

ATTACHMENT 1

City of Ryde Submission to RTS

**NEXTDC S5 Data Centre and
Innovation Hub at 269 Lane Cove Road,
Macquarie Park
SSD-63168959**

**Submission Date: 11 December 2025
Council Reference: COR2023/160/3**

EXECUTIVE SUMMARY

Introduction

Thank you for inviting City of Ryde Council to comment on the applicants RTS with respect of the proposed Data Centre and innovation Hub State Significant Development (SSD) Application for the NEXTDC S5 at 269 Lane Cove Road, Macquarie Park SSD-63168959.

The revised SSD Application seeks approval for the redevelopment of 269 Lane Cove Road, Macquarie Park for the purposes of NextDC's S5 Data Centre. The amended description is provided as follows:

- Site preparation works including demolition and removal of existing structures, tree removal and bulk earthworks.
- Staged construction and operation of two connected data centre buildings (Building A and Building B), with a maximum height of 65 metres and a combined total gross floor area (GFA) of 47,285m² comprising 33,142m² of technical data hall floor space and 14,143m² of office, retail and innovation hub floor space.
 - Building A will be delivered in Stage 1 and comprise the following:
 - Basement parking for 51 car spaces including four accessible spaces and 10 EV spaces
 - Seven storeys of technical data floor space accommodating seven data houses: 16,571m²
 - Utilities including diesel generators (3MWe), above-ground water tanks for industrial water (600kL each), above-ground diesel storage tanks (100kL each) and an aboveground water tank for fire water (400kL each).
 - On-site recycled (blackwater) treatment plant.
 - Business identification signage facing Waterloo Road and Lane Cove Road.
 - Integrated 'Building O' component within Building A, comprising:
 - Two retail tenancies at ground level: 326m²
 - Lobby and innovation hub including auditorium and training rooms: 3,186m²
 - NEXTDC and ancillary office floor space on upper levels: 10,631m²
 - Building B will be delivered in Stage 2 and will comprise the following:
 - Seven storeys of technical data floor space accommodating seven data halls: 16,571m²
 - Utilities including diesel generators (3MWe), above-ground water tanks for industrial water (600kL each), above-ground diesel storage tanks (100kL each) and an aboveground water tank for fire water (400kL each).
 - Business identification signage on the western and southern building facades.
 - Landscaping across the site in accordance with the Project staging, delivering a mix of native and endemic plant species, shrubs and grasses, including 139 additional trees within 4,959m² deep soil and a resultant tree canopy cover of 5,707m²
- Staged delivery of public domain works including:
 - Stage 1: construction and dedication of Road 13 and urban plaza between Building A and Waterloo Road.
 - Stage 2: construction and dedication of Road 6 (half-width) and provision for a future pedestrian/cycle overbridge (to be delivered by others) and works along Lane Cove Road.
- Delivery of 90 megawatts of power with a 33kV switching station to be accommodated

on site, as well as other site services, including stormwater infrastructure.

Council acknowledges the effort the applicant and project team has put into the revised proposal, since Council's EIS submission dated 30 August 2025. Since Council's EIS submission, the applicant has reached out to Council staff and undertaken several engagement sessions on Council's key issues raised in its submission. Council as a key stakeholder appreciates the detailed and considered engagement the applicant has undertaken.

The revised application submitted to DPHI has been significantly amended to respond to Council's (and others) EIS submission. In consideration of the amended application, there are several outstanding matters to be addressed. Where appropriate Council has prepared a draft condition to address these matters. Council provides it **Comment** on the application.

This submission provides high level additional comments for the applicant's attention. It's expected this additional information can be provided by the applicant to DPHI prior to determination. Council staff will be preparing its recommended draft conditions for DPHI and will be issuing them separately.

Council Comments

1. Engagement with Council

The Applicant and Council have undertaken detailed engagement since the EIS post exhibition. Whilst not all matters have been resolved, Council has considered the applicants response to Council's key issues and is generally supportive of the applicant's response.

Council thanks the applicant and their consultants for their engagement and detailed consideration of Council's key concerns.

2. High level RTS Response

Council notes that the amended application is different when compared to the EIS previously submitted.

Several of Council's issues raised in its previous submission have been satisfactorily addressed by the applicant. Council's comments to the applicants RTS is provided in the below table:

Council EIS Comment	Applicant Response	Closing Comment
1. Strategic Planning Inconsistency	The Applicant has outlined the application benefits from the savings provisions gazetted with the Macquarie Park rezoning to enable to application be assessed under the EPI in force when the application was made.	Matter Resolved. It's noted that savings provisions enable the land use to continue although the land use is inconsistent with the strategic vision and outcomes for the site. DPHI will need to be satisfied of this matter.
2. Use of 6.9 and Voluntary Planning Agreement	The Applicant has submitted a draft letter of offer to Council.	Matter requires further discussion with Council before resolution. Council thanks the applicant for their draft letter off offer. Council has considered their offer and seeks additional information to assist calculate the offers contribution. For the applicant to utilise the incentive provisions the engagement of a planning agreement is required. Should no agreement be reached, Council seeks that DPHI impose a deferred commencement condition regarding this matter.
3. Urban Design Outcome	The applicant has consolidated the built form through the removal of	Matter Resolved

Council EIS Comment	Applicant Response	Closing Comment
	road 5 and reduced the overall bulk and scale of the development.	DPHI to further consider in the determination of this application.
4. Strategic Transport	Applicant provided additional information to satisfy Council	Matter Resolved.
5. Economic Impact	Additional information provided regarding the data centres employment opportunities around the office spaces.	Matter resolved.
6. Landscaping and Arboricultural	Retention of additional landscaping along Lane Cove Road	Matter resolved via condition.
7. Development Engineering	Applicant provided additional information to satisfy Council	Matter Resolved. Condition recommended.
8. Sustainability, Resilience and Engagement	Applicant provided additional information to satisfy Council	Matter Resolved.
9. Traffic	Applicant provided additional information to satisfy Council	Matter Resolved.
10. Public Domain	Applicant provided additional information to satisfy Council	Matter Resolved.

Table 1: Summary of Council EIS Submission & Applicants RTS Response.

Council staff are supportive of the Application, subject to a conditional consent that addresses the remaining concerns. Council will provide its recommended conditions at a later date.

Notwithstanding Council's comments on the individual merits of the subject application, it should be noted by DPHI that Council has strongly been opposed to the development of a data centre at a location above a metro station which undermines the premise of the Transport Oriented Development (TOD) proposed by the NSW Government to try and resolve the housing shortfall.

The proposed data centre does not align with the type of land uses suited for this location being a prominent site immediately next to the metro station, that is better suited for retail, residential or high employment generating development. The proposal will not maximise the number of people directly employed on the site and result in the underutilization of the available transport, communications and utility infrastructure which has been provided by government and utility providers at considerable cost. There are already numerous data centres located in the vicinity, which are detracting from the original intent of the area.

