



7 February 2025

REF: WTJ24-549

NSW Department of Planning, Housing and Infrastructure
Industry Assessments
Locked Bag 5022
Parramatta NSW 2124

Attention: Joanna Bakopanos

**RE: REQUEST FOR INDUSTRY-SPECIFIC SEARS
PROPOSED CONSTRUCTION AND OPERATION OF DATA CENTRE
PROPERTY AT: 6-8 JULIUS AVENUE, NORTH RYDE (LOT 89, DP1082131)**

Dear Joanna,

We write on behalf of ISPT (the Proponent) to the NSW Department of Planning, Housing and Infrastructure (DPHI) in support of a request for industry-specific Secretary's Environmental Assessment Requirements (SEARs), under the Rapid Assessment Framework (RAF) to accompany a future State Significant Development Application (SSDA) at 6-8 Julius Avenue, North Ryde. The legal description of the property is Lot 89 in DP1082131 (the Site).

Consent is sought for the construction and operation of a new data centre on the Site, to be known as the Julius Avenue Data Centre, including associated infrastructure and servicing (the Proposal). The intent of the letter is to demonstrate that the Proposal is eligible for industry-specific SEARs under the RAF.

The Site is located within the Ryde Local Government Area (LGA) and is zoned E3 Productivity Support, pursuant to the *Ryde Local Environmental Plan 2014* (RLEP 2014). The Proposal is categorised as a data centre, which falls within the group term light industries which is permitted with consent in the E3 zone under the RLEP 2014. A data centre is also permitted with consent in the E3 zone under the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the Transport and Infrastructure SEPP).

The Proposal seeks consent for a data centre with a total power consumption of 170 megawatts.

The Proposal satisfies the definition of state significant development pursuant to Chapter 2 and Schedule 1, Clause 25 of *State Environmental Planning Policy (Planning Systems) 2021* (the Planning Systems SEPP), being

- development for the purpose of a data centre that has a total power consumption of more than the relevant amount of 15 megawatts.

The preliminary architectural plan for the proposed scheme prepared by Greenbox Architecture is provided at **Appendix 1**.

This letter provides an overview of the proposed development and the relevant planning framework that applies to enable the issuance of industry-specific SEARs, which will then guide the preparation of a formal Environmental Impact Statement (EIS) for development of the Site.



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The Proposal is considered to meet the criteria for industry-specific SEARs, based on the following:

- It does not constitute Designated Development
- It is wholly permissible pursuant to the RLEP 2014 and the Transport and Infrastructure SEPP.
- It does not involve a concept development application (DA)

The following sections provide an overview of Proposal to inform the NSW DPHI's decision making for the issuance of industry-specific SEARs.

1.0 SITE DESCRIPTION

The Site is identified as 6-8 Julius Avenue, North Ryde, legally described as Lot 89 in DP1082131 (the Site). The Site is irregular in shape and is located on the south-eastern side of Julius Avenue, North Ryde.

The Site has a primary frontage of approximately 100m to Julius Avenue and has a partial rear frontage to Richardson Place (cul-de-sac) at the north-eastern corner. The Site has an area of approximately 2.863ha.

The Site is currently vacant. The northern part of the Site was excavated and cleared of vegetation in 2009 as part of the previous development consent on the Site.

An aerial view of the Site from 30 October 2024 is provided in **Figure 1** below

The Site is zoned E3 Productivity Support pursuant to RLEP 2014 and is located within the City of Ryde Local Government Area (LGA) which is approximately 15km north-west of the Sydney CBD.

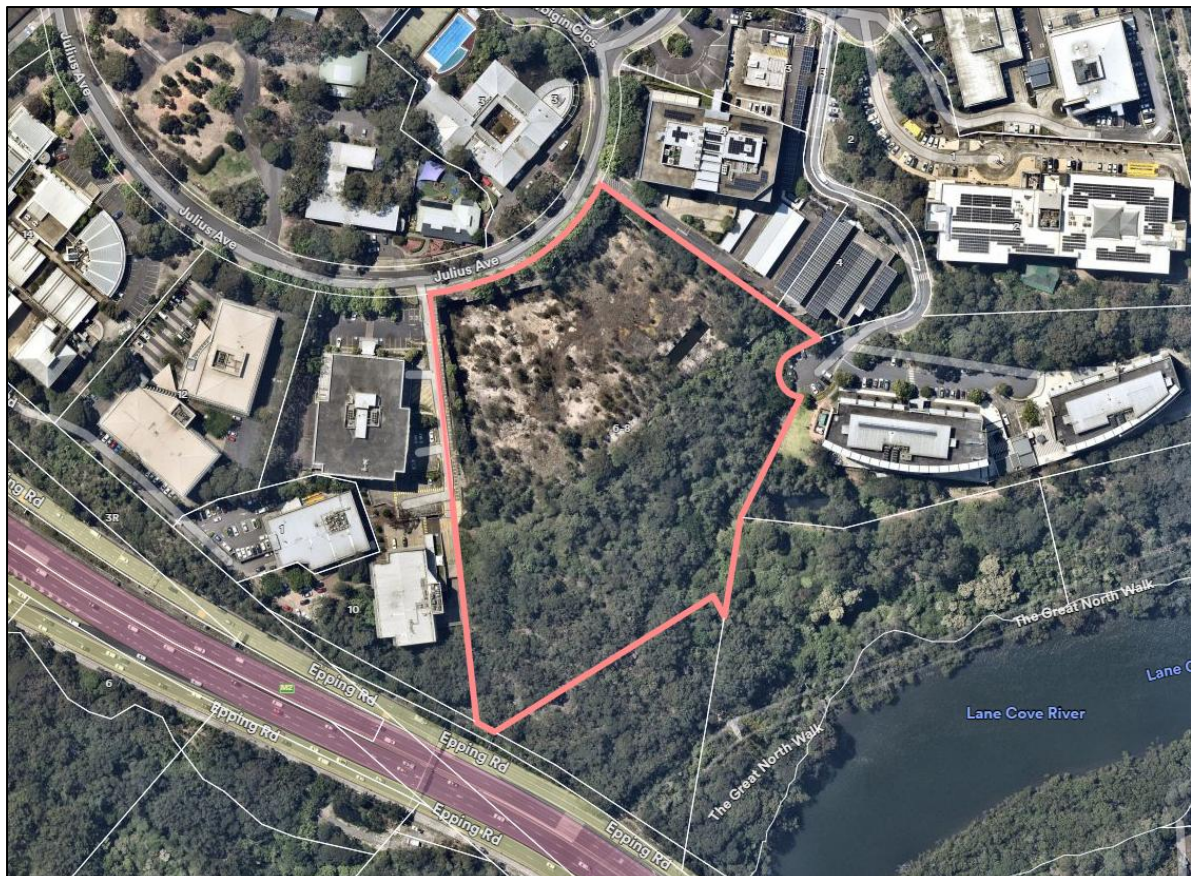


Figure 1. Aerial view of the Site (Source: Nearmap, 2024)



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Existing attributes of the Site and surrounding context are noted as follows:

- The Site is generally surrounded to the north-east, north-west, and south-west by commercial uses and E3 Productivity Support zoned land.
- Approximately 150m to the west of the Site is MUI mixed Use zoned land which contemplates residential development to a height of 95m.
- The Site directly adjoins the Lane Cove National Park to the east and south-east which contains a walking track known as The Great North Walk and a fire trail.
- The Lane Cove River is located approximately 100m to the east of the Site.
- The Site directly adjoins the Ryde City Council Administrative Centre to the east.
- Approximately 500m to the west of the Site is the North Ryde Metro Station.
- The nearest residential development is located approximately 300m to the south-east of the Site on the eastern side of Lane Cove River in Lane Cove North, and 300m to the south-west of the Site on the southern side of Epping Road in North Ryde.

2.0 DEVELOPMENT HISTORY

Modified Determination No. 1395/1999, dated 11 September 2005, approved construction of four (4) and six (6) storey commercial buildings over basement car parking on the Site.

The northern part of the Site was partially excavated and cleared as part of Modified Determination No. 1395/1999 and therefore it is understood that this consent is still active. The Site has remained vacant since the excavation and vegetation clearing was carried out in 2009.

A copy of the approved Site Plan is provided in **Figure 2** below and illustrates four (4) separate commercial buildings with a combined GFA of 36,648sqm and significant vegetation clearing.

