

# Development Consent

## Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2020, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Anthea Sargeant  
**Executive Director**  
**Regions, Industry and Key Sites**

Sydney

14 July 2020

File: EF19/17436

***The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.***

***The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.***

## SCHEDULE 1

|                            |                                                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | SSD-10330                                                                                                                                       |
| <b>Applicant:</b>          | Canberra Data Centres Pty Ltd                                                                                                                   |
| <b>Consent Authority:</b>  | Minister for Planning and Public Spaces                                                                                                         |
| <b>Site:</b>               | 17 Roberts Road, Eastern Creek<br>Lot 2 DP 1159804                                                                                              |
| <b>Development:</b>        | An expansion to an existing data centre, including associated office space, supporting infrastructure and services, car parking and landscaping |

## SUMMARY OF MODIFICATIONS

| Application Number | Determination Date | Decider       | Modification Description                                      |
|--------------------|--------------------|---------------|---------------------------------------------------------------|
| SSD-10330-Mod-1    | 17 April 2024      | A/Team Leader | Changes to Buildings 5 and 6                                  |
| SSD-10330-Mod-2    | 6 March 2026       | A/Team Leader | Changes to Back-Up Generator Configuration and Diesel Storage |
| SSD-10330-Mod-3    | 8 September 2026   | A/Team Leader | Changes to High-Voltage Plant                                 |

## TABLE OF CONTENTS

|                                                                          |           |
|--------------------------------------------------------------------------|-----------|
| <b>DEFINITIONS .....</b>                                                 | <b>V</b>  |
| <b>PART A ADMINISTRATIVE CONDITIONS .....</b>                            | <b>8</b>  |
| Obligation to Minimise Harm to the Environment.....                      | 8         |
| Terms of Consent .....                                                   | 8         |
| Limits of Consent.....                                                   | 8         |
| Notification of Commencement.....                                        | 9         |
| Evidence of Consultation .....                                           | 9         |
| Staging, Combining and Updating Strategies, Plans or Programs .....      | 9         |
| Protection of Public Infrastructure.....                                 | 9         |
| Structural Adequacy.....                                                 | 10        |
| Compliance.....                                                          | 10        |
| Operation of Plant and Equipment.....                                    | 10        |
| External Walls and Cladding.....                                         | 10        |
| Utilities and Services .....                                             | 10        |
| Works as Executed Plans.....                                             | 10        |
| Applicability of Guidelines.....                                         | 10        |
| <b>PART B SPECIFIC ENVIRONMENTAL CONDITIONS .....</b>                    | <b>12</b> |
| Noise .....                                                              | 12        |
| Air Quality .....                                                        | 13        |
| Greenhouse Gas Emissions .....                                           | 14        |
| Hazards and Risk .....                                                   | 14        |
| Soils, Water Quality and Hydrology .....                                 | 16        |
| Contamination .....                                                      | 16        |
| Traffic and Access .....                                                 | 16        |
| Aboriginal Heritage .....                                                | 17        |
| Historic Heritage .....                                                  | 17        |
| Biodiversity and Biosecurity .....                                       | 17        |
| Visual Amenity.....                                                      | 18        |
| Waste Management.....                                                    | 18        |
| <b>PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING .....</b>     | <b>20</b> |
| Environmental Management.....                                            | 20        |
| Construction Environmental Management Plan.....                          | 20        |
| Back-up Generator Annual Report.....                                     | 20        |
| Revision of Strategies, Plans and Programs .....                         | 21        |
| Reporting and Auditing .....                                             | 21        |
| Access to Information .....                                              | 22        |
| <b>APPENDIX 1 DEVELOPMENT LAYOUT PLANS .....</b>                         | <b>23</b> |
| <b>APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES .....</b>   | <b>26</b> |
| <b>APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS .....</b> | <b>31</b> |