3. Contributions and Planning Agreement

a. Planning Agreement

Council notes that the applicant has provided a letter of offer regarding use of Clause 6.9 for incentive development provisions. Whilst Council appreciates a letter of offer is provided, Council has previously issued a Request for Information (RFI) regarding their proposed letter of offer.

The RtS has not provided sufficient information to assess the impact on access network and recreation infrastructure within the precinct and therefore does not satisfy clause 6.9 of the Ryde LEP. Notwithstanding this point, Council is willing to further engage and resolve these issues.

The infrastructure requirements in clause 6.9 are assessed and delivered via the Macquarie Park incentive scheme. The scheme requires the calculation of a monetary contribution which is used to

deliver the identified access network and recreation infrastructure throughout the precinct. The monetary contribution can be offset by the value of infrastructure to be directly delivered on site. Until information is provided to allow a full calculation of the required incentive monetary contribution including all applicable offsets, the consent authority cannot be satisfied that the requirements of clause 6.9 have been addressed.

Approval of the application without this assessment will result in a shortfall in contributions necessary to deliver the required access network and recreation infrastructure. This will adversely impact the Macquarie Park precinct to the detriment of all other landowners and future residents. This is not orderly development of land and is contrary to the consistent application of clause 6.9 since 2015 and the Macquarie Park Infrastructure Delivery Plan 2025, prepared and finalised by DPHI on 27 November 2024.

Additional Information Requested

The applicant must provide the following additional information to allow calculation of the applicable incentive monetary contribution:

- Calculation of the proposed quantum of GFA seeking to utilise the incentive height provisions, and
- A quantity surveyor report for the construction of the plaza, Road 6, and Road 13.

Following receipt of this information, if it is determined that the value of the infrastructure to be delivered on site fully offsets the incentive monetary contribution, the infrastructure can be delivered via conditions of consent. However, if the value of Road 6, Road 13 and the plaza do not fully offset the required incentive monetary contribution, a planning agreement will be required to facilitate payment of any residual contribution.

This additional information should be provided as soon as possible to ensure that appropriate conditions can be imposed should a planning agreement not be required.

Alternatively, should the applicant not provide the requested information, Council seeks that the additional information must be required as a **deferred commencement condition** to ensure that the infrastructure requirements of 6.9 are suitably addressed prior to the consent becoming operational. Should the applicant not provide this information, Council will provide a recommended conditions on this matter.

Macquarie Park Incentive Scheme

Council notes the applicant's response suggesting that there is no requirement for a VPA to unlock the incentive provisions. Council provides the below information to DPHI to assist them understand the incentive mechanisms and how they are applied in Macquarie Park.

The incentive scheme has been consistently applied in Macquarie Park since 2015. The scheme provides a voluntary mechanism to deliver the fine grain road network and recreation areas across the precinct in return for access to increased height and floorspace provisions. The scheme is well established and is similar to other approaches implemented in City of Sydney (Green Square) and Lane Cove Council (St Leonards South precinct).

The Macquarie Park Strategic Infrastructure and Services Assessment (Greater Cities Commission, September 2022) and the NSW Government's recent rezoning (gazetted on 27 November 2024) recognise the importance of the continued operation of the incentive scheme. The Macquarie Park Infrastructure Delivery Plan 2024 (prepared and finalised by DPHI) states:

"sites across the precinct not nominated as key sites are also expected to continue to

contribute to the open space and access network under the broad-based incentive clause”.

The report also states that the incentive contribution commitments are to be formalised through a planning agreement between the developer and Council. The scheme is underpinned by the initial identification and costing of access network and recreation infrastructure required to support the increased development across the precinct.

These costs are presented in a contribution rate in the adopted Ryde Fees and Charges 2025/26 (currently \$500m2 of incentive floorspace to be utilised). This rate allows for the payment of a monetary contribution which can be (partly or fully) offset by the value of infrastructure directly delivered on site. The monetary contribution ensures that the infrastructure costs and the benefits of the incentive uplift are shared across all landowners in the precinct and that individual sites are not unfairly burdened by the location of required access network and recreation infrastructure.

The first step of the incentive scheme requires an assessment of the extent of the incentive height and floorspace provisions that are sought to be utilised to calculate the applicable incentive monetary contribution. For the subject site, the monetary contribution is calculated based on the quantum of GFA that seeks to utilise the incentive height provisions. This cannot be calculated based on the information provided in the application. Without this information it is impossible to determine the required incentive monetary contribution, and therefore whether the value of proposed infrastructure fully, or only partially, offsets this contribution. The mechanism to facilitate the payment of any remaining incentive monetary contribution is a planning agreement.

Clause 6.9 requires a full assessment of the application’s impact on the delivery of access network and recreation infrastructure across the precinct. Approving the application without this assessment risks the omission of applicable monetary contributions which will result in adverse impacts on the delivery of this infrastructure across the precinct.

Draft Offer to Enter a Planning Agreement

The EIS (dated 9 July 2024) and subsequent correspondence from the applicant (dated 27 November 2024) state the intent for a planning agreement to unlock the incentive planning provisions under clause 6.9. This approach was supported in Council’s submission to DPHI (dated 30 August 2024). Council reiterated this advice on 5 December 2024 and 18 September 2025 and encouraged the early submission of an offer to ensure timely assessment concurrently with DPHI’s assessment of the application.

On 25 September 2025, Council received an offer to enter into a planning agreement. The offer is inconsistent with the methodology used to calculate the monetary incentive contribution under the Macquarie Park incentive scheme. Specifically, the offer does not correctly identify the extent of the incentive height and FSR provisions that are sought to be utilised and fails to account for the two base FSR provisions applying to the site.

A request for the following additional information was sent to the applicant on 14 October 2025 to enable a full assessment:

- Calculation of the proposed GFA above the base height provisions and identification of the base heights on the sections and elevations.
- A draft plan of subdivision and clarification on the timing and mechanism for the proposed land dedications.
- A cost estimate report for the construction of the plaza, Road 6 and Road 13 to justify the proposed offsets to the incentive monetary contribution.

The requested additional information has not been provided to Council and is not included in the updated documents submitted to DPHI on 24 November 2025. This information is essential to accurately calculate the required incentive monetary contribution. Without it, the consent authority

cannot determine if the application adversely impacts the delivery of the access network and recreation infrastructure within the precinct, and whether clause 6.9 has been satisfied.

Review of Additional Information

The Submission and Amendment Report (dated 21 November 2025) states that the relevant provisions of clause 6.9 can be satisfied via the construction of the plaza, Road 6 and Road 13. The report suggests that the intended road network allotments can be created as exempt development under the SEPP (Exempt and Complying Development Codes) 2008 and dedicated to Council in accordance with section 9 of the Roads Act 1993.

