



Request for Secretary's Environmental Assessment Requirements

Proposed Data Centre Expansion

**17-23 Talavera Road, Macquarie Park
(Lot 527 DP 752035)**

Prepared by Willowtree Planning on behalf of
Macquarie Data Centres c/- GIDDIS Project
Management

July 2021

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Document Control Table

Document Reference:	WTJ21-203		
Date	Version	Author	Checked By
10/06/2021	1	T Lythall	A Cowan
25/06/2021	2	T Lythall	A Cowan
07/07/2021	3	T Lythall	A Cowan
14/07/2021	4	T Lythall	A Cowan

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PART A PRELIMINARY

1.1 INTRODUCTION

This Scoping Report has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Macquarie Data Centres (MDC) c/- GIDDIS Project Management (GIDDIS) and is submitted to the NSW Department of Planning, Industry and Environment (DPIE) in support of a formal request for Secretary's Environmental Assessment Requirements (SEARs).

The Proponent is seeking consent to expand the existing Data Centre at the Subject Site – 17-23 Talavera Road, Macquarie Park to allow for additional data storage capacity on-site improving the overall operational efficiencies.

The Site is located within the Ryde Local Government Area (LGA) and is zoned B7 Business Park under the provisions of *Ryde Local Environmental Plan 2014* (RLEP2014). Development for the purposes of a Data Centre is permissible with consent within the B7 Business Park zone pursuant to the provisions outlined within Part 3, Division 3, Clause 27 of *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP).

Additionally, the Proposed Development satisfies the definition of State Significant Development (SSD) pursuant to Schedule 1, Part 25 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) as the proposed Megawatt of the Data Centre expansion is more than the 10-Megawatt threshold (~50 Megawatt proposed).

This Scoping Report provides a brief overview of the Proposed Development and the relevant planning framework that applies to enable the issuance of the SEARs, which will guide the preparation of a formal Environmental Impact Statement (EIS) for future development of the land.

Environmental considerations relevant to the Proposed Development have been identified pertaining to the following parameters:

- Soil and Water;
- Noise and Vibration;
- Air Quality;
- Biodiversity;
- Waste;
- Traffic and Transport;
- Hazards and Risks;
- Energy Efficiency;
- Heritage, including Aboriginal Cultural Heritage and Non-Aboriginal (European) Heritage;
- Visual Amenity and Site Design;
- Infrastructure and Services;
- Social Impacts; and,
- Economic Impacts.

The Proposed Development would promote the enhanced development of the Sydney Metropolitan Region, ultimately providing for employment opportunities and an advanced data storage facility to support the growth and development of IT infrastructure across the State in close proximity to the Sydney CBD.

PART B SITE ANALYSIS

2.1 SITE LOCATION & EXISTING CHARACTERISTICS

The identified portion of land, that is the subject of this Scoping Report is legally defined as 17-23 Talavera Road, Macquarie Park. The Subject Site comprises one (1) allotment as described in **Table 1** below.

Table 1: Site Identification	
Street Address	Legal Description
17-23 Talavera Road, Macquarie Park	Lot 527 DP 752035

The entire Site comprises a total area of approximately 2 hectares (ha) and is subject to the applicable provisions outlined with RLEP2014. Access to the Site is currently obtained via Talavera Road along the eastern boundary of the Subject Site, which contains proposed entry and exit points along the street interface, as well as being accompanied by hardstand for vehicle parking and manoeuvring.

The Site is situated approximately 12.48 km northwest of the Sydney CBD and 11.26 km northeast of Parramatta. It is within close proximity to transport infrastructure routes (predominantly the bus and rail networks), as well as sharing direct links with the wider regional road network, including Talavera Road, Lane Cove Road, Epping Road and the M2 Motorway. These road networks provide enhanced connectivity to the Subject Site and wider locality. Additionally, the Subject Site is located within close proximity to active transport links, such as bicycle routes, providing an additional mode of accessible transport available to the Subject Site.

The Site's historical context is best described through its currently commercial setting as an existing Data Centre, adjoining surrounding commercial premises along Talavera Road, forming part of the wider Macquarie Park Corridor. Land surrounding the Site comprises the following land use zoning, including:

- B7 Business Park
- B3 Commercial Core
- B4 Mixed Use
- SP2 Infrastructure

Future development undertaken would implement mitigation and protection measures, in order to preserve the natural, ecological and visual amenity of the Subject Site and surrounding areas. It is noted, that there are residential receivers further to the north of the Site; however, it is considered that these receivers are satisfactorily separated from the Site by the M2 Motorway.

The Site is subject to the relevant provisions outlined within RLEP2014, which is the primary Environmental Planning Instrument (EPI) and categorises the Site within the B7 Business Park zone, as displayed in **Figure 1** below. The Site and surrounding context are illustrated in **Figures 2 & 3** below.

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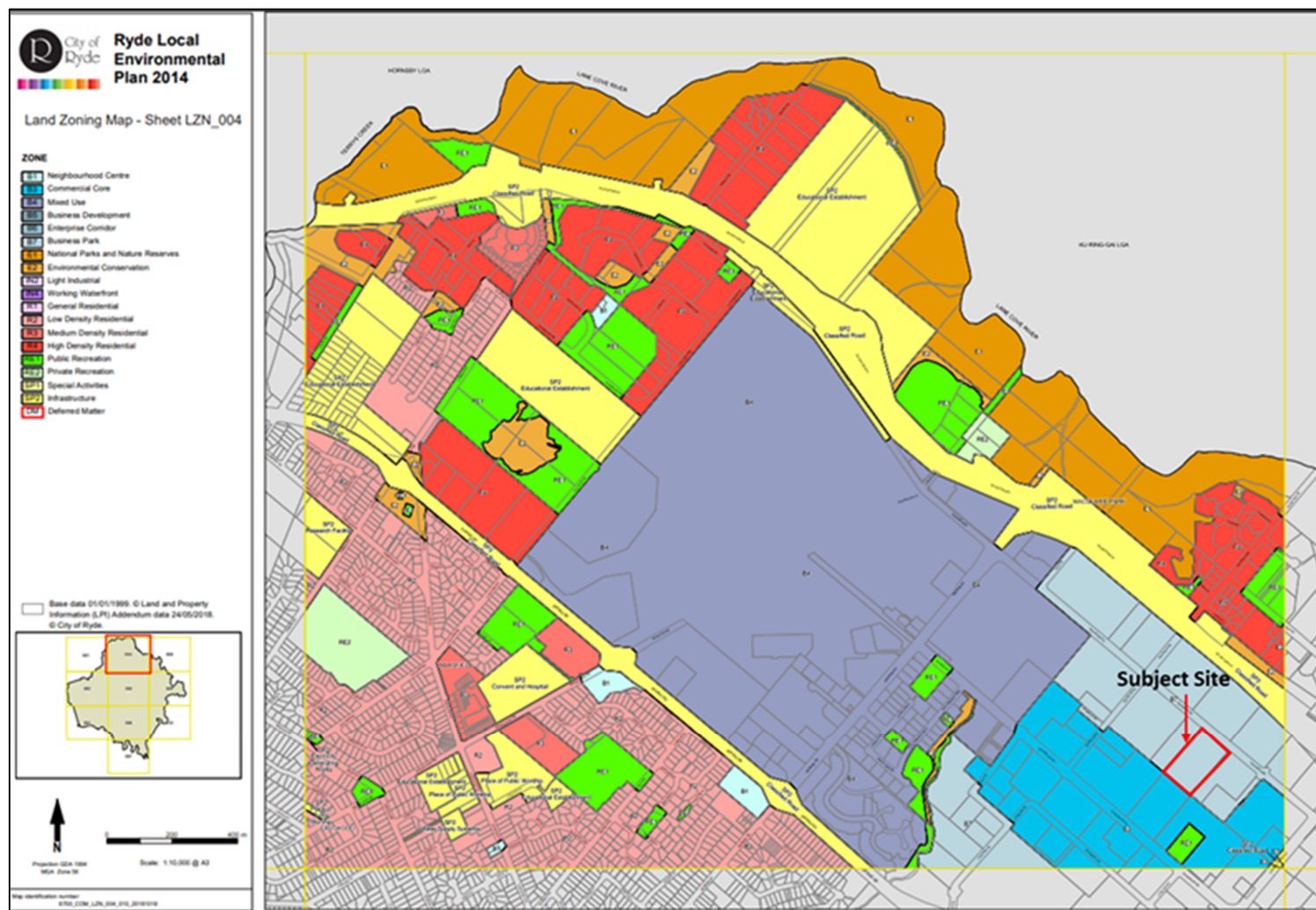


Figure 1 Land Zoning Applicable to the Subject Site under *Ryde Local Environmental Plan 2014* (Source: NSW Legislation, 2021)

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Figure 2 Site Context and Surrounding Area (Source: Nearmaps, 2021)

