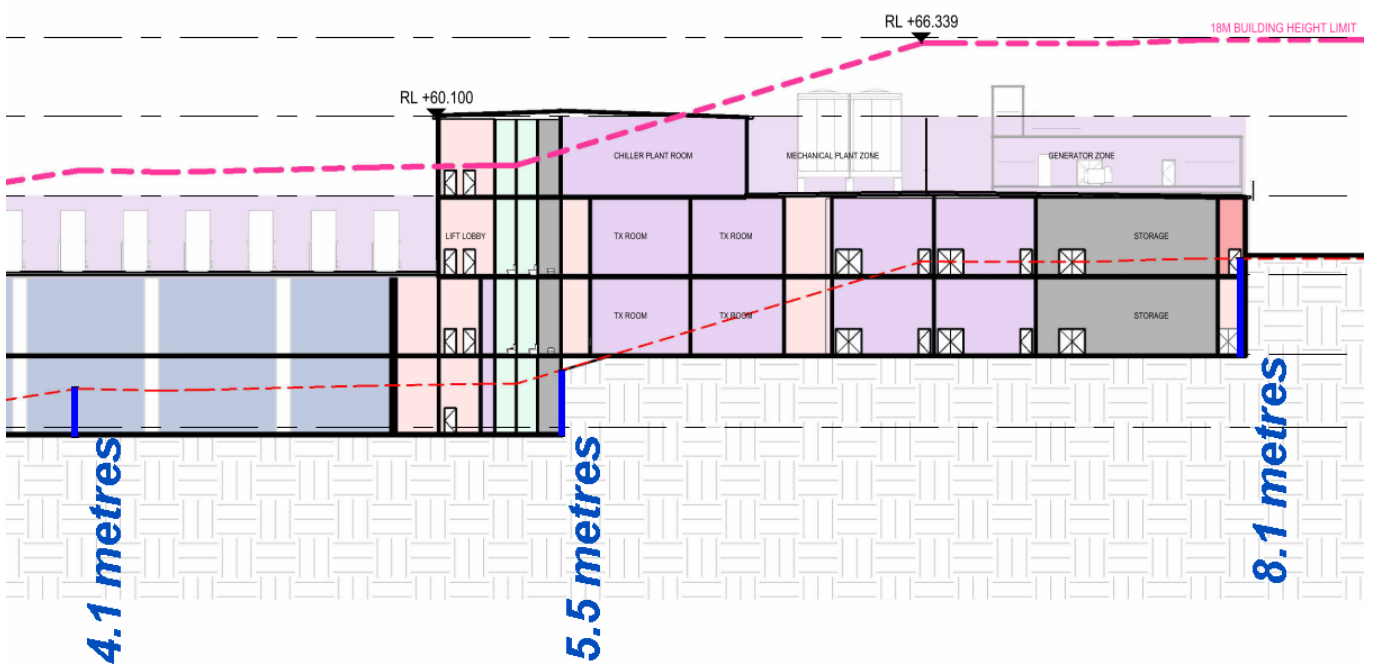


Figure 26: Section through the site with existing ground level in dashed red and levels of excavation depicted in blue (Source: Architectural Plans)

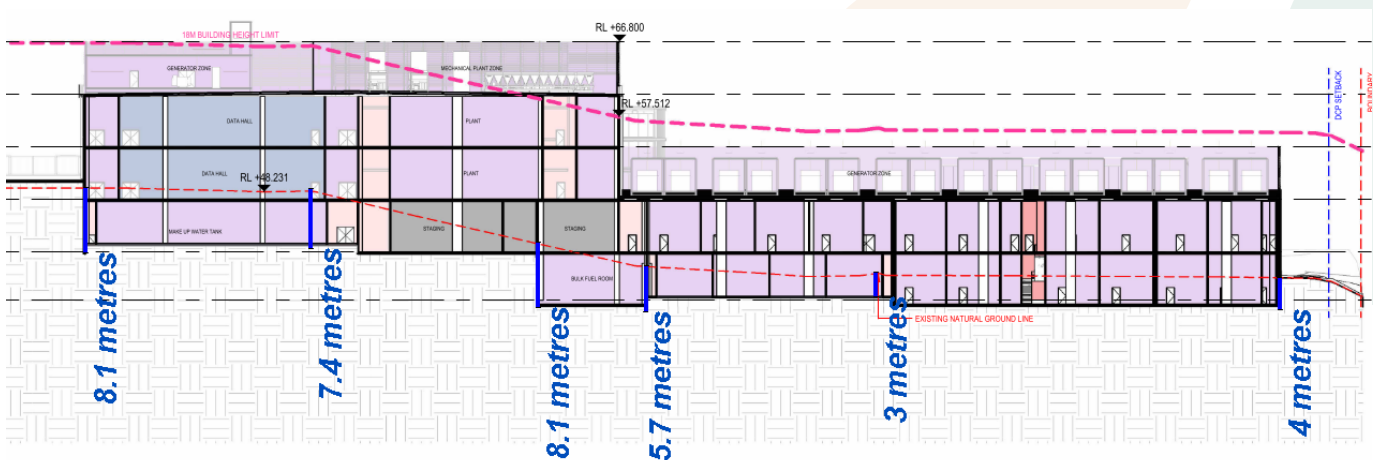


Figure 27: Section through the site with existing ground level in dashed red and levels of excavation depicted in blue (Source: Architectural Plans)

5. Lane Cove Nursery

The Lane Cove Community Nursery plays an integral role in delivering Council's social and environmental commitments. The Nursery is a hub for community engagement with residents, volunteers and Council staff participating in sustainability activities including the propagation of native plants and bush regeneration. On average, 532 volunteers attend the Nursery each year and hosts a minimum of 10 environmental workshops each year.

Since the establishment of the Nursery in 2005, a total of 281,390 native plants were propagated by volunteers and staff for various Council programs. The Nursery is crucial for the remediation of creek and coastal zones, the revegetation of habitat corridors on private and public land and the regeneration of bushland reserves including Ecologically Endangered Communities.