The provision of a planning agreement is voluntary and at the discretion of the applicant. However, the use of the incentive height and FSR provisions is also voluntary and can only be accessed if the requirements of clause 6.9 are satisfied.

The assertion that requirements of clause 6.9 have been satisfied is incorrect and is not supported by Council. Clause 6.9(3)(b) and 6.9(3)(c) allows development to utilise the incentive height and FSR but only if:

- (b) *the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and*
- (c) *the configuration and location of the access network will allow a suitable level of connectivity within the precinct.*

Clause 6.9 requires consideration of the access network and recreation infrastructure across the precinct. The mechanism to demonstrate that this is appropriately addressed is the payment of a monetary contribution under the incentive scheme.

By not providing sufficient information to allow an assessment of the GFA utilising the incentive height provisions, the consent authority cannot be satisfied that the value of the infrastructure to be delivered on site will fully offset the value of the required incentive monetary contribution. Therefore, the application does not satisfy the requirements of clause 6.9.

The approval of this application without a complete assessment and full payment of incentive monetary contributions will adversely impact the delivery of the access network and recreation infrastructure within the Macquarie Park precinct. This is not orderly development of land and is not in the public interest.

If the required additional information identifies that a partial incentive monetary contribution is required, a planning agreement is the only mechanism to facilitate this payment. If no additional monetary contribution is required, the infrastructure to be delivered on site can be secured via conditions of consent requiring the future exempt development subdivision and dedicated under the Roads Act. However, this cannot be determined until the required additional information has been provided and assessed by Council.

If the additional information is not provided ahead of determination of this application, a deferred commencement condition must be imposed to ensure that the infrastructure requirements of the precinct under clause 6.9 are suitably addressed prior to the consent becoming operational. This is essential to ensure that the incentive provisions are only unlocked once the infrastructure impacts have been quantified and addressed via an appropriate mechanism.

It is noted that use of the incentive provision is voluntary and should the applicant choose to apply the incentive provision to their proposal, then the requirements of Clause 6.9 must be satisfied in accordance with the relevant process. Should the applicant not seek the incentive provisions, then they must provide a compliant scheme under the RLEP 2014. Council does not support any variations to the base LEP provisions under Clause 4.6 when the incentive scheme provides the

appropriate pathway.

b. Contributions

Council will be preparing its recommended 7.11 contributions on the application and will issue them separately.

4. Black Water Sewer Mine

a. Land use permissibility

Council notes that the applicant has revised the scheme to include a proposed sewer mine.

It's understood that the applicant proposes a 4 million Litre sewage mining per day, with facility located in the basement of the data centre. This land use is ordinarily prohibited in the E2 zone of the RLEP 2014. It is unclear how the applicants proposed sewer mine can be permissible with consent, unless it is demonstrated to be ancillary to the land use.

Council recommends that detailed justification regarding land use permissibility be provided on any response to satisfy that consent can be granted for the prohibited land use.

b. Material Change to the Application

Council considers that the application can proceed under current SSD process without going through a separate designated DA process. Noting this, the amended application in its current form is unable to be accurately assessed as there is a lack of information provided to accurately demonstrate the sewer mines impacts and that it is suitable for the site.

Council seeks the following information be provided to enable a further assessment:

- Detailed Mitigation Measures associated with the Sewer Mine.
- Site Specific Odour Management Plan
- Site specific Air Quality assessment.
 - It's noted the Revised Air Quality Assessment does not consider the sewer Mine in its assessment.

Council is concerned with the proposed sewer mine and its potential impacts. Whilst the sewer mine serves a broader purpose of enabling water infrastructure on the site its associated impacts require detailed assessment with the revised application not detailing its impacts, consideration of associated mitigation measures or providing clear details of the operation outcomes.

Council remains concerned introducing further prohibited land uses (Data Centres/ Sewer Mines) into the core of the metropolitan centre will generate significant land use conflicts. Council notes that *Appendix T - Revised Infrastructure Requirements Report* is the only documents that provides some information on the proposed sewer mine. Council requests that a further information be provided, but not limited to:

- Potential odour and air quality impacts
- Odour impacts on the public plaza and surrounding residential dwellings
 - Noting the system is proposed adjoining residential dwellings and a proposed Childcare Centre under 2-4 Giffnock Avenue SSDA (**SSD-79017211**)
 - Incorporate odour mitigation measures to protect the proposed public plaza as to protect the amenity of it.
- Disposal of sludge and its impact to block piping systems, including maintenance of this.
- Additional details on operational and management outcomes of the land use

- Contamination concerns and potential spill issues as well as storing hazardous materials
 - Noted that *Appendix S - Revised Hazards and Risk Report* does not consider the proposed sewer mine in its findings and further revision may be required.

5. Environmental Health

It is understood that the applicant intends to house and operate a privately owned blackwater treatment plant by sewer mining from Sydney Waters network and use of onsite wastewater. The recycled water from the sewer mine will be issued to operate cooling towers and toilets. The design process of the treatment plant is being overseen by a Sydney Water Coordinator, to address Section 73 of the Sydney Water Act, which requires approval to connect to Sydney Water infrastructure. There are limited details at this stage of design, waste management and disposal, sampling procedures and whether there are shutdown procedures and contingencies in place should the system fail.

Council considers the information submitted is insufficient to allow for a full assessment of the facility. Council seeks that the following information be provided to enable further review:

1. Consultation with the Department of Climate Change, Energy and the Environment and water (DCCEEW), on whether a WICA Licence is required - [Recycled water roadmap | Water](#). If a WICA License is not required, the applicant will need to submit a Local Government Act 1993 Section 68 application to Council.
2. Shutdowns/ plant contingencies
 - a. Should the recycled water plant not be operational for a period (maintenance), will there be adequate water via drinking water mains to keep the data centre operations? This will need to be clarified with Sydney Water and contingency plans be in place for such scenarios.
3. Use of recycled wastewater for cooling towers
 - a. Should water samples present high nutrient counts, will there be sufficient potable water to service the data centre (cooling towers). Noting water containing higher nutrient loads may impact the water quality parameters within the cooling tower basins, resulting to growth of legionella.
 - b. Risk Management Plans (RMPs) prepared for the cooling water systems must ensure they consider the use of recycled water for the towers operation. The RMPs must assess the characteristic makeup of the recycled water (physical, chemical and microbiological) and have appropriate controls in place (a condition has been recommended to include this).
4. A Recycled Water Management Plan is to be prepared and submitted to the consent authority. The plan must:
 - a. Identify sources of recycled water and intended uses.
 - b. Detail treatment processes, monitoring protocols, and compliance with relevant NSW Health and Sydney Water guidelines.
 - c. Include risk management measures to ensure public health and environmental protection.
 - d. Outline reporting requirements and responsibilities for ongoing compliance.
5. Pollution

