

24 March 2026

TfNSW Reference: SYD26-00267-01

DPHI Reference: SSD-108835458



Ms. Kiersten Fishburn
Secretary
Department of Planning, Housing and Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Mr Jeffrey Peng

**REQUEST FOR SECRETARYS ENVIRONMENTAL ASSESSMENT REQUIREMENTS
THE MARS ROAD DATA CENTRE
3-4 APOLLO PLACE AND 87-91 MARS ROAD, LANE COVE WEST**

Dear Ms Fishburn,

Thank you for providing Transport for NSW (**TfNSW**) an opportunity to provide input to the Secretary's Environmental Assessment Requirements (**SEARs**) for the proposed State Significant Development Application (**SSDA**) for the Mars Road Data Centre.

TfNSW has reviewed the Request for SEARs - Proposed Construction and Operation of Data Centre prepared by Willowtree Planning dated 6 March 2026 and noted that this document includes Industry Specific SEARs (Section 8). It is advised that that TfNSW does not have any additional assessment requirements in addition to the items included under Traffic, Transport and Accessibility in Table 6 of this document.

Should you have any further inquiries in relation to this matter, please contact Para Sangar, Senior Land Use Planner, via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

Rachel Davis
Senior Land Use Planner Eastern
Transport Planning Branch
Planning, Integration and Passenger

OFFICIAL

**Major Projects
New Request for Advice
Mars Road Data Centre (SSD-108835458) (Lane Cove)**

Attention Jeffery Peng,
Department of Planning and Environment

**Secretary's Environmental Assessment Requirements for Mars Road Data Centre at 3 – 4
Apollo Place and 87 – 91 Mars Road, Lane Cove West**

Thank you for the opportunity to comment as part of the request for the Planning Secretary's Environmental Assessment Requirements {SEARs} for the construction of a 24-hour operational data centre with a total information load of approximately 140 megawatts.

Executive Summary

The Subject Site is located within the E4 General Industrial Zone where use as a Data Centre is permitted with development consent. The site adjoins Bushland fronting the Lane Cove River which is comprised of Sensitive Coastal Wetland Areas, Vegetation identified on the Biodiversity Values Map, and Environmental Protection zones.

The Site also adjoins the Apollo Place Data Centre which was the largest data centre in the southern hemisphere at the time of completion and is also owned by the Applicant. Communication with the Applicant throughout that SSDA process was positive and ongoing. The Applicant worked with Council to design a development which addressed key concerns raised to ensure compliance with Council's DCP was achieved, with particular regard to the Bushland Section and 10m Bushland Buffer Zone.

Council and the local environment encountered several unforeseen issues resulting from the construction phase of this development which would have benefited from further consideration at the early design stage. Further information and design requirements would have ensured that these impacts were mitigated appropriately.

Council highlights the adverse impacts (environmental, infrastructural and sustainability) of Data Centres and the burden enforced on existing local infrastructure to accommodate the expansion of these Centres.

Consideration should not only be given to the relevant Environmental Planning Instruments (SEPP, LEP and DCP requirements), but also to the capacity of local and State infrastructure to facilitate the demanding growth of the Data Centre landscape.

The Lane Cove Council LGA has been identified as an optimal location for Data Centres due to climatic factors, proximity to high coverage telecommunications infrastructures and access to electricity supply and water mains.

Documents

Council has reviewed the following documents:

- Request for SEARs – Willowtree Planning – 6 March 2026
- Preliminary Architectural Plans – Greenbox – 14 January 2026
- Preliminary Finishes Schedule – Greenbox – 19 January 2026
- Preliminary Massing Montages

Environmental Impact Statement Requirements

Council requests that the Applicant address the following matters and provides the following information to accompany the Environmental Impact Statement {EIS}.

1. Impacts on Infrastructure

The Development Application should be accompanied by a detailed analysis on the proposed power demand and water usage required for the cooling process. This should quantify at the aggregated impacts with the Apollo Place Data Centre and the Project Mars Data Centre by Goodman at 12 Mars Road, Lane Cove West. Any required infrastructure upgrades (cabling for fibre optics and energy supply) are to be considered during the design phase as they can impact the construction methodology and environmental impacts of the development. Further information is provided later in the tree section of this response.

An analysis on resource use should be provided which considers the demands on water and electricity. This analysis is to confirm that the development would not result in outages for other properties within the area. The prioritisation of sustainable water usage must be explored, and the proposed development is to include rainwater reuse & catchment given the high water usage.

2. Community Engagement

Council acknowledges that the EIS would include a public engagement process which would be reported.

Council strongly encourages the Applicant arrange a public forum in consultation with Council prior to the preparation of the EIS and prior to the submission of any Development Application. This meeting could be facilitated by Council and held at Council Chambers.

The forum would be notified to neighbours and people within the local area by Council, as well as being advertised on Council's website. Council would also set up a register to identify the people who intended on asking questions at the forum. Council views this as a strong opportunity to engage with the local community.

The meeting would include a panel from the Applicant's team to detail the proposed design and answer any questions raised by the community. The results of the meeting should be captured in the EIS and reflected in the design of the Data Centre.