Increasing the abundance and diversity of native vegetation supports resilient ecosystem services, improving water and air quality for residents whilst providing critical habitat for vulnerable fauna. The operation of the Lane Cove Community Nursery is therefore a key Council asset in conserving local biodiversity across the entire LGA and not localised to the site's location.

Council raises significant concerns regarding adverse impacts resulting from development which could affect the viability and productivity of the Nursery, including changes to microclimates. Further information is to be provided to confirm that the existing operations / productivity of the Nursery would not be adversely impacted through the proposed general functions of the Data Centre (anthropogenic heat) based on current setbacks and materiality, and the location of the proposed substation adjacent to the eastern boundary of the subject site. Council considers that deep soil and native landscape areas (with controlled mature canopy heights) would be a more appropriate treatment along this boundary.

Construction impacts have not been adequately considered relating to the impacts of construction dust on the continued productivity of the Nursery. Construction dust may adversely impact the growth rates of plants causing stunted plant growth or plant failure. Construction dust particles prevent photosynthesis and clog stomata (the tiny pores on leaves) which limits carbon dioxide uptake and gas exchange, further reducing photosynthetic efficiency. Over time this leads to failed plants, slower growth, poorer plant health, and reduced yield, especially for young or sensitive nursery plants.

The proposed development should not be supported as the potential construction and heat impacts on Council's Nursery have not been adequately addressed or presented. It is unclear if any considered protection is proposed or whether there are design amendments required to ensure the continued operation of Council's Nursery. Whilst Council does not support the proposed development, the dust mitigation condition provided below should be imposed if the Department is of a mind to support the SSDA.

The Applicant has commenced VPA discussion with Council's Manager of Commercial Operations regarding upgrading the facilities of the nursery. Extensive Shadow diagrams dated 25 / 09 / 2025 were provided to Council to confirm that the growing windows and operation / efficiency of the Nursery would not be adversely impacted in terms of solar access, refer to **Figure 28** below. The finding was in terms of the solar window provided to the plants (beyond what is originally considered for solar access between 9am – 3pm) that whilst there would be increased impacts to Zone A, there would be increased solar access within Zone B and Zone C. This is resultant from the

solar gap provided between the data hall and substation. This design has been retained and as confirmed by the shadow diagrams provided for the SSDA, refer to **Figure 29** below.

Council would not accept any reduction in the productivity of the Nursery and any amendments which remove this gap and associated increased solar window would not be supported.

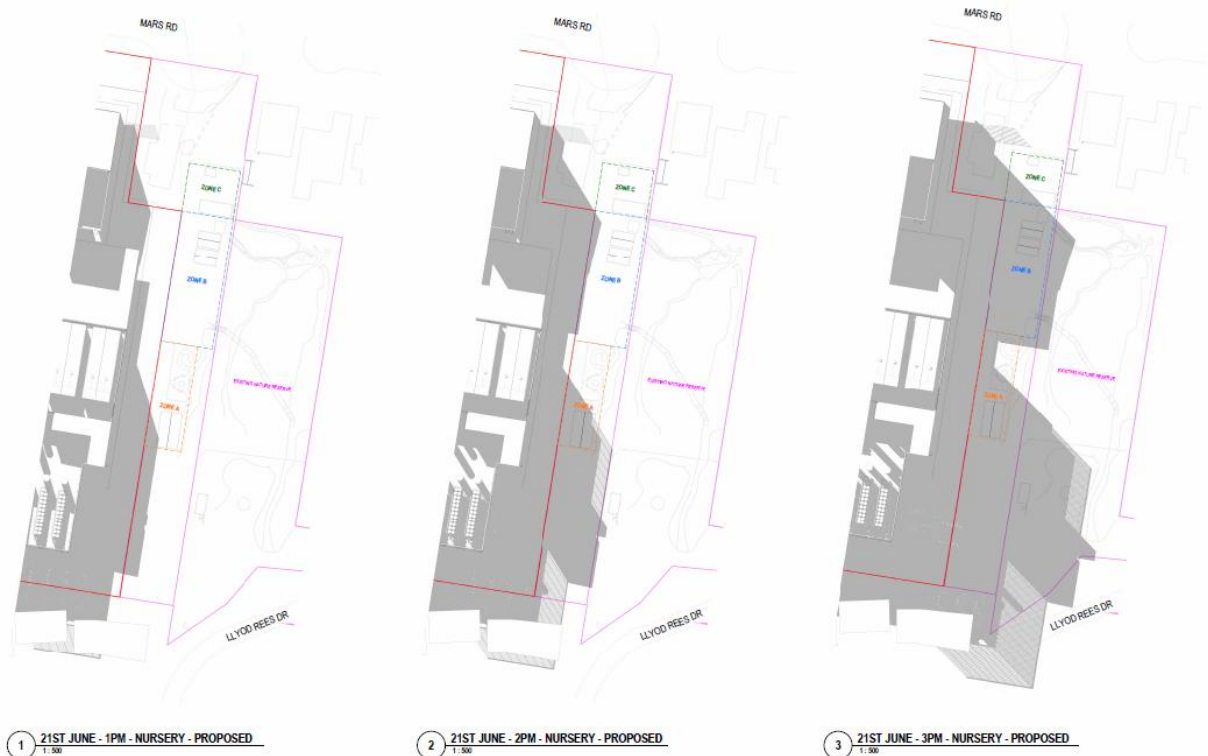


Figure 28: Solar diagrams provided prior to lodgement for the consideration on the Nursery's productivity (Source: Applicant.