- a. There are to be no emissions or discharges from the system that give rise to a public nuisance or would result in an offence under the Protection of the Environment Operations Act 1997.
- b. The facility shall not discharge untreated wastewater, odours, or emissions that cause environmental harm. Any discharge must comply with relevant EPA NSW licences
- c. Any incident resulting in pollution escaping the system must be notified to Council immediately after the operator has become aware of the incident. The notification may be verbal notification be followed by written notification. Relevant information to accompany the notification includes:
 - i. the time, date, nature, duration and location of the incident,
 - ii. the location of the place where pollution is occurring or is likely to occur,
 - iii. the nature, the estimated quantity or volume and the concentration of any pollutants involved, if known,
 - iv. the circumstances in which the incident occurred (including the cause of the incident, if known),
 - v. the action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known, other information prescribed by the regulations

6. Water quality

- a. The wastewater recycling facility must comply with the
- b. Chemical parameters of the water should meet the National Water Quality Management Strategy – Australian Drinking Water Guidelines 6 2011 (as the water can be aerosolised and potentially impact surrounding receivers).
- c. Prior to using the sewer, the characteristics must be understood so ensure the treatment proposed is appropriate and the system can be designed accordingly
- d. The system should be designed to automatically discharge treated recycled water to sewer if critical controls are not met.
- e. The applicant must implement a water sampling program for the recycled water scheme. Results must be reported to the consent Authority, with immediate corrective actions taken in the event of an exceedance.

7. Waste Management Plan

The applicant shall prepare and implement a **Waste Management Plan** for the sewer mining facility to the satisfaction of the consent authority. The Plan must:

- a. Identify all waste streams generated from sewer mining operations, including screenings, grit, sludge, biosolids, and any residuals from treatment processes.
- b. Detail handling, storage, transport, and disposal methods in accordance with NSW EPA guidelines and Sydney Water requirements.
- c. Ensure licensed contractors are engaged for the removal and disposal of regulated wastes.
- d. Include monitoring and reporting procedures to demonstrate compliance with environmental and public health standards.
- e. Provide contingency measures for spills, equipment failure, or exceedances of waste quality thresholds.

- f. The approved Waste Management Plan shall be implemented in full, and records of waste generation and disposal must be maintained and made available to the consent authority upon request.

Separately Council will provide conditions of consent to address other environmental health concerns. Council seeks that further information be provided in respect of the sewer mining operation as to understand its impacts on environmental health.

6. Design and Urban Planning

a. Built form and visual amenity

The proposed Data Centre development significantly dominates the streetscape along Lane Cove Road and is highly visible from Lane Cove Road, Waterloo Road, and the broader area in North Ryde, as demonstrated in the public domain photomontages included in the Visual Impact Assessment (VIA) report.

As a gateway site located at the centre of the Macquarie Park, in close proximity to the metro station and within an area of substantial future growth, the building's design and aesthetics require thorough consideration. A well-balanced combination of responding to the gradient of the site, articulation, materiality, colour and textures is essential to enhance the streetscape quality and improve overall visual amenity, while reflecting the standards of a "state-of-the-art data centre".

Council recommends that the revised application be reviewed by the State Design Review Panel, given the sites prominent location, high visual impact and its importance to setting a strong design outcome within Macquarie Park. Noting that the saving provisions prevent consideration under new planning controls within the RLEP 2014, the new controls identified this site as having to undergo a design excellences process.

In this regard, whilst Clause 6.13 of the RLEP 2014 isn't applicable, it sets a positive framework for considering the developments site specific response to design outcomes therefore Council strongly recommends that DPHI require the application to be reviewed by the SDRP.

Western façade of Building B

West elevation: This façade is not addressed in the "Façade Design and Materiality" section in the Revised Architectural Design Report. The architectural drawings show a blank wall approximately 64m wide and generally 55m high. The absence of sufficient design treatment for this elevation creates a visually dominant and monotonous streetscape. Figure 2 , Figure 3 and Figure 4 demonstrate the blank wall.

To alleviate the developments visual impact as a result of its bulk and scale the following items are recommended to be considered:

- Public Art/ Mural could be explored on the façade. As this location will be a future pedestrian throughfare due to the future pedestrian bridge, its considered an appropriate location to provide a mural.
- Explore public art opportunities that respond to the site's gateway location, to a sum equivalent to 1% of the construction cost as per Ryde's DCP and public art policies.
- Council notes that Public Art is required by both the Macquarie Park DCP and the Macquarie Park Urban Design Guide.
- Explore additional articulation of the building face to offset building bulk.
- Explore vertical gardens.
- Given the high visual profile of what is a gateway site to the Macquarie Park Improvement Precinct, and its identification on the Major Public Art Opportunities Map in the Macquarie

Park Design Guide, the structure should be utilised to make an artistic entry statement for the Precinct. (Figure 1)

The above recommendations will result in the following improvements:

- The development will respond to a sense of place achieving the intent of the Macquarie Park Design Guide and DCP requirements.
- Visual bulk of the data centre will be offset and minimised.
- An opportunity to develop a building that has a strong connection to Country and Place could be achieved (Public Art Opportunity)
- Visual impact to receivers would be minimised.
- A sense of arrival to Macquarie Park would be achieved and a stronger connection to community would be developed