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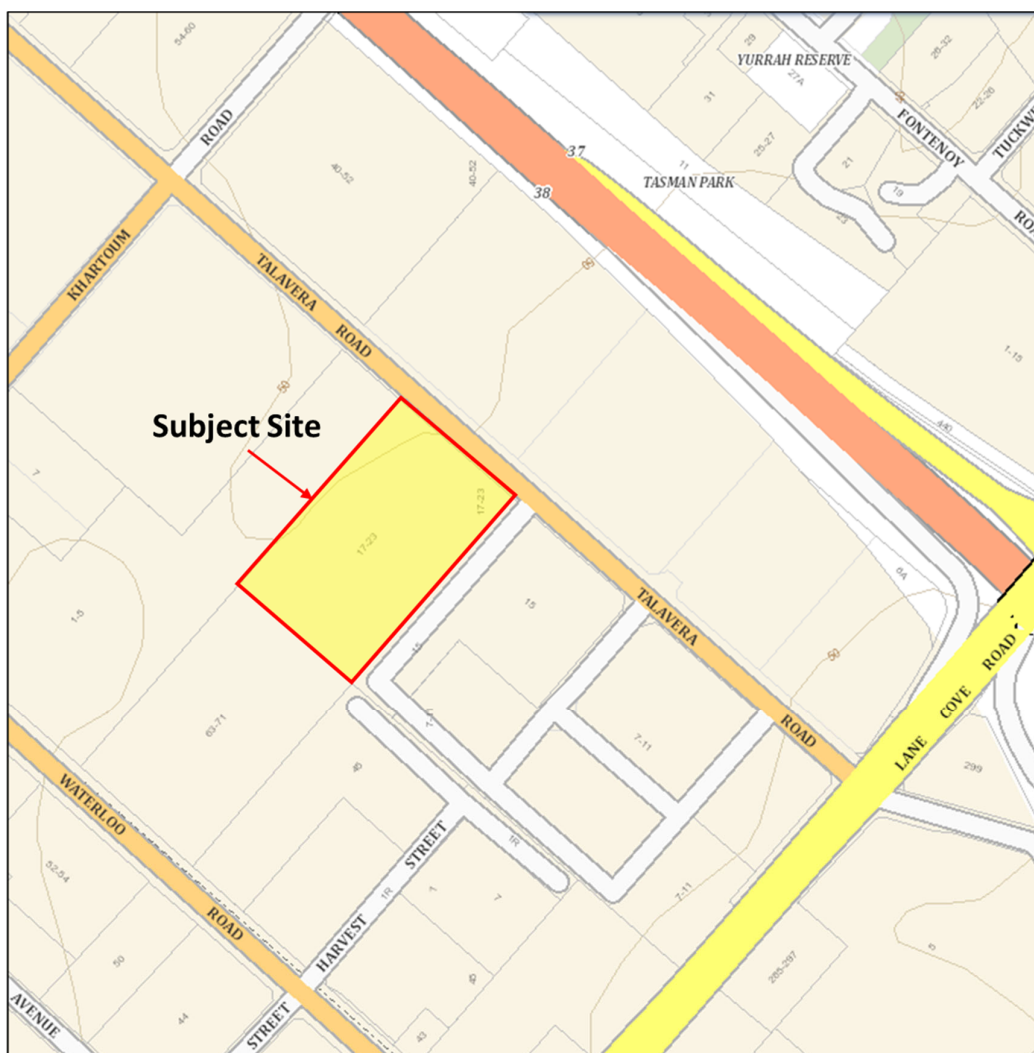


Figure 3 Existing Site Context and Surrounding Area (Source: SIX Maps, 2021)

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2.2 DEVELOPMENT HISTORY

The Subject Site has benefited from a number of approvals to date, which are summarised below.

Table 2: Development History			
DA Reference	Development Description	Lodged	Determination
LDA2010/0671	Alterations and additions to existing building and change use of the premises to a data centre & research & development facility. This application was approved as a deferred commencement approval by the Joint Regional Planning Panel on 29 April 2011.	23/12/2010	Approved
MOD2012/0022	Section 96 – Modification of conditions 61 and 62, relating to public domain works.	27/02/2012	Approved
MOD2012/0051	Section 96 – Amendment to northern (Talavera Rd) façade.	27/04/2012	Approved
LDA2016/0587	Internal alterations to plant room at level 1 and construction of a new plant room on rooftop.	05/12/2016	Approved
LDA2016/0588	Conversion of existing plant room to a data storage room.	05/12/2016	Approved
MOD2017/0203	Section 96(1) to modify condition 16 of LDA2016/0587 relating to acoustics to make it consistent with LDA2010/0671.	07/09/2017	Approved
LDA2018/0322	Alterations and additions to an existing data centre including a new six (6) storey addition to the rear and an additional 23 on grade car parking spaces	13/08/2018	Approved
MOD2020/0045	Section 4.55(1A) modification of approved development for a 6 storey data centre. The modification proposes the removal of photovoltaic and solar panels on the northern façade of the building.	18/03/2020	Approved
MOD2021/0007	Section 4.56 to modify conditions 54 and 55 of LDA2018/0322 and add a new condition 85A.	13/01/2021	Approved

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2.3 DEVELOPMENT CONSENT LDA2018/0322

The most recent approval related to the Site is LDA2018/0322 which granted consent for a two (2) staged construction data centre extension. This approval was granted by the Land and Environment Court (LEC) of NSW under a Section 34 agreement. Stage 1 has been completed, while stage 2 has not yet commenced. The purpose of the subject Proposal is to complete a further expansion which will encapsulate stage 2 plus additional built form. **Figure 4** below provides a representation of LDA2018/0322 against the future Proposal.

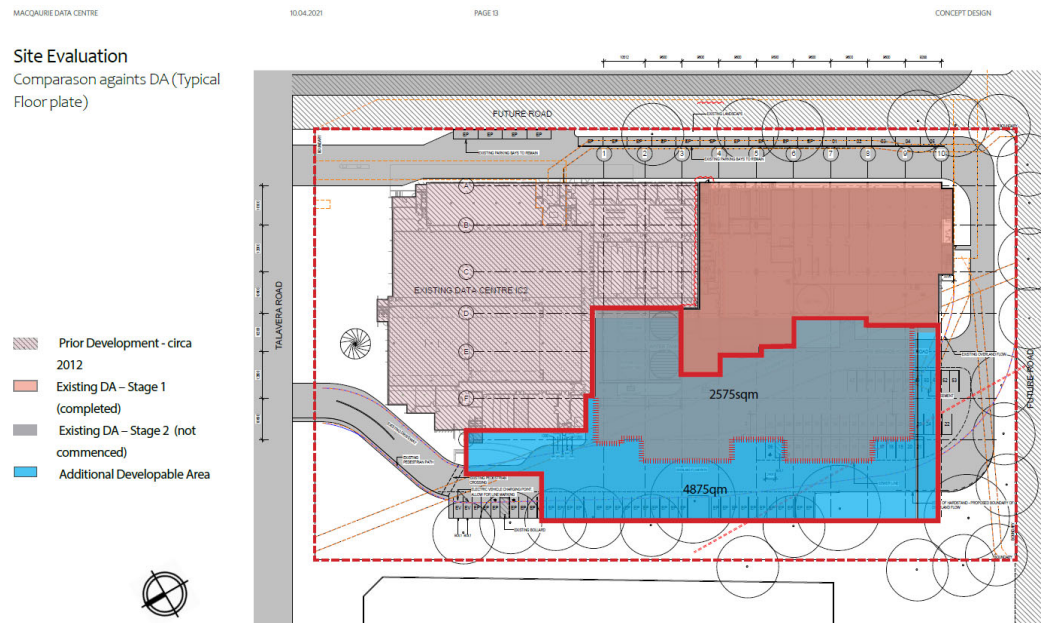


Figure 4 Proposed Development Comparison to LDA2018/0322 (Source: HDR, 2021)

Noting the general extent of the future expansion and the previous LEC approval, the relevant conditions of consent are identified below in **Table 3**, as they relate to the future SSD Application:

Table 3: Previous Conditions of Consent - LDA2018/0322		
2018/0322 Condition of Consent		Response under proposed SSD
(A) 1	<i>Deferred Commencement</i> <i>Voluntary Planning Agreement. The Planning Agreement between The Council of the City of Ryde and Macquarie Telecom Pty Limited in the terms set out via offer on 8 October 2018 and placed on public exhibition between approximately 23 January 2019 and 26 February being entered into with Council.</i>	Consultation will be carried out with Council to achieve the incentive height limit under Clause 6.9 of Ryde LEP 2014. The prior Planning Agreement by way of a variation deed, may be amended to achieve the height incentive.
(A) 8	<i>Deferred Commencement</i>	This condition has been satisfied and will be maintained for the expansion. The Applicant will discuss the impact of the future

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	<i>A Variation of Easement shall be registered over the existing 1800 mm trunk drainage pipeline with provision for the new easement to be made operational once the future 2100 mm diameter pipeline is constructed. The Variation of Easement shall include provision of a Construction Licence to facilitate construction of the future 2100 mm pipeline including storage of goods within the site boundary and access by plant machinery.</i>	expansion on the future easement with Council and will show how the provisions for the existing easement will be also be applied.
21	<i>Tree Retention</i> <i>The following trees as identified within Arboricultural Impact Assessment prepared by Arboreport dated 11 May 2018 must be retained and protected: Tree 1, 1a, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 & 98.</i>	A detailed landscape plans (and strategy) will be included along with a Biodiversity Development Assessment Report (BDAR) as required under the SSD provisions.
98	<i>Restriction as to User – Undercroft</i> <i>A restriction as to user is to be placed on the property title to prevent the closure of openings or storage of any materials other than as shown and modeled on the DA approved drawings within undercroft areas which are intended to accommodate the conveyance of overland flows that may occur during extreme storm events. The terms of the restriction shall be prepared to the satisfaction of Council and must be registered on the title of the property prior to the release of any Occupation Certificate.</i>	This condition can be retained and complied with. Minor amendments will be accommodated if required.
99	<i>Positive Covenant(s) - Stormwater Management</i> <i>A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention and WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the</i>	This condition can be retained and complied with. Minor amendments will be accommodated if required.

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	<i>site(s). The terms of the instrument are to be in accordance with the Council's standard terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) and to the satisfaction of Council. The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.</i>	
100	<p><i>Positive Covenant - Access to easement</i></p> <p><i>A positive covenant registered in accordance with Section 88 of the Conveyancing Act 1919 shall be placed on the property title, requiring the property owner to remove all structures spanning the easement up to a height of 10m above the finished surface level in the property at their cost, when requested to do so by Council or other service provider, in accordance with Council's DCP Part 8.4 (Title Encumbrances) Section 2.1.3. The terms of the restriction shall be generally in accordance with Council's draft terms for such measures</i></p>	<p>This condition can be retained and complied with. Minor amendments will be accommodated if required.</p>

PART C PROJECT SUMMARY

3.1 AIMS AND OBJECTIVES OF THE PROPOSED DEVELOPMENT

The subject Proposal seeks Development Consent for expansion of the existing Data Centre. The following objectives have been identified as forming the basis of the Proposed Development, as well as being consistent with the aims set out within RLEP2014, including:

- Design the Site to achieve a viable economic return;
- Ensure minimal environmental and amenity impact;
- Ensure ongoing compliance with all operational legislative requirements;
- Provide for an employment-generating land use; and
- Ensure development is compatible with surrounding development and both the local and regional context.