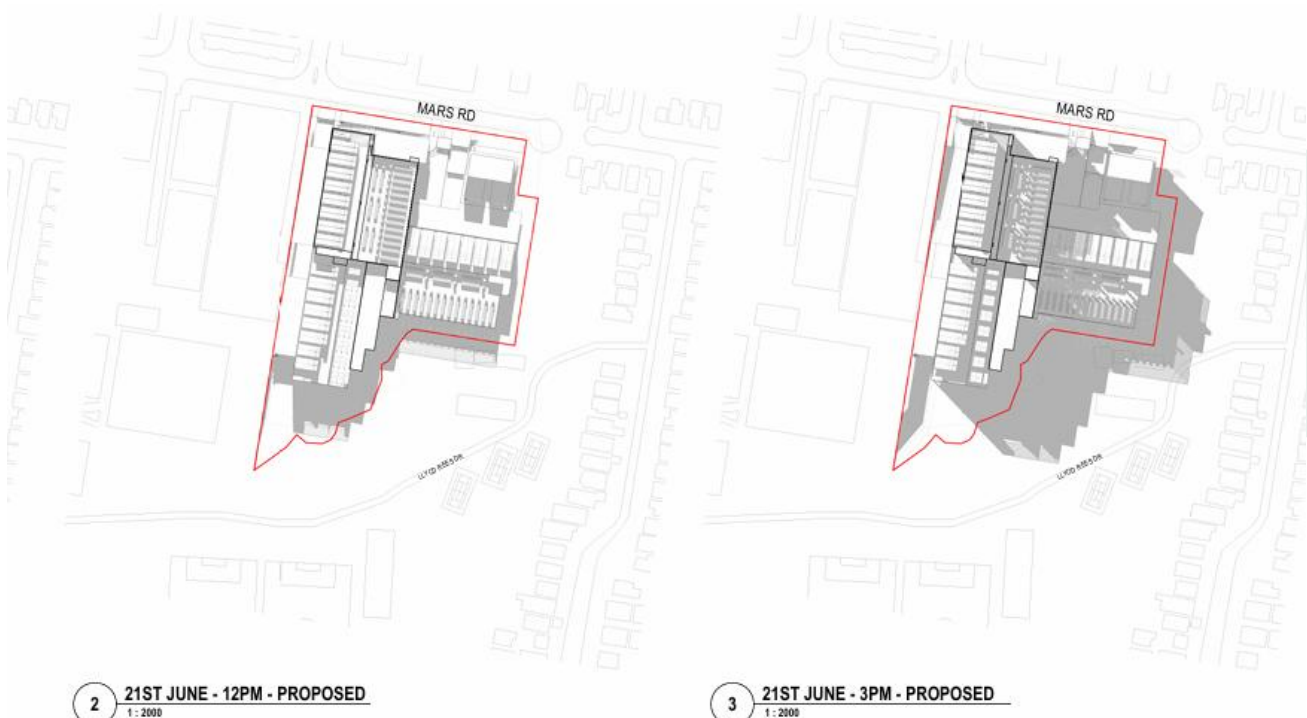


Figure 29: Shadow diagrams which accompany the EIS (Source: Architectural Plans)

6. Bushland

Environmental Protection

The property adjoins C2 Environmental Conservation zoned land (Bushland and Council's Community Nursery) to the east and south of the site, refer to **Figure 30** below. The vegetation community consists of Coastal Enriched Sandstone Sheltered Forest.

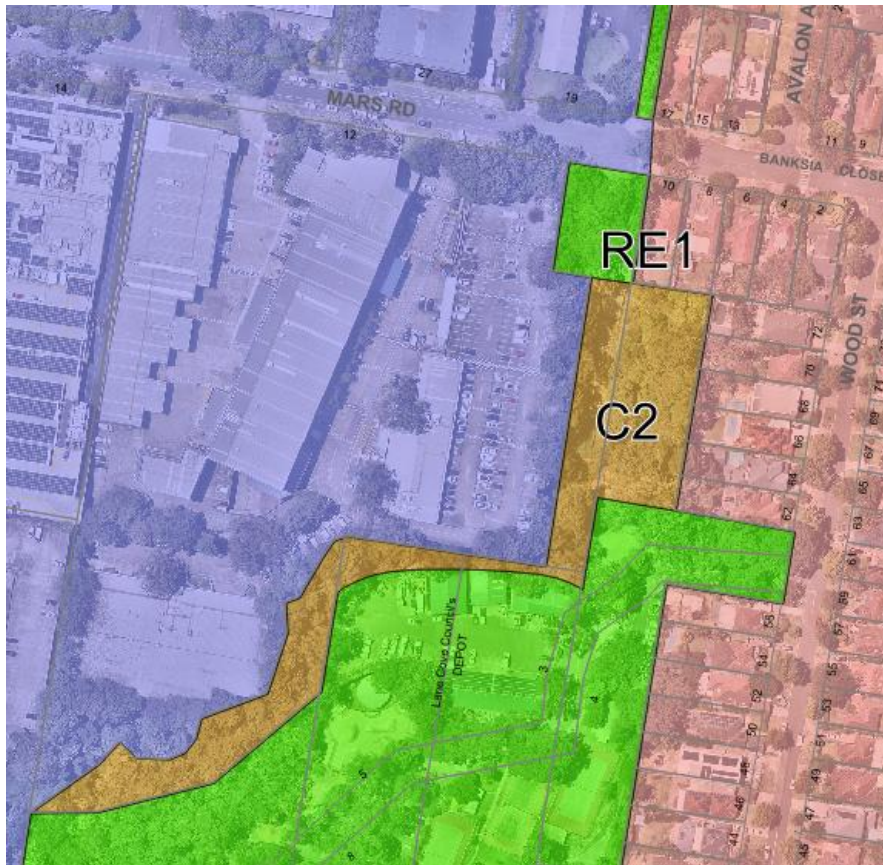


Figure 30: Site is adjacent to bushland (C2) on eastern and southern boundaries (Source: LEP Mapping)

Native Vegetation - Biodiversity values map / BDAR

Council has reviewed the Arborist report by ArborSafe which identifies 90 trees for removal. Council does not support the removal of the *Elaeocarpus reticulatus*, *Angophora costata*, *Casuarina cunninghamiana*, *Eucalyptus pilularis*, *Eucalyptus micorcorys*, *Casuarina glauca* and *Eucalyptus pilularis*, as these trees complement and add to the ecological features of the surrounding bushland.