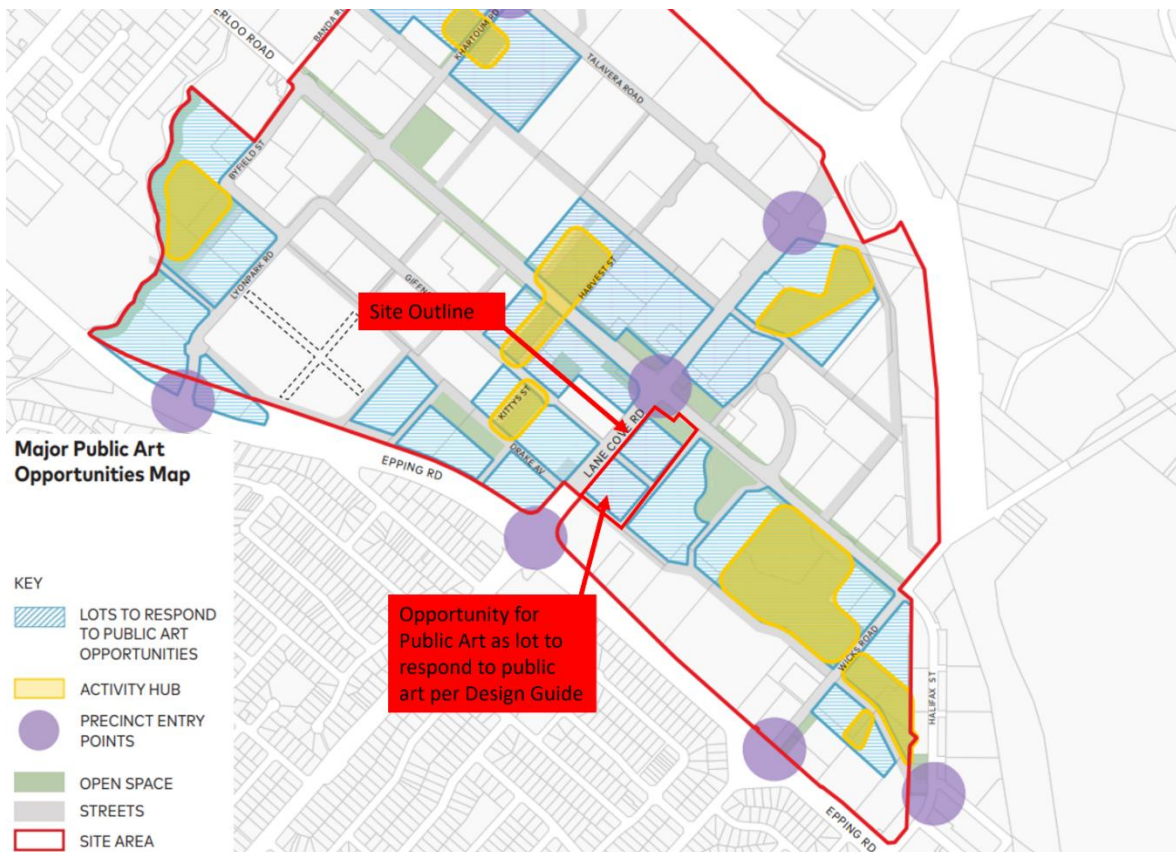


Figure 1: Mark up of Public Art Map (Base Source: Macquarie Park Design Guide)

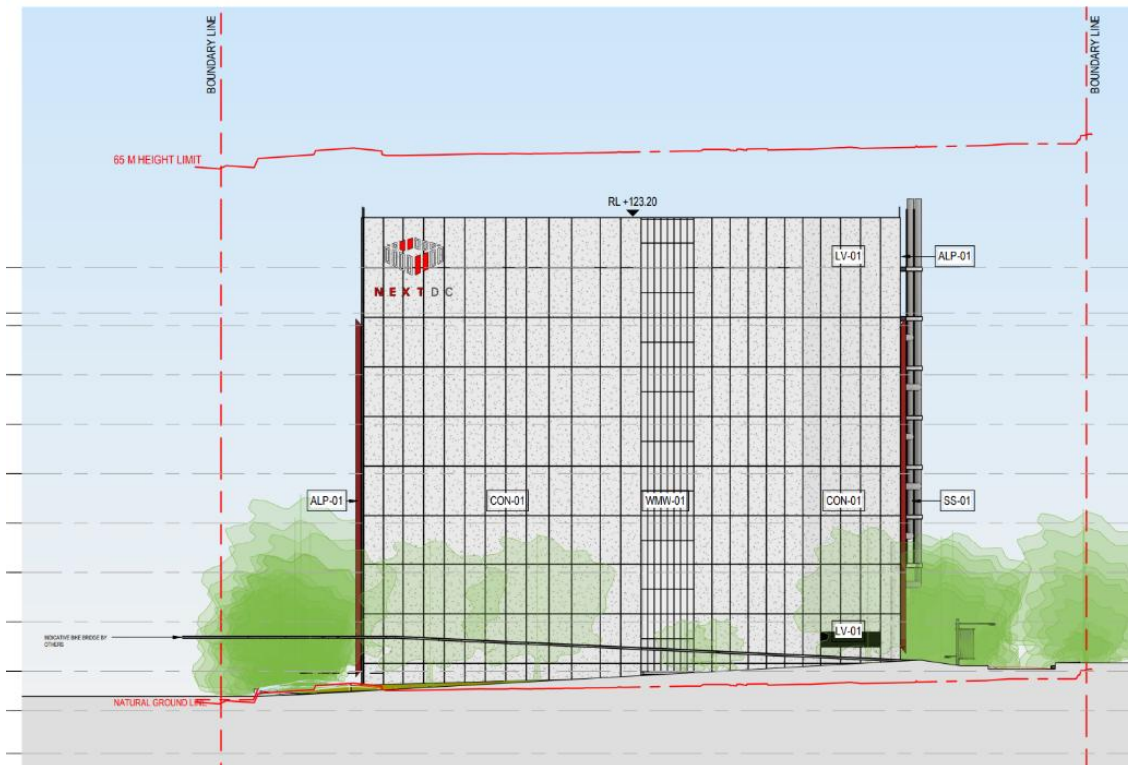
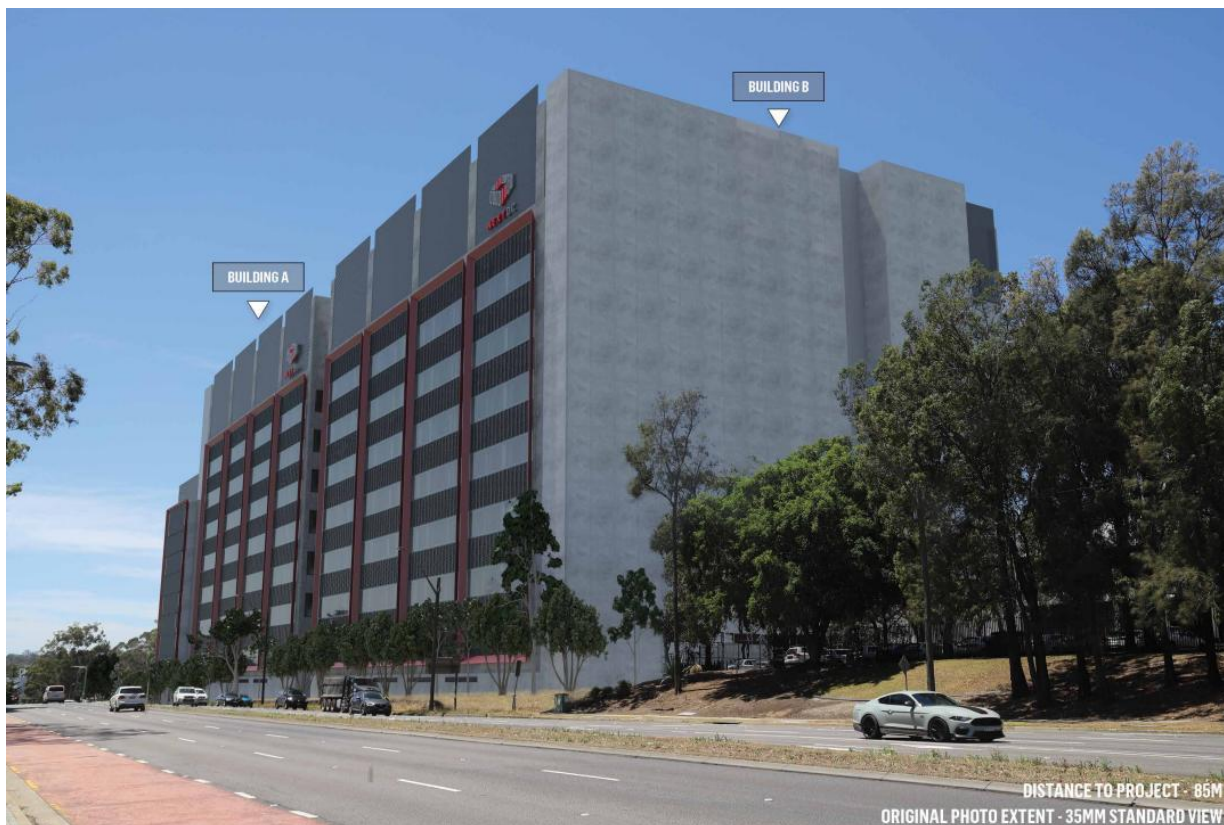