Council also encourages the Application to engage Council's Design Review Panel given the scale of the proposed development and its prominence to the Public domain.

3. Excavation

The proposed development includes significant excavation within a highly sensitive environment. This excavation has been utilised to facilitate the floor space ratio allowance which is not favourable for the design of Data Centres given the large ceiling heights of the data halls. Council raises significant concerns with potentially devastating impacts on the water table and the highly sensitive

Bushland land / wetlands in proximity to the site, as detailed in the following section. Based on the limited information provided at the SEARs stage, the proposed development is not considered to have satisfied the relevant objective of Council LEP 2009 Clause 6.1A:

- (1) (a) to ensure that earthworks for which development consent is required **will not have a detrimental impact on environmental functions and processes**, neighbouring uses, cultural or heritage items or features of the surrounding land,
- (3) The consent authority must ensure the EIS provides adequate information to address the following matters –
- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,**
 - (b) the effect of the proposed development on the likely future use or redevelopment of the land,**
 - (c) the quality of the fill or the soil to be excavated, or both,**
 - (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,**
 - (e) the source of any fill material and the destination of any excavated material,**
 - (f) the likelihood of disturbing relics,**
 - (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.**

It is appropriate to provide a DSI and RAP (is recommended in the DSI) at the EIS stage for consideration for the following reasons:

- The subject sites industrial land use and likelihood of historical contamination;
- The proposed excavation well beyond natural ground level;
- The sensitive environmental and bushland areas identified in the following section;
- The sites natural slope toward these sensitive areas; and
- The Acid Sulfate Soil areas mapped adjoining the site.

The documentation should include an in depth consideration of ground water impacts must also be provided to ensure the above can be satisfied. Council notes the SEARs request identifies a Geotechnical Assessment, Surface and Groundwater Impact Assessment and a Salinity Management Plan and/or Acid Sulfate Soils Management Plan.

4. Bushland

The site adjoins land zoned Environmental Conservation (C2) at the rear of the property. This bushland area contains significant vegetation communities including protected Ecologically Endangered Communities (EEC's).

Council's Part H Bushland Protection stipulates a 10m bushland vegetation buffer is required to be applied to boundaries adjacent to bushland for adequate bushland protection. The proposal does not comply with the 10m Bushland buffer area.

Please note that the statement on page 7 of the SEARS request *"The nearest sensitive land use is within the C2 Environmental Conservation zone (Lane Cove National Park), located approximately 500m to the west of the Site"* is incorrect and that the nearest C2 Environmental Conservation zone is immediately adjoining the property boundary with the Bushland area known as *Ventemans Reach*.

The site is adjacent to *Ventemans Reach* which consists of Coastal Enriched Sandstone Sheltered Forest with Coastal Fresh Water Swamp Forest (EEC), Estuarine Saltmarsh (EEC), Estuarine Swamp Oak Forest (EEC) and Estuarine mangrove forest further towards the Lane Cove River. These communities require extensive consideration and protection, whilst it is noted that the property itself does not contain an Environmental Protection Area.

Council recommends that the design is amended to comply with the 10m bushland buffer requirement as illustrated in Figure 1 below. This is to ensure the protection of the bushland and would be consistent with the design approach utilised by the Applicant in the design of their adjoining Data Centre.

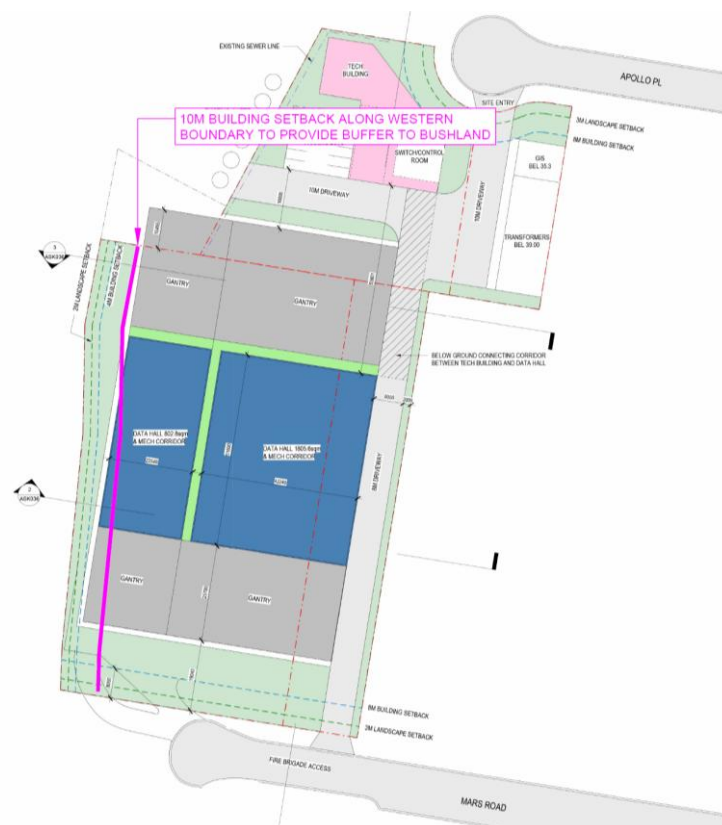


Figure 1: 10m Bushland buffer setback

Biodiversity values map / BDAR

A Biodiversity Development Assessment Report (BDAR) should be prepared for subject development and EIS. The scale and intensity of the proposed development are such that there is potential for unforeseen or indirect impacts on biodiversity that may not be readily apparent through mapping alone. A BDAR would enable a comprehensive assessment of these potential impacts and provide appropriate avoidance, mitigation and offset recommendations, particularly given the presence of several Endangered Ecological Communities in proximity to the site. It is noted that the SEARs response states a BDAR may be prepared or alternatively a waiver. Council is of the view that the BDAR is reasonable / required in this instance.