Council has reviewed the BDAR provided by SLR which recommends 3 biodiversity credits in lieu of the removal of 0.1ha of native forest species. This area is identified as foraging habitat for the Large-eared Pied Bat. Council does not support the removal of this habitat.

If the Department is of a mind to support the removal of this habitat Council recommends that these biodiversity credits be offset in proximity to the site, such as within the Council Nursery or Blackman Park, to support local fauna movement and ensure the continued availability of foraging habitat within the immediate area.

Stormwater

Council has reviewed the stormwater report management plan prepared by Goodman Pty Ltd. Council currently captures the roof water runoff collected on the existing lower buildings roof (approx. 3,000sqm) which is diverted into Council's 160,000-litre water storage tank located near the Council works depot, refer to **Figure 31** below.

The rainwater harvested from this roof is critical in ensuring the natural turf fields at Blackman Oval are maintained in an environmentally sustainable way. Council requests that stormwater runoff collected from proposed roof areas be diverted into this tank.

Council notes that there is a 50kL tank proposed to harvest water for the proposed landscaped areas. Council would be satisfied where the Applicants 50kL tank is filled and all overflow is then diverted into Council's tank.

This enables the continued sustainable and environmental beneficial irrigation of Blackman Park Oval. This also ensures that the adjoining bushland is not adversely affected by increased runoff volumes or erosion that could result from uncontrolled stormwater discharge.

All other stormwater runoff should be directed to the existing stormwater drainage pits and must not be discharged directly onto or adjacent to bushland areas, in order to prevent adverse impacts on surrounding vegetation and sensitive ecological areas.

Where stormwater discharge towards bushland is unavoidable, it must occur within the property boundary and be managed using a Council-approved stormwater spreader system or equivalent, to ensure flows are appropriately diffused and erosion risks minimised.



Figure 31: Stormwater to be diverted to the 160,000L tank circled in red (Source: Council GIS System)

Erosion and Sediment Control Protection

During construction of the AirTrunk Data Centre at the 1 Appollo Place, inadequate sediment controls resulted in a major overflow of sediment into the adjacent endangered saltmarsh ecological community, causing significant ecological damage and necessitating an extensive, costly, and prolonged remediation effort.

Following this event Council updated the DCP Erosion and Sediment Control {ESC} requirements for sites which adjoin bushland. The implementation of these controls are critical in protecting Council's sensitive environments of which the site adjoins Bushland and Riparian Land. Sediment runoff is a preventable construction risk. Robust, well maintained, and proactively managed sediment controls—installed prior to earthworks and designed for worst case conditions are essential in ensuring compliance and environmental protection.

The ESC is to be updated in order to confirm the following adequate protection:

1. The use of 2500mm or 2400mm long metal star pickets hammered into the ground 500mm deep (leaving 2000mm above ground) with 1000mm centres (spacing between each star picket).
2. Metal wire threaded through each star picket to assist in taking the sediment load between the centers.
3. Use of self-supporting geo textile semi permeable fabric allowing water to pass through but catching sediment.
4. Geo textile semi permeable fabric to be installed 300mm deep into the ground and 1500mm above ground attached to star pickets and wire.
5. A secondary sediment fence to be installed following the specifications as above 2000mm behind the first fence creating a secondary barrier.
6. Installation of several silt basins where allowable in front of the 2 sediment barriers allowing water and sediment to pool and for sediment to settle at the bottom. Clean water (free of sediment and particulates) to be pumped into stormwater drainage. The silt basin will act as the first line of defence to sediment overflow, the two silt barriers will act as second and third line of defence.
7. Recommended that the pooled water in the silt basins be flocculated to increase rate of sediment settling before pumping out clean water.
8. Sediment in the silt basins are to be cleaned out on a regular basis.
9. Both sediment fences and silt basins are to be entirely within the development site. These structures are not to encroach into public open space or bushland.

Lighting

Light spill impacts on the Bushland are exacerbated by the non-compliant height. Outdoor lighting should be minimised to protect wildlife by preserving natural darkness, which animals rely on to feed, breed, and move safely. Where lighting is necessary, low-intensity red or amber lighting should be used in preference to white light, as these wavelengths are less disruptive to nocturnal fauna. White lighting must not be directed into surrounding bushland and should be strictly limited to downward-facing, fully shielded fixtures to prevent light spill and habitat disturbance. Excessive or poorly directed artificial lighting can disrupt natural behaviours, fragment habitat, and place additional stress on wildlife; therefore, careful lighting design and restraint are essential to minimise ecological impact while maintaining site safety. This is of particular concern given the prominence of the Large-eared Pied Bat identified.

7. Landscaping Consideration

The landscaped species list is to be amended to contain only native species as the site adjoins the Bushland area. Exotic plants are problematic in bushland because their seeds and rhizomes can escape into natural areas and spread prolifically, outcompeting native species and disrupting local ecosystems.

Council recommends that the *E. mannifera* (Brittle Gum/Red spotted gum) is replaced with *E. punctata* (Grey Gum) in the tree planting plan.

The Applicant is to commit to a long-term landscape and canopy management plan, to ensure trees survive, grow and reach maturity.

The Applicant is to ensure that the delivery of required infrastructure and services are provided/installed in a responsible manner with minimal tree and root disturbance to any trees that may conflict with the desired path of the services to be installed.

The Applicant is to consider reducing the width of the proposed “Concrete Paved Clearance Zone” and the “Secure Service Entry” (Oculus Landscape Report pg. 19) and providing more areas for deep soil planting and tree canopy.

8. Environmental Health

Operational Acoustic Assessment

The proposed development should not be supported as the Noise and Vibration Assessment {NVA} provides an inadequate consideration on operational acoustic impacts. The report states that *several assumptions have been made regarding the future tenants and likely sources of Noise.*

In relation to the Mechanical Plant equipment, which Council perceives as capable of imposing the most significant acoustic impacts, the report states on page 33 that: *The exact requirements for all items of mechanical plant would be determined as the project progresses when specifics are known about tenant requirements. Further noise modelling of all items of mechanical plant would be completed during the production of later noise assessments when the selected mechanical plant is known.*

On page 37 of this report, it is stated that *all mechanical plant is indicative and will be reviewed during detailed design once tenant requirements are confirmed.*

Council considers that it is unacceptable to obtain these details and conduct this consideration at a later stage. The subject site is in proximity to sensitive receivers which have not been accurately considered given the assumed details of the proposed development and the potential impacts. Accordingly, the proposed development should not be supported.