A preliminary Site Plan is illustrated below for reference (refer to **Figure 5** below) and the Preliminary Architectural Plans are located in **Appendix 1** of this Scoping Report.

3.2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

Development Consent is sought for the construction and operational use of an expansion to the existing Data Centre, to achieve optimal efficiency outcomes in line with best practice to cater for emerging and evolving data storage requirements throughout the Sydney CBD and wider Sydney Metropolitan Region. The Proposed Development is demonstrated in **Figure 5** below, whilst **Appendix 1** of this Scoping Report contains the detailed Preliminary Architectural Plans. These plans also demonstrate an indicative layout of the mechanical plant (generators and substations) required to facilitate the proposed Data Centre expansion. The overall scope of the Proposed Development is outlined as follows within Sections 3.2.1-3.2.8 and **Table 4**:

3.2.1 Data Centre Building

The Proposal would operate on a 24/7 basis over five (5) levels (including a basement level). Notable components include:

- 14 data halls
- Various electrical switch rooms and substations to house 4 off 33 to 11kV power transformers and 21 off 11 to 415V distribution transformers for distribution of power within the premises
- 6 diesel fuel bulk storage tanks
- Associated plant and equipment

The Data Centre expansion would be constructed over several construction phases, which would be based on the demand for data storage and racking requirements. The built form outcome proposed is a 45 m high building comprising approximately 9,478 m² of new Gross Floor Area (GFA) across the Site. The total GFA would equate to 20,987 m² following completion of the Proposal.

From an operational standpoint (as an owner / operator / landlord), the future end user provides a similar service to its tenants as any commercial landlord would. Notwithstanding, the point of difference is, that the tenants of the facilities are focused on the housing and delivery of cloud-based storage to service the global market, particularly clients located within the CBD. Further operational details of the Proposal are summarised in Section 4.3 below.

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3.2.2 Electrical Substations and Diesel Fuel Storage

The facility will have a total of 25 power and distribution transformers located within fire rated indoor substations to first step down the incoming utility voltage from 33kV to 11kV, and then to further step down the voltage from 11kV to 415V DC for distribution around the facility. All transformers located within these substations are to be cast resin dry type (no oil). Bulk fuel storage will consist of off bulk fuel tanks located in four (4) hour fire rated double bundled tanks at ground floor level on a gantry sized to meet the requirements of AS1940. In addition, each diesel generator will also have its own 1,000 litres of day fuel tank storage. Based on the Preliminary Architectural Plans prepared by HDR, it is anticipated that there would be approximately 323 tonnes (or 380,000 kL) of diesel fuel stored on-site.

A Dangerous Goods Report will be prepared to assess any potential requirements for an Environmental Protection Licence (EPL) required for the proposal pertaining to diesel fuel storage.

3.2.3 Office

The admin and support blocks contain key program elements such as the Facility Operations Centre (FOC), Security Operations Centre (SOC), Loading Dock, Staging, Storage and Open Office. The office components comprise approximately 1,788 m² of GFA.

The Open Office is a touch down office space for single vendor use while supporting the Proposal. The office space includes non-dedicated, open workstations for use by operations personnel during peak deployments periods. The SOC serves as the access control point for the facility and is located directly adjacent to the Lobby so that personnel access can be monitored visually by security staff. The FOC is a dedicated enclosed space for facilities monitoring, with operator consoles for Facilities Operations.

3.2.4 Access and Servicing

Access to the Site would be facilitated by Talavera Road, which shares direct links to Lane Cove Road and the M2 Motorway. Servicing to the Site would be undertaken via augmentation of the existing infrastructure at the Subject Site, with any additional infrastructure requirements (primarily electricity) being investigated under the subject Proposal concerning the proposed Data Centre expansion pertaining to provisions for a substation on the Site.

Additionally, the Proposal includes provisions for internal access roads providing safe ingress and egress throughout the Site, including appropriate directional access and vehicular movement across the Site. This will also satisfy the relevant setback requirements required to be implemented across the Site.

3.2.5 Landscaping

A carefully selected landscape setting will be chosen for the Site, comprising a mix of native and endemic plant species, shrubs, trees and grasses which will help to improve the aesthetic for workers and visitors, as well as exhibit an appropriate landscaping treatment for motorists traversing Talavera Road, as well as significantly reduce the potential visual amenity impacts experienced by nearby residential typologies to the north of the Site. Landscaping will aid the proposal by virtue of landscape screening ultimately improving the visual amenity of the Site. Accordingly, 4,440 m² of deep soil landscaping has been proposed for the Site, which equates to 22% of the Site being landscaped, with a 12% canopy cover.

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3.2.6 Car Parking

Car parking has been provided across the Site to facilitate both the construction and operational phases of the Proposed Development. Parking has been provided generally in accordance with the *Ryde Development Control Plan 2014* (RDCP2014) controls and NSW RMS Standards pertaining to parking; however, it should be noted that a merit assessment will be applied to the Site, given the unique operational output requirements of a Data Centre, which typically results in a reduced car parking requirement over a site compared to any other commercial development. Accordingly, 50 car parking spaces have been provided for the Proposed Development (including one (1) accessible space). A Traffic and Parking Impact Assessment will be prepared as part of the Proposed Development to justify proposed car parking across the Site.

3.2.7 Employment Generation

The Proposal would positively impact on the social and economic conditions of the Ryde LGA and would form an extension of employment generation potential exhibited throughout the wider Macquarie Park Corridor, which is envisaged for employment-generation and economic growth and prosperity, as well as being zoned for commercial-related land use purposes. Construction jobs are expected to be in the order of approximately 1,200, whilst operational jobs would be expected to exceed approximately 50-100 future staff (which includes maintenance contractors).

3.2.8 Comparison - LDA2018/0322 to Current Proposal

In light of the particulars provided with respect to the current Proposal, the following comparison table is provided to show the extent of change as compared to LDA2018/0322.

Table 4: Comparison - Existing Approvals v Current Expansion Proposal			
Project Element	Existing Site (including Stage 1 of LDA2018/0322)	Current Proposal (Post Expansion)	Difference (+ /-)
Total Power consumption (in MW)	28 MW	81 MW	53 MW
Maximum building height	45 metres	45 metres	Same
Gross Floor Area (GFA)	11,103	20,581	+ 9,478
Number of back-up generators	8 + 8	34	+ 18
Diesel fuel storage (in litres and tonnes)	216,000 litres	594,000 litres	+ 378,000 litres
Number of parking spaces	101	50	- 51
Number of operational jobs	29	50-100	Up to 71

3.3 DATA CENTRE OPERATIONS AND PROCEDURES

Once the Proposed Development is fully commissioned and handed over to the operations team, staff and contractors will be responsible for managing the ongoing health and safety of the Site. This includes the implementation and management of a thorough maintenance

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program. Established robust tools and systems and well-documented procedures will ensure the Site remains compliant with State and Local government regulations and best in class global standards for Data Centre operations.

The main facets of the Data Centre operations are outlined as follows:

- Minimising unplanned outages and critical equipment failures through well documented management processes and procedures;
- Reducing operating risks including those related to security; and
- Providing continuous customer support on a 24x7x365 basis.

3.4 STAGING OF DEVELOPMENT

The approval strategy sought, seeks to obtain Development Consent to complete the construction works over several construction phases; however, any such staging does not constitute staged development as defined under Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed stages will be completed as demand for data storage and distribution of cloud-based data storage and services is required.

Sequencing of works will be detailed in the future SSD Application.

3.5 CAPITAL INVESTMENT VALUE

While costs have not yet been finalised, the CIV of this Project is expected to be approximately \$78 Million (excluding GST). The costs will be finalised once the final design is confirmed.

A Preliminary Cost Report is attached to verify the CIV (refer to **Appendix 2**).

3.6 CONSULTATION

Consultation is currently being undertaken with the following stakeholders:

- City of Ryde Council;
- Environment Protection Authority;
- Ausgrid;
- Transport for NSW;
- Department of Industry – Crown Lands and Water;
- NSW DPIE – Environment, Energy and Science (EES) Group;
- NSW DPIE – Hazards Team;
- SafeWork NSW;
- Fire and Rescue NSW;
- Rural Fire Service;
- Sydney Water;
- Surrounding local residents and stakeholders; and
- Any other public transport, utilities or community service providers.

A Pre-Scoping meeting was held with NSW DPIE on 1 July 2021. Attendees included:

- Chris Ritchie (NSW DPIE)
- Patrick Copas (NSW DPIE)
- Pamela Morales (NSW DPIE)
- Paul Christensen (Macquarie Data Centres)
- Charis Law (Macquarie Data Centres)
- David McKay (Hurley Palmer Flatt)

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- Matt Giddy (GIDDIS Project Management)
- Michael Comminos (Astrolabe Group)
- Andrew Cowan (Willowtree Planning)

At this meeting, the previous approval relating to the Site was presented, along with an outline of the current Proposal. It was directed that further consultation must occur with all stakeholders, in particular the City of Ryde Council to address previous matters that formed part of LDA2018/0322.

Consultation with all relevant stakeholders will be undertaken whilst preparing a detailed EIS. It is proposed to submit an independent Community Consultation report that identifies consultation carried out with each stakeholder and how any issues identified have been addressed, with sufficient justification.