Bushfire Protection

The subject site is identified as bushfire prone land with category 2 vegetation within the bushland reserve and category buffer area on the property. A bushfire report is to be provided, comments should be provided regarding the diesel location and safety infrastructure required. The Bushfire

Impact Assessment is required to be submitted for review by the Rural Fire Service (RFS) or written by a certified BPAD Level 3 practitioner confirming compliance. It is noted that the SEARs response confirms a report would be provided.

Aboriginal Heritage

An Aboriginal site of significance has been identified within proximity to the subject site. The proposal should be referred to the Aboriginal Heritage Office for comment. It is noted that the SEARs response confirms a report would be provided.

Acid Sulfate soils

Acid sulfate soils have been detected in the surrounding area, refer to the Acid sulfate soils section later in this response. It is noted that the SEARs response confirms a Salinity Management Plan and/or Acid Sulfate Soils Management Plan would be provided.

Riparian land

The proposed development is an integrated SSD and referral to the Department of Primary Industries water is required. Council notes the SEARs request identifies a Geotechnical Assessment and Surface and Groundwater Impact Assessment would be provided.

Stormwater Management Plan

The development application is to be accompanied by a Stormwater Management Plan. This plan is to confirm that the proposed development would not have adverse impacts on runoff to the Lane Cove River and EEC's previously mentioned. The plan is to be included for the consideration by the Arborist and documented within the Arboricultural Impact Assessment.

The Stormwater Management Plans are to confirm the prioritisation of water recycling and rainwater catchment. Considerable roof space is proposed which should accommodate rainwater reuse for the required cooling process of the Data Centre.

Council's Development Engineer provided the following comments:

Stormwater Management Plan: A stormwater design prepared by qualified hydraulic engineer complying with Part O - Stormwater Management of the Lane Cove Council Development Control Plan 2009. The plan shall include the followings.

- a) The prioritisation of rainwater catchment from all roof areas to be connected to the cooling systems and any irrigation systems for the proposed landscaping.
- b) On Site Detention.
- c) Pump out system may be required for the basement level which is to be drained toward the street and this system must be connected to OSD.
- d) The discharge from site shall not be allowed to connect directly to the Street Kerb, and must be connected to any inlet pit on street
- e) Gross Pollutant Trap (GPT) is required satisfying MUSIX analysis.

Note: Whilst Council finds this to be an unacceptable outcome, if stormwater directed towards the bushland is supported by the NSW Department of Planning, compliance is to be achieved with Council's relevant DCP requirements (spreader system, etc). This should only include water which cannot be directed towards the street level and not all areas. This system is to be fully located within the property boundary and not result in adverse impacts on the roof systems of trees located within the Bushland area (water inundation which results in drowning the roots or erosion of topsoil).

Geotechnical Investigation: A geotechnical report is required.

Impacts on Public Infrastructure and restoration works:

- i. A report of improvement works programme covering all proposed new and reconstruction of public assets such as kerb/gutter, roads, footpath, pram ramp, pedestrian crossing etc around the site
- ii. A dilapidation report prepared by qualified engineer is required.
- iii. A Construction methodology is required with traffic management plan, storage, manoeuvring areas and impacts on public assets.
- iv. All retaining structures greater than 1m in height are to be designed and certified for construction by a suitably qualified structural engineer.

Construction management: An indicative construction management plan is to be submitted (required under Council's DCP Guide). Plan to show site entry and exit as well as storage and manoeuvring areas.

Vehicle Access: A driveway design is required with longitudinal section and any necessary cross-sections clearly demonstrating that the driveway complies with Australian Standards 2890.1 -2004 "Off Street car parking".

Erosion and Sediment Control Plan

The proposed development is subject to increased requirements for erosion and sediment control measures to protect the adjoining Bushland area at the rear. The development application includes significant excavation well beyond natural ground levels which could have devastating construction impacts in terms of stormwater runoff. The Bushland area is highly sensitive for the multiple reasons provided within this response including SEPP identification, wetlands areas and EEC's. The Erosion and Sediment Control Plan is to annotate and depict compliance with the following requirements from Council's DCP to ensure adequate protection:

- i. The use of 2500mm or 2400mm long metal star pickets hammered into the ground 500mm deep (leaving 2000mm above ground) with 1000mm centres (spacing between each star picket).
- ii. Metal wire threaded through each star picket to assist in taking the sediment load between the centres.
- iii. Use of self-supporting geo textile semi permeable fabric allowing water to pass through but catching sediment.
- iv. Geo textile semi permeable fabric to be installed 300mm deep into the ground and 1500mm above ground attached to star pickets and wire.
- v. A secondary sediment fence to be installed following the specifications as above 2000mm behind the first fence creating a secondary barrier.
- vi. Installation of several silt basins where allowable in front of the 2 sediment barriers allowing water and sediment to pool and for sediment to settle at the bottom. Clean water (free of sediment and particulates) to be pumped into stormwater drainage. The silt basin will act as the first line of defence to sediment overflow, the two silt barriers will act as second and third line of defence.
- vii. Recommended that the pooled water in the silt basins be flocculated to increase rate of sediment settling before pumping out clean water.
- viii. Sediment in the silt basins are to be cleaned out on a regular basis.
- ix. Both sediment fences and silt basins are to be entirely within the development site. These structures are not to encroach into public open space or bushland.

Strict adherence to these requirements and any approved Erosion and Sediment Control plan is critical at this site due to the unfortunate history of environmental impacts (resulting from the construction of the applicants adjoining data centre) and the extreme sensitivity of the surrounding environment. During the construction phase of the Applicants adjoining data centre, inadequate

sediment controls resulted in a major overflow of sediment into the adjacent endangered saltmarsh ecological community, causing significant ecological damage and necessitating an extensive, costly, and prolonged remediation effort.

Sediment runoff is a construction risk capable of being managed where appropriate mitigation measures are provided. Thus, this report should be considered and provided during the EIS stage of the proposal. Robust, well maintained, and proactively managed sediment controls—installed prior to earthworks and designed for worst case conditions are essential to ensure compliance and environmental protection.

In light of the site's history and the presence of a several protected EEC's, strict compliance of sediment control requirements is mandatory.

Lighting

Outdoor lighting should be minimised to protect wildlife by preserving natural darkness, which animals rely on to feed, breed, and move safely. Where lighting is necessary, low intensity red or amber lighting should be used in preference to white light, as these wavelengths are less disruptive to nocturnal fauna. White lighting must not be directed into surrounding bushland and should be strictly limited to downward facing, fully shielded fixtures to prevent light spill and habitat disturbance. Excessive or poorly directed artificial lighting can disrupt natural behaviours, fragment habitat, and place additional stress on wildlife; therefore, careful lighting design and restraint are essential to minimise ecological impact while maintaining site safety.

Lighting should be considered for both the construction phase of the development and the operation of the data centre.

SEPP (Resilience and Hazards) 2021

The provisions of SEPP (Resilience and Hazards) 2021 are to be addressed in the EIS.

SEPP (Biodiversity and Conservation) 2021:

The subject site is located on land pursuant to Chapter

The *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005* applies to development on land identified as *foreshores and waterways area* in Part 6.3.

Any application is to demonstrate compliance with the provisions of the SEPP and supporting DCP within the EIS. The site is mapped within Map 5 (Ecological Communities and Landscape Characters) and is adjacent to or contains:

- Mudflats and Mangroves;
- Open Forest (Type A); and
- Open Forest (Type B).

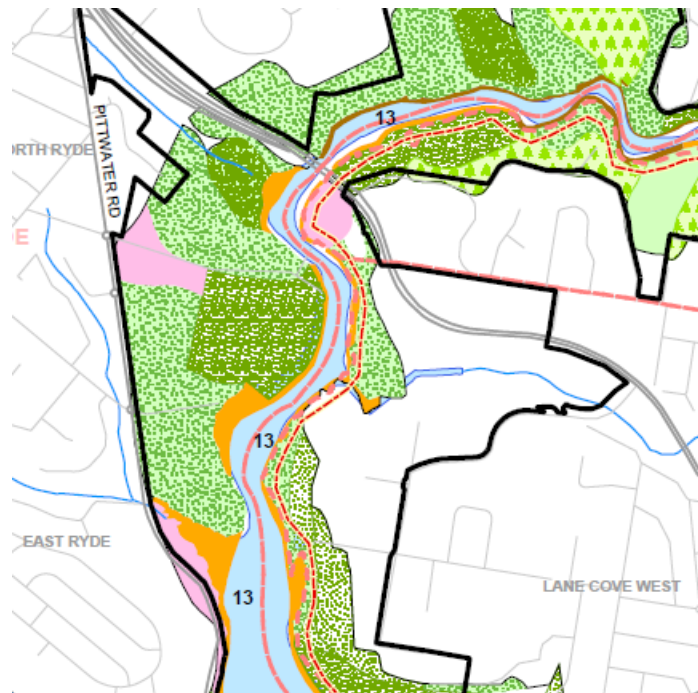


Figure 2: Extract of Ecological Communities and Landscape Characters Map

A summary of the relevant parts of the SREP and DCP are provided as follows:

DCP

2. Ecological Assessment

3. Landscape Assessment

5. Design Guidelines for Land-based Development

5. Tree Impacts

Council raises significant concerns regarding the protection of trees based on the unforeseen Arboricultural Impacts resulting from the development of the adjoining Data Centre (owned by the Applicant) which included the following:

- i. Additional tree removal from adjacent C2 bushland area due to the Construction Management Plan inadequately considering the movements required to install large transformers. These were imported, jigs constructed on site and cranes used to install them. The staging and manoeuvring for this process was not adequately considered or reported at the assessment stage of the development.
- ii. The extensive cumulative Arboricultural Impacts experienced to street trees and Council reserve trees across the LGA which resulted from the extensive cabling installation works associated with the data centre.