## DEFINITIONS

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant</b>                  | Canberra Data Centres Pty Ltd, or any person carrying out any development to which this consent applies                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>BCA</b>                        | Building Code of Australia                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>BC Act</b>                     | <i>Biodiversity Conservation Act 2016</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Calendar year</b>              | A period of 12 months commencing on 1 January                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Carrier</b>                    | Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)                                                                                                                                                                                                                                                                                                                                                                 |
| <b>CEMP</b>                       | Construction Environmental Management Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Certifier</b>                  | A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates                                                                                                                                                                                                                                                                                                                                                             |
| <b>Conditions of this consent</b> | Conditions contained in Schedule 2 of this document                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Construction</b>               | All physical works required to facilitate operation of the development including, but not limited to, demolition works, vegetation clearing, bulk earthworks, and the erection of buildings and other infrastructure permitted by this consent                                                                                                                                                                                                                                                                     |
| <b>Council</b>                    | Blacktown City Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Day</b>                        | The period from 7:00 AM to 6:00 PM on Monday to Saturday, and 8:00 AM to 6:00 PM on Sundays and Public Holidays                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Demolition</b>                 | The deconstruction and removal of buildings, sheds and other structures on the site                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Department</b>                 | NSW Department of Planning, Industry and Environment                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Development</b>                | The development described in the EIS and RTS, including the works and activities comprising the construction and 24-hour operation of an expansion to an existing data centre, as modified by the conditions of this consent                                                                                                                                                                                                                                                                                       |
| <b>Development layout</b>         | The plans at Appendix 1 of this consent                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Earthworks</b>                 | Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction                                                                                                                                                                                                                                                                                                                                                |
| <b>EES Group</b>                  | Environment, Energy and Science Group (former Office of Environment and Heritage)                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>EIS</b>                        | The document titled 'Environmental Impact Assessment –Data Centre at 17 Roberts Road, Eastern Creek' and all attachments, prepared by Urbis Pty Ltd, dated 22 November 2019, and submitted with the application for consent for the development                                                                                                                                                                                                                                                                    |
| <b>ENM</b>                        | Excavated Natural Material                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Environment</b>                | As defined in section 1.4 of the EP&A Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>EPA</b>                        | NSW Environment Protection Authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>EPL</b>                        | Environment Protection Licence under the POEO Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>EP&amp;A Act</b>               | <i>Environmental Planning and Assessment Act 1979</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>EP&amp;A Regulation</b>        | Environmental Planning and Assessment Regulation 2000                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Evening</b>                    | The period from 6:00 PM to 10:00 PM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Fibre ready facility</b>       | As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Heritage</b>                   | Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Heritage item</b>              | An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent |
| <b>Incident</b>                   | An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Land</b>                       | As defined in section 1.4 of the EP&A Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Material harm</b>                   | <p>Is harm that:</p> <ul style="list-style-type: none"> <li>involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Minister</b>                        | NSW Minister for Planning and Public Spaces (or delegate)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Mitigation</b>                      | Activities associated with reducing the impacts of the development prior to or during those impacts occurring                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Modification Assessments</b>        | <p>The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&amp;A Act:</p> <p>a) SSD-10330-Mod-1 – Section 4.55(1A) Application to Modify SSD-10330   Roberts Road Data Centre prepared by Urbis Pty Ltd (dated 24 November 2023), as amended by Response to Submissions Report prepared by Urbis Pty Ltd (dated 27 March 2024)</p> <p>b) Roberts Road Data Centre – Generator Modification SSD-10330 MOD 2, prepared by Urbis Ltd and dated September 2025, as amended by the Response to Submissions   Roberts Road Data Centre: SSD-10330 MOD 2, prepared by Urbis Ltd and dated 11 December 2025 and additional information titled CDC Data Centres EC5 &amp; EC6 Buildings Combustible Fuel Storage Assessment, prepared by Vector Alliance Pty Ltd and dated 4 March 2026</p> <p>c) Roberts Road Data Centre – High Voltage System Modification SSD-10330 MOD, prepared by Urbis Ltd and dated May 2026</p> |
| <b>Monitoring</b>                      | Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Night</b>                           | The period from 10:00 PM to 7:00 AM on Monday to Saturday, and 10:00 PM to 8:00 AM on Sundays and Public Holidays                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Non-compliance</b>                  | An occurrence, set of circumstances or development that is a breach of this consent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Operation</b>                       | The use of the data centre (for the collection, storage, processing and/or distribution of electronic data), associated office and site infrastructure and operation of back-up generators, as described in the EIS and RTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Operation of back-up generators</b> | Refers to all instances where a back-up generator's internal combustion engine is in use, including for the purposes of testing (including ramp-up and cooldown) and any scheduled or unscheduled maintenance activities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Planning Secretary</b>              | Planning Secretary under the EP&A Act, or nominee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>POEO Act</b>                        | <i>Protection of the Environment Operations Act 1997</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Power outage event</b>              | Mains power connector failure which prevents the development from being supplied with electricity from the national electricity grid                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Principal Certifier</b>             | The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Reasonable</b>                      | Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Registered Aboriginal Parties</b>   | Means the Aboriginal persons identified in accordance with the document entitled "Aboriginal cultural heritage consultation requirements for proponents 2010" (DECCW)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Rehabilitation</b>                  | The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>RTS</b>                             | <p>The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&amp;A Act, and includes:</p> <ul style="list-style-type: none"> <li>the document titled 'Roberts Road Data Centre (SSD-10330) – Response to Submissions' and all attachments, prepared by Urbis Pty Ltd, dated 28 May 2020</li> <li>the email titled 'RE: SSD-10330 - Submission of the RTS' and all attachments, prepared by Urbis Pty Ltd, dated 3 June 2020</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                            | <ul style="list-style-type: none"> <li>the email titled 'Eastern Creek Data Centre – Substation upgrade works confirmation' and all attachments, prepared by Urbis Pty Ltd, dated 18 June 2020</li> <li>the document titled 'Air Quality Impact Assessment – Eastern Creek Data Centre, 17 Roberts Road, Eastern Creek – SSD-10330' and all attachments, prepared by SLR Consulting Australia Pty Ltd, dated 8 July 2020</li> <li>the email titled 'RE: Fence' and all attachments, prepared by Urbis Pty Ltd, dated 13 July 2020</li> </ul> |
| <b>Sensitive receivers</b> | A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Site</b>                | The land defined in Appendix 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>UPS</b>                 | Uninterruptable power supply                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>VENM</b>                | Virgin Excavated Natural Material                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Waste</b>               | Has the same meaning as the definition of the term in the Dictionary to the POEO Act                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Year</b>                | A period of 12 consecutive months                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

#### TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) in accordance with the [EIS, RTS and Modification Assessments](#);
  - (d) in accordance with the Development Layout in Appendix 1; and
  - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
  - (b) the implementation of any actions or measures contained in any such document referred to in Condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in conditions A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in conditions A2(c) and A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

**Note:** For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.

#### LIMITS OF CONSENT

##### Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

##### Back-up Generator System

- A6. The Applicant must install, maintain and operate an uninterruptable power supply (UPS) system, including back-up batteries, which is capable of powering critical components of the development for a period of not less than seven minutes.
- A7. The Applicant must ensure that the back-up generators installed and operated under this consent do not exceed a total installed generating capacity of more than [238](#) megawatts.
- A8. The Applicant must ensure:
- (a) operation of the back-up generators does not exceed 200 hours per year; and
  - (b) [the diesel fuel storage capacity for the development does not exceed 2,043 tonnes; and](#)
  - (c) [diesel fuel must be stored and managed in accordance with:](#)
    - (i) [the management and mitigation measures in Appendix 2 of this consent; and](#)
    - (ii) [the document titled CDC Data Centres EC5 & EC6 Buildings Combustible Fuel Storage Assessment, prepared by Vector Alliance Pty Ltd and dated 4 March 2026.](#)

**Note:** For the purposes of Condition A8(a), calculation of how many hours the back-up generators are tested, as a collective, should be based on the hours (in real time) that testing is in fact undertaken at the site per year. For example, five generators being tested concurrently over the course of an hour would count as one hour towards the threshold stipulated by Condition A8(a), rather than five hours.

- A9. The Applicant must ensure that the back-up generators are only operated under the following circumstances:
- (a) for testing of the back-up generators:
    - (i) testing may only be carried out between 9:00 AM and 4:00 PM, Monday to Friday; and
    - (ii) [no more than:](#)
      - a. [five \(5\) back-up generators are to be tested at any one time at no load; or](#)

b. one (1) back-up generator is tested at any one time at a maximum load of up to 100%; and

(b) during a power outage event, but only following the significant depletion of the back-up batteries contained within the development's UPS system (see Condition A6).

A10. This development consent does not permit the use of the back-up generators:

- (a) for the purposes of generating electricity to be exported off-site; or
- (b) to support load curtailment at the site.

#### **NOTIFICATION OF COMMENCEMENT**

A11. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:

- (a) construction;
- (b) operation; and
- (c) cessation of operations.

A12. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage, or as otherwise agreed with the Planning Secretary.

A13. The commissioning and operation of the 12 back-up generators installed under Complying Development Certificate 5809/3 are excluded from the notification requirements outlined under conditions A11 and A12 of this consent.

#### **EVIDENCE OF CONSULTATION**

A14. Where conditions of this consent require consultation with an identified party, the Applicant must:

- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
- (b) provide details of the consultation undertaken including:
  - (i) the outcome of that consultation, matters resolved and unresolved; and
  - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

#### **STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS**

A15. With the approval of the Planning Secretary, the Applicant may:

- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A16. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A17. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

#### **PROTECTION OF PUBLIC INFRASTRUCTURE**

A18. Before the commencement of construction, the Applicant must consult with the relevant owner and/or provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure.

