



Your Reference No: SSD-68013714
Our Reference No: SS/2025/1/1

30 July 2025

Mr. Shaun Williams
Department of Planning, Housing and Infrastructure

Email – shaun.williams@planning.nsw.gov.au

Dear Mr. Williams,

RE: Exhibition of State Significant Development Application – Proposed Data Centre Development (SSD-68013714) – Council's Response to Applicant's Submissions Report

**PROPERTY: 43-61 Turner Road, Gregory Hills
Lots 14, 15, 16 and 17 in DP 28024**

I refer to Council's earlier submission of 1 April 2025 regarding the State Significant Development Application for a proposed data centre at the abovementioned property. I also note the applicant's Submissions Report (dated 2 July 2025) and the Department's request for Council to make comment on that material. Please accept the following as Council's response to the Submissions Report.

It is noted that the material provided by the applicant in the Submissions Report, as it relates to Council's earlier submission, is further justification for positions taken by the applicant on specific matters rather than additional or amending details. That said, this submission aims to provide Council's final position on the proposal as a whole. Council's earlier advice remains relevant to the Department's ultimate determination of the SSD application.

I can further advise that since Council's earlier submission (dated 1 April 2025), the separate development application (DA/2024/616/1) for the carrying out of early works for future industrial development has now been determined by the Camden Local Planning Panel (refer [Camden Local Planning Panel » Camden Council](#)).

Conditions relevant to the SSD application are referenced in this advice for the Department's information and consideration as to whether they are also included as conditions on any development consent issued by the Department.

Building Height

It is noted that the proposed development has a maximum building height up to 23 metres and thereby contravenes the maximum prescribed building height development standard of 15m.



Council's previous response requested that the Department closely consider the Clause 4.6 written request to determine if the development standard is "unreasonable or unnecessary" in the circumstances of the case and whether there are sufficient environmental planning grounds to justify the contravention. These comments remain applicable.

Civil Engineering, Stormwater Drainage and Flooding

At the time of preparation of Council's earlier submission, the early works DA had not been determined and there remained some disagreement between Council and the applicant's engineers as to the approach taken with respect to stormwater disposal and flooding.

Council was concerned with compliance with pre-development and post-development stormwater on-site detention (OSD) and water quality requirements and the need for SSD built form DA to match the post-development state of the early works DA (as completed). Additional modelling was considered necessary to confirm compliance with Council's Engineering Design Specifications and ensure that the development would not create flooding impacts downstream of the development site.

To address this impasse, and allow the early works DA to be favourably determined, the applicant agreed to a condition of consent that required (prior to the issue of a Subdivision Works Certificate) a revised flood impact and risk assessment using Council's Narellan Creek Flood Model for a range of flood events, up to and including the PMF, to demonstrate that the works proposed as part of this development will not adversely impact elsewhere, offsite as stated in Flood Risk Management Manual 2023. The full condition reads as follows:

(5) **Subdivision works certificate information** - Before the issue of a subdivision works certificate, the following information must be prepared by a suitably qualified person to the certifier's satisfaction:

- i) *Prior to the issue of the Subdivision Works Certificate, a revised Plan of Subdivision is to be submitted which creates a separate lot for the triangular parcel of land created by the extension of Central Hills Drive, to be known as Lot 101.*
- ii) *Prior to the issue of the Subdivision Works Certificate, the applicant shall provide a revised flood impact and risk assessment using Council's Narellan Creek Flood Model for a range of flood events, up to and including the PMF, to demonstrate that the works proposed as part of this development will not adversely impact elsewhere, offsite as stated in Flood Risk Management Manual (FRM) 2023 (FRM guidelines LU01).*

As a minimum 20%, 5%, and 1% AEP and PMF events should be considered in flood impact and risk assessment. The proposed development including ground terrain, and stormwater infrastructure, such as detention structures, should be included in the model.

The flood impact and risk assessment report should clearly specify the methodology, concepts, and any assumptions. The flood modelling is to be peer reviewed by the Council's flood study consultant at the proponent's cost to the satisfaction of the Council.

Any required changes to the civil design, including site levels, detention basin configuration and the like as a result of the amended modelling shall be provided as part of the details provided with the Subdivision Works Certificate, with details being

provided to Council (where Council is not the certifier) prior to the issue of the Subdivision Works Certificate.

- iii) Prior to the issue of the Subdivision Works Certificate, an updated DRAINS model which accurately reflects the stormwater plans, satisfies pre-development and post-development in the 1% AEP stormwater event and complies with Camden Council's Engineering Design Specifications shall be prepared.*
- iv) Plans and documentation for the Turner Road frontage works are to be provided prior to the issue of a Subdivision Works Certificate confirming the full extent of works proposed along the full frontage of the site. In this regard, all engineering plans and associated landscaping plans shall be consistent and include kerb and gutter construction, and verge and footpath works that include a shared 2.5 metre wide footpath, 0.5 metre verge and landscaped 1:4 batter.*

Subject to the compliance with the above condition, and the incorporation of the outcome of the revised modelling in the ultimate design, stormwater drainage and flooding issues are expected to be resolved.

Building Certification

Council notes the BCA and Access Compliance Report accompanying the SSD application and that the report details the compliance status of the proposal, concluding that NCC Volume 1 BCA 2022 compliance is readily available. Council accepts that these are matters that will be further considered as part of the Construction Certificate stage and has no further comments on this matter.