Council is of the view that the following documents are required in relation to Arboricultural Impacts for the subject site and adjoining sites including our C2 Bushland area:

- A site-specific Arboricultural Impact Assessment (AIA) Report is required.
- The AIA should be consistent with AS 4970–2025 Protection of trees on development sites (and AS 4373–2007 Pruning of amenity trees for any proposed pruning) and must include, at minimum, the following:

a) Future works and infrastructure upgrade requirements

- The following are to be considered with full regard to the proposed construction process including any infrastructure upgrades which are required such as cabling, water, stormwater, etc

b) Tree Survey & Schedule

- Identify all trees on the Subject Site and on adjacent land whose canopies or root systems may extend into the Subject site.
- All trees within 10m of the site in adjoining C2 bushland.
- Provide species, DBH, height, canopy spread, health, structure, origin (planted/remnant), age class, heritage/ecological value, and retention value.
- Clearly distinguish remnant native trees, particularly the endangered ecological communities species, and note any additional statutory protections or ecological or aboriginal significance.

c) Tree Protection Zones (TPZ), Notional Root Zones (NRZ) & Structural Root Zones (SRZ)

- Calculate TPZ, NRZ and SRZ for each tree in accordance with AS 4970 -2025.
- Provide a scaled plan overlaying TPZ/NRZ/SRZ extents with the proposed development footprint, including excavation, footings, services/trenching, driveway/paths, retaining walls, level changes, stormwater, OSD, crane pads, site sheds, and access/laydown.

d) Impact Analysis

- Assess direct and indirect impacts on each tree (root disturbance within TPZ/NRZ/SRZ, canopy conflict, grade changes, hydrological changes, compaction, microclimate/wind exposure, construction compaction).
- Identify and quantify any encroachments (minor vs. major) per AS 4970 -2025, with justification and proposed mitigation.
- Address overhanging canopies from trees on adjacent land and any implications for pruning rights/constraints and protection responsibilities.

e) Retention/Removal Justification

- Provide a tree-by-tree recommendation (retain/protect, retain with pruning/works, or remove), with clear justification grounded in condition, risk, design conflicts, and feasibility of protection.
- Where removal is proposed, provide re-planting/offset recommendations with locally appropriate native species and sizes on a 1:1 basis.

f) Pruning & Works Specifications

- Detail any required pruning to AS 4373 - 2007, including objectives, extent (by % canopy/branch diameter), method, timing, and supervision.
- Specify root pruning methodology (air-spade, hand excavation), severance diameter limits, and root protection.

g) Tree Protection & Construction Methodology

- Tree Protection Plan (TPP) with fencing locations (type/height/signage), trunk protection, ground protection, no go zones, monitoring, and incident/escalation procedures.
- Detailed construction methodology for all works within/near TPZs (e.g., pier and beam, bridging slabs, directional drilling for services, low-impact footings), including sequencing to minimise impacts.
- Soil and hydrology management measures to avoid compaction and altered drainage affecting retained trees.

h) Supervision & Certification

- Nominate the supervising AQF Level 5 arborist; provide a supervision schedule or schedule of holding points for critical stages (set-out, excavation near TPZ/NRZ/SRZ, service installation, pruning, protection installation/maintenance).
- Provide a template for site inspection reports and post-construction certification of compliance with AS 4970 and the approved TPP.

i) Plans & Documentation Standards

- Include a scaled Tree Protection Plan over the final architectural and stormwater set, showing accurate surveyed tree locations, canopies, TPZ/NRZ/SRZ, proposed structures/services, and all protection measures.
- Cross-reference drawing numbers and revision dates to ensure document coordination.

6. Environmental Health

The following documents are to be provided:

- a) An acoustic report is to address noise levels from the plant equipment to the Bushland area and any affected residential developments.
- b) A construction noise management plan is to be submitted.
- c) A construction light spill plan with regards to the adjoining bushland.
- d) Contaminated land assessment (PSI, DSI and RAP if necessary).
- e) Environmental management plan that addresses the impacts from the construction phase (light spillage into the bushland, dust management, runoff/excavation water treatment and disposal) and any infrastructure upgrade phase. The plan is to include details confirming compliance with Council specific Bushland sediment and erosion control, dust management and management and disposal of excavation water.
- f) Excavation water management plan is to be submitted to address how water would be treated and disposed offsite during construction.

The following requirements result from a Council resolution for significant developments within Lane Cove. These plans seek to mitigate and record construction impacts. Council recommends that the following documents are provided to ensure they can be appropriately considered during the assessment stage and appropriately conditioned for compliance for any demolition and construction process.