An accurate assessment of the proposed impacts should consider the confirmed details of:

- The confirmed substation transformer and its proximity to the residential zone.
- The confirmed air-cooled chiller system, generator exhausts and cooling towers
- The confirmed acoustic Louver Screens, which appear to reflect noise into the higher points of the proposed development along the western boundary and then back toward the low density residential zone.

The NVA fails to adequately consider impacts during the night which may disturb regular sleep patterns. The operation of the above sources of noise have not been listed within Table 30 which identifies potential noise sources. Council raises significant concerns with the operation of a 24 hour facility which includes an assessment based on assumed treatments. Council does not support 24 hours operation unless it can be proven that the proposed acoustic impacts do not cause adverse impacts on peoples sleep and amenity during the night.

The low density zone sits within a valley and along a ridge line, this valley slopes up from the subject site and towards the residential properties. Inadequate consideration has been given to the properties which would be subject to the most significant acoustic impacts. Only 3 properties have been subject to acoustic testing. Further information is required to provide a detailed analysis and the properties identified in **Figure 32** below should be included in acoustic testing. This should include testing locations at each individual dwelling house as the ridgeline and valley varies throughout this area.



Figure 32: Extensive acoustic testing is required for the properties indicated in yellow
(Source: Nearmaps)

Construction Noise and Vibration

The Construction Noise and Vibration Assessment provided confirm that Council's Nursery (along with other Council facilities and a residential development) are located within the *Minimum Working Distance* and likely subject to *Cosmetic Damage*. This is of particular concern where the proposal includes excavation which is considered to be unreasonable, and where the extent of impacts have not been fully considered as previously discussed. The Department must be satisfied that it is safe

for people to work within Council's facilities, use Public Infrastructure and live in their homes whilst construction works are undertaken.

Whilst Council does not support the proposed excavation due to impacts, non-prejudice conditions are recommended in order to mitigate to the fullest extent unreasonable construction impacts. These relate to the sensitive environmental areas, the residential receivers within proximity to the site and potential adverse impacts on the productivity of the nursery:

- The productivity of Council's Nursery would be detrimentally impacted if not adequately protected during construction, as detailed above.
- The residential properties located east of the subject site require adequate protection from construction dust.

The following conditions result from a Council resolution for significant developments within Lane Cove. These plans seek to mitigate and record construction impacts. Council recommends that the following documents are provided to ensure they can be appropriately considered during the assessment stage and appropriately conditioned for compliance for the demolition and construction process.

A. Dust Monitoring Plan

A Dust Monitoring Plan is to be provided which includes, but not be limited to, the locations of dust monitoring devices on all boundaries or at appropriate location of the site so as to record, at half an hour intervals, dust levels and composition of dust during the course of construction. Regard is to be given to the C2 Bushland area at the rear of the development. A condition of consent would be recommended which would require that this information is to be reported to Council during the construction phase of the development.

B. Noise Monitoring Plan

A Noise Monitoring Plan is to be provided which includes, but not be limited to, the locations of noise monitoring devices on all boundaries or at appropriate locations of the site so as to record, at half an hour intervals, noise levels during the course of construction. A condition of consent would be recommended which would require that this information is to be reported to Council during the construction phase of the development.

C. Trades Personal Parking and logistics plan

Parking within the Lane Cove industrial area is a reported concern. A Trades Personal Parking and logistics plan is to be provided which details the provisions of parking on site for construction workers to reduce the strain on local kerb side parking. A condition of consent would be recommended which would require that this information is to be reported to Council during the construction phase of the development.

A plan should be provided confirming additional water cannons along the southern and eastern boundary to mitigate dust impacts through construction. Several cannons should be located along these frontages, due to the highly sensitive nature of the nursery and the potential threats to its productivity. A plan confirming these details should be provided for assessment prior to any determination.

Impacts of Construction Noise and Dust – Saturday Respite for Environment and Sport facilities

The subject site is located in proximity to Blackman Oval which hosts multiple sporting clubs every week. Saturday morning is the peak time for all these clubs who have expressed concerns with

construction impacts affecting attendance and registration numbers, which has not been adequately considered in the *Social Impact Assessment – Appendix JJ*.

The Preliminary Construction Traffic Management Plan proposes the following hours of operation:

- Monday to Friday (other than Public Holidays): 7:00am to 6:00pm
- Saturday: 8:00am to 1:00pm
- Sunday and Public Holidays: No works to be undertaken.

The proposed construction of the development is forecasted to go for multiple years. Adverse noise and dust impacts place a significant impost on the sporting facilities and the local residents which use these facilities. A Saturday respite period should be provided in accordance with Council's following non-prejudice condition to protect this area and the existing amenity for its users. A consistent use of this condition protects against the accumulative construction impacts, if not consistently applied this undermines the success of Council condition.

Council's condition seeks to limit High Noise Generating Works through a lunch time respite period and on Saturdays to provide reasonable respite on weekends.

E.1.B - Hours of Work – Significant Development

All demolition, building construction work, including earthworks, deliveries of building materials to and from the site to be restricted as follows:-

Monday to Friday (inclusive) 7am to 5.30pm

High noise generating activities, including rock breaking and saw cutting be restricted between 8am to 5.00pm with a respite period between 12.00 noon to 1.30pm Monday to Friday

Saturday 8am to 12 noon

With NO high noise generating activities, including excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving to be undertaken. Failure to fully comply will result in the issue of a breach of consent P.I.N.

A Notice/Sign showing permitted working hours and types of work permitted during those hours, including the applicant's phone number, project manager or site foreman, shall be displayed at the front of the site.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Reason: To protect the amenity of the surrounding area.