A19. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

## STRUCTURAL ADEQUACY

- A20. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

**Note:** Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.

Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

## COMPLIANCE

- A21. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

## OPERATION OF PLANT AND EQUIPMENT

- A22. All plant and equipment used on site, or to monitor the performance of the development must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

## EXTERNAL WALLS AND CLADDING

- A23. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

- A24. Before the issue of:

- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
- (b) an Occupation Certificate,

the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.

- A25. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

## UTILITIES AND SERVICES

- A26. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

- A27. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

- A28. Before the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:

- (a) the installation of fibre-ready facilities to the development to enable fibre to be readily connected; and
- (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to the development demonstrated through an agreement with a carrier.

- A29. Before the issue of an Occupation Certificate, the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.

## WORKS AS EXECUTED PLANS

- A30. Before the issue of an Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

## APPLICABILITY OF GUIDELINES

- A31. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

- A32. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## ADVISORY NOTES

- AN1.** All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

## PART B SPECIFIC ENVIRONMENTAL CONDITIONS

### NOISE

#### Hours of Work

B1. The Applicant must comply with the hours detailed in Table 1.

**Table 1** Hours of Work

| Activity                    | Day                                | Time                                     |
|-----------------------------|------------------------------------|------------------------------------------|
| Earthworks and construction | Monday – Friday<br>Saturday        | 7:00 AM to 6:00 PM<br>8:00 AM to 1:00 PM |
| Operation                   | Monday – Sunday<br>Public Holidays | 24 hours                                 |

B2. Works outside of the hours identified in Condition B1 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers; or
- (b) works agreed to in writing by the Planning Secretary; or
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

#### Construction Noise Limits

B3. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 2.

#### Operational Noise Limits

B4. The Applicant must ensure that noise generated by the operation of the development does not exceed the noise limits in Table 2.

**Table 2** Noise limits (dB(A))

|                                                                                                       | Day                          | Evening                      | Night                        | Night              |
|-------------------------------------------------------------------------------------------------------|------------------------------|------------------------------|------------------------------|--------------------|
| Location                                                                                              | L <sub>Aeq</sub> (15 minute) | L <sub>Aeq</sub> (15 minute) | L <sub>Aeq</sub> (15 minute) | L <sub>AFmax</sub> |
| Any residential receiver in Horsley Park<br>(Monitoring Location: 144 Burley Road,<br>Horsley Park)   | 42                           | 41                           | 38                           | 52                 |
| All residential receivers in Erskine Park<br>(Monitoring Location: 84 Weaver Street,<br>Erskine Park) | 40                           | 35                           | 35                           | 52                 |

B5. The noise limits specified in Condition B4 apply under the meteorological conditions in Table 3.

**Table 3** Meteorological conditions

| Assessment Period | Meteorological Conditions                                                                                                                                                                                    |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Day               | Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.                                                                                                      |
| Evening           | Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.                                                                                                      |
| Night             | Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability categories E and F with wind speeds up to and including 2m/s at 10m above ground level. |

For those meteorological conditions not referred to in Table 3, the noise limits that apply are those specified in Condition B4 plus 5dB.

### Attended Noise Compliance Monitoring

- B6. Attended noise compliance monitoring must be undertaken within three months of the completion of [back-up generators under SSD-10330-Mod-2](#) and the final phase of the data centre building (described in the RTS as Phase E). The monitoring must be undertaken by a suitably qualified and experienced acoustic consultant at surrounding sensitive receivers (as described in the RTS) and must:
- (a) [be undertaken under meteorological conditions in Table 3 in condition B5 above](#);
  - (b) [occur for three consecutive days](#);
  - (c) occur when the development is operating in a manner typical of its normal operations, including back-up generator testing; and
  - (d) occur during the day, evening and night periods as defined in the *Noise Policy for Industry* (EPA, 2017) for a minimum of:
    - (i) 1.5 hours during the day;
    - (ii) 30 minutes during the evening; and
    - (iii) 1 hour during the night.

### Noise Compliance Verification Report

- B7. A noise compliance verification report must be submitted to the EPA and the Planning Secretary within 30 days of the completion of the attended noise compliance monitoring required by Condition B6. The report must be prepared by a suitably qualified and experienced acoustic consultant and include:
- (a) [demonstration that noise verification has been carried out in accordance with the latest version of:](#)
    - (i) [AS 1055:2018 Acoustics – Description and measurement of environmental noise](#) (Standards Australia, 2018);
    - (ii) [Approved Methods for the Measurement and Analysis of Environmental Noise in NSW](#) (EPA, 2022); and
    - (iii) [the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry](#) (EPA, 2017);
  - (b) [an analysis of the prevailing meteorological conditions and a demonstration that noise levels under meteorological conditions in Table 3 in condition B5 above have been evaluated](#);
  - (c) [noise testing results of plant and equipment](#);
  - (d) [the operating conditions of the premises during the monitoring period and any adjustments to measured noise levels to represent expected noise levels during maximum operating conditions](#);
  - (e) an assessment of compliance with the noise limits specified in Condition B4, including consideration of any modifying factors as defined in Fact Sheet C of the *Noise Policy for Industry* (EPA, 2017);
  - (f) an outline of management actions, [including the acoustic mitigation measures identified in Appendix 1 and Appendix 2](#), taken to address any exceedances of the noise limits specified in Condition B4; and
  - (g) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

## AIR QUALITY

### Dust Minimisation

- B8. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B9. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

### Back-up Generator System

- B10. The Applicant must ensure that the design, installation and operation of the back-up generators and/or generator enclosures does not preclude the ability for air pollution emission controls to be retrofitted.

### Emission Limits

- B11. The development must comply with section 128 of the POEO Act, which sets out the concentration standards and emission rates which must not be exceeded, except as expressly provided for in an EPL.

## Annual Emission Testing

- B12. Within twelve (12) months of the commencement of operation, and every twelve (12) months thereafter, unless the Planning Secretary directs otherwise, the Applicant must conduct an annual emissions test on at least one (1) back-up generator for the pollutants and parameters identified in Table 4. The sampling methods are those contained in the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (EPA, 2007).

**Table 4** Annual emissions testing requirements

| Pollutant/Parameter                                              | Units of measure           | Frequency | Sampling Method |
|------------------------------------------------------------------|----------------------------|-----------|-----------------|
| Nitrogen dioxide or nitric oxide (as NO <sub>2</sub> equivalent) | Milligrams per cubic metre | Annual    | TM-11           |
| Temperature                                                      | Degrees Celsius (°C)       | Annual    | TM-2            |
| Velocity                                                         | Metres per second          | Annual    | TM-2            |
| Oxygen (O <sub>2</sub> )                                         | Percent (%)                | Annual    | TM-25           |
| Volumetric flow rate                                             | Cubic metres per second    | Annual    | TM-2            |

## GREENHOUSE GAS EMISSIONS

- B12A. The Applicant must:

- implement the most recent version of the greenhouse gas mitigation measures and offset strategies identified in SSD-10330-Mod-2 for the life of the development; and
- review and, if necessary, revise the mitigation measures and offset strategies in (a) above every three years.