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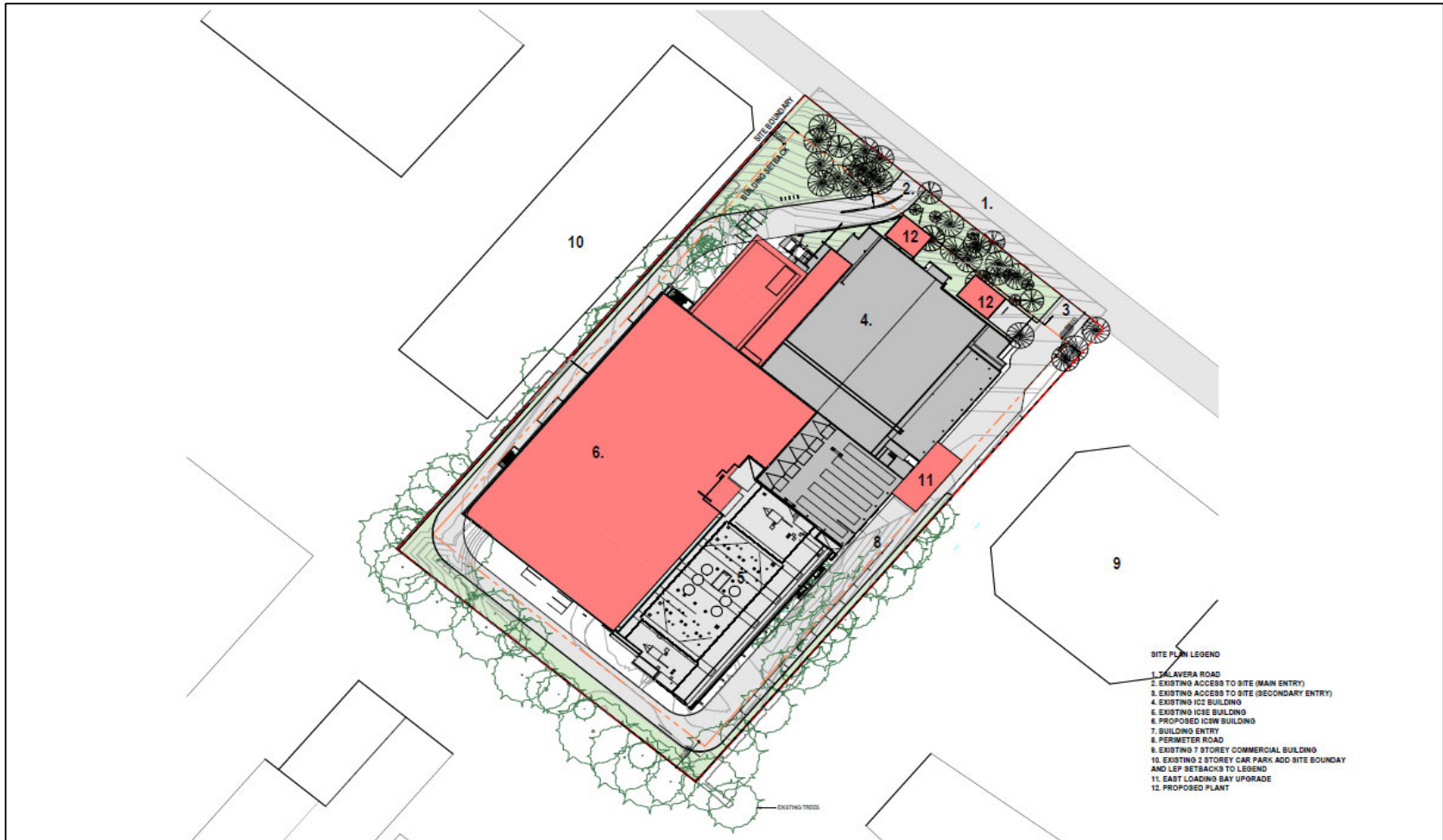


Figure 5: Proposed Preliminary Site Plan (Source: HDR, 2021)

PART D JUSTIFICATION

4.1 PROJECT NEED

Increasing the capacity and capability of secure data storage and cloud infrastructure is of regional and national significance. The NSW Govt (DPIE) has states that 'each data centre development directly contributes as much as \$1 billion in construction and fit-out costs to the NSW economy and forms critical infrastructure for the IT sector' emphasising the importance of these investments towards economic stimulus.

The Proposed Development is an expansion to the existing Data Centre to be co-located with an existing facility that is demonstrated to operate consistent with character of local area. The expansion will further support the secure operation of business to business and business to consumer services and help provide employment-generating opportunities in the professional services, start-up and creative industries in the Ryde Local Government Area, the Macquarie Park Innovation District and the Eastern Economic Corridor. If additional data supply is not provided in well suited locations this will put pressure on cloud storage capacity and limit the capability of digital transformation in economy.

Nationally, data centres are a foundational element of cyber security. Cyber security is one of the Federal Government's six Priority Industry Growth Sectors, and the State and Federal Governments both have cyber security strategies in place. AustCyber's *Cyber Security Sector Competitiveness Plan* (2020 Update) notes a need for critical infrastructure (which includes data centres) to enable the rapid digitization of the Australian economy. Cyber security is a 'horizontal sector' that creates growth opportunities for other industry priority growth sectors, including advanced manufacturing and medical technologies and pharmaceuticals. The *Competitiveness Plan* also highlights the importance of 'sovereign capability': the ability of Australia's local cyber security sector to support need without reliance on foreign providers.

Data centres are critical infrastructure for supporting secure regional and national government and business. The strategic importance of Macquarie Park and the Eastern Economic Corridor to the regional and national economy is outlined in the Greater Sydney Commission's *North District Plan*. Macquarie Park is identified as a strategic centre and health and innovation precinct, anticipated to support between 73,000 (baseline target) and 79,000 (higher target) jobs by 2036 (an additional 15,000-19,000 jobs on 2016 estimates). Outcomes supported by the Proposed Development are considered consistent with the strategic direction of *A Metropolis of Three Cities* and the *North District Plan* (Greater Sydney Commission 2018). The Proposed Development aligns with the following planning priorities of the *North District Plan*:

N8: Eastern Economic Corridor is better connected and more competitive: The Eastern Economic Corridor extends from Macquarie Park to Sydney Airport, contains close to a third of Greater Sydney's jobs. The Proposed Development would contribute to job creation in this respect.

N9: Growing and investing in health and education precincts: THE Data Centre expansion on the Site supports the growth of Macquarie Park as a hospital and high-tech industrial employment hub.

N10: Growing investment, business opportunities and jobs in strategic centres: The Data Centre expansion supports improved access to jobs, goods and services in the Macquarie Park strategic centre.

N13: Supporting growth of targeted industry sectors: Increased storage capacity can enable economic opportunities created by changing technologies, embracing opportunities to expand start-up and digital innovation that can allow people to work closer to home.

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The provision of data storage provides a platform for a competitive digital economy, with increased capacity creating the conditions for multinationals to enter the Australian market. CBRE (2020) *CBRE Research: Asia Pacific Data Centre Trends H1 2020* identifies Sydney is one of four tier one data centre markets in the Asia-Pacific, recording the strongest growth in IT capacity in the Asia Pacific region in the last financial year – an increase of 76%. This is significantly greater than comparable cities such as Singapore (14%) and Hong Kong (27%).

Importantly, the Proposed Development will provide data storage solutions for both public and private cloud, not just public cloud. This enables the Proposed Development to support services for multinational corporations that require their own private hosting solutions, as well as Tier 1 government agencies. Emerging digital technology (including cybersecurity, AI and quantum computing) is a priority industry to achieve Global NSW's vision for a globally connected, smart and vibrant economy.

The need for data centres was given a burning platform by changes to business as usual catalysed by COVID-19. The NSW DPIE recognises data centres as a type of development 'well-placed' to support short-term economic recovery from COVID-19. Data centres were included as one infrastructure asset encouraging investment and job-generating development in DPIE's Productivity Acceleration Package. This relative importance is reflected in amendments to the State and Regional Development SEPP which temporarily allow more warehouses and data centres to be assessed as State Significant Development.

The Proposed Development would assist in providing new employment opportunities and promote further industry diversification in regional growth industry sectors (i.e. ICT sector). Accordingly, this Proposal would not alter the quantity or configuration of land currently zoned for commercial-related uses pursuant to the B7 Business Park zone under RLEP2014. Rather, the Proposed Development would represent an extension to the Data Centre approved on the Site under LDA/2018/0322. The Proposed Development could support the retention and maintenance of existing commercial land stocks and employment objectives, whilst promoting land use diversification (and generating new employment sources); and could generate more employment through the relevant planning, construction, operational and maintenance stages.

Additionally, the Proposed Development at the Subject Site would create the following public benefits, such as:

- Supporting a distributed work model and the ability to 'work from anywhere'. There is a liveability benefit from enabling digital infrastructure that extends beyond the precinct, supporting people to work flexibly if it suits their circumstances;
- Reduced travel distances, leading to savings in time and fuel for local working residents, due to much better access to the Site, as opposed to other dense employment areas at the local level. It is noted, that a reduction in travel times and distances generates related benefits, including reduced vehicle wear and tear, reduced fuel costs, reduced pollution, reduced traffic congestion, reduced risks of car accidents and more time which can be spent either working, socialising or undertaking other activities;
- New employment opportunities from other industries enabled by increased capacity and capability, such as knowledge sector businesses operating within the Ryde LGA and Macquarie Park Innovation District;
- Job creation near homes and consequent economic multiplier impacts, which boosts the local economy.

4.2 CONSIDERATION OF ALTERNATIVES

The purpose of the Proposed Development would contribute towards the intended commercial character and nature of the B7 Business Park zone; and provide an expansion to the existing Data Centre, which provides secure, reliable and scalable solutions for cloud, content and large enterprise customers to house their high rapidly growing volumes of data and information. The Proposed Development seeks to ensure it:

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- Is compatible with surrounding development and the local context;
- Would provide increased operational efficiencies for storage and distribution of data;
- Would result in minimal impact on the environment; and
- Would allow for the implementation of suitable mitigation measures, where required.¹

Overall, the scale of the Proposed Development is considered suitable, and the built form proposed would completely enhance and renew an underutilised land portion completely, into a modernised, State-of-the-Art Data Centre, which will be consistent with surrounding commercial development in close proximity to the Site. The Site design and layout of the built form proposed, seeks to maintain consistency with the zone objectives under RLEP2014 and enhance the underlying commercial character intended for the identified land portion, which is zoned for such permissible land uses. Furthermore, this would be achieved by the resultant built form that would reinforce the nature of the land use and is sensitive to the surrounding environment. Additionally, the Proposal would represent a transitional and sequential development / extension with respect to the development approved under LDA/2018/0322 on the Site.