9. Traffic Impacts

Construction Parking Impacts

The subject site is within proximity to the R2 Low Density Zone which is currently characterised by low density suburban streets with minimal parking opportunities. Of particular note is the parking stress around drop off and pick up time at the Lane Cove West Public School. Council raises significant concerns with adverse parking impacts on these quiet suburban roads including:

Alder Avenue, Henley Street, Moore Street, Hallam Avenue, Yethonga Avenue, Currawong Avenue, Eloora Lane, Boyle Lane, Johnston Lane, Beatrice Street, Banksia Close, Avalon Avenue, Wood Street, Cullen Street, Penrose Street, Myee Crescent and Lihon Street.

It should be mandated that no parking on these streets is to occur by any construction staff / trades vehicles throughout the construction processes. The Construction Traffic Management Plan should be updated to reflect this.

Section 8.3.7 addresses Construction Staff Parking and claims that on-site parking is expected to be provided throughout the construction phase of the development. Council accepts that there would be periods such as demolition where this may not be possible. Parking at Blackman Park is identified within the Social Impact Assessment as a key concern from the Sporting Clubs, particularly at key times in the early evening 5pm – 7pm and on Saturday mornings. School groups also utilise these areas when arriving via buses, which are parked over several spots throughout the day.

It should be mandated that no parking at Blackman Park is to occur by any construction staff / trades vehicles throughout any phase of the proposed construction processes. The Construction Traffic Management Plan should be updated to reflect this.

Car parking on site

The proposed development includes 24 car parking spaces (18 for staff and 8 for shift changeovers/visitors). Staff numbers have been compared for several other Data Centres, but the car parking numbers have not been compared. Council requires further detail on the car parking numbers for the various Data Centres in comparison.

Vehicle Access and Access Control

The truck trap for the western access and eastern access has capacity for only 1x 12.5m HRV to queue at the gate. However, the maximum design vehicle utilising the site is a 20m AV. The Applicant is to provide the 20m storage area within their site at the gate entrance so that these large truck queues do not extend onto the public road and footpath.

All vehicles must be able to enter and exit the site in a forward direction and swept paths for the western access are to be shown.

The central access vehicle driveway shall be a maximum 5.5m width as per AS/NZS 2890.1:2004.

The western and eastern vehicle access widths shall be a maximum of 12.5m at the property boundary line as per AS/NZS2890.2:2018. It is unclear what the proposed driveway widths are currently.

2.5m by 2.0m sight triangles shall be provided on all access driveways as per AS/NZS 2890.2:2018 to allow pedestrians on the public footpath to evade a vehicle emerging from an access driveway. Wherever practicable, larger splays should be provided.

Bike facilities

The subject site is located on Mars Road which is a key cycling route in the new draft Lane Cove 10 year bike plan 2026. The bike plan proposes on Mars Road a Quietway with 1.5m dedicated cycling

lanes on both sides of the road. To facilitate this, Council requires road reallocation for the site frontages on-street parking to be removed. The public domain works are to be Approved by Council.

The staff bike parking facilities should be located as close as possible to the primary entry point (central vehicle access and lobby entrance) and subject to security camera surveillance where such security systems exist.

Visitor bike parking must be located in an accessible at-grade location near a major public entrance to the development, preferably undercover, is able to be passively surveyed from the public domain and/or the proposed or adjoining development, well lit to enable adequate night time use and signposted.

Civil Works

The Applicant should liaise with Busways regarding the Bus Stop fronting the site and determine whether a new bus shelter is required to be paid at cost of the developer. Otherwise at minimum the bus stop shall be reconstructed and made DDA compliant. The public domain works are to be Approved by Council.

Council requires 1.8m minimum width footpaths to be constructed as part of public domain works for the site. The public domain works are to be Approved by Council.

10. Part S – Environmental Sustainability

Council has recently updated the Development Control Plan to ensure Council reaches its sustainability targets of achieving net-zero emissions, resilience and health through design and integrated urban water management. These controls assist Lane Cove in contributing positively to State sustainability targets. These matters are of increased importance given the sensitivity of the local area, the scale of the proposed development and its reliance on water and electricity.

The SSDA fails to satisfy the following:

- **2.2 On- site solar** - Data Centres are identified as intensive users of power and the proposed development has not sought to provide any photovoltaic systems. The provision of solar panels is required under Council's DCP and thus Council does not support a design approach where no solar system is proposed. A compliant system should be depicted on the relevant roof plan prior to any determination. The proposed development contains a vacant roof area of 3,023sqm which is a significant opportunity for a solar system which would meaningfully reduce the reliance on electricity used directly from the grid. This area has been depicted in the yellow highlighted sections on **Figure 33** below.