A. Dust Monitoring Plan

A Dust Monitoring Plan is to be provided which includes, but not be limited to, the locations of dust monitoring devices on all boundaries or at appropriate location of the site so as to record, at half an hour intervals, dust levels and composition of dust during the course of construction. Regard is to be given to the C2 Bushland area at the rear of the development. A condition of consent would be recommended which would require that this information is to be reported to Council during the construction phase of the development.

B. Noise Monitoring Plan

A Noise Monitoring Plan is to be provided which includes, but not be limited to, the locations of noise monitoring devices on all boundaries or at appropriate locations of the site so as to record, at half an hour intervals, noise levels during the course of construction. A condition of consent would be recommended which would require that this information is to be reported to Council during the construction phase of the development.

C. Trades Personal Parking and logistics plan

Parking within the Lane Cove industrial area is a reported concern. A Trades Personal Parking and logistics plan is to be provided which details the provisions of parking on site for construction workers to reduce the strain on local kerb side parking. A condition of consent would be recommended which would require that this information is to be reported to Council during the construction phase of the development.

SEPP (Resilience and Hazards) 2021**Chapter 3 Hazardous and Offensive Development**

A preliminary hazard analysis would be required given the likely volume (indicatively stated as 1 million litres) of fuel stored for back-up power supply to the data centre.

Consideration should be given to the ecological impact of a fuel spill or overflow of firefighting waters in the marine environment. Measures should be employed to protect the environment in the event of a failure or fire event.

7. Landscape

A comprehensive Landscaping Package should be submitted with a full species listing. Properties adjacent to bushland should select native plants that are considerate to the surrounding bushland vegetation. Exotic plants are problematic in bushland because their seeds and rhizomes can escape into natural areas and spread prolifically, outcompeting native species and disrupting local ecosystems. It is recommended that the Applicant explore if any additional canopy trees can be planted to provide increased vegetative screening of the proposed building.

Further landscaping comments:

1. In areas where rainwater harvesting is not possible, consideration of low-growing green roof option that may work with the cooling towers to help mitigate the heat island effect generated by the new development and energy use. Native grasses should be selected to ensure optimal tolerance.
2. Council had included "Conditions Without Prejudice" for the Applicants previous SSDA for the adjoining Data Centre which were considered by the Applicant. Many of these requirements were implemented by the Applicant with respect to Council's development standards, policies and expectations. Council would appreciate the same approach is taken for the subject application.

3. Due to the proximity to land zoned C2, extra care should be taken to provide a finished building that is “set among the landscape” with substantial endemic tree, shrub and groundcover plantings in generous setbacks to all sides of the building.
4. Tree species selection should involve the assistance of Council’s Principal Arborist to ensure correct selection of a variety of small, medium and large trees that would be prominent within the localised Threatened Ecological Communities (TEC).
5. The specified planting schedule should provide several opportunities for habitat to small fauna as well as the inclusion of endemic rockery to encourage the presence of small mammals.
6. Any further fragmentation of green corridors and Threatened Ecological Communities is to be avoided and every attempt should be made to reconnect green corridors where possible.
7. Areas required for Asset Protection Zones should not involve the removal of any trees that comprise part of any TEC.
8. Council would prefer any tree removal on Council land would see the removed tree replaced with a street tree of Council’s choice placed in a structural root cell with the appropriate soil volume for the size of the tree installed.

8. Height

The proposed development would attain a height which significantly breaches the maximum permissible height standard. This includes up to 3 levels, inclusive of the roof plant area, in some sections. The impacts of this height are exacerbated due to the level of excavation proposed to accommodate data halls well below existing ground level.

The EIS should include a Clause 4.6 variation with compelling justification for the breach. Council also recommends that the Applicant includes a comprehensive character statement as part of the future EIS. The character statement should detail the existing character of surrounding built structures, setbacks and envelopes along Mars Road. The character statement should provide a compelling argument and justify that the proposed development is sympathetic and in-keeping with the varied and transitioning character of the area.