The options considered and subsequently dismissed, in arriving to the current proposal with regard to the Proposed Development included:

(a) 'Do Nothing' Scenario

This option was dismissed as the objectives of the Project would not be met, including the objective of facilitating an employment-generating development. If the Proposed Development was not to proceed, the Site would continue to remain underutilised.

Furthermore, this option would not fulfil the end user's objectives pertaining to data storage requirements on the Site as approved under LDA/2018/0322. Accordingly, it would not increase the availability to increase data storage and distribution potential for data in close proximity to the wider Macquarie Park Corridor and Sydney CBD.

(b) Development on an Alternative Site

Consideration was given to carrying out development on alternate sites, with viable alternative options in the Australian Capital Territory and Victoria. Macquarie Park is an attractive site as it appeals to the broader target market of global cloud platforms, NSW & Commonwealth governments, and domestic & global multinational corporation customers. Further, the Proposed Development will strengthen cybersecurity and secure hosting services offering in NSW.

Beneficial characteristics of The Site for the Proposed Development include:

- It is located subject to the provisions of the B7 Business Park zone pursuant to the provisions of RLEP2014, which seeks to provide employment-generating land uses;
- The nature of the proposed land use will cause minimal environmental impacts with respect to sensitive land use activities;
- All potential environmental impacts concerning the Proposed Development are able to be suitably mitigated within the Site;
- The proximity to the regional road network provides accessibility and linkages to the broader Sydney Metropolitan Region and regional areas of NSW;
- The Proposed Development demonstrates the capability for continued employment-generating opportunities, during both the construction and operational (including maintenance) phases;
- Sufficient separation is maintained towards the interfaces of surrounding industrial zoned land and existing industrial development in close proximity to the Subject Site;

¹ Source: page 20 in https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/Building+Business+Back+Better+Explanation+of+Intended+Effect+-+March+2021.pdf

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- The Proposed Development has not been identified as containing any items of Heritage significance, including Aboriginal Cultural Heritage and State or Local Heritage items, that require further consideration; and,
- The Proposed Development is able to be developed with appropriate visual amenity achieved given its surrounding context.

(c) Different Site Configuration

The configuration of the Proposed Development was chosen based on the Site's topography; street access; existing mature and proposed vegetation / landscaping; as well as the need to respond to the character of the surrounding B7 Business Park zone. It is noted, that a different site configuration would not have been able to respond to the abovementioned site opportunities and constraints. This option was therefore not considered appropriate.

Notwithstanding, the Proposed Development is justified on the basis, that it is compatible with the locality in which it is proposed, resulting in positive social and economic benefits, whilst appropriately managing and mitigating any potential environmental impacts requiring consideration across and surrounding the Site.

4.3 PROPOSED DATA CENTRE

From an operational perspective (as an owner / operator / landlord), the future end user provides a similar service to its tenants as any commercial landlord would. Notwithstanding, the point of difference is, that the tenants of the facilities are focused on the housing and delivery of cloud-based internet to service the global market.

The Data Centre expansion proposed, commits to maintaining high levels of reliability through the provision of the Site's infrastructure, ultimately supporting the tenant's environment. This is accomplished through industry leading redundancy of mechanical cooling and power systems (including emergency backup power generators) serving the Data Centre along with the necessary and vital telecommunications links required for the Site to carry out an efficient and effective operation.

It is important to note, that in addition to deploying reliable infrastructure in secure facilities, the future end user invests in high performing 24x7 operational teams, whose sole focus is to ensure that the Site is never at risk.

From a locational perspective, the Subject Site was chosen as it would be able to accommodate an unconstrained platform and scale of development proposed. Accordingly, the Site's locality is considered satisfactory from a strategic standpoint, for which the Proposal responds to the commercial character intended for the Site and immediate locality; and the limited environmental constraints, which make the Site suitable for development, for the purposes intended. Additionally, the Site's locality is reinforced by its close proximity to nearby regional road networks, such as Talavera Road, Lane Cove Road, Epping Road and the M2 Motorway as well as available bus and rail (Sydney Metro) networks in close proximity to the Site (throughout Talavera Road), which are considered highly beneficial for the overall operations of the Proposal.

It is noted, that if the Proposed Development did not proceed, the Site would not provide increased employment opportunities. Additionally, it would not provide local employment opportunities, including achieving the '30-minute City' (as outlined in the Regional and District Plans) or generate construction and operational (including maintenance) jobs.

PART E LEGISLATIVE AND POLICY FRAMEWORK

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this Report:

Commonwealth Planning Context

- *Environment Protection and Biodiversity Conservation Act 1999*

State & Regional Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *Protection of the Environment Operations Act 1997*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No 55 – Remediation of Land*

Local Planning Context

- *Ryde Local Environmental Plan 2014*
- *Ryde Development Control Plan 2014*

This planning framework is considered in detail in the following sections.

5.1 ENVIRONMENTAL PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

Under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities and species and listed migratory species) must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made about whether an action requires approval on a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a "controlled action" and formal Commonwealth approval is required.

Based on preliminary investigations carried out, the proposal does not warrant referral to the Commonwealth Minister for Environment.

5.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act is the overarching governing statute for all development in NSW and pursuant to Section 4.36(2) provides that:

"A State environmental planning policy may declare any development, or any class or description of development, to be State significant development."

The Proposed Development has been identified as State Significant Development under the SRD SEPP.

5.3 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Section 4(1) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) states that:

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"Development described in Part 1 of Schedule 3 is declared to be designated development for the purposes of the Act unless it is declared not to be designated development by a provision of Part 2 or 3 of that Schedule."

The Proposal being for an expansion to the existing Data Centre does not trigger the Designated Development thresholds.

5.4 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."

The Proposed Development will include review of the relevant thresholds under Schedule 1 of the POEO Act with respect to Dangerous Goods, including provisions for Diesel Fuel storage and batteries to be stored on-site within the future data storage racking, which may trigger the requirement for an Environmental Protection Licence (EPL).

5.5 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016* (BC Act) is the key piece of legislation in NSW relating to the protection and management of biodiversity and threatened species. The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The BC Act is supported by a number of regulations, including the *Biodiversity Conservation Regulation 2017* (BC Regulation).

The BC Act requires consideration of whether a development or an activity is likely to significantly affect threatened species. The Proposed Development will include a Biodiversity Development Assessment Report (BDAR) prepared in accordance with the relevant Biodiversity Assessment Methodology (BAM) requirements prescribed pursuant to the BC Act and BC Regulations pertaining to the removal of native vegetation.

5.6 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Proposals involving activities that are listed in Schedule 1 of the SRD SEPP are identified as being State Significant Development (SSD). Schedule 1, Clause 25 of the SRD SEPP includes provisions for developments comprising data centres to be undertaken as SSD. Clause 25 states:

25 Data storage

(1) *Development for the purpose of storage premises used for the storage of data and related information technology hardware that has a total power consumption of more than the relevant amount.*

(2) *In this clause—*

relevant amount means—

- (a) *for development in relation to which the relevant environmental assessment requirements are notified under the Act on or before 31 May 2023—10 megawatts, or*
- (b) *for any other development—15 megawatts.*

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The expansion is in excess of the 10-megawatt threshold, thus the SSD provisions apply as the Proposal would be ~50 Megawatts in total.

5.7 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) includes provisions to achieve permissibility for the development of certain activities for a range of infrastructure types. The ISEPP indicates whether an activity is permissible with or without consent on what land the activity is permissible.

In accordance with the meaning bestowed under the ISEPP, a Data Centre is defined as "*development for the purposes of storage premises used for the storage of data and related information technology hardware*". Furthermore, it is noted, that the IN2 Light Industrial zone is identified as a Prescribed Zone pursuant to Part 3, Division 3, Clause 27(2) of the ISEPP.

Furthermore, the ISEPP repeals the former *State Environmental Planning Policy No 11 – Traffic Generating Development* and, pursuant to Clause 104, provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Schedule 3 lists the types of development that are defined as Traffic Generating Development. The referral thresholds for 'Industry' are:

- 20,000 m² in area with site access to any road; or,
- 5,000 m² in area where the site has access to a classified road or to a road that connects to a classified road (if access is within 90 metres of connection, measured along the alignment of the connecting road).

The Subject Site attains an area greater than 20,000 m². Therefore, any such future development would require referral to the NSW RMS (now TfNSW).

5.8 STATE ENVIRONMENTAL PLANNING POLICY NO. 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

To facilitate the operational use of the Proposal, there will be some diesel fuel stored on the Site for the back-up generators. However, there are no combustibles proposed to be stored, thus *State Environmental Planning Policy No 33 - Hazardous and Offensive Development* (SEPP 33) is not triggered. Notwithstanding, a Preliminary Risk Screening report would be undertaken and prepared and included within the EIS.

5.9 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

Under the provisions of *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55), where a Development Application (in this instance, SSD Application) is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Detailed environmental site investigations will be undertaken to confirm the Site is suitable for the proposed land use in accordance with SEPP 55.

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5.10 RYDE LOCAL ENVIRONMENTAL PLAN 2014

RLEP2014 is the principal EPI applicable to the Site. The Site is zoned as follows:

- B7 Business Park.

Table 3 outlines the relevant Development Standards and provisions applicable to the Site, as stated within RLEP2014. Whilst permissibility for the purposes of a Data Centre can be achieved pursuant to the ISEPP, the built form outcomes and general provisions outlined under RLEP2014 applicable to the Site requires further consideration.

Table 5: Ryde Local Environmental Plan 2014 (RLEP2014) – General LEP Clauses	
Requirement	Application to the Proposed Development
Clause 2.3 – Zone Objectives and Land Use Table	<i>(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</i>
B7 Business Park Zone	
B7 Business Park – Objectives of Zone	<ul style="list-style-type: none"> ▪ To provide a range of office and light industrial uses. ▪ To encourage employment opportunities. ▪ To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. ▪ To encourage industries involved in research and development.
Permitted without Consent	<i>Home occupations</i>
Permitted with Consent	<i>Building identification signs; Business identification signs; Centre-based child care facilities; Garden centres; Hardware and building supplies; Light industries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Restaurants or cafes; Roads; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4</i> <p>Note: Permissibility for the purposes of a Data Centre can be achieved pursuant to the ISEPP.</p>
Prohibited	<i>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wholesale supplies</i>
LEP Clauses	
Clause 4.1 – Minimum Subdivision Lot Size	The Site is not subject to a minimum lot size under RLEP2014.