Figure 2: Viewpoint 1 illustrates a significant blank wall that is highly visible from the northbound lanes and footpath of Lane Cove Road.



S5 MACQUARIE PARK DATA CENTRE - VISUAL ASSESSMENT
VP1 (PHOTO 8979) : LOOKING ENE ALONG LANE COVE ROAD | PHOTOMONTAGE - PROPOSED DEVELOPMENT WITH VEGETATION AT 10 YEARS

DATE: 2025-01-30
JOB NO: P0048038
DWG NO: VP_1C
REV: -

Figure 3: Viewpoint 6 The blank southern façade creates a harsh, industrial appearance, and negatively impacts the visual amenity of residents in the broader residential area south of Epping Road.



BIS **S5 MACQUARIE PARK DATA CENTRE - VISUAL ASSESSMENT**
VP6 (PHOTO 9579) : LOOKING NE ALONG NAPIER CRESCENT | PHOTOMONTAGE - PROPOSED DEVELOPMENT

Figure 4: Additional view point showing the blank western façade.

Easten façade of Building A

The elevation drawing shows a blank wall approximately 64m wide and 18m high above the office component fronting Waterloo Road and the metro station, representing roughly 1/3 of the total eastern façade. The monotonous appearance reduces the visual interests and architectural quality of a key frontage adjacent to the metro station and public domain. Similar to the point raised under Western Elevation, there is opportunity for this blank space to enhance the pedestrian experience and improve activation at the ground plane.

The below figures illustrate the impacts on the street views at the Lane Cove Road and Waterloo Road intersection as a major junction with high pedestrian activity, as well as on southbound lanes and the public domain along Lane Cove Road.



1 OVERALL - EAST ELEVATION - MCX / OFFICE 1 : 500

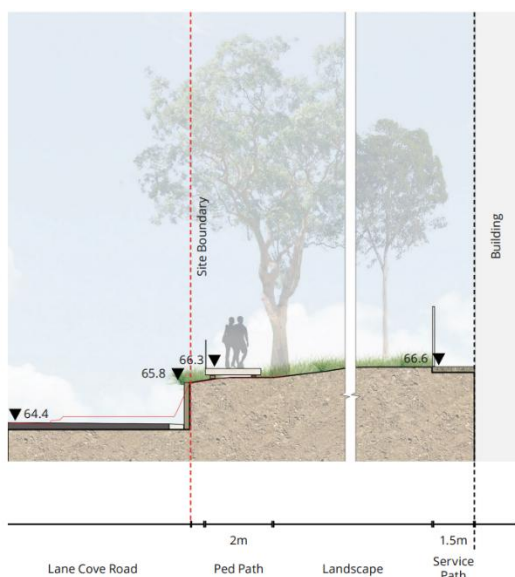
Figure 5: Extract from plans showing blank façade.



Figure 6: Markup of view points demonstrating areas of façade improvement.

b. Pedestrian amenity

Concerns regarding the spatial relationship between the proposed pedestrian footpath and the overhead pedestrian bridge ramp along Road 6 associated with the constraints of the movement were raised during the latest engagement in August. These issues have not been addressed or responded to in the revised scheme package. Council has further concerns about passive surveillance for pedestrian movement beneath the ramp, where it interfaces with an inactive frontage along Road 6. In addition, the elevated pedestrian path along Lane Cove Road widening, combined with the vegetation buffer, lacks passive surveillance.



c. Recommendations

1. Revisit the façade design of western elevation of Building B and the eastern elevation of the data hall levels of building A to mitigate the “monolithic” appearance and enhance visual amenity within the public domain. It is recommended to considering the followings:
 - Vertical green façade, such as Citi Data Centre in Frankfurt, which incorporates green roofs and a large living green wall (55m long and 12m high) irrigated by rainwater collected from the roofs.
 - Public art opportunities to integrate creative elements such as murals and lighting installations to add visual interests and cultural value.
 - Articulation strategies such as vertical and horizontal breaks, along with varied materials, colours, and textures to create a dynamic and contextually responsive facade.
2. Address council’s concerns by providing alternative design solutions for the pedestrian bridge ramp and adjacent pedestrian path to ensure safety, comfort and accessibility, while incorporating sufficient lighting and maintaining clear sightlines.
3. Align with the Bus Stop Urban Design Guideline endorsed by TfNSW to ensure new street trees are strategically located to improve shade and comfort at the upgraded bus stop on Waterloo Road.

7. Landscaping

a. Tree Removal

The revised Arboricultural Impact Assessment by CPS dated 9/10/2025 shows the removal of several trees outside the boundaries located in adjoining properties including trees 192, 193, 211, etc. However, no written permission to remove these trees from the owners of these trees has been supplied.

Clarification is sought as if the application is seeking to remove trees external of the site, and that the applicant has obtained landowners consent to remove the identified trees.