**Note:** Preparation of a Climate Change Mitigation and Adaptation Plan may be required under the EPA's regulatory framework, including conditions in the *Environment Protection Licence*.

## HAZARDS AND RISK

### Dangerous Goods

- B13. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* (DoP, 2011) at all times.
- B14. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- the requirements of all relevant Australian Standards; and
  - the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals, fuels and oils are liquids.

- B14A. The Applicant must design and operate the development in accordance with:

- AS/NZS 4681:2000 *The storage and handling of Class 9 (miscellaneous) dangerous goods and articles* (Standards Australia, 2000);
- AS IEC 62619:2017 *Secondary cells and batteries containing alkaline or other non-acid electrolytes – Safety requirements for secondary lithium cells and batteries, for use in industrial applications* (Standards Australia, 2017); and
- AS 1940:2017 *The storage and handling of flammable and combustible liquids* (Standards Australia, 2017).

- B15. In the event of an inconsistency between the standards and requirements listed in B14 and B14A, the most stringent requirement must prevail to the extent of the inconsistency.

### Bunding

- B16. The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

### Fire Engineering Brief

- B16A. Prior to the installation of fire safety measures for Buildings 5 and 6, the Applicant must prepare and submit a Fire Engineering Brief Questionnaire (FEBQ), including the additional scope of SSD-10330-Mod-1, to Fire and Rescue NSW (FRNSW).
- B16B. Prior to the installation of fire safety measures for Buildings 5 and 6, the Applicant must prepare and submit an Initial Fire Safety Report (IFSR) application, including the additional scope of SSD-10330-Mod-1, to FRNSW. The IFSR

application is to include a Performance-based Design Report prepared in consultation with FRNSW as part of the FEBQ process. The IFSR application must:

- (a) be prepared in accordance with FRNSW requirements;
- (b) consider the operational capability of local fire agencies and the need for the facility to achieve an adequate level of on-site fire and life safety independence;
- (c) specify that the final design of the fire safety systems shall comply with:
  - (i) *AS/NZS 4681:2000 The storage and handling of Class 9 (miscellaneous) dangerous goods and articles* (Standards Australia, 2000);
  - (ii) *AS IEC 62619:2017 Secondary cells and batteries containing alkaline or other non-acid electrolytes – Safety requirements for secondary lithium cells and batteries, for use in industrial applications* (Standards Australia, 2017);
  - (iii) *AS 1940:2017 The storage and handling of flammable and combustible liquids* (Standards Australia, 2017); and
- (d) report on the outcome of consultation with FRNSW regarding the fire safety system's compliance with *Loss Prevention Data Sheet 5-32 – Data centres and related facilities* (FM Global Property, 2022).

In the event of an inconsistency between the requirements listed in subpoints (c)(i) to (c)(iii) above, the requirements as agreed to with FRNSW shall prevail to the extent of the inconsistency.

B16C. The Applicant must provide a copy of the outcome of the IFSR application, including details associated with the adoption of conditions recommended by FRNSW in accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, to the Planning Secretary within seven days after receipt of FRNSW advice on the outcome of IFSR application.

#### **Emergency Services Information Package**

B16D. From the commencement of construction and for the life of the development, an Emergency Services Information Package, developed in accordance with the FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans*, must be stored in an emergency information cabinet directly adjacent to the main entry point to the site.

#### **Fire Safety Study**

B16E. Prior to the commencement of construction of the generator infrastructure works under SSD-10330-Mod-2, or as otherwise agreed to by the Planning Secretary, a Stage 1 Fire Safety Study (FSS) must be prepared and submitted to the satisfaction of the Planning Secretary. The scope of the Stage 1 FSS must:

- (a) meet the operational requirements of FRNSW, including written confirmation from FRNSW verifying that those requirements have been addressed in the FSS;
- (b) be developed in accordance with the requirements of the Hazardous Industry Planning Advisory Paper (HIPAP) No.2;
- (c) include the generator yard and any existing operation under SSD-10330 where fire service infrastructure is shared; and
- (d) verify the adequacy of the containment of contaminated firefighting water, firefighting and suppression water supply, and the hydrant system.

B16F. The Applicant must not commence construction of the development (except for construction works that are unrelated to the generator infrastructure works under) until the FSS required by condition B16E has been approved by FRNSW and the Planning Secretary.

B16G. At least one (1) month prior to the commencement of operation of the generator infrastructure works under SSD-10330-Mod-2, or as otherwise agreed to by the Planning Secretary, a site-wide FSS must be prepared and submitted to the Planning Secretary. The site-wide FSS must:

- (a) meet the operational requirements of FRNSW, including written confirmation from FRNSW verifying that those requirements have been addressed in the FSS;
- (b) be developed in accordance with the requirements of the Hazardous Industry Planning Advisory Paper (HIPAP) No.2; and
- (c) provide details of any additional management or mitigation measures required and a timetable for the implementation of any required actions, which must be completed within the timeframes specified by FRNSW.

B16H. The Applicant must continue to operate the development in accordance with the approved Stage 1 FSS (condition B16E) unless and until any additional fire safety measures identified in the approved site-wide FSS in condition B16G are implemented to the satisfaction of FRNSW, or otherwise agreed to by the Planning Secretary.

B16I. Notwithstanding conditions 16G and 16H, a site-wide FSS may be dispensed with where the Applicant has received the written agreement of FRNSW and evidence of this written agreement is provided to the satisfaction of the Planning Secretary.

## **SOILS, WATER QUALITY AND HYDROLOGY**

### **Erosion and Sediment Control**

B17. Prior to the commencement of any construction, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by Condition C2.

### **Imported Soil**

B18. The Applicant must:

- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Planning Secretary upon request.

### **Discharge Limits**

B19. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

### **Stormwater Management System**

B20. Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be designed in consultation with Council;
- (c) be generally in accordance with the conceptual design in the EIS;
- (d) be in accordance with applicable Australian Standards; and
- (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

## **CONTAMINATION**

B21. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with Condition C2 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

## **TRAFFIC AND ACCESS**

### **Construction Traffic Management Plan**

B22. Prior to the commencement of construction, the Applicant must update the Construction Traffic Management Plan (CTMP) included in the EIS to the satisfaction of the Planning Secretary. The updated CTMP must form part of the development's Construction Environmental Management Plan (see Condition C2) and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
- (c) detail heavy vehicle routes, access and parking arrangements;
- (d) include a Driver Code of Conduct to:
  - (i) minimise the impacts of earthworks and construction on the local and regional road network;
  - (ii) minimise conflicts with other road users;
  - (iii) minimise road traffic noise; and
  - (iv) ensure truck drivers use specified routes;
- (e) include a program to monitor the effectiveness of these measures; and
- (f) if necessary, detail procedures for notifying surrounding landowners of any potential disruptions to routes.

