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1 April 2025

Shaun Williams  
Senior Environmental Assessment Officer  
Department of Planning, Housing and Infrastructure

Via: Major Projects Planning portal

**EPA Advice on Environmental Impact Statement  
43-61 Turner Road Data Centre – SSD 68013714**

Dear Mr Williams,

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to review the Environmental Impact Statement (EIS) for the proposed data centre at 43-61 Turner Road, Gregory Hills.

The EPA has reviewed the following documents:

- *43-61 Turner Road Data Centre Environmental Impact Assessment (Revision 1) – Arup Pty Ltd – February 2025*
- *43-61 Turner Road Data Centre Air Quality Technical Report (version 03) – Arup Pty Ltd – 31 January 2025*
- *43-61 Turner Road Data Centre Ecologically Sustainable Development (ESD) Report - Arup Pty Ltd – 8 November 2024*
- *43-61 Turner Road Data Centre Noise and Vibration Impact Assessment– Arup Pty Ltd – 8 November 2024*

The EPA understands the proposal is for construction and operation of:

- a 53MW data centre
- 12 Data halls
- 27 Back-up diesel generators
- Storage of 650kL of diesel fuel.

Based on the information provided, the proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997* (POEO Act). The EPA is not considered to be the appropriate regulatory authority as the proponent is not an NSW public authority, nor does the proposal involve land regulated under the *Contaminated Land Management Act 1997*.

The EPA recommends that Camden Council is consulted in relation to the proposal as the relevant ARA for matters relating to the POEO Act.

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NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

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The EPA has reviewed the EIS and associated documentation and provides the comments below for consideration by Department of Planning, Housing & Infrastructure (DPHI).

## **1. Matters for consideration**

The EPA provides the comments relating to the matters below and detailed in **Attachment 1** for consideration by DPHI as part of its assessment.

- a. Air Quality,
- b. Greenhouse Gas Emissions,
- c. Waste management,
- d. Noise,
- e. Operational limits.

The EPA is willing to consider commenting on any additional assessment information or draft conditions for this proposal.

If you have any further questions about this matter, please contact Afnan Fazli at [environmentprotection.planning@epa.nsw.gov.au](mailto:environmentprotection.planning@epa.nsw.gov.au).

Yours sincerely,



**CHRISTIE JACKSON**  
**Unit Head – Environment Protection Planning**  
**NSW Environment Protection Authority**

## **ATTACHMENT 1 – Matters for consideration – 43-61 Turner Road Data Centre – SSD 68013714**

The EPA includes the comments below for consideration by DPHI as part of its assessment of the proposal.

### **a. Air Quality**

The information provided in the EIS and Air Quality Impact Assessment indicates the proposal will exceed air quality impact assessment criteria at future proposed receivers (R1 to R4) for hourly NO<sub>2</sub> during emergency operations (Scenario 1).

It is noted that there is no assessment regarding cumulative air impacts for nearby data centres or other industrial activities. The EPA suggests DPHI considers the need to assess cumulative air quality impacts that may result from the operation of this proposal.

The EPA would recommend conditions relating to air quality and is willing to be consulted further upon receipt of any additional information.

### **b. Greenhouse Gas Emissions**

The EIS estimates the proposal will generate GHG emissions greater than 25,000t CO<sub>2</sub>-e pa during its operational life. The proposal is not subject to the requirements in the NSW Large Emitters Guide, as it does not require an Environment Protection Licence. The proponent should be reminded of their potential obligation to report under the NGER Act given their estimated scope 1 and scope 2 emissions.

The EPA recommends that high energy users reduce their scope 2 emissions as much as practicable and consider measures such as those listed below.

- Energy efficiency practices
- Purchasing renewable energy certificates

The proposal includes measures to address energy efficiency of the facility. The EPA suggests DPHI considers implementing these commitments as part of any approval for the project.

### **c. Waste Management**

The proposal includes a Battery Energy Storage System. The proponent should be made aware that an Environment Protection Licence is required to transport higher risk wastes (classification of waste batteries should be applied in accordance with EPA's waste classification guidelines) and waste tracking requirements also apply.

Compliance with relevant dangerous goods transport legislation is required when transporting batteries considered as dangerous goods (as per the Dangerous Goods (Road and Rail Transport) Act 2008).

### **d. Noise**

The proposal includes an operational noise assessment that references the NSW Noise Policy for Industry (NPfI). It is noted the Noise and Vibration Impact Assessment does not assess emergency operations.

DPHI should consider the need for understanding and mitigating any impacts from emergency operations. Any exceedances should be addressed under the feasible and reasonable assessment framework in the NPfI.

**e. Operational limits**

Based on the information provided, the proposal does not appear to exceed the thresholds in Schedule 1 of the *Protection of the Environment Operations (POEO) Act 1997*, particularly relating to Clause 9 Chemical Storage (diesel storage) and 17 Electricity Generation (operation of back up plant).

The EPA suggests DPHI consider implementing operational limits as part of any approval of the project to ensure the proposal does not exceed the thresholds in the POEO Act without obtaining an Environment Protection Licence.

It is the responsibility of the proponent to apply for an environment protection licence (EPL) if they determine that the total testing time of the generators is expected to exceed 200 hours or storage of diesel fuel exceeds 2,000 tonnes.