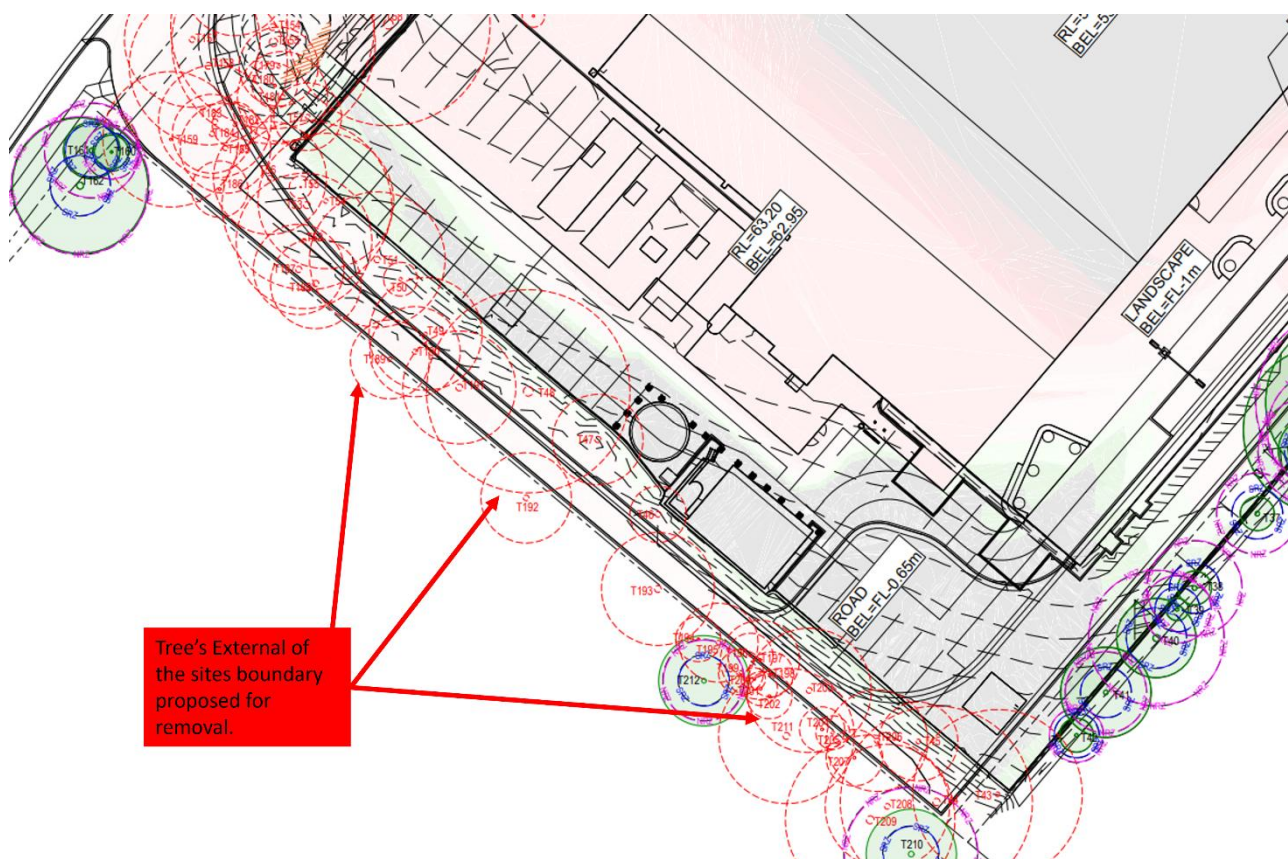


Figure 7: Mark up showing external site trees for removal (Base Source: Arborist Report by CPS).

b. Tree Replacement

There are 126 trees identified for removal across the site. It should be required that a condition be imposed that requires tree replacements should be on a 3 for 1 basis. Should replacement trees not be able to be planted on the site then a monetary contribution is made to Council for each replacement tree not planted on the site in accordance with the City of Ryde's fees and charges for planting trees on public land. Recommended condition below:

Tree replacement plantings are to be undertaken on a ratio of 3 to 1. Where replacement trees cannot be planted on the site, prior to the issuing of a construction certificate, the Applicant to pay a fee to City of Ryde Council for each tree planting to occur on private land, equivalent to that identified in its Fees and Charges Schedule for the purposes of planting a tree on Council Land.

8. Traffic and Parking

Council has reviewed the developments traffic impacts and is generally supports the conclusions of the EIS. Council does have some concerns of the developments impact, however these matters can be dealt with via condition of consent. Council provides its traffic assessment below:

a. External Traffic Considerations

It is noted that a preliminary Construction Traffic Management Plan (CTMP) has been prepared as part of the documentations submitted with the SSD application. The CTMP describes how traffic activity is proposed to be managed to minimise disruption and safety risks to other road users on the public road when the construction works proposed as part of this development are being undertaken. The measures outlined within this CTMP would need to be altered/updated at a later stage to provide details on the number of construction workers and the number of truck movement into/out the site,

the proposal of temporary access driveway, and to take account potential changes to the traffic conditions within the surrounding road network and/or potential changes to the construction methodology closer to the commencement of construction (i.e. ensure relevancy). This can be addressed through consent conditions at the Construction Certificate stage.

In addition, a preliminary Green Travel Plan (GTP) has been prepared by TTPP (Date: 10 October 2025). The mode share targets and measures outlined within this GTP would need to be altered/updated after finishing the construction works and prior to the issue of the occupation certificate to consider potential changes to the mode shares when the development is operational.

b. Trip generation and impacts:

The submitted TIA report notes that Transport for NSW's (TfNSW) *Guide to Transport Impact Assessment 2024 (GTIA)* does not provide traffic generation rates for data centres. To establish suitable rates, the report references traffic generation surveys undertaken at a comparable NextDC facility in Artarmon, deriving a rate of 0.22 trips per car space, and surveys from the existing data centre at 8 Khartoum Road, Macquarie Park (Ason Group, 2018), which indicated 0.45 trips per car space during the morning peak. Applying these rates to the proposed provision of 51 on-site parking spaces, the TIA report estimates that the development could generate up to 23 vehicle trips during peak periods.

The TIA report has also identified the following:

- At an intersection level, the expected low development traffic would be further diluted due to it being distributed to different turning movements and across a number of intersections. As such, it is not expected to create any noticeable traffic effects to the nearby intersections.
- The TfNSW modelling showed acceptable impact on the road network with only some increased congestion expected on Waterloo Road during the weekday PM Peak period compared to the reference case.
- the low level of generated traffic possible by the reduced car parking provisions could not be expected to result in any adverse traffic impact on the surrounding road network.

Council accepts the findings of the traffic modelling.

c. Road 5 Removal and Road 6 Inclusion:

The Macquarie Park Transport Oriented Development (TOD) Rezoning Project (2024) requires the delivery of a new east–west public road (Road 5) through the centre of the subject site and a second new road (Road 6) along the southern boundary, with neither road required to connect to Lane Cove Road.

The applicant proposes removing Road 5 on the basis that it would not provide vehicle or pedestrian access to the development, would not deliver active frontage, and would not connect to Lane Cove Road. Instead, the applicant proposes delivering Road 6 with a left-in only connection from Lane Cove Road, including a deceleration lane to allow westbound traffic on Lane Cove Road to enter the precinct and the site.

TfNSW has completed an internal assessment and supports the removal of Road 5 and the provision of Road 6 with a left-in only arrangement, subject to meeting the design requirements listed in Table 6.1 of the TIA report. Council has no objection to the proposed access arrangement, subject to:

- a continuous footpath treatment at the Road 6 / Lane Cove Road intersection, and
- a widened footpath (minimum 2m) along the Lane Cove Road frontage to support pedestrian movement.