B23. The Applicant must:

- (a) not commence construction of the development until the updated CTMP required by Condition B22 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

#### **Parking**

B24. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

#### **Operating Conditions**

B25. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1-2004: Parking facilities Off-street car parking* (Standards Australia, 2004) and *AS 2890.2-2018: Parking facilities Off-street commercial vehicle facilities* (Standards Australia, 2018);
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

#### **ABORIGINAL HERITAGE**

##### **Unexpected Finds Protocol**

B26. If any item or object of Aboriginal heritage significance is identified on site:

- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
- (b) a 10 metre wide buffer area around the suspected item or object must be cordoned off; and
- (c) the EES Group must be contacted immediately.

B27. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

#### **HISTORIC HERITAGE**

##### **Unexpected Finds Protocol**

B28. If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of the NSW Department of Premier and Cabinet – Heritage Division.

#### **BIODIVERSITY AND BIOSECURITY**

##### **Pre-clearing Works**

B29. Prior to the commencement of construction, the Applicant must clearly delineate areas to be cleared of vegetation for the construction of the data centre and its associated infrastructure.

B30. All trees to be retained at the site must be protected in accordance with the latest version of *AS 4970-2009: Protection of trees on development sites* (Standards Australia, 2009).

B31. Prior to the commencement of vegetation clearing works, the Applicant must engage an appropriately qualified ecologist to:

- (a) carry out pre-clearing surveys to identify any native fauna; and
- (b) where necessary, implement procedures for the safe relocation of native fauna.

## Biodiversity Offsets Scheme

- B32. Prior to any clearing of 'Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain (PCT 835)', or activities that have the potential to impact upon this plant community type, the Applicant must purchase and retire **ONE (1)** ecosystem credit to offset the removal/disturbance of 0.04 hectares of native vegetation at the site. The ecosystem credit must be retired in accordance with the requirements of the EES Group's Biodiversity Offsets Scheme and the *Biodiversity Conservation Act 2016*.
- B33. The requirement to retire **ONE (1)** ecosystem credit (see Condition B32) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem credits, as calculated by the EES Group's Biodiversity Offsets Payment Calculator.
- B34. The Applicant must provide the Planning Secretary with evidence that:
- (a) the retirement of ecosystem credits has been completed (see Condition B32); or
  - (b) a payment has been made to the Biodiversity Conservation Fund (see Condition B33),
- prior to undertaking any clearing of PCT 835, or activities that have the potential to impact upon this plant community type.

## Pests, Vermin and Noxious Weed Management

- B35. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and weeds on the site; and
  - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.

**Note:** For the purposes of this condition, weeds include, but are not limited to, those species listed under Schedule 3 of the *Biosecurity Regulation 2017*.

## VISUAL AMENITY

### Landscaping

- B36. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site. The plan must:
- (a) be submitted to the Planning Secretary;
  - (b) be consistent with the RTS and the Applicant's Management and Mitigation Measures (see Appendix 2);
  - (c) detail the species to be planted on-site; and
  - (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works.
- B37. The Applicant must implement the most recent version of the LMP (see Condition B36) submitted to the Planning Secretary for the duration of the development.

### Lighting

- B38. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of *AS 4282-2019: Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
  - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

### Signage

- B39. Any signage associated with the development is to be subject to further approval.

**Note:** This condition does not apply to temporary construction and safety related signage.

### Permanent Fencing

- B40. All permanent fencing approved under this consent must be erected in accordance with the development plans included in the RTS.

**Note:** This condition does not apply to temporary construction and safety related fencing.

## WASTE MANAGEMENT

### Waste Management Plan

- B41. The Applicant must implement the Waste Management Plan (WMP) included in the RTS throughout the construction and operation of the development.
- B42. Where revisions are made to the WMP required by Condition B41, the Applicant must ensure the revised plan:

- (a) is submitted to the Planning Secretary; and
- (b) continues to:
  - (i) detail the type and quantity of wastes to be generated during construction and operation of the development;
  - (ii) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (DECCW, 2009); and
  - (iii) detail the materials to be reused or recycled, either on or off site.

The Applicant must implement the most recent version of the WMP submitted to the Planning Secretary for the duration of the development.

#### **Waste Storage and Processing**

- B43. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

#### **Statutory Requirements**

- B44. The Applicant must assess and classify all non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.
- B45. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) details of:
    - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - (ii) any relevant limits or performance measures and criteria; and
    - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
  - (b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
  - (c) a program to monitor and report on the:
    - (i) impacts and environmental performance of the development; and
    - (ii) effectiveness of the management measures set out pursuant to Condition C1(b) above;
  - (d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
  - (e) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (f) a protocol for managing and reporting any:
    - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
    - (ii) complaint;
    - (iii) failure to comply with statutory requirements; and
  - (g) a protocol for periodic review of the plan.

**Note:** The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of Condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:
- (a) updated Construction Traffic Management Plan (see Condition B22);
  - (b) a copy of the approved Waste Management Plan (see Condition B41);
  - (c) Erosion and Sediment Control Plan;
  - (d) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP required by Condition C2 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the CEMP approved by the Planning Secretary for the duration of construction.

#### BACK-UP GENERATOR ANNUAL REPORT

- C5. Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as agreed to in writing by the Planning Secretary), the Applicant must prepare a Back-up Generator Annual Report to the satisfaction of the Planning Secretary. [Each report](#) must be submitted to the Planning Secretary and the EPA, and include:
- (a) [an operations log for the back-up generators, detailing the date, reason, time and duration of each use \(which has the same meaning as the term for operation of back-up generators in Definitions\);](#)
  - (b) details regarding the:
    - (i) total number of hours the back-up generators were operated for (see Condition A8(a));
    - (ii) total quantity of diesel fuel used by the back-up generators;
    - (iii) results of the annual emissions testing (see Condition B12); and
    - (iv) development's compliance with section 128 of the POEO Act (see Condition B11);

- (c) a diesel fuel storage log, documenting the quantity of diesel fuel stored on site at any one time in litres and tonnes, with daily recorded values, expressed in litres and tonnes, for the reporting period; and
- (d) evidence of the development's compliance with conditions A7, A8, A9 and B11.

## REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C6. Within three months of:
- (a) the submission of an incident report under Condition C8; or
  - (b) the approval of any modification of the conditions of this consent; or
  - (c) the issue of a direction of the Planning Secretary under Condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing that a review is being carried out.
- C7. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

**Note:** This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

## REPORTING AND AUDITING

### Incident Notification, Reporting and Response

- C8. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number, SSD-10330) and set out the location and nature of the incident. Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 3.

### Back-up Generator Incident Reporting

- C9. Within 30 days of the back-up generator system being used to power the development, the Applicant must prepare a Back-up Generator Incident Report to the satisfaction of the Planning Secretary. The report must be submitted to the Planning Secretary and the EPA, and include:
- (a) details regarding the:
    - (i) date and time of the power outage event;
    - (ii) total number of back-up generators used to power the development;
    - (iii) total number of hours the back-up generators were operated for;
    - (iv) total quantity of diesel fuel used by the back-up generators; and
    - (v) total amount of electricity produced by the back-up generators;
  - (b) an assessment of any air quality impacts resulting from the operation of the back-up generators; and
  - (c) an assessment and consideration of any additional measures which could be implemented to reduce future air quality impacts.

**Note:** Additional measures could include, but are not limited to, measures to reduce the likelihood of the back-up generators being operated and retrofitting of emission controls to the back-up generators.

### Non-Compliance Notification

- C10. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- C11. A non-compliance notification (see Condition C10) must:
- (a) identify the development (including the development application number, SSD-10330);
  - (b) set out the condition of consent that the development is non-compliant with and the way in which it does not comply;
  - (c) set out the reasons for the non-compliance (if known); and
  - (d) what actions have been, or will be, undertaken to address the non-compliance.
- C12. A non-compliance which has been notified as an incident (see Condition C8) does not need to also be notified as a non-compliance.

### Monitoring and Environmental Audits

- C13. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit

under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing.

**Note:** *For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

#### ACCESS TO INFORMATION

C14. At least 48 hours before the commencement of construction until the completion of all construction works under this consent, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
  - (i) the documents referred to in Condition A2 of this consent and the final layout plans for the development;
  - (ii) all current statutory approvals for the development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) a summary of the current stage and progress of the development;
  - (v) contact details to enquire about the development or to make a complaint;
  - (vi) a complaint register, updated monthly;
  - (vii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

## APPENDIX 1 DEVELOPMENT LAYOUT PLANS

| JOB NO.                                                                 | DRAWING NO. | REV | DATE       | TITLE                                                       |
|-------------------------------------------------------------------------|-------------|-----|------------|-------------------------------------------------------------|
| <b>Architectural Drawings prepared by EJE Architecture</b>              |             |     |            |                                                             |
| 12706                                                                   | DA-001      | N   | 27/08/2025 | Site Plan                                                   |
| 12706                                                                   | DA-005      | A   | 15/01/2026 | Site Plan – Potential Acoustic Mitigations                  |
| 12706                                                                   | DA-006      | A   | 15/01/2026 | SSDA – Potential Acoustic Mitigation Details                |
| 12706                                                                   | DA-100      | K   | 27/08/2025 | SSDA Ground Floor Plan                                      |
| 12706                                                                   | DA-101      | K   | 27/08/2025 | SSDA Level 1 Plan                                           |
| 12706                                                                   | DA-102      | K   | 27/08/2025 | SSDA -Level 2 Plan                                          |
| 12706                                                                   | DA-103      | K   | 27/08/2025 | SSDA -Level 3 Plan                                          |
| 12706                                                                   | DA-104      | N   | 27/08/2025 | SSDA Roof Plan                                              |
| 12706                                                                   | DA-200      | N   | 27/08/2025 | Elevations                                                  |
| 12706                                                                   | DA-300      | N   | 27/08/2025 | Sections                                                    |
| 12706                                                                   | DA-501      | C   | 16/04/2020 | Security Booth                                              |
| 12706                                                                   | DA-502      | B   | 10/10/2019 | Store                                                       |
| 12706                                                                   | DA-800      | G   | 21/11/2024 | Phasing Plan                                                |
| <b>Landscape Plans prepared by Terras Landscape Architects</b>          |             |     |            |                                                             |
| 12706                                                                   | L01         | F   | 07/4/2020  | Landscape Masterplan – Overall                              |
| 12706                                                                   | L02         | F   | 07/4/2020  | Landscape Masterplan A                                      |
| 12706                                                                   | L03         | F   | 07/4/2020  | Landscape Masterplan B                                      |
| 12706                                                                   | L04         | C   | 22/10/2019 | Section A                                                   |
| 12706                                                                   | L06         | F   | 07/4/2020  | Planting Palette                                            |
| <b>Civil Engineering Plans prepared by C&amp;M Consulting Engineers</b> |             |     |            |                                                             |
| 02140                                                                   | E3DA-100    | 02  | 22/10/2019 | Cover Sheet, Drawing Index, General Notes & Locality Sketch |
| 02140                                                                   | E3DA-110    | 02  | 22/10/2019 | Site Layout Plan                                            |
| 02140                                                                   | E3DA-201    | 03  | 22/10/2019 | General Arrangement – Sheet 01                              |
| 02140                                                                   | E3DA-202    | 03  | 22/10/2019 | General Arrangement – Sheet 02                              |
| 02140                                                                   | E3DA-231    | 02  | 21/10/2019 | Bulk Earthworks Cut/Fill Plan                               |
| 02140                                                                   | E3DA-351    | 02  | 22/10/2019 | Site Sections – Sheet 1                                     |
| 02140                                                                   | E3DA-701    | 02  | 22/10/2019 | Sediment and Erosion Control Details                        |
| 02140                                                                   | E3DA-702    | 02  | 22/10/2019 | Sediment and Erosion Control Plan                           |
| <b>Substation Plan prepared by Ausconnex</b>                            |             |     |            |                                                             |
| -                                                                       | GA-STAGE 5  | A1  | 05/12/25   | Roberts Road Zone Substation – Site Plan                    |