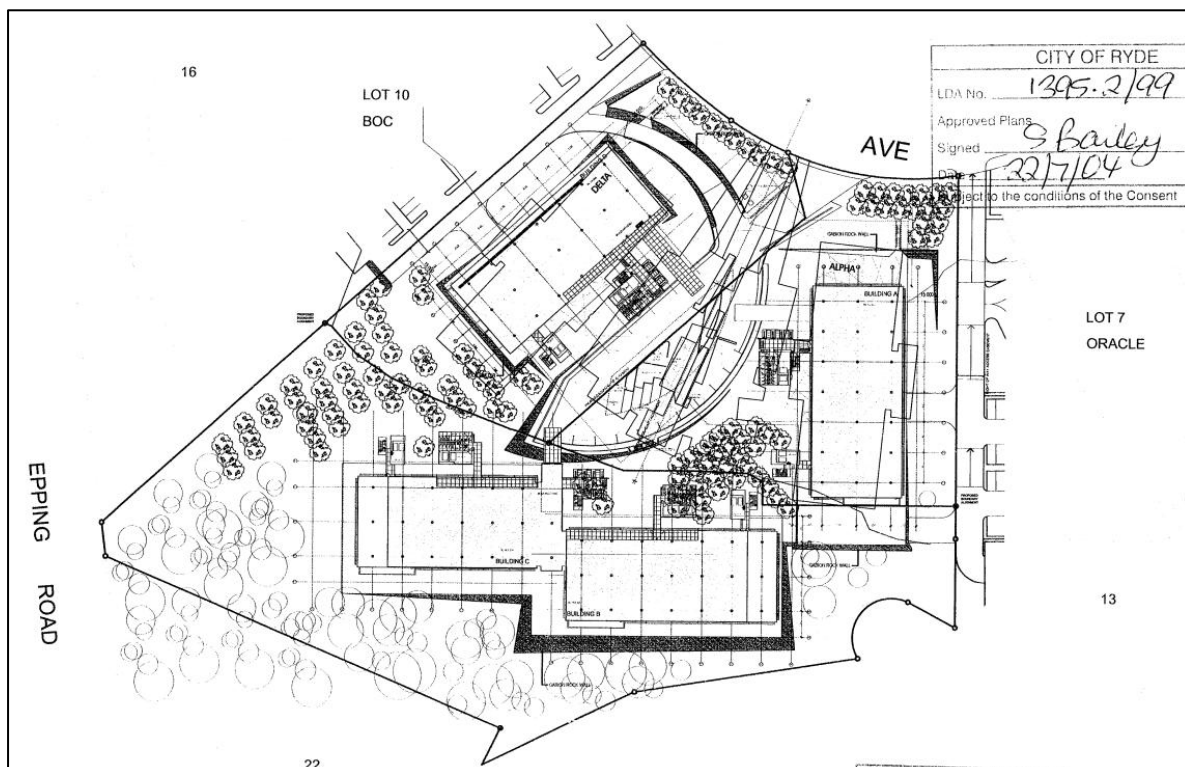


Figure 2. Site Plan - Modified Determination No. 1395.2/99 (Source: Ryde City Council, 2025)



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3.0 PROPONENT DETAILS

The Proponent for this Proposal is ISPT Pty Ltd, refer to **TABLE 1**.

TABLE 1: PROPONENT CONTACT DETAILS	
Company Details	ISPT Pty Ltd
Contact Name	Matthew Cox
Position	Project Director
Contact Number	0409842275
Email Address	mcox@ispt.com.au

4.0 PROJECT DETAILS

The Proposal will seek development consent for the construction and operation of a data centre, including necessary servicing. The current preliminary Proposal plan, prepared by Greenbox Architects is included within **Appendix 1**. The particulars of this Proposal are summarised below:

- Site preparation works, including tree clearing (no. of trees to be confirmed)
- Earthworks and additional site retaining;
- Infrastructure comprising civil works and utilities servicing
- Construction a data centre, with the following:
 - Basement car parking for 115 cars
 - 12 data halls across six (6) storeys with a total capacity of 170 megawatts with upper-level mechanical equipment and rooftop plant;
 - Six (6) storey office/front of house building;
 - Six (6) storey generator gantry to rear of data centre;
- New Ausgrid precinct-wide Subtransmission Switching Station (STS);
- Two (2) new public roads along the western and southern parts of the Site; and
- Complementary landscaping and offset planting (no. of planting to be confirmed)

The proposed development includes those works as identified in **TABLE 2** below.

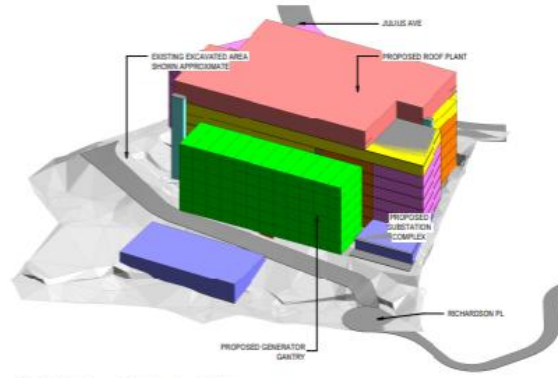
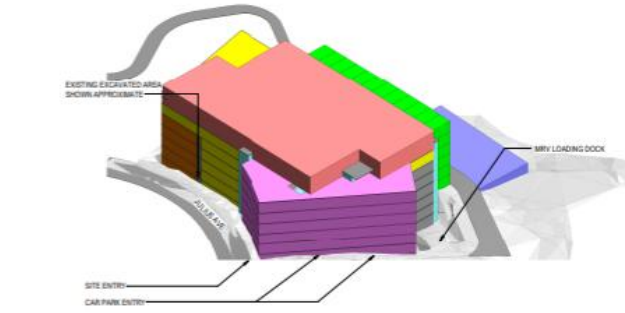
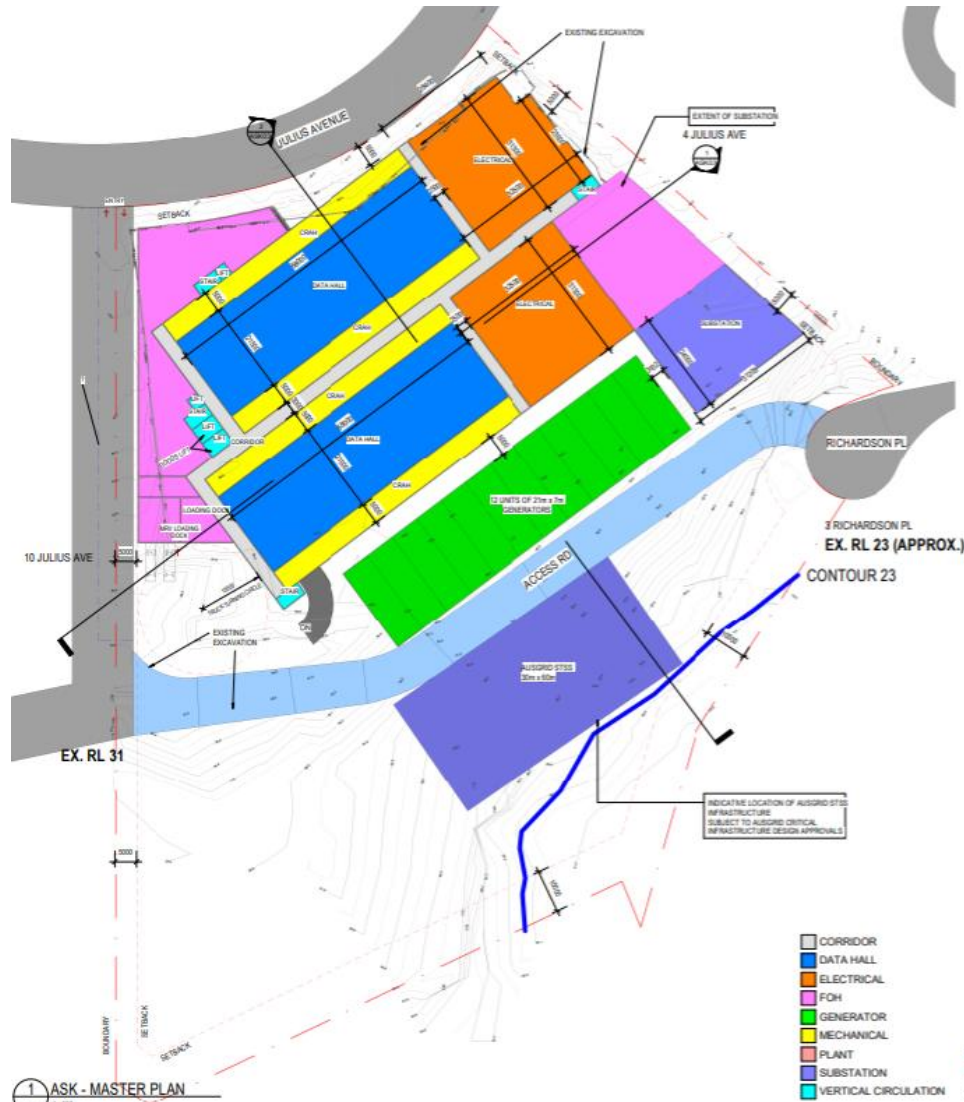
TABLE 2: DEVELOPMENT PARTICULARS	
Component	Documentation
Site Area	28,630sqm
Primary Land Use	Data Centre
Ancillary Land Uses	Office premises
Gross Floor Area	36,328sqm
Floor Space Ratio	1.26:1
Total Power Consumption	170 megawatts
Building Height	Approximately 50m
New Roads	Two (2) new roads per Macquarie Park Design Guide
Car Parking	115 car parking spaces
Landscaping/trees	Total landscaping and tree removal to be confirmed.
Back-Up Generators	72 x 3.2MW back-up generators
Dangerous Goods	840kL diesel storage capacity (12 x 70kL tanks)
Estimated Jobs	Total estimated jobs (construction and operation) to be confirmed.