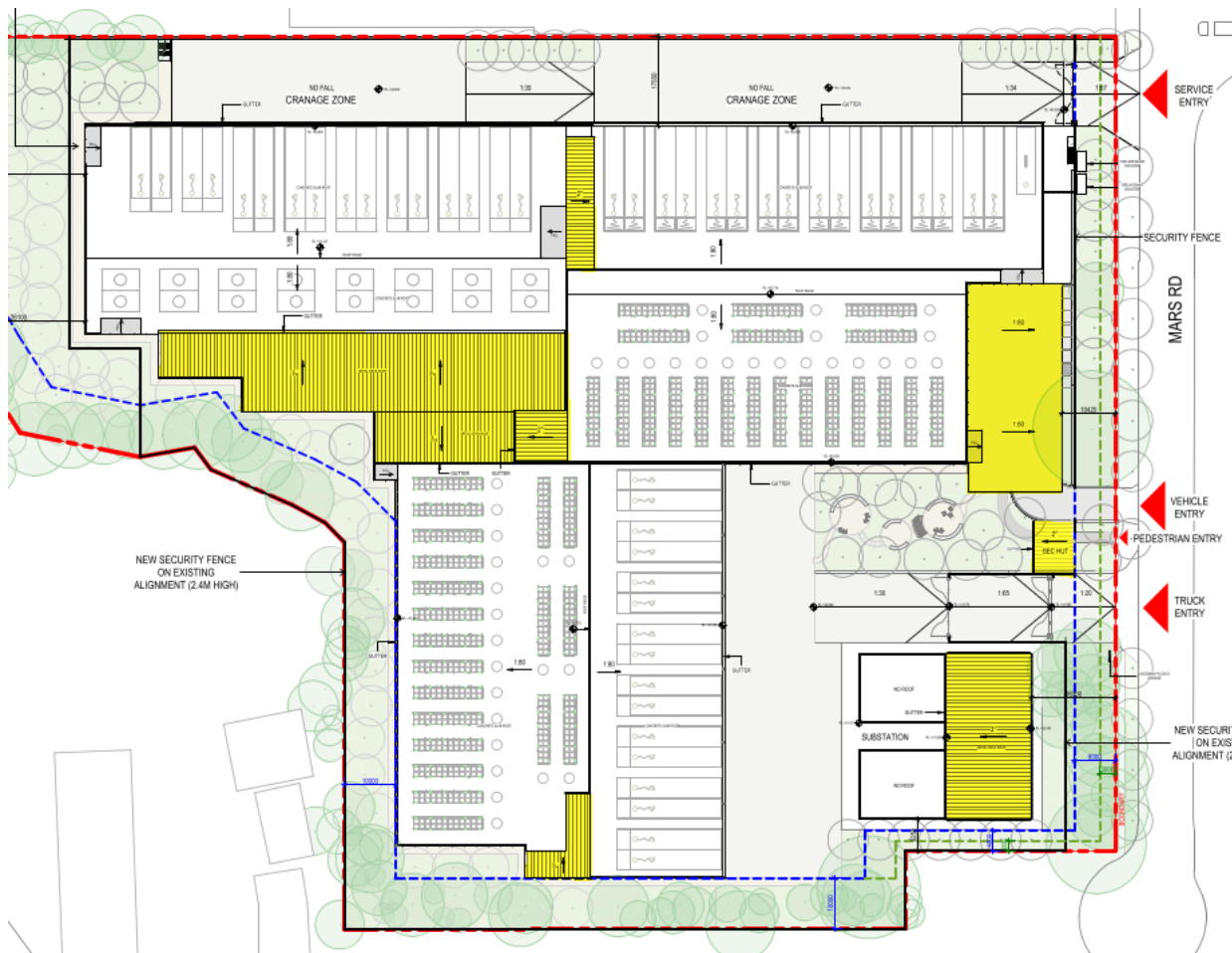


Figure 33: Vacant roof areas (3,023sqm) which should be occupied by solar panels (Source: Roof plan)

- 2.3 Refrigerants** – The proposed development includes extensive cooling systems which are required for the operation of the Data Centre due to the intense heat generated by the computers in the data halls. The Applicant is to provide a statement committing to the use of sustainable refrigerants in order to obtain Council’s support.
- 3.1 Natural Ventilation** – The proposed development is not supported as it has not sought to optimise natural ventilation. The proposal should be amended to prioritise cross flow ventilation instead of the sole reliance on mechanical / water-based cooling systems (which results in various adverse environmental/sustainability impacts). Large operable shutters / windows should be utilised to promote cross flow ventilation, particularly within the winter and when there are beneficial weather conditions which enable natural cooling. This amendment would result in a positive environmental and sustainability outcome through the reduced reliance on intensive energy and water usage.
- 3.2 Glazing** – Insufficient details have been provided to confirm that the selected materials minimise heat and glare impacts with particular regard to the bushland area and residential areas. This information is to confirm that adverse glare and heat is mitigated. The Applicant should explore the use of green walls (with 100% native species selection given the proximity to the bushland and Nursery) and other living infrastructure where arrangements for long-term maintenance is able to be confirmed.

- **3.3 Urban Heat and Shade** – Council notes that the Urban Heat Island statement identifies Council’s provisions to mitigate the heat island impacts. However no quantifiable assessment has been provided. The document speaks to vegetation and the general utilisation of beneficial colours, however insufficient information has been provided confirming the Solar Reflectivity Index rating of these proposed materials. The Applicant is to provide a plan which confirms these details, and a site plan assessing site coverage and compliance against the relevant provisions listed under this section of Council’s DCP.
- **3.4 Sustainable Materials**, a statement confirming the use and commitment to sustainable materials.

The proposed development should consider the following additional requirements in order to achieve a sustainable construction outcome:

- Fabricated Structural Steelwork
 - Manufactured using an Electric Arc Furnace and/or considered to be a low Embodied Carbon emitting material (kgCO₂e-/tonne)
 - Aligned with Green Star Building v1 6-star requirements
- Steel
 - Manufactured using an Electric Arc Furnace and/or considered to be a low Embodied Carbon emitting material (kgCO₂e-/tonne)
 - Aligned with Green Star Building v1 6-star requirements
- Timber
 - Reused/FSC/AFC/PEFC
 - Preference is for re-used and then FSC or PEFC.
- PVC
 - Best practice PVC
 - Alignment with Green Star Buildings v1 6-star requirements
- Concrete
 - Must be Low Embodied Carbon concrete – use of fly ash or GGBS
- Aluminium
 - Manufactured using renewable energy (hydro, solar) and high recycled content and/or considered to be a low Embodied Carbon emitting material (kgCO₂e-/tonne).
- Paints, Adhesives, Sealants and Carpets
 - Verified Low Volatile Organic Compounds
- Other (including fitout)
 - Environmental Product Declarations for all products where possible
 - GECA certifications
 - Global Green Tag certifications
 - WELS rated tapware, fixtures, and fittings
- **3.5 Design and Construction Impacts**, A Life Cycle Assessment should be provided prior to determination which details how the design and construction impacts have been

minimised. The EIS speaks to future proofing the development for developing technologies within Data Centre operations. This report should detail the tangible sustainability outcomes achieved and how the proposed development can be adapted to utilise these changes in operation.