Council has prepared a recommended condition of consent that would be provided at later date to address this matter

d. Road 13 Construction:

The Macquarie Park Transport Oriented Development (TOD) Rezoning Project (2024) also requires delivery of a new public road (Road 13) along the site's south-eastern boundary, connecting Road 6 to Waterloo Road. Road 13 will serve as the primary vehicular access to the subject site.

The TIA report notes that, at a minimum, a pair of kerb ramps will be provided on Road 13 at Waterloo Road to support pedestrian and cyclist movement along Waterloo Road. It also states that a turnaround area will be constructed at the Road 13 and Road 6 intersection to accommodate vehicle turning movements.

Council supports the construction of Road 13 and the turnaround facility. However, it is recommended that a continuous footpath treatment be provided across Road 13 at Waterloo Road in lieu of kerb ramps to prioritise pedestrian movements.

Council has prepared a recommended condition of consent that would be provided at later date to address this matter

e. Future Shared Pedestrian and Cyclist Bridge:

The TIA report states that a footpath is proposed along Road 6, with the verge width widened to accommodate the future shared pedestrian and cyclist bridge and its associated footings over Lane Cove Road. This bridge will form part of the future north–south active transport corridor through Macquarie Park and will be constructed by others. As agreed with TfNSW, the bridge will be aligned straight, with the landing positioned closer to Road 13 than to Lane Cove Road to achieve the required height clearance over traffic lanes and appropriate grades for pedestrians and cyclists while maintaining the desired north–south corridor alignment. Consequently, the at-grade footpath along Road 6 will coexist, providing a connection between Road 13 and Lane Cove Road.

Council supports the proposed land dedication for the future shared pedestrian and cyclist bridge. It is also noted that there will be a SUP along the northern side of Road 6 to be connected to the future shared pedestrian and cyclist bridge. This SUP will be a major one in the future. Therefore, it is recommended that a raised continuous SUP crossing across Road 13 is provided to facilitate cyclists and pedestrians/runners/dog-walkers using the bridge over Lane Cove Road.

Council has prepared a recommended condition of consent that would be provided at later date to address this matter

f. No Right Turn Treatment at Waterloo Road and Road 13 Intersection:

The TIA report recommends a 'no right turn' treatment along Waterloo Road, fronting the site, to prohibit right-turn movements at Road 13 and to make the access of Road 13 to and from Waterloo Road to a left in – left out only arrangement. The upgrade would include:

- Upgrading the existing marked median with a raised concrete median
- Extending the existing median, southwest of Lane Cove Road / Waterloo Road intersection, to the upgraded median

The proposed median upgrade along Waterloo Road and at the intersection with Road 13 aligns with Council's advice provided to the applicant during the pre-lodgement process. Council supports this proposal.

g. Conclusion

Based on the above assessment, the Council supports the proposed development subject to the conditions which will be provided at a later date.

9. Public Domain

Council notes the applicants response to Council's EIS Submission. Council provides its closing comments on the matter. Any outstanding issues, Council has provided a condition of consent to address which will be provided separately.

Accommodation of Future Pedestrian Bridge:

Comments provided by Council regarding the unfavorable alignment of the future bridge adjacent to Road 6. Applicant has noted that the bridge is subject to TfNSW approval and future design may be amended. It is recommended that DPHI require a concept plan for any future bridges to ensure the best design outcomes are accommodated by developments. A condition will be included in an attempt to facilitate future amendments to the bridge alignment which are more preferable for pedestrian utility.

Reduction of Verge width on Lane Cove Road:

Comments from Council noted that the 70m long deceleration lane reduces the existing verge width between the back of kerb and boundary by approximately 3.5m. The retaining wall is proposed to be moved back and reconstructed closer to the site boundary to facilitate the deceleration lane. Council noted that in general a equivalent area of land is usually dedicated within the site boundary to become a very area and maintain the existing verge width. The applicant's response noted that the Lane Cove Road, road reserve is a TfNSW asset and any requirement to provide an equivalent internal area to retain the verge width via dedication should be issued by TfNSW. While this is true, it is Council's responsibility to maintain the adjoining footpath network which may not be possible given the narrowing of the verge.



Figure 8: Mark up of Site frontage

Provision of Footpath on Lane Cove Road:

The reduced verge width, presence of significant street trees, relocation of retaining wall, and likely

installation and relocation of large volumes of sub-surface utilities, make the applicant's proposed raised walkway impractical. Limited details have been provided, detailing the interaction of existing trees, existing and future utilities and connection to existing adjoining areas. It is suggested that either an internal strip is dedicated to Council to compensate the lost verge area resulting from the deceleration lane, or else, an internal Right of Way is provided to facilitate pedestrian movements, street tree preservation and sub-surface utility management.

A condition will be included in Council's recommended conditions.

Proposed Retaining Wall Along Lane Cove Road Frontage:

It is noted that a retaining wall is proposed along the Lane Cove Road frontage of the site to facilitate the proposed new deceleration lane. While the Lane Cove Road road reserve is a TfNSW asset, Council generally assumes responsibility for maintaining the land between the back of kerb and the boundary line. In preparing these comments I have spoken with the Infrastructure Services team which has confirmed that in regards to retaining walls TfNSW generally manages repair and maintenance within its road reserves, however, as this proposed retaining wall will directly support a footpath to be maintained by Council a decision has been made to include a condition regarding the retaining wall design and construction to protect Council's interests.

Public Domain Maintenance Bond Calculation

The Applicant is to note that a public domain bond will be required. For the Applicants and DPHI's reference, Council calculation methodology is provided below. This will be included in Council's draft conditions.

- Area of public domain works = 5475 m².
- 5475m² X \$1000/m² x 20% = \$1,095,000.
- **Bond Amount - \$1,100,000**



Figure 9: Area for public domain bond calculation (Source: Ryde Maps)

10. Stormwater and Engineering

The revised plans have relocated the OSD system to be wholly located off the public domain addressing one of the concerns raised.

As noted in previous reviews, the application has not been accompanied by any modelling of the OSD system to permit review of the calculations and the provided plans only nominate the location of the storage tank. As such, this review cannot vouch for the adequacy of the design and any planning approval will essentially be reliant upon the expertise of the consultant. The matter is addressed by condition.

11. Conclusion

Council appreciates the revisions made by the applicant to address Council's key concerns. Council's submission seeks further information regarding the proposed sewer mine and its associated impacts as well as provides recommendations to address outstanding issues.

Council is generally supportive of the fundamentals of the application subject to receipt of further information outlined in this submission. Council will be able to provide recommended conditions of consent to DPHI at a later date. As the Applicant is relying on Clause 6.9 for incentive height and FSR, and the proposal has been designed as such, it is important that the applicant progresses the Voluntary Planning Agreement (VPA) and that the application not be determined until such agreement is finalised.

Should the Applicant or the Department wish to engage with Council directly on the issues raised above, Council would welcome the opportunity to consult with the Applicant or the Department. Council comments as outlined in this submission should be considered by the Applicant and DPHI

End Submission