Figure 3 to **Figure 5** below include an excerpt of the Concept Plans prepared by Greenbox Architecture (refer to **Appendix 1**).



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SITE INFORMATION	REQUIRED	PROPOSED
SITE AREA	28,000m ²	-
LAND ZONING	E3	-
FUR	1.51 + 42,840 m ²	38,328m ²
BUILDING HEIGHT LIMIT	65m	65m FROM EXISTING EXCAVATION
SSA	-	6,718 m ²
NO. OF CARPARKS	-	115

DATA HALL INFORMATION	
AREA (DATA HALL MODULE)	1,022 m ²
TOTAL DATA HALL AREA	17,346 m ²
TOTAL BACKUP (DATA HALL)	870
BACKUP CAPACITY	100M
NO. OF RACKS / FLOOR	36
NO. OF FLOORS (DATA HALL)	12
TOTAL IT LOAD / HALL	3.3 MW
TOTAL IT LOAD / FLOOR	19.2 MW
TOTAL IT LOAD	115.8MW
AVAILABILITY PUE	78C
TOTAL SITE LOAD	78C
SLAB TO SLAB HEIGHT	80

Figure 3: Concept Masterplan (Source: Greenbox Architecture, 2025)



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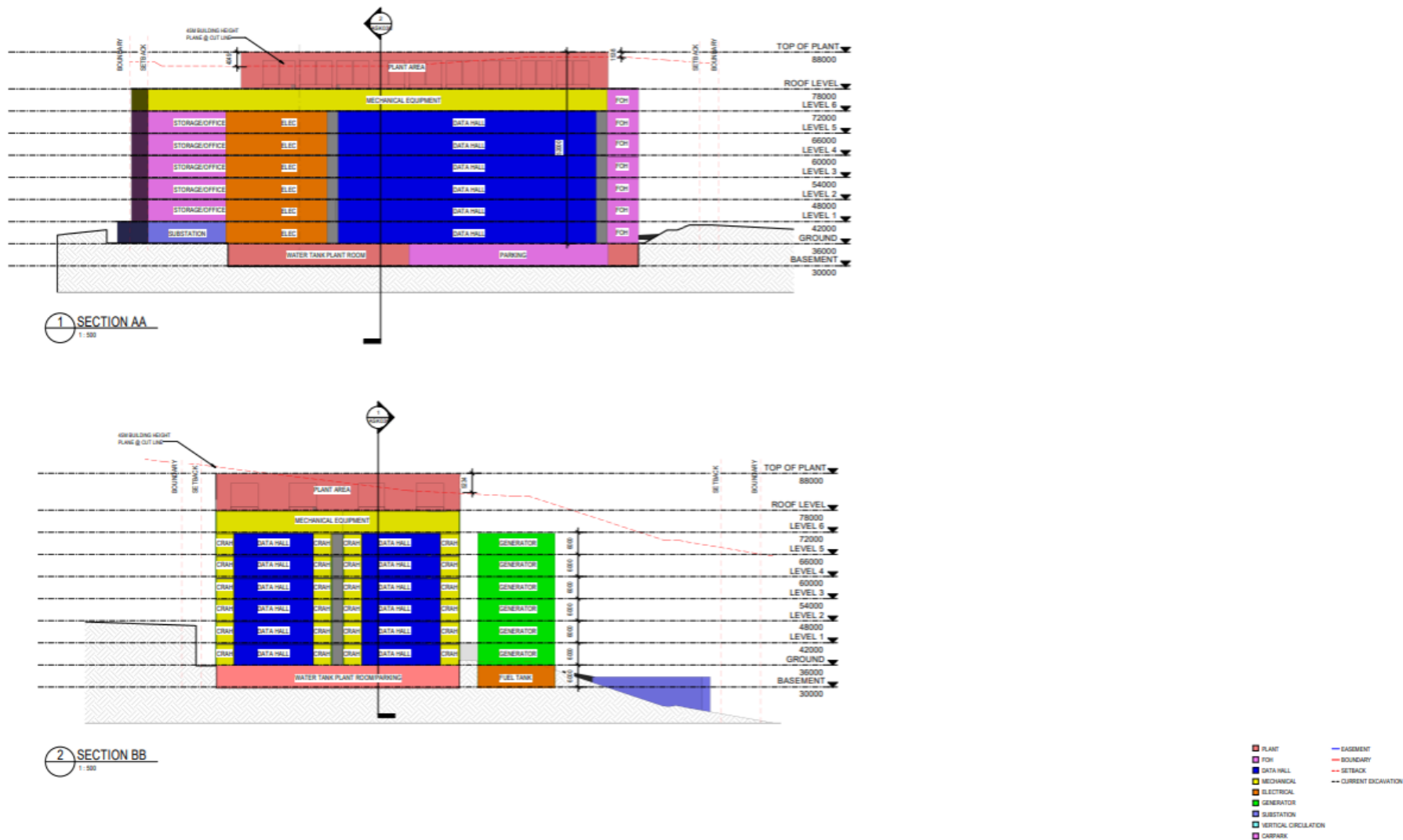


Figure 4: Sections (Source: Greenbox Architecture, 2025)

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DESIGN IDEAS FOR FOH AND ENTRANCE



DESIGN IDEAS FOR SOLID FACADE

Figure 5: Indicative Materials and Finishes (Source: Greenbox Architecture, 2025)



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5.0 STATUTORY CONTEXT

This section sets out the statutory planning framework and controls relevant to the Proposal.

The following statutes, strategic plans and policies have been considered as part of the development planning phase:

Commonwealth Planning:

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

State Planning:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Biodiversity Conservation Act 2016*
- *Rural Fires Act 1997*
- *Protection of the Environment Operations Act 1997*
- *Water Management Act 2000*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

Local Planning:

- *Ryde Local Environmental Plan 2014*
- *Macquarie Park Design Guide*
- *Ryde Development Control Plan 2014*

Strategic Context

- Greater Sydney Regional Plan
- North District Plan
- Planning Ryde Local Strategic Planning Strategy 2020

5.1 Environment 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 at 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.

The requirements of the EPBC Act will be considered as part of the forthcoming EIS.

5.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the overarching governing statute for all development in NSW. Pursuant to Part 4 of the EP&A Act, the Proposal is considered SSD under the Planning Systems SEPP.



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5.2.1 Section 4.15(1) of the EP&A Act 1979

Section 4.15(1) of the EP&A Act specifies the matters, that a consent authority must consider when determining a DA. The forthcoming EIS will consider and address all matters outlined in Section 4.15 of the EP&A Act.

5.3 Environmental Planning and Assessment Regulation 2021

5.3.1 Section 7 - Designated Development

Section 7(1) of the EP&A Regulation states that:

“Development described in Schedule 3, Part 2 is declared to be designated development unless it is not designated development under Schedule 3, Part 3.”

The Proposal does not trigger Designated Development pursuant to Schedule 3 of the EP&A Regulation.

5.4 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) and *Biodiversity Conservation Regulation 2017* (BC Regulation) seek 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.

Part 7 of the BC Act sets out requirements for biodiversity assessments and approvals under the EP&A Act.

Pursuant to Section 7.2(1) of the BC Act, development or an activity is likely to significantly affect threatened species if:

- (a) *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) *it is carried out in a declared area of outstanding biodiversity value.*

Pursuant to Section 7.9 of the BC Act, an SSD is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

Given the significant vegetation clearing already approved on the Site as part of Modified Determination No. 1395/1999, a BDAR will be prepared to accompany the EIS.