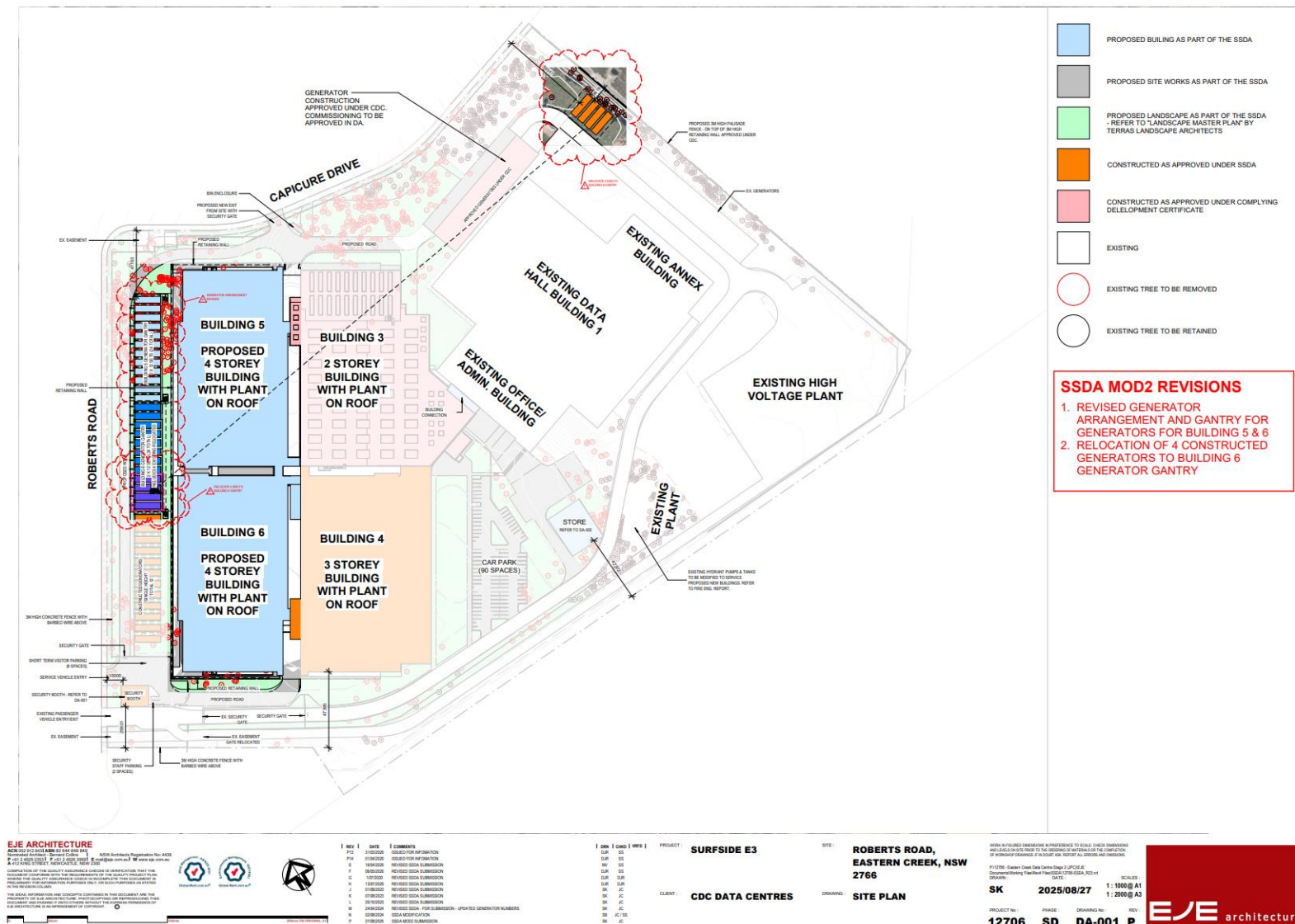


Figure 1 Site Plan



## APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

FOR INFORMATION

## MITIGATION MEASURES

**Table 5** Proposed Mitigation Measures

| Issue                   | Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Noise and Vibration     | <p>Based on the results, noise levels are mostly predicted to comply with the relative criteria during the operating conditions resulting from the proposed generators.</p> <p>There are a couple of small (1dB) exceedance only during temperature inversion at night which is considered negligible and is associated with the modelling of the operational equipment (cumulative assessment of the entire site) and is not impacted by this modification and the change to generator quantity or location. the receivers located at R1 (Flavex Lane) which as noted above experience an operational exceedance of 1 dB in worst case meteorological conditions and compliance in all other conditions.</p> <p>A small exceedance is shown from the modelling in the nighttime temperature inversion for the operational condition, however as explained in the body of this report, this is considered an over estimation to how the site is actually in operation and has been done using full load maximum noise data with ambient temperatures beyond what has physically been recorded for the area.</p> | <p>The following mitigation measures have already been adopted across the site / existing approval and will continue to be implemented:</p> <ul style="list-style-type: none"> <li>• Using the quietest Plant that can do the job: Chiller equipment must be selected, assessed and installed as per the Noise Impact Assessment prepared for SSDA, rigorous R&amp;D must be undertaken by the Generator and generator enclosure supplier in order to optimise the enclosures and units themselves to reduce the noise as much as practical.</li> <li>• Scheduling the use of noisy equipment at the least sensitive time of day: Noisy equipment associated with testing and maintenance must be limited to the day-time (least sensitive) period to minimise impact to the surrounding sensitive receivers.</li> <li>• Orientation of equipment so that noise emissions are directed away from sensitive areas.</li> <li>• Keeping equipment well maintained and operating it in a proper and efficient manner.</li> <li>• Running staff-education programs and regular toolbox talks on the effects of noise and the use of quiet work practices.</li> </ul> <p>If required for actual operation of the data centre and subject to validation at any affected receivers prior to proceeding with installation, acoustic shrouds may need to be installed for chillers at EC5 and 6.</p> |
| Urban Design and Visual | <p>modification to the back-up generator rack will be visible at four (4) viewpoints, identified as Viewpoint 1 and Viewpoint 2 along Roberts Road as well as Viewpoint 3 and Viewpoint 4 along Capicure Drive.</p> <p>The proposed modification to the back-up generator rack will not be visible from other viewpoints which were assessed as part of the applications as the proposed new generators are set behind the existing and/or approved buildings from the respective views.</p> <p>Overall, the generators as proposed to be modified will be a relatively, low-height element within the local character, which is comprised of large-scale industrial warehouses and infrastructure. The proposed generators will have a form and size consistent with</p>                                                                                                                                                                                                                                                                                                                                       | <p>No additional mitigation measures required beyond that of the approved SSDA.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| Issue           | Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 | <p>the area and will result in a visual impact that is LOW across these viewpoints.</p> <p>For the remaining viewpoints, the VIA found that the proposal will result in no change to the visual impact of the approved development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Air Quality     | <p>Exceedances of the NO2 criterion were predicted at thirteen of the receptors, however, it is clearly demonstrated that the likelihood of an exceedance occurring is virtually zero when considering the likelihood of:</p> <ol style="list-style-type: none"> <li>1) emergency conditions occurring, and</li> <li>2) emergency conditions occurring during the necessary meteorological background air quality conditions.</li> </ol> <p>Given the nature and scale of the proposed standard operation test activities, with predicted ground level concentrations within the assessment criteria limits, it is not anticipated that any impacts upon human health or amenity values would be experienced during the operational phase.</p> | <ul style="list-style-type: none"> <li>• CDC will ensure that retrofittable pollution control devices capable of significantly reducing pollutant levels from the generators are available. These may be installed at a later stage if change in circumstances mean generators require to be operated on a more frequent basis than has been assumed by this air quality impact assessment.</li> <li>• In the event of a loss of mains power, all practical measures must be taken to reduce the duration of the outage to ensure that standby generators operate for the least amount of time possible. It is critical to CDC as a business that power is restored as quickly as possible, as such any measure within the control of CDC will be taken during a power outage, to ensure that mains power is restored as quickly as possible. Noting in a majority of cases, power outages will be reliant on third parties to fix (i.e Power Authorities).</li> <li>• Continued liaison with suppliers for investigation into latest technology and best use practices for future onsite generators.</li> <li>• Implement a regular maintenance and inspection schedule to ensure that all systems are functioning correctly.</li> </ul> |
| Hazard and Risk | <p>To ensure the facility can comply with applicable standards required by the Work Health and Safety Regulation 2017 and manage hazardous risk in relation to the diesel stored onsite.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• The proposed diesel fuel storage tanks must be designed and constructed in accordance with the requirements of AS 1657:2018, AS 1692:2006 and AS 1940:2017. Manufacturer confirmation of compliance as well as installation certificate indicating compliance with these standards must be obtained.</li> <li>• Fill point must comply with identification of AS 4977:2008 and be provided with adequate spill containment.</li> <li>• Protection bollards must provided to protect the diesel storage tanks from accidental impact where deemed required.</li> <li>• Tank must provided with normal level monitor, suitable high-level alarm (LAH), high-level shut-off or fill-limiting sensor forming a physical overfill control, flow limiting device (if filled by gravity) and a content level monitor adjacent the fill point and visible to the operator as per AS 1940:2017.</li> <li>• Each diesel storage system must incorporate a physical control that limits the maximum fill level of the tank to a value below its installed maximum capacity,</li> </ul>                                                                                                                      |