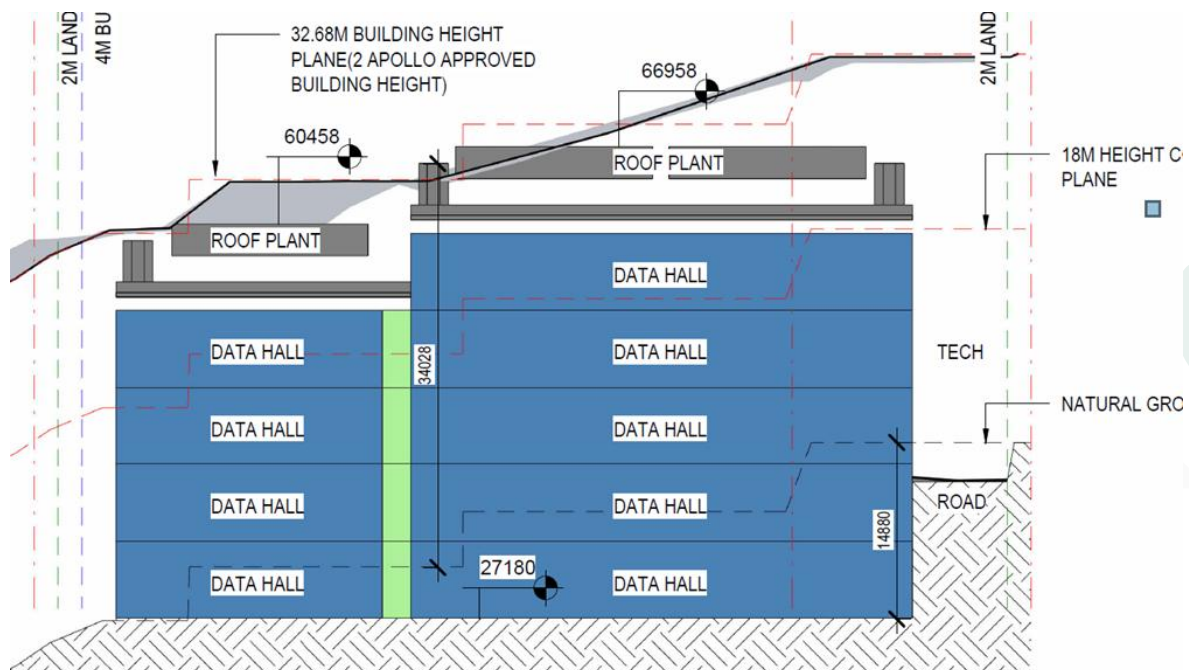


Figure 3: Section from SEARs preliminary plans

The proposed development appears to protrude significantly beyond the approved adjoining Data Centre at 1 Apollo Place, and well beyond the natural landscape. Minimal articulation and massing design response have been provided at the early design stage. High levels of articulation and native vegetative screening should be explored. Light spill impacts into the Bushland may also exacerbated by the additional height.



Figure 4: View analysis showing the subject proposal in the background which appear significantly higher than the property closer to this located.



Figure 5: View analysis showing the proposed development significantly higher than the adjoining property and projected well beyond the natural canopy of the bushland.



Figure 6: View analysis showing the proposed development significantly higher than the adjoining property and projected well beyond the natural canopy of the bushland.



Figure 7: View analysis showing the perspective from the Mars Road.

9. Views

Concerns are raised regarding views and vistas from the Public domain, Lane Cove River and the Bushland tracks in proximity to the site. The consideration on views provided is brief and requires further information and perspectives to provide a complete package.

It is important to ensure that vegetation which is proposed to be removed is not relied upon to provide screening in the view loss analysis. Further information is to be provided on the trees to be removed.

Photos and perspectives from *Ventemans Reach* Bush track are to be considered and provided as part of this assessment.

10. Lane Cove LEP 2009

The relevant matters of the LEP have been discussed throughout this response. They have been identified in the SEARs and are to be addressed as indicated.

11. Lane Cove DCP 2010

Under Clause 11 of the SEPP (State & Regional Development) 2011, the Lane Cove DCP does not strictly apply to the state significant development proposal. Regardless of the SEPP, Council requests that the EIS include a full assessment against the relevant section of the DCP to ensure a considered assessment with regards to the local environmental and build context. An assessment against Council's local provisions is appropriate given the sensitivity of the site and the scale / use of the proposed development.

Part A – Introduction

The applicant has indicated community consultation would be conducted, refer to the prior comments for Council recommendation regarding community consultation.

Part B – General Controls

B.1 – General Objectives for the DCP – Consideration is to be given to the general objectives of the DCP in particular the following are of relevance:

- Conserve, protect and enhance the environment and built heritage of Lane Cove.
- Contribute to effective management of biodiversity.
- To protect the quality of water catchments, encourage the use of water sensitive urban design and promote the adoption of whole of water cycle management principles.
- Enhance the visual quality and functionality of the public and private domain interrelationship.
- Regulate the visual impact of all development within foreshore areas.

B.5 - Development in Foreshore Areas – Insufficient detail has been provided in relation to the building design to determine its appropriateness in relation to Clause 5.1.1. Detailed view analysis needs to be undertaken to determine that the objectives of B.5 are achieved namely:

- Minimising the impact and prominence of foreshore development when viewed from the Lane Cove River.
- Ensuring that the architecture of development that is highly visible from the rivers is not visually prominent, in character with the locality and minimises its bulk and scale.

B.6 – Environmental Management – Clause 6.3 is to be considered with the view maximising the sustainability of the development.

Part E – Industrial Development

An assessment should be provided against the local DCP provisions given the sensitivity of the site and the scale of the development.

Part F – Access and Mobility

An Access Report is required to demonstrate compliance with Part F of the DCP.

Part G – Acid Sulfate Soils

It is likely that the site is subject to levels of Acid Sulfate based on the relevant map below. This is to be considered in the Preliminary and Detailed Site Investigations. If Acid Sulfate is identified then

Clause 6.1 of the Lane Cove Local Environmental Plan 2009 applies and an Acid Sulfate soils management plan is required.