Traffic

Council's notes the applicant's Response to Submissions Report and has no further comments to make with respect to traffic generation, car parking design or the swept path analysis. These matters have been suitably addressed. Council also notes the applicant's submission in relation to the shortfall in car parking against the requirements of Council's Development Control Plan and acknowledges that sufficient off-street car parking will be provided by the proposed development to cater for anticipated peak staff and visitor numbers.

Landscaping Considerations:

Council notes the proposed substitution of species nominated in its earlier advice for areas of the car park and accepts that these matters may be addressed through the provision of an amended landscape plan to be lodged as part of the Construction Certificate documentation. However, Council maintains its position that opportunities exist to amend the car park design in accordance with the requirements of Camden Council's Development Control Plan 2019, Section 2.18.3 – Car Parking Design Criteria, including:

- a. Provision of a 2.5m wide landscape bay between every 6-8 car parking spaces,
- b. Provide a minimum 1m landscaping strip at the end of parking aisles, and
- c. Be landscaped generally in accordance with Figure 2-12 of the CDCP.

These amendments will maximise shading opportunities throughout the car parking area in an environment that can the subject to extremely high air temperatures given its location in South West Sydney and reducing the heat island effect is a matter that should be further considered.

Biodiversity Considerations

As noted previously, the separate early works DA has now been determined by Council, and most of the previous concerns have been appropriately addressed through that separate application. In this regard, the early works DA includes the removal of 126 trees within the development footprint. Of these, 31 are remnant trees but have not been identified to have habitat features such as hollows and dreys. The removal of trees as proposed was supported given that as the site is zoned for industrial development, having regard to its topography and the extensive earthworks which made vegetation retention impractical. The proposal was therefore considered satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP.

To mitigate the loss of these trees, a condition was imposed on the development consent requiring the landscape design to be amended to include the incorporation of particular native species of trees and allow for movement and roosting of native fauna. Additionally, most of the site is subject to biodiversity certification, except for a small sliver of land along its eastern boundary. While the Biodiversity Values Land Map has been amended (to remove this land), the sliver of land is non-certified land and therefore a Test of Significance on the Impact on threatened species was required. The flora and fauna assessment prepared by the applicant as part of the early works DA, identified the tree to be removed in this locality to be a Slaty Red Gum. A condition of consent was imposed as part of the early works DA to offset the loss of this tree, with the planting of four Slaty Red Gums on the adjoining Council Reserve. The conditions are noted below and might be replicated as part of any consent issued by the Department.

(14) **Detailed landscaping plans** - Before the issue of a subdivision works certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent with the following specific amendments:
 - a) In order to offset the loss of remnant trees from within the future building envelope, landscaping throughout the site must incorporate the use of native species such as *Eucalyptus amplifolia*, *Eucalyptus crebra*, *Eucalyptus moluccana*, *Eucalyptus paniculata*, *Eucalyptus terreticornis* and *Brachychiton populneus*.
2. Compliance with Appendix B of Camden Development Control Plan 2019.
3. Street trees must not be positioned within 10m of road intersections, beneath street lighting or adjacent to stormwater inlets.
4. Street trees must be positioned as close as possible to align with property boundaries at approximately 10m centres.
5. Street trees must be sourced in accordance with the tests and measurements contained within AS 2303 - Tree Stock for Landscape Use.
6. Tree planting details and section drawings specifying root barriers where trees will be planted in close proximity to hard surfaces, i.e., at the back of the kerb and adjoining footpaths.
7. Street trees must be centred within planting bays and no closer than 0.5m to the back of the kerb.

- (15) **Planting program** - A planting program of four (4) *Eucalyptus glaucina* (Slaty Red Gums) must be undertaken on the adjoining Council Reserve in consultation with the Australian Botanic Gardens. The trees must be propagated from Slaty Red Gum seeds collected from remnant Slaty Red Gums in the Sydney basin. Details must be provided to the satisfaction of Council prior to the issue of a Subdivision Works Certificate.

Environmental Health

Contamination and salinity have been assessed under the early works DA and the site is deemed suitable for the intended use of the land for a data centre. Council notes the further advice prepared by the applicant in the Response to Submissions Report and accepts that issues relating to acoustics, both construction and operational, can be addressed by way of conditions imposed as part of any consent issued by the Department.

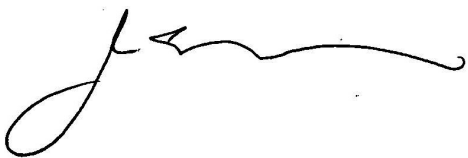
Waste Services

Council notes the comments contained in the Submissions Report and accepts that these are matters that might be addressed through conditions of consent.

Thank you for the opportunity to comment on this proposal and if the Department is of a mind to issue development consent for the proposed development, Council would like the opportunity to review any proposed draft conditions of consent at the relevant time.

Should you have any enquiries in relation to this matter, please do not hesitate to contact me on (02) 4645 5631.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jamie Erken", with a long, sweeping horizontal stroke extending to the right.

Jamie Erken
MANAGER STATUTORY PLANNING



Chinese (Simplified) | 简体中文

Chinese (Traditional) | 繁體中文

العربية | Arabic

Spanish | Español

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Punjabi | ਪੰਜਾਬੀ

Italian | Italiano

Assyrian | ܐܡܝܪܝܐ

Nepali | नेपाली

Serbian | Српски

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Wenn Sie zum Verständnis dieser Informationen Hilfe benötigen, wenden Sie sich bitte an den Übersetzungs- und Dolmetschendienst (TIS) unter 131 450 und bitten Sie diesen, die Stadtverwaltung Camden unter der Nummer 13 22 63 für Sie anzurufen.