5.5 Rural Fires Act 1997

The Rural Fires Act seek to ensure that development does not increase the risk of bushfire attack or increase risk to human life, property or other assets. The Site is identified as bush fire prone land, with Vegetation Category 1 affecting the south-eastern half of the Site and Vegetation Buffer affecting the north-western half of the Site. The Proposal will be designed to allow for appropriate Asset Protection Zones and be constructed in accordance with the relevant requirements.

The SSDA will therefore be referred to the NSW RFS for comment.



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5.6 Protection of the Environment Operations Act 1997

Schedule 1 of the *Protection of the Environment Operations Act 1997* (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)."

Clause 9 – Chemical storage

Under the POEO Act, Schedule 1, Clause 9(1) 'general chemicals storage', which would include storage of any chemicals, diesel fuel or radioactive substances, is a Scheduled Activity. Capacity to store greater than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form) requires an EPL from the NSW EPA.

The Proposal seeks to store 840kL of diesel and will therefore not exceed the 2,000-tonne threshold. Consideration of chemical storage will be included in the EIS.

Clause 17 – Electricity generation

Electricity generation is a premises-based scheduled activity. However, pursuant to Clause 17(1A), this clause does not apply to the generation of electricity by means of electricity plant that is emergency stand-by plant operating for less than 200 hours per year.

It is understood that the stand-by generators will not be used for more than 200 hours per year and therefore no further consideration is required. This will be addressed in the EIS.

5.7 State Environmental Planning Policy (Planning Systems) 2021

Schedule 1 of the Planning Systems SEPP includes provisions for developments to be undertaken as SSD. Clause 25, Schedule 1 is relevant to the proposed development:

25 Data centres

- (1) *Development for the purpose of data centres that has a total power consumption of more than the relevant amount.*
- (1A) *Subsection (1) does not apply to development on land within the area of the City of Sydney.*
- (2) *In this section—*
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.*

The data centre will have a total power consumption of 170 megawatts and thus the SSD provisions apply.

5.8 State Environmental Planning Policy (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across NSW.

The following parts of the Transport and Infrastructure SEPP are relevant to the Proposal.



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5.8.1 Data Centres

The Site is zoned E3 Productivity Support, which is a prescribed zone under Division 3, Clause 2.31 of the Transport and Infrastructure SEPP. Clause 2.31 states that development for the purpose of a data centre may be carried out by any person with consent on a prescribed zone. As such the proposed development is permissible with consent subject to the provision of the Transport and Infrastructure SEPP.

5.8.2 Electricity generating works

Clause 2.36(2) prescribes that development for the purpose of a back-up electricity generating plant that operates for not more than 200 hours in any year may be carried out by any person with consent on any land.

5.8.3 Traffic generating development

Schedule 3 of Transport and Infrastructure SEPP, lists the types of development that are defined as Traffic Generating Development.

The applicable trigger for traffic generating development for industrial development is 20,000sqm in site area or (if the site area is less than the gross floor area) gross floor area.

The forthcoming EIS will be supported by a robust transport and traffic impact assessment.

5.10 State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) contains planning provisions relating to:

- management of hazardous and offensive development.
- remediation of contaminated land and to minimise the risk of harm.

In relation to the Site, the following matters are highlighted.

5.10.1 Hazardous and offensive development

A preliminary risk screening analysis will be undertaken in accordance with the industry-specific SEARs to determine whether a Preliminary Hazard Analysis is required.

5.10.2 Remediation of land

Under Chapter 4 of the Resilience and Hazards SEPP, where a DA is made, the consent authority must not grant consent unless:

- it has considered whether the land is contaminated, and*
- 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*
- 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.*

A Preliminary Site Investigation will form part of the forthcoming EIS. It is noted that the site assessment will be thoroughly reviewed, and a Detailed Site Investigation and Remedial Action Plan may be required depending on the outcomes of the site assessment outcomes.



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5.11 Ryde Local Environmental Plan 2014

The Site is zoned E3 Productivity Support under the provisions of RLEP 2014. **Figure 6** below provides a representation of the Site and surrounding land zoning under the RLEP 2014.

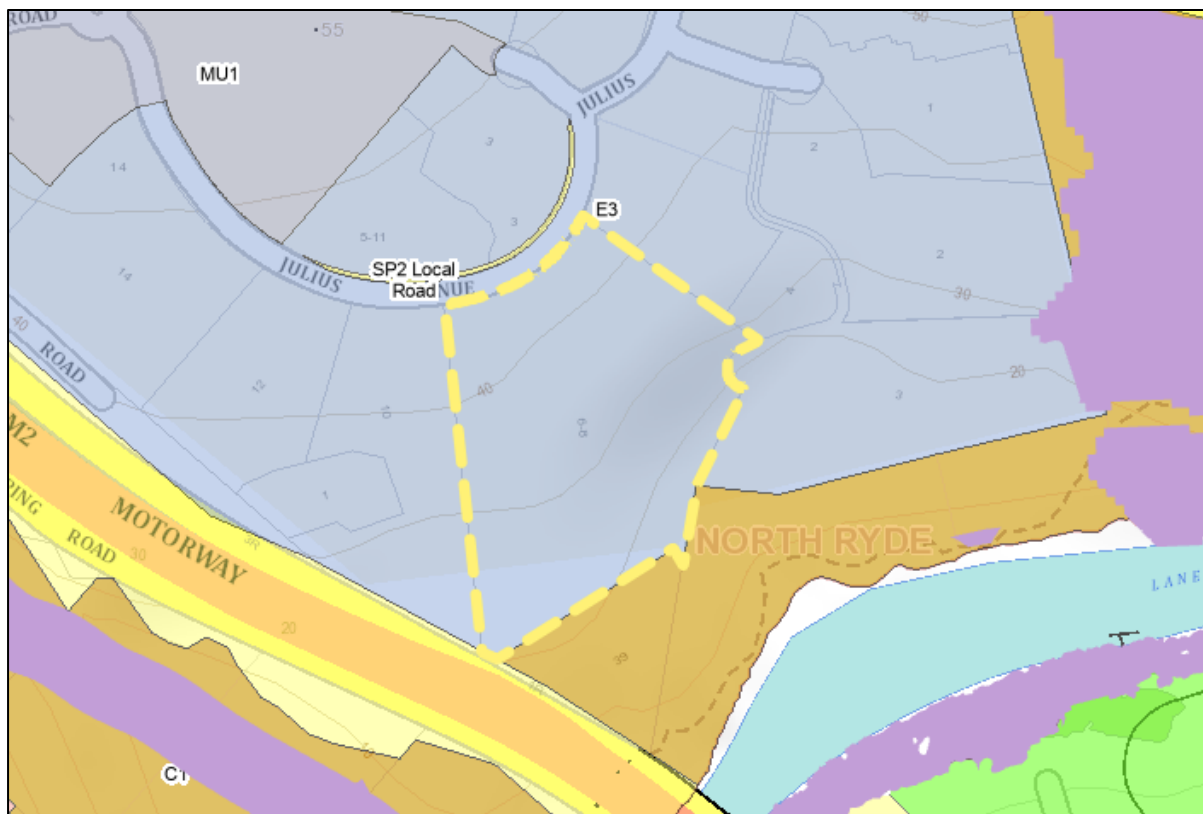


Figure 6. LEP Land Use Zones (Source: NSW Planning Portal, 2025)

5.11.1 Land use

Under the RLEP 2014 the Proposal would be considered a data centre which is defined as follows:

data centre means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.

Note—

Data centres are a type of **high technology industry**—see the definition of that term in this Dictionary.

5.11.2 Permissibility

The land use table for the E3 zone pursuant to RLEP 2014 is reproduced below:

1 Objectives of zone

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.
- To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- To provide opportunities for new and emerging light industries.



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- To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.
- To promote sustainable development, including public transport and working environments.
- To encourage industries involved in research and development.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; **Light industries**; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Rural supplies; Service stations; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; 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); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Transport depots; Truck depots; Waste disposal facilities; Water recreation structures; Water supply systems

High technology industries are a type of light industry which are permitted with consent in the E3 zone pursuant to RLEP 2014 and the Transport and Infrastructure SEPP.

5.11.3 Development Standards

TABLE 3 outlines the developments consistency and compliance with the relevant development standards and controls under RLEP 2014.

TABLE 3. DEVELOPMENT STANDARDS	
Clause	Comment
Clause 4.3 – Height of Buildings	The Site is mapped to have a maximum building height of 30m. However, pursuant to Clause 7.7 of the RLEP2014, the Site is afforded bonus incentives pertaining to building height and FSR – refer to Clause 7.7 below.