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<p>Clause 4.3 – Height of Buildings</p>	<p>The Site is subject to a maximum building height of 9 m to the south of the Site and 30 m for the remainder of the Site under Clause 4.3 of RLEP2014. It is noted, that under Clause 6.9, the Site is afforded bonus incentives pertaining to height and FSR – refer to Clause 6.9 below.</p> <p>Pursuant to the RLEP2014 and Standard Instrument definitions, the formal definition pertaining to building height is stated as:</p> <p>"building height (or height of building) means—</p> <p>(a) <i>in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or</i></p> <p>(b) <i>in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like."</i></p>
<p>Clause 4.4 – Floor Space Ratio (FSR)</p>	<p>The Site is subject to a maximum FSR of 1:1 across the Site. Notwithstanding, under Clause 6.9, the Site is afforded bonus incentives pertaining to height and FSR – refer to Clause 6.9 below.</p> <p>Pursuant to the RLEP2014 and Standard Instrument definitions, the formal definition pertaining to Gross Floor Area is stated as:</p> <p>"gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—</p> <p>(a) <i>the area of a mezzanine, and</i></p> <p>(b) <i>habitable rooms in a basement or an attic, and</i></p> <p>(c) <i>any shop, auditorium, cinema, and the like, in a basement or attic, but excludes—</i></p> <p>(d) <i>any area for common vertical circulation, such as lifts and stairs, and</i></p> <p>(e) <i>any basement—</i></p> <p>i. <i>storage, and</i></p> <p>ii. <i>vehicular access, loading areas, garbage and services, and</i></p> <p>(f) <i>plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and</i></p> <p>(g) <i>car parking to meet any requirements of the consent authority (including access to that car parking), and</i></p> <p>(h) <i>any space used for the loading or unloading of goods (including access to it), and</i></p> <p>(i) <i>terraces and balconies with outer walls less than 1.4 metres high, and</i></p> <p>(j) <i>voids above a floor at the level of a storey or storey above."</i></p> <p>Notwithstanding, the Proposed Development would exhibit an FSR of 1.04:1 across the Site.</p>
<p>Clause 4.6 – Exceptions to Developments Standards</p>	<p>Where variations to Development Standards are sought Clause 4.6 offers a mechanism to vary such Development Standards; however, pursuant to Subclause 4.6(8)(cc), a Clause 4.6 Variation Request cannot be pursued for development that invokes the bonus incentives under Clause 6.9 of RLEP2014. Therefore, the future development of the Site cannot exceed 45 m in height, or a FSR of 2:1.</p>

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Clause 6.2 – Earthworks	Any earthworks proposed on the Site as a result of future development, will include a supporting Civil Engineering Report and Plans, as well as review and consider Clause 6.2 of RLEP2014.
Clause 6.3 – Flood Planning	The Site is not mapped as flood prone under RLEP2014; however, the future development should consider the relevant flood planning controls where necessary.
Clause 6.4 – Stormwater Management	Future development of the Site will be required to implement water quality and quantity measures that demonstrate a satisfactory Water Sensitive Urban Design (WSUD) strategy, that satisfies Council's engineering guidelines, stormwater controls and pollution reduction targets across the Site.
Clause 6.6 – Environmental Sustainability	<p>In accordance with Clause 6.6 of RLEP2014, give the future proposal will include provisions for greater than 1,500 m² of Gross Floor Area, the proposal would be required to satisfy and / or consider the following:</p> <ul style="list-style-type: none"> (a) <i>water demand reduction, including water efficiency, water recycling and minimisation of potable water usage,</i> (b) <i>energy demand reduction, including energy generation, use of renewable energy and reduced reliance on mains power,</i> (c) <i>indoor environmental quality, including daylight provision, glare control, increased outside air rates, thermal comfort,</i> (d) <i>a reduction in new materials consumption and use of sustainable materials, including recycled content in concrete, sustainable timber and PVC minimisation,</i> (e) <i>emissions reduction, including reduced flow to sewer and light pollution,</i> (f) <i>transport initiatives to reduce car dependence such as providing cycle facilities, car share and small vehicle parking spaces,</i> (g) <i>land use and ecology, including reduced topsoil removal and contaminated land reclamation.</i>
Clause 6.9 – Development in Macquarie Park Corridor	<p>It is noted, that under Clause 6.9, the Site is afforded bonus incentives pertaining to height (45 m) and FSR (2:1) (refer to Figures 7 & 8 below). It is understood that under LDA/2018/0322, development was approved for up to and including 45 m. Confirmation is provided above, that notes pursuant to Subclause 4.6(8)(cc), a Clause 4.6 Variation Request cannot be considered for development that invokes the bonus incentives under Clause 6.9 of RLEP2014. Therefore, the future development of the Site cannot exceed 45 m in height, or a FSR of 2:1.</p> <p>Furthermore, where the incentives are sought across the Site, the future development will be required to ensure that:</p> <ul style="list-style-type: none"> (a) <i>there will be adequate provision for recreation areas and an access network, and</i> (b) <i>the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and</i> (c) <i>the configuration and location of the access network will allow a suitable level of connectivity within the precinct.</i> <p>It is noted, that the Proposed Development includes provisions for a 45 m building height and a FSR of 1.04:1.</p> <p>A Variation Deed to the Planning Agreement under LDA2018/0322 may be invoked to achieve the incentive height limit.</p>

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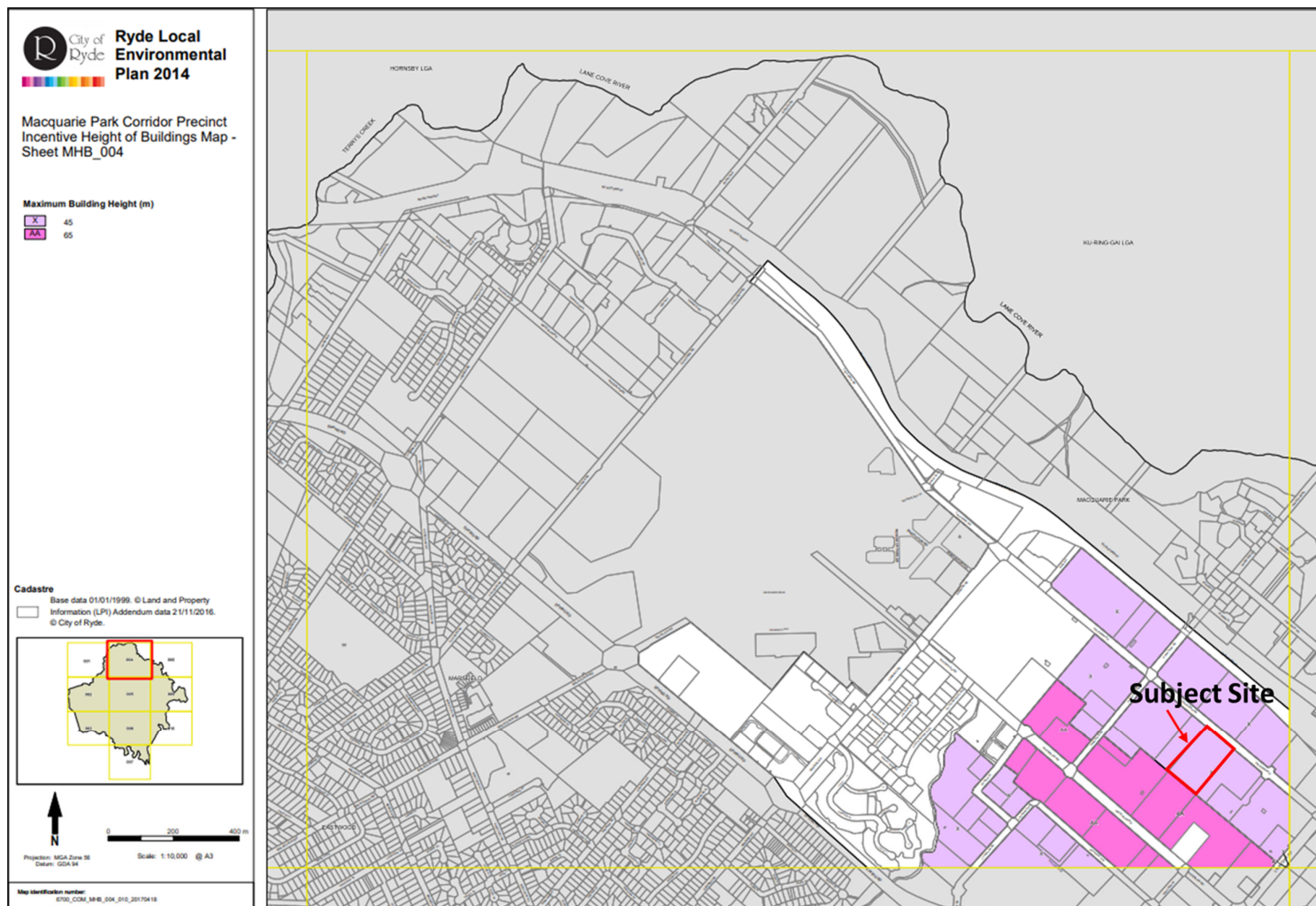


Figure 6 Maximum Building Height Incentives Applicable to the Subject Site and Surrounding Area under *Ryde Local Environmental Plan 2014* (Source: NSW Legislation, 2021)