- **S.4 Integrated Urban Water Management** – The Environmental Impact Statement confirms that the proposed development would include a 50kL rainwater tank utilised for an irrigation system in the proposed landscaped areas. This should also be connected to any toilets and shower facilities to ensure sustainability.

The proposed development has a considerable roof area and a high usage of water for the cooling. Insufficient information has been provided to confirm why a treatment system could not be utilised to reduce the full reliance on water provided from the mains system. The proposed development should prioritise the use of harvested rainwater to reduce environmental impacts and increase sustainability.

Refer to the Bushland Stormwater response for further details relating to Council's rainwater tank.

11. Drought Resilience

Council raises concerns with the proposed developments drought resilience, particularly where Data Centres have a high reliance on water from the mains system. Extensive rainwater tanks and a treatment system should be prioritised to ensure that the proposed development has mitigated environmental impacts. This should consider periods where water restrictions and allocations are present.

12. Reduction in the density of employment land

The proposed development should not be supported due to adverse impacts on local employment opportunities. While the Data Centres are identified by the World Economic Forum as a significant driver of business investment and GDP growth, the development of the Data Centre in industrial lands raises significant concerns regarding employment outcomes. Data Centres reduce employment capacity in industrial lands and have the potential to displace existing activities that currently support higher levels of employment.

The table provided below in **Figure 34** illustrates sampled precincts and current Data Centre proposals, on a per hectare basis there are a higher number of jobs accommodated by existing employment precincts and land uses compared to Data Centres. This indicates a notable reduction in employment density which would impact local economic productivity and limit job opportunities within the area.

Estimate of employment generated from data centres and other employment land

Land use	Approx. average operational jobs per hectare
Data centres (based on current SSD proposals) ¹	26

Employment land precincts in Greater Sydney (without existing data centres)	46
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Figure 34: Employment Opportunities (Source: SGS Economics and Planning 2026)

The Draft Sydney Plan, includes under the theme of ‘Prosperous,’ a priority of “Increasing the number of jobs in the region will promote economic growth, improve people’s lives and help to provide equitable access to employment opportunities.” The proposed construction of a Data Centre contradicts the objectives of the Sydney Plan in terms of increasing employment in the Lane Cove Local Government Area.

13. Deisel Fumes

Council raises concerns with the significant back up diesel fume generators. The operational fumes generated from this system have an adverse impact on the local sensitive environment. The proposed development should consider a photovoltaic system with adequate storage batteries to provide an alternate which does not impose adverse environment impacts and safety risks.

14. Section 7.11 – Local Infrastructure Contribution

The Lane Cove Development Contributions Plan requires a contribution on a square metre rate for industrial development. The current contribution rate can be found in Council’s Fees and Charges (\$53.93 per m² – 2025/2026). This payment should be made prior to the issue of the first Construction Certificate.

15. Non-prejudice conditions

Council does not support the proposed development for the reasons given above. In the instance that the Department approves the SSDA, this should be subject to the recommended non-prejudice conditions provided. A supplementary document will be provided containing Council’s recommended non-prejudice conditions. These conditions seek to mitigate adverse amenity impacts and maintain consistency with Council’s standard conditions to protect the amenity of Lane Cove.

16. Public Interest

The proposed development has gathered considerable interest within the public. A public petition has already gained over 800 response against the proposed development:

<https://www.change.org/p/oppose-the-development-of-a-new-data-centre-at-12-mars-rd-lane-cove>

These submissions should be considered by the Department and responded to by the Applicant. Some of the matters raised in the petition include the following:

"This level of infrastructure is not safe or appropriate so close to residential living, schools and multiple community organisations that operate in the community facilities at Blackman Park."

"This development is directly adjoining residential and sporting facilities. It will run 24/7 emitting constant noise and pollution. It will take almost 3 years to construct and tens of thousands of tons of

concrete and rock will need excavation creating extensive noise impacts on people and wildlife, not to mention the usage of water, electricity and diesel."

"I live about 6 meters away from the proposed site and can't help but worry about the health hazards, we have a small child and moved here thinking it would be lovely to be around nature. So this is deeply concerning and disappointing"

"This is not the right location for a data centre. It is proposed to be right next door to a community garden centre and will impact a wildlife corridor that goes from an alley way behind houses down to Blackman Park. We need to preserve our natural habitats."

"This proposed development is in the wrong location. It's surrounded by residential property, major sporting fields and bushland amenity, and hence would effectively be operating in a residential, bushland and community area."

"These centres often have a terrible effect on the local ecosystem. Noise and vibration disperse sensitive animal populations and it's irresponsible to build this relatively near the river and near the national park."

"I am concerned about further adverse impact of the Data Centre's contribution to the existing problems on increasingly frequent electricity grid outages and water supply outages to the businesses and residents in Lane Cove! These present safety, health and legal risks which are not being addressed."

"As a local resident and parent, I am deeply concerned about placing a large industrial facility directly next to homes, a school and Blackman Park. The scale of this development and the loss of trees will have lasting impacts on our community. I ask that decision makers carefully reconsider this proposal."

"This is definitely not the right location for a data centre. It is proposed to be right in the heart of a residential area, and a very popular park for the community. The impact will be absolutely huge. Unfortunately we are already experiencing all the terrible impact from Apollo 1 data centre, it's been years in construction. The noise the disruption is so disruptive."

"Data Centres are important but not at the expense of everything else. Why so close to residents and parks? There is nothing in it for the local community. And the community is not getting a say."

"Data Centres are a new necessary infrastructure, however I feel that they are an unknown in terms of public health. Aside from disrupting the many small businesses already operating on the site to build a building that will eventually employ far fewer people, LCW industrial area already has a data centre, with a few others in close proximity. The proposed facility will sit adjacent and above very popular sporting and recreation fields, very near the public school, adjoins residential dwellings, and directly under a flight path. With the constant noise and heat levels, and unknown impacts of the data facility, I don't think it's location is ideal."

These comments along with the proposed developments failure to satisfy the requirements listed above illustrate how the proposed development is not considered to be within the Public Interest.

Andrew Bland
Senior Town Planner