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Clause 4.4 - Floor Space Ratio	<p>The Site is mapped to have a maximum floor space ratio (FSR) of 1:1m.</p> <p>However, pursuant to Clause 7.7 of the RLEP2014, the Site is afforded bonus incentives pertaining to building height and FSR - refer to Clause 7.7 below.</p>
Clause 4.6 - Exceptions to development standards	<p>The Proposal seeks to exceed the maximum building height prescribed by Clause 7.7 by approximately 5m with a height of 50m.</p> <p>A Variation Request that addresses the relevant requirements of Clause 4.6 and the relevant case law will be submitted in support of the Proposal.</p>
Clause 6.2 - Earthworks	<p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>A detailed response to the provisions of Clause 6.3 will be provided as part of any DA lodged.</p>
Clause 6.4 - Stormwater management	<p>The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.</p> <p>A detailed response to the provisions of Clause 6.4 will be provided as part of any DA lodged.</p>
Clause 6.7 - Ground floor development on land in Zone E3	<p>Clause 6.7 prescribes that development consent must not be granted for development on the ground floor of a building within Zone E3 Productivity Support if the development would result in any part of the ground floor not being used for business or employment activities.</p> <p>The entire ground floor of any future DA will be used as a data centre, which is an employment generating activity.</p>
Clause 7.3 - Design Guide	<p>Clause 7.3 prescribes that development consent must not be granted to development on the Site unless the consent authority is satisfied the development is consistent with the Macquarie Park Design Guide (the Design Guide). The Design Guide is discussed in Section 5.12 below.</p>
Clause 7.4 - Effect on neighbouring sites	<p>Clause 7.4 prescribes that development consent must not be granted to development on land to which this part applies unless the consent authority is satisfied the development will not result in a neighbouring site becoming—</p> <ul style="list-style-type: none">(a) a site for which consolidation with an adjoining site is not—<ul style="list-style-type: none">(i) physically possible, or(ii) reasonably feasible because of the nature of surrounding development, or(b) a site that has a reduced development potential because of its size, shape or location.



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	Consistency with Clause 7.4 will be demonstrated as part of any DA lodged.
Clause 7.7 - Additional requirements for increased building height and floor space ratios on land other than Key Sites	<p>The Site is identified as “Precinct 01 – Macquarie Park” on the <i>Macquarie Park Corridor Precinct Map</i>.</p> <p>Subclause (3) prescribes that the consent authority may approve development with a height and FSR that does not exceed the increased building height and floor space ratio identified on the <i>Macquarie Park Corridor Precinct Incentive Height of Buildings Map</i> and the <i>Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map</i>, but only if the consent authority is satisfied that the development includes adequate provision for one or both of the following—</p> <ul style="list-style-type: none"> (a) recreation areas that are configured and located in a way that is appropriate for the recreational purposes of the Precinct, (b) an access network that is configured and located in a way that will allow a suitable level of connectivity within the Precinct. <p>The Site is subject to the following incentive building height and FSR development standards:</p> <p>Maximum Incentive Building Height: 45m</p> <p>Maximum Incentive FSR: 1.5:1</p> <p>To achieve the above incentive parameters, the proponent would be required to enter into a Planning Agreement with the City of Ryde Council.</p>

5.12 Macquarie Park Design Guide

The Site is subject to the provisions of the Design Guide that was adopted as part of the Macquarie Park Rezoning Proposal that was gazetted in November 2024. The Design Guide is given statutory weight by Clause 7.3 of RLEP 2014.

The purpose of the Design Guide is to supplement the provisions of the RLEP 2014 and RDCP 2014 by providing detailed provisions to guide development in the Macquarie Park Precinct. It is noted that in the event of an inconsistency between the Design Guide and the RDCP 2014, the objectives and provisions in this Design Guide prevail to the extent of that inconsistency.

The Design Guide is discussed in more detail under the respective headings below:

TABLE 4. DESIGN GUIDE

Clause	Comment
Part 2 – Structure Plan	<p>The Structure Plan Map is reproduced in Figure 7 below. Part 2 of the Design Guide prescribes that development, including the provision of new streets, is to be in accordance with the Structure Plan.</p> <p>The Proposal is generally consistent with the Structure Plan and includes the provision of two (2) new streets generally in the locations illustrated in the Structure Plan.</p>



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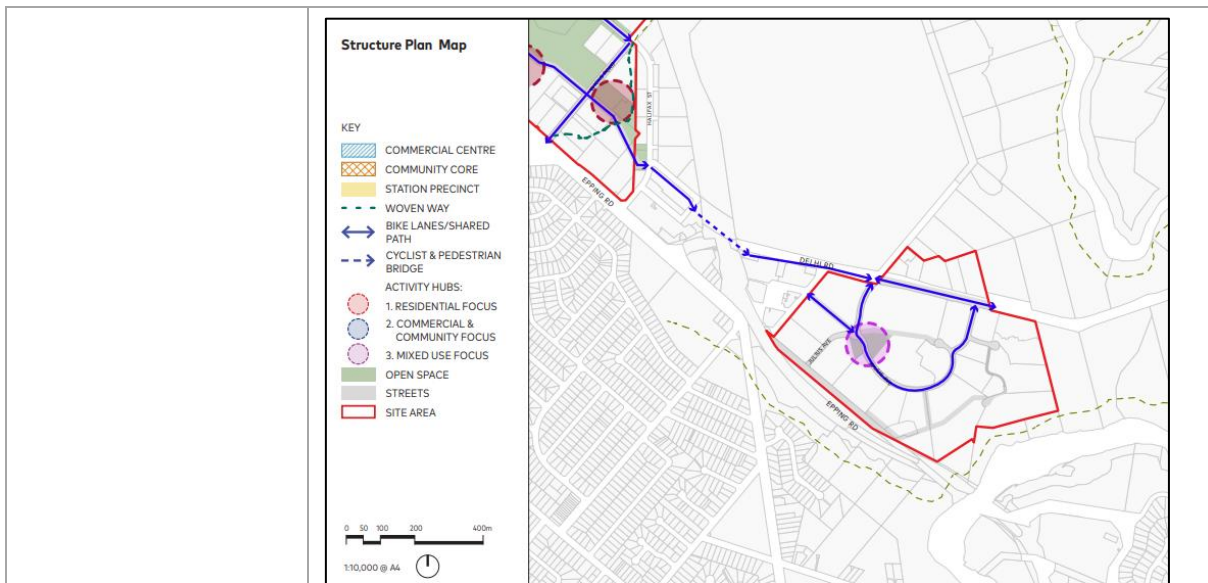


Figure 7. Structure Plan Map (Source: DPFI, 2024)

Part 3 – Connecting with Country

The Design Guide states that development in the Precinct should *acknowledge, celebrate and help heal the Aboriginal Country, culture and people that have largely been obscured by the Precinct’s history of 20th century business park style development*

The Site is identified on the Connecting with Country Map as having external woven ways and a high point, as shown in **Figure 8** below. The DA will be accompanied by a Designing with Country statement that details how the Proponent has responded to the provisions of the Design Guide including a description of:

- Consultation activities and outcomes (if consultation has occurred), and how these have informed planning and design of the proposed development;
- Opportunities to enhance Aboriginal cultural values; and
- Mitigation measures to reduce any impacts to areas of Aboriginal cultural value.

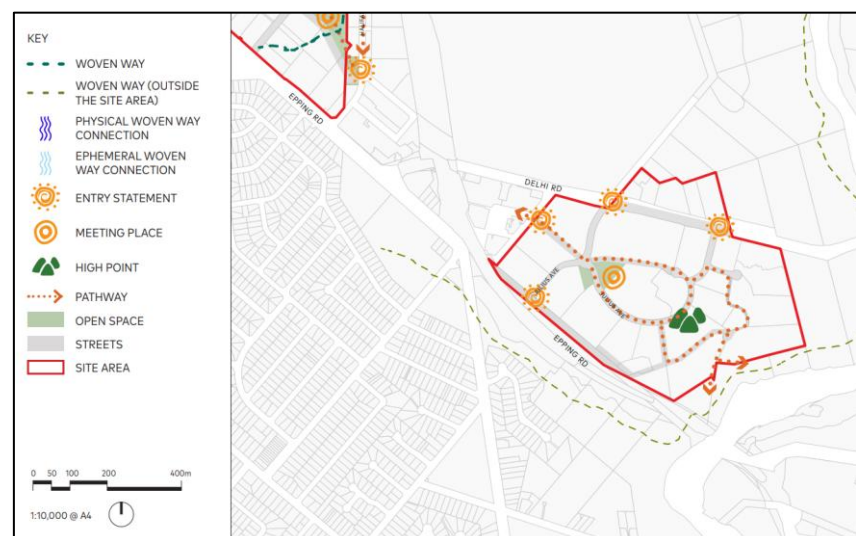


Figure 8, Connecting with Country Map (Source: DPFI, 2024)



Part 4 – Streets and Landscape

Street Network

The Street Network Map prescribes two (2) new streets on the Site, to be dedicated to Council as public streets as shown in **Figure 9**. The Street Network Map identifies these streets as “Street Type ST10 Local Street” with a 14.5m road reserve supporting a dual carriageway, one lane of car parking, footpaths on both sides and tree planting. It is noted that the proposed widening of Julius Avenue does not include any land on the Site.