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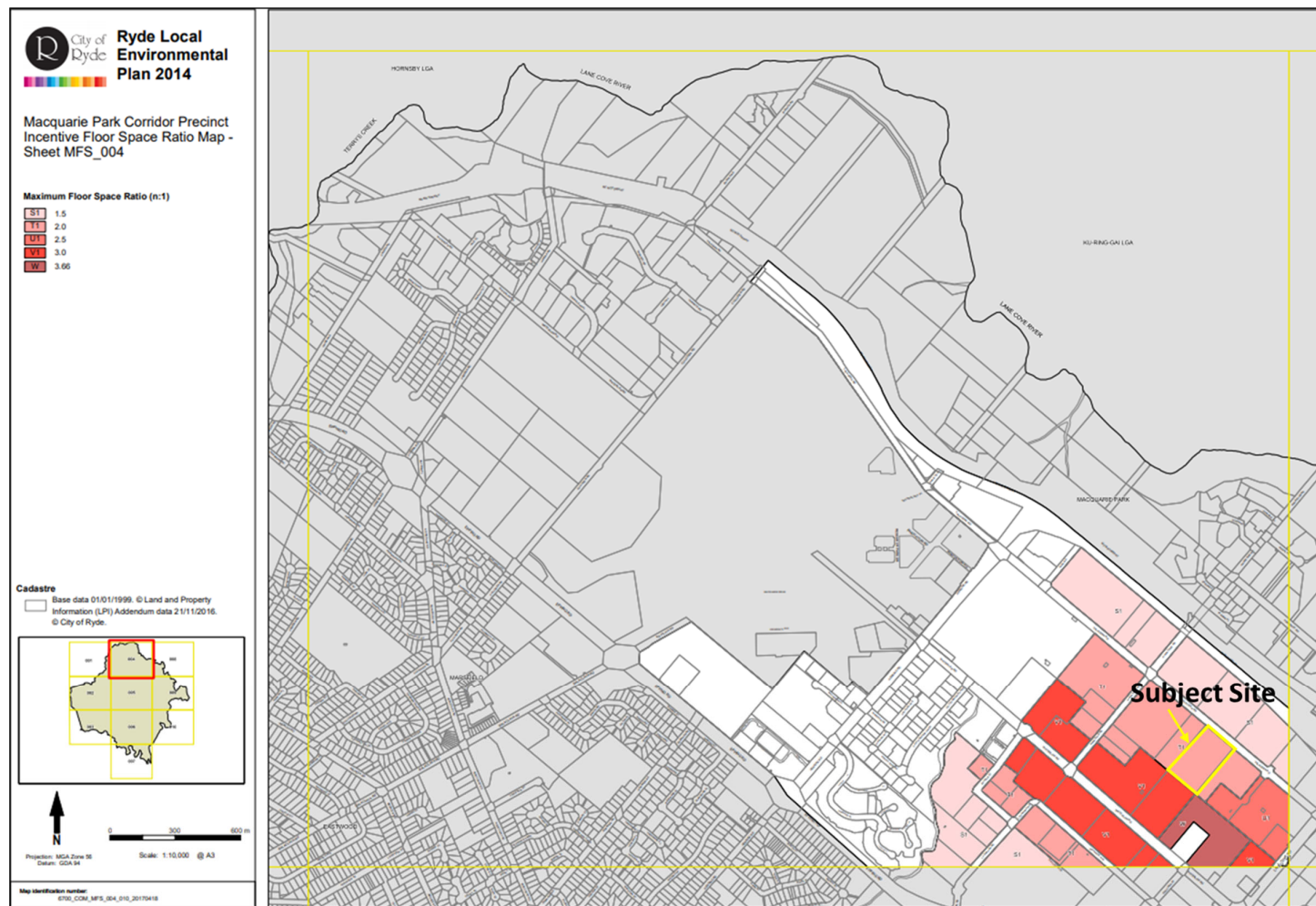


Figure 7 Maximum Floor Space Ratio Incentives Applicable to the Subject Site and Surrounding Area under *Ryde Local Environmental Plan 2014* (Source: NSW Legislation, 2021)

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5.11 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft EPIs apply to the Subject Site.

5.12 RYDE DEVELOPMENT CONTROL PLAN 2014

The RDCP2014 was formally adopted by Council on 28 May 2013 and came into regulatory effect as of 12 September 2014. The RDCP2014 is to be read and applied in conjunction with the RLEP2014, for which, if there is an inconsistency between the two (2), the LEP would prevail over the DCP.

The aims and objectives of the RDCP2014 are as follows:

- To achieve a responsible development control system that has sustainable environmental outcomes;*
- To enhance the existing amenity and character of the City of Ryde;*
- To create vibrant, viable and economically sound employment and living centres;*
- To ensure new development is appropriate for its site and context;*
- To ensure that urban centres and special areas are identified and their special qualities protected and enhanced;*
- To provide guidelines for specific development types and development sites to ensure appropriate high quality development.*

Given the Site is located within the Ryde LGA, the Proposed Development will consider the RDCP2014, which contains controls relevant for the Proposed Development. Controls relevant to the Subject Site and Proposed Development are outlined within **Table 6** below, which will be further assessed as part of the Proposal for consistency and completeness, despite DCP's not applying to SSD in accordance with Clause 11 of SEPP (SRD) 2011.

Table 6: RLEP2014 / RDCP2014 COMPLIANCE TABLE		
Control	Requirement	Proposal
Height (m)	45 m with the bonus incentives available under Clause 6.9 of RLEP2014.	A height limit of 45m is sought under the Proposal by invoking the incentive provisions bestowed under Clause 6.9 of the RLEP2014. A Variation Deed to the Planning Agreement under LDA2018/0322 may be invoked to achieve the height proposed.
FSR	2:1 with the bonus incentives available under Clause 6.9 of RLEP2014.	An FSR of 1.04:1 would be proposed across the Site. This includes consideration of existing GFA and proposed GFA across the Site
Minimum Building Setback (m)	Front Setback: <ul style="list-style-type: none">10 m to Talavera Road; and2 m setbacks to pedestrian pathways (unless within a building). Rear and Side Setbacks: <ul style="list-style-type: none">Buildings are to be set back 10m from the rear boundary and 5m from a side	As demonstrated within the Site Plan and Ground Floor Plan within the Preliminary Architectural Plans, the Proposal complies with Council's minimum building setback requirements, including provisions for: <ul style="list-style-type: none">10 m from Talavera Road10 m from the rear boundary

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	<p>boundary unless a proposed new road is shown on the site.</p> <ul style="list-style-type: none"> Buildings are not to be constructed on the locations for proposed new roads. An allowance for a 5m setback from a proposed road should also be made. 	<ul style="list-style-type: none"> 5 m from the side boundaries
Building Bulk and Design	<p>The floorplate of buildings above 8 storeys is not to exceed 2,000 m², unless it can be demonstrated that slender building forms are achieved through courtyards, atria, articulation or architectural devices.</p>	<p>It is noted, that the Proposed Development includes a six (6) storey built form outcome with the following structural breakdown:</p> <ul style="list-style-type: none"> Ground Level 1 Level 2 Level 3 Level 4 Level 5 Roof Level
Landscaping	<p>Controls:</p> <ul style="list-style-type: none"> 60% of the street setback area is to be soft landscaping. A minimum 20% of a site must be provided as deep soil area. Deep soil areas must be at least 2 m deep. A minimum 20% of the site area is to be provided as Landscaped Area. Landscaped Area is defined as: Area on the site not occupied by any buildings, except for swimming pools or open air recreation facilities, which is landscaped by way of gardens, lawns, shrubs or trees and is available for use and enjoyment by the occupants of the building, excluding areas used for driveways, parking areas or drying yards. 	<p>The Proposed Development complies with Council's landscaping controls including sufficient soft landscaping within Talavera Road setback; 22% of the Site comprising deep soil planting, with approximately 12% tree canopy coverage across the Site, further attributing to a reduction in the potential impacts of the Urban Heat Island Effect.</p>
Existing and Future Road Network	<p>Road 1 as depicted in Section 4.5 of RDCP 2014, runs adjacent to the rear boundary of the Site. This road is proposed to be 20m wide and is</p>	<p>Ongoing consultation will be undertaken with the City of Ryde to ensure a suitable interface is provided to this future road.</p>

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	wholly contained outside of the Site boundaries.	
Car Parking	<p>Car Parking Parameters:</p> <ul style="list-style-type: none"> Basement car park structures should not encroach into the minimum required rear or side setback zone unless the structure can be designed to support mature trees and deep root planting. Above ground portions of basement car-parking structures are discouraged and deep soil planting is promoted. <p>Car Parking Controls:</p> <ul style="list-style-type: none"> Safe and secure 24-hour access to car parking areas is to be provided for building users. <p>At-grade parking</p> <ul style="list-style-type: none"> Parking areas must not be located within the front, side, or rear setbacks. Parking areas are to be screened from view from the street, public domain and communal open space areas, using site planning and appropriate screen planting or structures. Provide safe and direct access from parking areas to building entry points. Provide appropriate mature vegetation between parking bays to provide shade and enhance visual impact. <p>Basement parking</p> <ul style="list-style-type: none"> Basement parking areas should be located directly under building footprints to maximize opportunities for deep soil areas unless the structure can be designed to support mature plants and deep root plants. Basement parking areas must not extend forward of 	<p>It should be noted, that despite a relatively large-scale built form platform, the Proposal entails a low volume of traffic generation requiring ingress and egress to the Site, which has influenced an operational calculation of approximately 50 car parking numbers to service the Site rather than remaining compliant with Council's DCP rates.</p>

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	<p>the building line along a street.</p> <ul style="list-style-type: none">▪ Along active frontages, basement parking must be located fully below the level of the footpath.▪ Basement parking should be contained wholly beneath ground level along public streets.▪ Where this cannot be achieved due to topography, the parking level must protrude no more than 1.2m above ground level for no more than 60% of the building frontage along a public street▪ Ventilation grills or screening devices of car park openings are to be integrated into the overall façade and landscape design of the development. <p>Parking in structures</p> <ul style="list-style-type: none">▪ Along all street frontages, above ground parking levels are to be laminated with another use for a minimum depth of 10m.▪ Temporary above ground parking structures are to be designed to allow future adaptation to other uses.	
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5.13 RYDE DEVELOPMENT CONTRIBUTIONS PLANS

It is understood that the Proposed Development would be subject to development contributions for non-residential development in accordance with the *City of Ryde Section 7.11 Development Contributions Plan 2020*. Contributions payable will be addressed in the EIS submitted.