| Issue          | Potential Impacts                                                                                                                                                                                                                                                                                                                  | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |                                                                                                                                                                                                                                                                                                                                    | <p>such that the cumulative on-site diesel storage remains below 2,000 tonnes at any one time.</p> <ul style="list-style-type: none"> <li>• Tank level sensors must be connected to the Building Management System (BMS) to enable continuous, real-time monitoring of diesel volumes across all tanks on site.</li> <li>• The BMS must be configured to provide alarms and reporting to verify compliance with the 2,000-tonne on-site diesel storage limit at all times.</li> <li>• Venting must be provided in accordance with AS 1940:2017, including but not limited to venting pipes and vent locations.</li> <li>• Fire hydrant coverage to storage tanks must be achieved in accordance with AS 2419.1:2021.</li> <li>• 9 kg powder-type portable fire extinguishers powder type must have rating of 2A 60B(E) to be installed in accordance with AS/NZ 1841.5:2007, AS 4265:1995, AS 1850:2009, and AS 2444:2001.</li> <li>• A fire alarm system must be provided in accordance with AS 1670.1:2018 and AS 1603.5:1996 as described.</li> <li>• The fuel storage must be provided with facilities for storage of waste and contaminated items as per AS 1940:2017 and applicable regulations.</li> <li>• Install and operate penstock valves at downstream pits to contain contaminated firewater/hydrocarbons</li> <li>• Implement administrative controls: limit refuelling to one generator per bank, spill kits every second generator, sandbags/filter socks at pits during refuelling, utilise BMS-linked fuel level and leak alarms BMS-linked fuel leak alarms, 24/7 site staffing</li> <li>• Operate the facility such that the total quantity of diesel fuel stored on site does not exceed 2,000 tonnes at any time, noting that an Environmental Protection Licence is not required on this basis.</li> </ul> |
| Greenhouse Gas | <p>Across the project over its life (inclusive of the proposed modifications), the total emissions include:</p> <p>Planned Operational Throughput (total from 2025 – 2075):</p> <ul style="list-style-type: none"> <li>• Scope 1: 22,536t CO2-e</li> <li>• Scope 2: 7,452,159t CO2-e</li> <li>• Scope 3: 524,912t CO2-e</li> </ul> | <p>Scope 1 Emissions Mitigation Measures</p> <ul style="list-style-type: none"> <li>• CDC will seek to optimise generator efficiency through regular maintenance and adoption of advanced emission control technologies as these develop. In alignment with its net zero carbon by 2030 target, CDC will calculate emissions and seek to purchase high quality carbon offsets to become net zero carbon for their scope 1 emissions.</li> <li>• CDC must implement a programme to ensure they are able to deliver their customers access to 100% renewable energy sourced from verifiable</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| Issue | Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | <p>Maximum Capacity (without mitigation strategies) (total from 2025 – 2075):</p> <ul style="list-style-type: none"> <li>• Scope 1: 22,536t CO2-e</li> <li>• Scope 2: 15,115,976t CO2-e</li> <li>• Scope 3: 884,154t CO2-e</li> </ul> <p>A1.</p> <p>A2. Within the total emissions across the project life, calculated above, the proposal (modifications to the generators) is predicted to result in an increase in annual Scope 1 emissions from 313t CO2-e to 444t CO2-e (increase of 131t CO2-e in annual, Scope 1 emissions). However, these predicted assessment outcomes are intended to be subject to the mitigation measures listed</p> | <p>sources. Managing the availability of LGCs at the time they are proposed to be acquired will be part of that program and responds to the changing market as required.</p> <ul style="list-style-type: none"> <li>• CDC will reports its progress annually, towards its 2030 net zero target,including disclosure of emissions in accordance with the GHG Protocol.</li> </ul> <p>Scope 2 Emissions Mitigation Measures</p> <ul style="list-style-type: none"> <li>• The project will integrate ecological sustainable design features to optimise energy efficiency as much as possible. Remaining emissions will be substituted through the purchase and surrender of LGCs before 2030 and REGO, or similar, from 2031 onwards to continue to achieve zero-emission factor for electricity used within the premises. CDC will purchase electricity that is backed by renewable electricity sources i.e. purchase and retirement of renewable energy certificates such as LGCs.</li> </ul> <p>Scope 3 Emissions Mitigation Measures</p> <p>CDC will commit to implement reduction strategies such as:</p> <ul style="list-style-type: none"> <li>• CDC will partner with major manufacturers and supplierswho share its sustainability values, are local or have set their own targets to reduce emissions.</li> <li>• CDC will commit to choosing suppliers that share its sustainability values, and where possible, focus on using low carbon equipment. CDC seek to use reduced carbon alternatives for steel and concrete needed during construction for the proposed modification scope.</li> <li>• Integrating equipment options with long life spans (durability), Environmental Product Declarations, sustainable certification or reduced carbon footprints, especially for equipment such as UPS and chillers which have higher upfront embodied carbon emissions.</li> </ul> |

## APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under Condition C8 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.