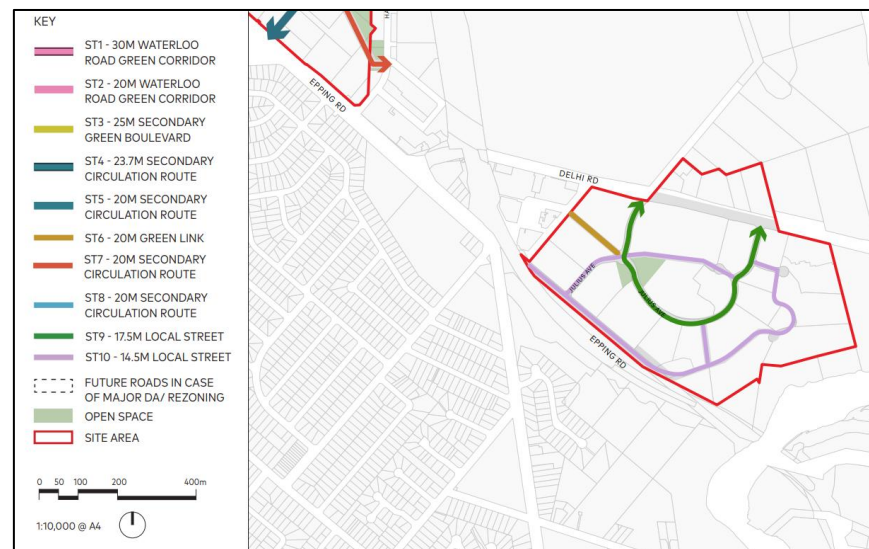


Figure 9. Street Network Map (Source: DPPI, 2024)

The Proposal seeks to construct two (2) new streets in accordance with the Design Guide, with a new street running east-west through the middle of the Site and a new street running north-south along part of the western boundary.

It is noted that the new street along the south-western elevation is currently utilised as a shared driveway between the Site and the adjoining site to the south-west. Owners consent from the owner of 10 Julius Avenue will need to be sought as part of the SSDA for any upgrades to the existing shared driveway.

It is understood that the purpose of the new streets in the Design Guide is to improve street network permeability. The location of the proposed new streets is generally consistent with the Street Network Map and are located to achieve the best design and engineering outcome that will achieve the objectives of the Design Guide.

The delivery mechanism for the new road is discussed in the Macquarie Park Infrastructure Delivery Plan. The Infrastructure Delivery Plan identifies that Clause 7.7 of the RLEP 2014 provides the provision of new roads as a matter for consideration as part of the Incentive Floor Space Ratio and Incentive Height of Building controls.

Clause 7.7 prescribes that the additional height and FSR incentives are only available where the consent authority is satisfied that the development includes adequate provision for one or both of the following—



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- (a) recreation areas that are configured and located in a way that is appropriate for the recreational purposes of the Precinct,
- (b) an access network that is configured and located in a way that will allow a suitable level of connectivity within the Precinct.

Therefore, the proposed streets on the Site will be built and dedicated to Council in accordance with by Clause 7.7 of RLEP 2014.

Through-site links

A number of through-site links are indicated on the Through-Site Links Map in **Figure 10** below, however these linkages appear to be located entirely on the adjoining sites to the north-east and south-east.

The Proposal involves a number of improvements to the landscaped setback on the southern portion of the Site to improve pedestrian linkages through the Lane Cove National Park and new connections to The Great North Walk from Julius Avenue.



Figure 10. Design Guide Through-Site Links Map (Source: DPFI, 2024)

Part 5 – Buildings

Building Line Setbacks

The Building Setbacks Map provided at **Figure 11** below prescribes the following building setbacks for the Site.

- 6m setback to all existing and new streets unless otherwise specified;
- Minimum side and rear boundary setbacks of 9m;
- For the Site, the portion to the south-east of Street 1 is required to be retained as a landscape setback.

The Proposal is generally consistent with the Design Guide setback controls, with the exception of minor encroachments to the western side boundary, rear setback to the new street, and encroachments into the rear landscaped setback to accommodate the Ausgrid STS.



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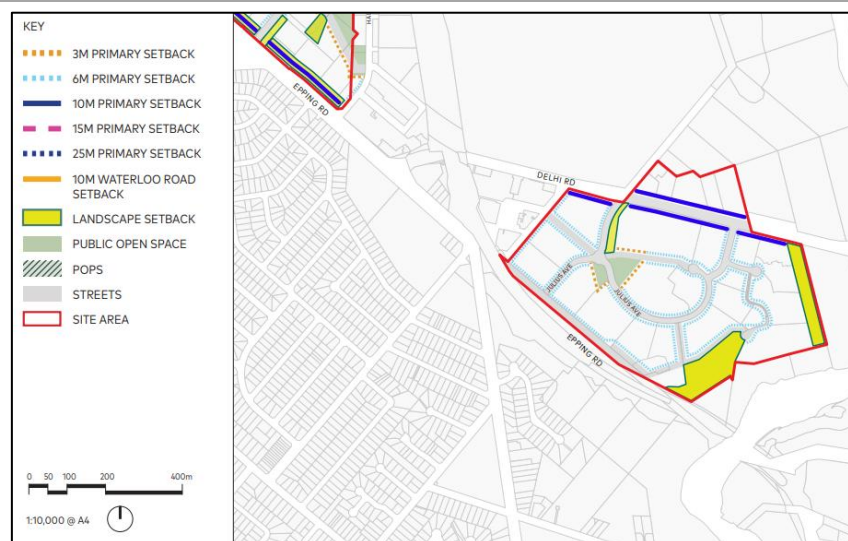


Figure 11. Design Guide Building Setbacks Map (Source: DPFI, 2024)

Building Envelopes

The Design Guide prescribes the following key points:

- Floor plates within industrial and commercial buildings at heights above either 8-storeys or 32-metres above natural ground level (whichever is lesser) are not to exceed 2,000sqm GFA.
- Buildings should be designed with a single upper-level setback to avoid numerous distinct tiers. This may result in greater-than-minimum setbacks being required on the levels below the setback.
- Despite the above, the uppermost level of any building can be provided with a further additional upper-level setback.

The Proposal is generally consistent with the Design Guide building envelope controls.

Building Frontages

The Site's primary frontage to Julius Avenue is identified as a contributory frontage on the Contributory Frontages Map reproduced in **Figure 12**. The Design Guide prescribes that contributory frontages may be a mix of office premises, business premises, retail premises and Small Office/Home Office (SOHO) frontages.

Light industrial frontages are not contemplated in this part of the Design Guide. Notwithstanding, it is understood that the Design Guide seeks to maximise street level activation in the Precinct and the Proposal achieves this objective by orientating front of house activities such as ancillary offices and lobbies to the Julius Avenue frontage of the Site.