PART F ENVIRONMENTAL ASSESSMENT

A screening analysis of the environmental issues applicable to the Proposal is presented in Sections 6.1-6.13 below in sequential order of importance and relevance to the Proposal. This risk-based analysis has been used to identify the key environmental issues for further assessment and assist the preparation of the SEARs with respect to the Proposed Development.

The analysis is based on preliminary environmental assessment of the Site only. The EIS for the Proposal will fully address these items and other key environmental issues relevant to the Proposal.

6.1 VISUAL AMENITY / URBAN DESIGN

The built form would be designed to incorporate architectural elements that articulate the facades and provide a sufficient level of visual amenity within the public domain. Consideration would be given towards the surrounding commercial land users, as well as any visual receptors in close proximity to the Site, for which increased landscaping provisions will be considered along the northern portion of the Site to provide a visual screen, as well as the addition of improved and enhanced architectural treatments where deemed appropriate.

Potential visual impacts as a result of the Proposed Development would be assessed via means of a Landscape and Visual Impact Assessment, which would include an assessment of the proposed layout and design in accordance with the following principles and best-practice approaches identified within the following documents (but not limited to):

- *Guidelines for Landscape and Visual Impact Assessment (GLVIA) – Third Edition* (LI/IEMA, 2013); and
- *The Landscape Institute Advice Note 01* (2011) – *Photography and Photomontage in Landscape and Visual Assessment*.

6.2 NOISE

The Site is considered to be sufficiently separated from any noise sensitive receivers. Notwithstanding, the Proposal would consider both construction and operational acoustic impacts (noise and vibration) having regard to the NSW EPA Industrial Noise Criteria, including the Noise Policy for Industry (NPI) document, the Interim Construction Noise Guideline (ICNG), as well as relevant controls articulated within the RDCP2014.

Potential noise impacts generated during the construction phase of the Proposed Development would be localised through construction traffic and construction equipment, for which a Construction Noise and Vibration Management Plan (CNVMP) would be prepared and implemented for the Site where required, which would satisfactorily address any potential noise and vibration impacts anticipated during the construction phase of the Proposal.

Operational noise would be attributed to proposed plant and equipment including backup generators to be distributed throughout the proposed Data Centre expansion. It is noted, that a qualitative and quantitative Noise and Vibration Impact Assessment would be undertaken by a suitably qualified Acoustic Engineer to confirm the Proposed Development does not exceed the relevant acoustic emissions criteria for operational noise with respect to both the amenity and intrusiveness criteria. Where potential impacts are identified, suitable acoustic attenuation and mitigation measures would be recommended and implemented across the Site where required.

6.3 AIR QUALITY

Given the nature of the Proposed Development being for an expansion to the existing Data Centre, air quality impacts would be considered accordingly, with particular consideration given towards air quality impacts from the use of proposed generators across the Site. It is noted, that the generators are for standby emergency backup power only and would be used only when required; thereby, the potential air quality impacts associated with the operational phase would be considerably low. Notwithstanding, potential air quality impacts will be detailed within the EIS.

During demolition and construction, air quality would be managed through appropriate dust mitigation measures.

Accordingly, an Air Quality Impact Assessment would be prepared by a suitably qualified expert to accompany the EIS.

6.4 HAZARDS AND RISKS

As only diesel fuel is to be stored on-site, the provisions under SEPP 33 do not apply. Notwithstanding, a Preliminary Risk Screening will be undertaken in accordance with the relevant SEPP 33 thresholds to establish the storing of Dangerous Goods on-site. Lithium batteries are also proposed to be utilised throughout the proposed Data Centre expansion; however, appropriate storage protocols would be implemented to provide a safe and efficient operation.

It is noted, that ongoing consultation will be undertaken with the NSW DPIE (Hazards Team), NSW EPA and FRNSW to ensure all potential impacts with regard to diesel fuel storage and associated potentially hazardous materials, i.e. lithium batteries has been accounted for. Accordingly, the Proposed Development would be supported by a Fire Engineering Letter of Support which considers fire safety across the Site and any relevant Performance Solutions required to be considered prior to the issue of the relevant Construction Certificate.

The requirement for an EPL will be considered following the preparation of the finalised design and ensuing Preliminary Risk Screening has been undertaken for the Proposal.

6.5 TRAFFIC AND TRANSPORT

Suitable provision is made to accommodate and service the Proposed Development in relation to traffic and transport, including appropriate consideration of access from Talavera Road, which provides enhanced connectivity to the wider regional road network including the closely linked Lane Cove Road, Epping Road and the M2 Motorway. Additionally, suitable parking provisions (Council) and swept paths have been considered across the Site, which would be further analysed within the ensuing Traffic Impact Assessment (TIA) to be prepared as part of the SSD Application. It should be noted, that despite a relatively large-scale built form platform, the Proposal entails a low volume of traffic generation requiring ingress and egress to the Site.

Notwithstanding, a qualitative and quantitative TIA would be prepared by a suitably qualified Traffic Engineer, which would consider the potential traffic related impacts as a result of the Proposal on the surrounding road network; access and design; car parking; and trip generation (including relevant swept path analysis).

6.6 SOIL AND WATER

During the construction phase of the Proposal, an Erosion and Sediment Control Plan (ESCP) would be implemented to protect the downstream drainage system and associated receiving waters from any potential sediment-laden runoff.

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Earthworks would be designed to minimise the extent of cut and fill and allow the balance of soil to be re-used on-site. Topsoil would be stockpiled for re-use within landscaped areas where possible. Minor regrading would be required to facilitate the building pad for construction purposes.

With regard to water quantity across the Site, the Proposed Development will include provisions for On-site Stormwater Detention (OSD) to capture all site stormwater runoff and manage overland flow across the Subject Site. The Proposed Development will include a satisfactory stormwater management cycle which includes a Water Sensitive Urban Design (WSUD) strategy which achieves Council's stormwater and pollution reduction targets across the Site. It is anticipated that ongoing consultation with the NSW DPIE, City of Ryde Council, NSW EPA and TfNSW will occur throughout the SSD Application.

Rainwater harvesting would also be applied across the Site (where considered practical), which will incorporate re-use in irrigation methods and recycled potable water components, i.e. toilet flushing.

6.7 INFRASTRUCTURE AND SERVICES

All essential infrastructure services would be augmented accordingly for the Proposed Development, including potable water, wastewater, electricity, gas and telecommunications.

Comprehensive investigations, comprising geotechnical, noise and vibration are to be undertaken as part of the subject SSD Application, which would confirm any potential impacts (if any) that would likely be incurred as a result of the Proposed Development. Any recommendations provided would be implemented within the relevant Construction and Environmental Management Plans to be incorporated into the Proposal upon Development Consent being obtained.

Furthermore, it is noted that the current electrical service provider for the Site is Ausgrid. This proposal seeks to leverage existing services and is working closely with Ausgrid on future capacity needs.

In relation to Council easement on the Site, the Proposed Development will maintain the clearances and offsets that were established for the building over the existing stormwater asset which were agreed under LDA/ 2018/0322. These offsets will also be maintained over the previously agreed future easement zone.

Consultation with Council will continue to ensure that suitable arrangements are established in regard to the existing and future stormwater assets.

6.8 SITE LAYOUT AND DESIGN

The Site Layout and built form design (including landscaping) responds to the Site constraints, thus providing a highly functional development which enhances the visual amenity of the Site, by revitalising a dilapidated industrial landform into a modernised building that will not detract from the amenity of nearby receivers. Suitable provision is made for service vehicles within the Site, which would be supported by detailed swept paths within the ensuing EIS and TIA.

Additionally, the configuration of the Proposal takes into consideration the desired street connectivity and circulation required throughout the Site that can accommodate a development for the purposes of the Data Centre expansion.

6.10 SOCIO-ECONOMIC IMPACTS

The Proposal would positively impact on the social and economic conditions of the Ryde LGA and the wider Sydney Metropolitan Region, which are envisaged for employment-generation and economic growth and prosperity. Construction jobs are expected to be in the order of approximately 1,200, whilst operational jobs would be expected to exceed approximately 50-100 future staff (which includes maintenance contractors).

6.11 BIODIVERSITY

Potential impacts to native vegetation across the Site would be appropriately assessed within the BDAR, which will be prepared in accordance with respect to the BAM. For any clearing required, it is expected that the species would be offset in accordance with the provisions of the Biodiversity Offsets Scheme (BOS).

6.12 ABORIGINAL CULTURAL HERITAGE AND NON-ABORIGINAL HERITAGE

Earthworks proposed will be required to consider the potential impacts to Aboriginal Cultural Heritage across the Site, for which the Proposal will be supported by an Aboriginal Cultural Heritage Assessment Report (ACHAR).

The recommendations required to be implemented as a result of the findings of the ACHAR would be carried across in relation to the subject Proposal for the purposes of a Data Centre expansion as part of the overarching management and mitigation measures within the EIS to be prepared.

6.13 WASTE

Demolition, construction and operational waste would be managed in accordance with a site-specific Waste Management Plan to be prepared with respect to the Proposal. This would include provisions for recyclables and suitable offsite disposal.

PART G CONCLUSION

The Proposed Development would be for a ~50-megawatt expansion to the existing Data Centre; thus the Proposed Development is defined as SSD pursuant to Schedule 1, Part 25 of the SRD SEPP.

The Site is situated within the Ryde LGA and is complemented by surrounding developments of similar contextual importance; therefore, the Site is considered highly suitable for the Proposed Development, given the industrial-related uses (data storage) proposed.

The Proposed Development is considered to align with the strategic objectives of the RLEP2014 and continues to support employment-generating opportunities within the wider Sydney Metropolitan Region. Furthermore, the Site is located within close proximity to housing and key infrastructure. In this respect, the Proposed Development would provide for economic growth and prosperity for the Ryde LGA.

Additionally, as noted throughout this Scoping Report, the Proposed Development would be carried out in an environmentally and ecologically sustainable manner and would further implement suitable mitigation measures to ensure that the amenity and function of surrounding land uses would not be compromised.

It is requested that NSW DPIE issue formal SEARs for the preparation of an EIS for the Proposed Development as SSD.

APPENDIX 1

Preliminary Architectural Plans

APPENDIX 2

Preliminary Cost Report