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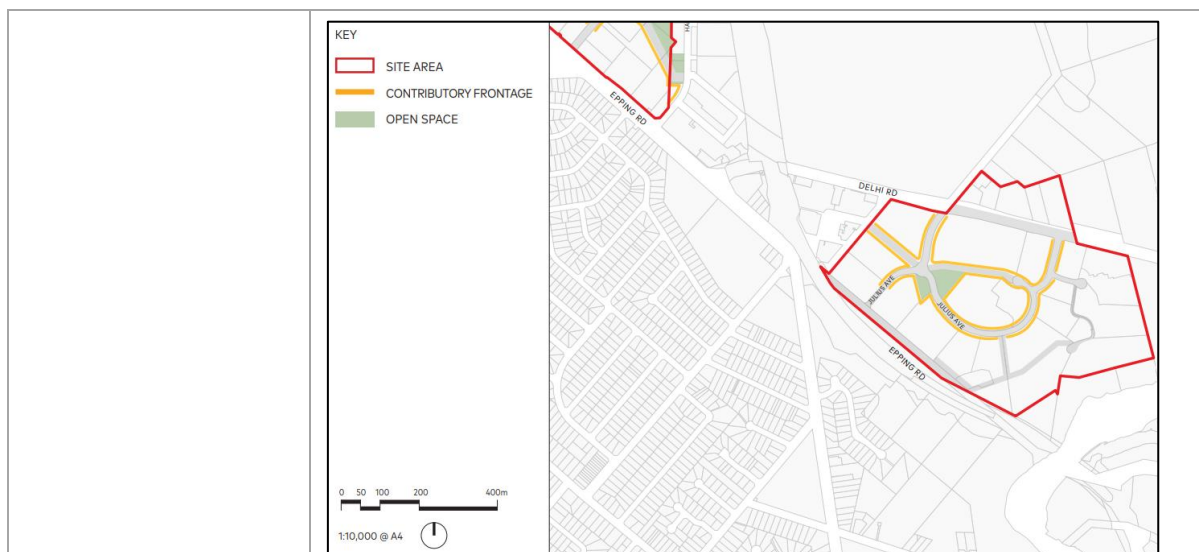


Figure 12. Design Guide Contributory Frontages Map (Source: DPHI, 2024)

Part 6 - Environmental Management & Sustainability

Canopy Coverage and Biodiversity

The Proposal achieves the objectives of this Part of the Design Guide in the following manner:

- a) *Recreates environmental values across the precinct consistent with Country.*
- b) *Maximises the future mature tree canopy and vegetation coverage across the Precinct, providing a green and healthy environment that supports active lifestyles.*
- c) *Ensures no net loss of tree canopy coverage within development lots.*
- d) *Achieves a Net Positive Impact on biodiversity.*

The canopy coverage targets prescribed by this Part require the following:

- Tree Canopy Target: 25% of the Site area
- Deep Soil Target: 20% of the Site area
- For every 300sqm of site area or part thereof, plant at least 2 medium trees or 1 large tree in the deep soil area.

The Proposal has been designed to achieve the above targets.

5.13 Macquarie Park Corridor Development Control Plan 2014

The Site is subject to the provisions of the Macquarie Park Corridor Development Control Plan 2014 (MPCDCP 2014). The MPCDCP 2014 is a precinct-specific DCP which sets controls in relation to the structure of the precinct, access network, public domain, built form, site planning and staging, and environmental performance to guide future development in the precinct.

It is noted that the Design Guide prevails to the extent of any inconsistency between the Design Guide and the DCP. Section 2.10 of the Planning Systems SEPP prescribes that DCPs do not apply to state significant development. Notwithstanding, compliance with the DCP has been sought, and any non-compliances will be appropriately addressed as part of the SSDA submission.



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6.0 OTHER APPROVALS/COMMENTS

Pursuant to Section 138 of the *Roads Act 1993*, consent from the appropriate roads authority will be required to carry out works in a public road – this would include works associated with the provision of Site vehicular access.

7.0 INDUSTRY-SPECIFIC SEARS

This section reviews the relevant industry-specific SEARs and includes commentary on how the Proponent intends to respond to each item, where applicable. Refer to **TABLE 5** for further details.

TABLE 5: INDUSTRY-SPECIFIC SEARS

Issue and Assessment Requirements	Documentation	Proponent Comments
<p>1. Statutory Context</p> <ul style="list-style-type: none">• Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies and guidelines.• Identify compliance with applicable development standards and provide a detailed justification for any non-compliances.• Provide an explanation of how the development as described in the EIS is consistent with the development as was described in the request for SEARs (including any components that were not SSD) and provide a justification for any differences• Address the requirements of any approvals applying to the site, including any concept approval, any endorsed or draft master plan, precinct plan or any recommendation from a Gateway determination.• Provide an accurate summary of the detailed assessment of the impacts of the project and integrate the findings and recommendations of technical reports into the justification and evaluation of the project as a whole.	Address in EIS.	The EIS will address the requirement of this item.
<p>2. Estimated Development Cost and Employment</p> <ul style="list-style-type: none">• Provide the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report.• Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided	EDC Report.	An EDC Report will address this requirement.



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<p>3. Design Quality</p> <ul style="list-style-type: none"> ▪ Demonstrate how the development will achieve: <ul style="list-style-type: none"> ○ design excellence in accordance with any applicable EPI provisions. ○ good design in accordance with the seven objectives for good design in <i>Better Placed</i>. ▪ Where required by an EPI or concept approval, demonstrate how the development has been subject to a competitive design process or reviewed by the State Design Review Panel (SDRP). Recommendations are to be addressed prior to lodgement. 	<p>Address in EIS.</p>	<p>Design quality will be addressed in the EIS. It is noted that a Design Review Summary, Design Excellence Strategy and Competition Report are not required for a Proposal of this nature.</p>
<p>4. Built Form and Urban Design</p> <ul style="list-style-type: none"> ▪ Explain and illustrate the proposed built form, including a detailed site and context analysis to justify the proposed site planning and design approach. ▪ Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality. ▪ Demonstrate how the building design will deliver a high-quality development, including consideration of façade design, articulation, materials, finishes, colours, any signage and integration of services. ▪ Assess how the development complies with the relevant accessibility requirements. 	<p>Architectural drawings. Design Report. Survey Plan. BCA Compliance Report. Accessibility Report.</p>	<p>The Proposal will address the requirements of this item through the listed reports.</p>
<p>5. Visual Impact</p> <ul style="list-style-type: none"> ▪ Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development. ▪ Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment. 	<p>Visual Analysis. Visual Impact Assessment.</p>	<p>The Proposal will be informed by photomontages and perspective drawings, where necessary, and include a Visual Impact Assessment.</p>



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<p>6. Traffic, Transport and Accessibility</p> <ul style="list-style-type: none"> ▪ Provide a transport and accessibility impact assessment, which includes: <ul style="list-style-type: none"> ○ details of all traffic types and volumes likely to be generated during construction and operation, including a description of key access and haul routes. ○ an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections (using industry standard modelling). ○ plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network. ○ details and plans of any proposed internal road network, loading dock provision and servicing, on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards. ○ swept path analysis for the largest vehicle requiring access to the development. ○ details of road upgrades, infrastructure works, or new roads or access points required for the development if necessary. ▪ Provide a Construction Traffic Management Plan detailing predicted construction vehicle movements, routes, access and parking arrangements, coordination with other construction occurring in the area, and how impacts on existing traffic, pedestrian and bicycle networks would be managed and mitigated. 	<p>Transport and Accessibility Impact Assessment.</p> <p>Construction Traffic Management Plan.</p> <p>Green Travel Plan or equivalent.</p>	<p>The Proposal will address the requirements of this item through the listed reports.</p>
<p>7. Trees and Landscaping</p> <ul style="list-style-type: none"> ▪ Provide a detailed site-wide landscape plan, that: <ul style="list-style-type: none"> ○ identifies the number and location of trees to be removed and retained, and how opportunities to retain significant trees have been explored and/or informs the plan. ○ details the proposed site planting, including location, number and species of 	<p>Landscape Plan.</p> <p>Landscape Design Report.</p>	<p>The Proposal will include a Landscape Plan and Landscape Design Report.</p>



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<p>plantings, heights of trees at maturity and proposed canopy coverage (as a percentage of the site area).</p> <ul style="list-style-type: none"> o demonstrates how the proposed development would: <ul style="list-style-type: none"> - contribute to long term landscape setting in respect of the site and streetscape. - mitigate the urban heat island effect and ensure appropriate comfort levels on-site. - contribute to the objective of increased urban tree canopy cover. - maximise opportunities for green infrastructure, consistent with Greener Places and having regard to any bush fire risk. 		
<p>8. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> ▪ Identify how ESD principles (as defined in section 193 of the EP&A Regulation) are incorporated in the design and ongoing operation of the development. ▪ Demonstrate how the development will meet or exceed the relevant industry recognised building sustainability and environmental performance standards. ▪ Demonstrate how the development minimises greenhouse gas emissions (reflecting the Government’s goal of net zero emissions by 2050) and consumption of energy, water (including water sensitive urban design) and material resources. ▪ If Chapter 3 of SEPP (Sustainable Buildings) 2022 applies: <ul style="list-style-type: none"> o demonstrate how the development has been designed to enable the general sustainability provisions, as defined in Chapter 3.2(1). o provide a NABERS Embodied Emissions Material Form to disclose the amount of embodied emissions attributable to the development in accordance with section 35BA of the EP&A Regulation 	<p>ESD Report. NABERS Embodied Emissions Materials Form.</p>	<p>The Proposal will be supported by an ESD Report and NABERS Embodied Emissions Materials Form.</p>



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<p>9. Biodiversity</p> <ul style="list-style-type: none">Assess any biodiversity impacts associated with the development in accordance with the <i>Biodiversity Conservation Act 2016</i> and the <i>Biodiversity Assessment Method 2020</i>, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the site is on biodiversity certified land.If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.	Biodiversity Development Assessment Report or BDAR Waiver.	The Proposal will be supported by a BDAR Waiver, subject to further investigation.
<p>10. Back-up Power System</p> <ul style="list-style-type: none">Provide a detailed overview of any proposed back-up power system, including the scale and capacity of the system, and any associated testing procedures (frequency and duration).Provide a detailed justification for the proposed back-up power system, including alternatives considered.	Address in EIS.	The EIS will address the requirement of this item.
<p>11. Air Quality</p> <ul style="list-style-type: none">Provide an assessment of air quality impacts, prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must address construction works and include modelling of emissions and air pollutants from predicted operations (including testing of the back-up power system) and a peak emission and air pollutant scenario, and outline the proposed mitigation, management and monitoring measures that would be implemented.	Air Quality Impact Assessment.	An Air Quality Impact Assessment will be undertaken.
<p>12. Noise and Vibration</p> <ul style="list-style-type: none">Provide a noise and vibration assessment prepared in accordance with the relevant EPA guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.	Noise and Vibration Impact Assessment.	The Proposal will be supported by a Noise and Vibration Impact Assessment.



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<p>13. Ground and Water Conditions</p> <ul style="list-style-type: none"> ▪ Assess potential impacts on soil resources and related infrastructure and riparian lands on and near the site, including soil erosion, salinity and acid sulfate soils. ▪ Provide a Surface and Groundwater Impact Assessment that assesses potential impacts on: <ul style="list-style-type: none"> ○ surface water resources (quality and quantity) including related infrastructure, hydrology, dependent ecosystems, drainage lines, downstream assets and watercourses. ○ groundwater resources in accordance with the Groundwater Guidelines. 	<p>Geotechnical Assessment.</p> <p>Surface and Groundwater Impact Assessment.</p> <p>Salinity Management Plan and/or Acid Sulfate Soils Management Plan.</p>	<p>The EIS will address the requirements of this item through the listed reports.</p>
<p>14. Water Management</p> <ul style="list-style-type: none"> ▪ Provide an Integrated Water Management Plan for the development that: <ul style="list-style-type: none"> ○ is prepared in consultation with the local council and any other relevant drainage or water authority. ○ outlines the water-related servicing infrastructure required by the development (informed by the anticipated annual and ultimate increase in servicing demand) and evaluates opportunities to reduce water demand (such as recycled water provision). ○ details the proposed drainage design (stormwater and wastewater) for the site including any on-site detention facilities, water quality management measures and nominated discharge points, on-site sewage management, and measures to treat, reuse or dispose of water. ○ demonstrates compliance with the local council or other drainage or water authority requirements and avoids adverse downstream impacts. ▪ Where drainage infrastructure works are required that would be handed over to the local council, or other drainage or water authority, provide full hydraulic details and detailed plans and specification of proposed works that have been prepared in consultation with, and comply with the relevant standards of, the local council or other drainage or water authority. 	<p>Integrated Water Management Plan.</p>	<p>The Proposal will be supported by an Integrated Water Management Plan.</p>



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<p>15. Flooding Risk</p> <ul style="list-style-type: none"> Identify any flood risk on-site having regard to adopted flood studies, the potential effects of climate change, and any relevant provisions of the <i>NSW Floodplain Development Manual</i>. Assess the impacts of the development, including any changes to flood risk on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk where required. 	<p>Flood Risk Assessment.</p>	<p>The Proposal will be supported by a Flood Risk Assessment if required.</p>
<p>16. Hazards and Risk</p> <ul style="list-style-type: none"> Where there are dangerous goods and hazardous materials associated with the development provide a preliminary risk screening in accordance with Chapter 3 of SEPP (Resilience and Hazards) 2021. Where required by SEPP (Resilience and Hazards) 2021, provide a Preliminary Hazard Analysis prepared in accordance with Hazardous Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis and Multi-Level Risk Assessment. If the development is adjacent to or on land in a pipeline corridor, report on consultation outcomes with the operator of the pipeline, and prepare a hazard analysis. 	<p>Preliminary Hazard Analysis. If required: Hazard Analysis (Pipeline)</p>	<p>The Proposal will be supported by a preliminary risk screening assessment, and if required a Preliminary Hazard Analysis.</p>
<p>17. Contamination and Remediation</p> <ul style="list-style-type: none"> In accordance with Chapter 4 of SEPP (Resilience and Hazards) 2021, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development. 	<p>Preliminary Site Investigation. If required: Detailed Site Investigation. Remedial Action Plan.</p>	<p>The Proposal will be supported by a Preliminary Site Investigation (as a minimum).</p>
<p>18. Waste Management</p> <ul style="list-style-type: none"> Identify, quantify and classify the likely waste streams to be generated during construction and operation. Provide the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements for the site. If buildings are proposed to be demolished or altered, provide a hazardous materials survey. 	<p>Waste Management Plan. Hazardous Material Survey.</p>	<p>The Proposal will be supported by a Waste Management Plan and Hazardous Material Survey.</p>



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<p>19. Aboriginal Cultural Heritage</p> <ul style="list-style-type: none"> ▪ Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts on any Aboriginal cultural heritage values on the land. 	<p>Aboriginal Cultural Heritage Assessment Report.</p>	<p>The Proposal will be supported by an Aboriginal Cultural Heritage Assessment Report.</p>
<p>20. Environmental Heritage</p> <ul style="list-style-type: none"> ▪ Where there is potential for direct or indirect impacts on the heritage significance of items of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated. 	<p>Statement of Heritage Impact. Archaeological Assessment.</p>	<p>The Proposal will be supported by a Statement of Heritage Impact.</p>
<p>21. Social Impact</p> <ul style="list-style-type: none"> ▪ Provide a Social Impact Assessment prepared in accordance with the <i>Social Impact Assessment Guidelines for State Significant Projects</i>. 	<p>Social Impact Assessment.</p>	<p>The Proposal will be supported by a Social Impact Assessment.</p>
<p>22. Infrastructure Requirements and Utilities</p> <ul style="list-style-type: none"> ▪ In consultation with relevant service providers: <ul style="list-style-type: none"> ○ assess the impacts of the development on existing utility infrastructure and service provider assets surrounding the site. ○ identify any infrastructure upgrades required on-site and off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained. ○ provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development. 	<p>Infrastructure Delivery, Management and Staging Plan.</p>	<p>The Proposal will be supported by an Infrastructure Delivery, Management and Staging Plan.</p>
<p>23. Bush Fire Risk</p> <ul style="list-style-type: none"> ▪ If the development is on bush fire prone land, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection. 	<p>Bush Fire Assessment.</p>	<p>The Proposal will address the requirement of this item.</p>



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<p>24. Construction, Operation and Staging</p> <ul style="list-style-type: none"> ▪ If staging is proposed, provide details of how construction and operation would be managed and any impacts mitigated. 	Address in EIS.	The Proposal will address the requirement of this item.
<p>25. Contributions and Public Benefit</p> <ul style="list-style-type: none"> ▪ Address the requirements of any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind and include details of any Proposal for further material public benefit. ▪ Where the development proposes alternative public benefits or a departure from an existing contributions framework, the local council, the Department and relevant State agencies are to be consulted prior to lodgement and details, including how comments have been addressed, are to be provided. 	Address in EIS.	The Proposal will address the requirement of this item.
<p>26. Engagement</p> <ul style="list-style-type: none"> ▪ Detail engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. Detail how issues raised and feedback provided have been considered and responded to in the project. In particular, applicants must consult with: <ul style="list-style-type: none"> ○ the relevant Department assessment team. ○ any relevant local councils. ○ any relevant agencies. ○ the community. ○ if the development would have required an approval or authorisation under another Act but for the application of s 4.41 of the EP&A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&A Act, the agency relevant to that approval or authorisation. 	Engagement report.	The Proposal will be supported by an Engagement Report, in accordance with the <i>Undertaking Engagement Guidelines for State Significant Projects</i> .

The Proposal is considered to meet the eligibility criteria for industry-specific SEARs. As such, it is requested that NSW DPHI issue formal SEARs for the preparation of an EIS for this Proposal as SSD.

Should you require any further information to do so, please do not hesitate to contact the undersigned on 0488010636 or via email at asher.richardson@willowtp.com.au.

Your sincerely,



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Asher Richardson
Senior Associate
Willowtree Planning Pty Ltd

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Appendix 1 Preliminary Architectural Plans