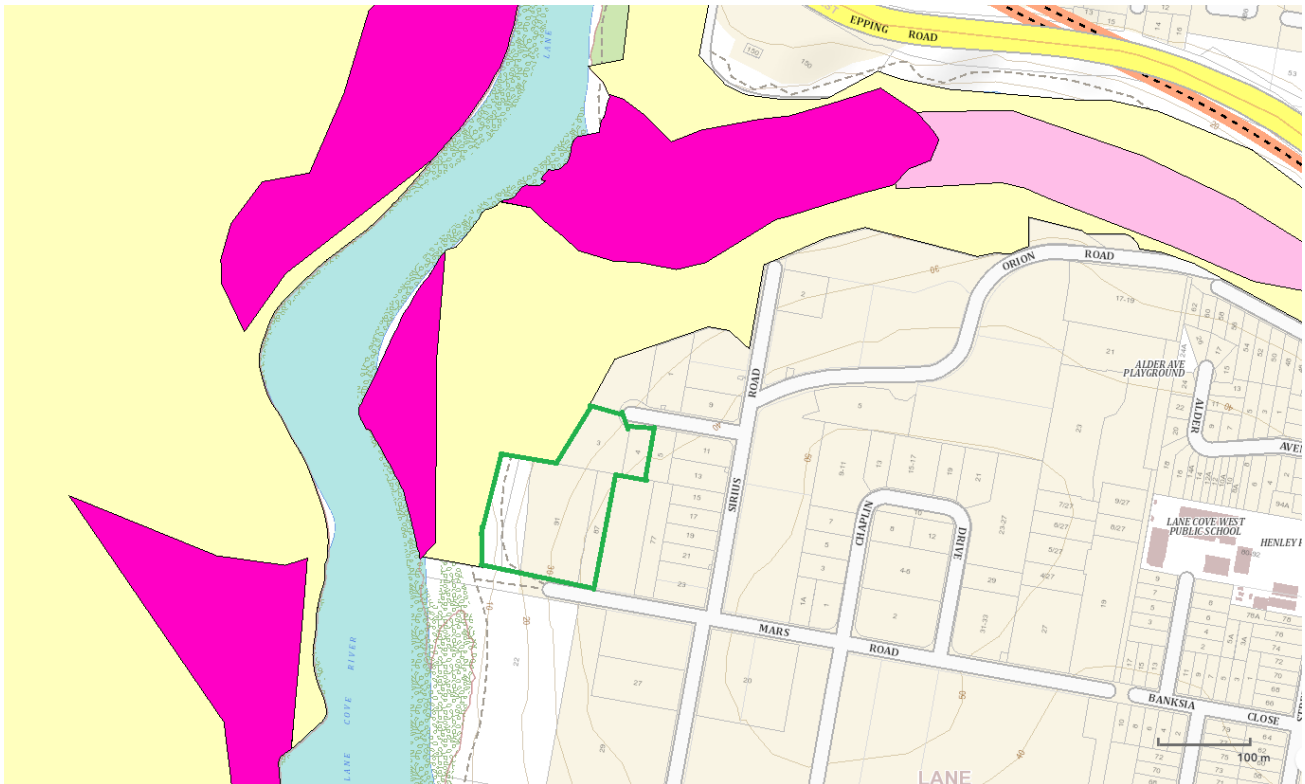


Figure 8: Acid Sulfate Map with site identified in Green.

Part H – Bushland Protection

An assessment should be provided against the local DCP provisions given the sensitivity of the site and the scale of the development, of critical importance is the 10m bushland buffer zone, refer to the Bushland, Tree and Landscaping sections above.

Part J – Landscaping

An assessment should be provided against the local DCP provisions given the sensitivity of the site and the scale of the development, refer to the Bushland, Tree and Landscaping sections above.

Part N – Signage

Any signage is to have regard to the provisions of Part N of the DCP and SEPP (Industry and Employment) 2021.

Part O – Stormwater Management

An assessment should be provided against the local DCP provisions given the sensitivity of the site and the scale of the development.

Part Q – Waste Management and Minimisation

Data Centres typically have minimal waste generation; regard is to be given to waste requirements of Council's DCP to ensure correct gradients for driveways and turning circles for vehicles to enter and exit in a forward facing direction.

Part R – Traffic, Transport and Parking

Council acknowledges that Data Centre usage generates less parking requirements than typical industrial developments and accordingly the proposal is unlikely to satisfy the DCP requirements. A traffic and parking assessment report is to be prepared by a suitably qualified person addressing compliance with AS2890, the RMS Guidelines and the DCP. The following should also be considered:

- Parking Rates + appropriate Australian Standards AS2890.1:2004, AS2890.6 2022
- Swept Paths for access to site, car parks and Loading Bays
- A Traffic Management and Traffic Control Plan is required in accordance with Australian Standards 2890.1:2004, AS 1742.1:2021 and Council DCP Part R,
- Parking assessment, including accessible parking and cycle parking spaces, in
- accordance with Council DCP Part R, 2890.1:2004
- Provision of pedestrian and cycling infrastructure.
- Provisions for EV charging should also be provided before the issue of OC, refer to Council's DCP

Part S – Environmental Sustainability

Council has recently updated the Development Control Plan to reflect Council's position on environmental sustainability. These controls look at ensuring Council reaches its sustainability targets of achieving net-zero emissions, resilience and health through design and integrated urban water management. These controls assist Lane Cove LGA in contributing positively to State sustainability targets. These matters are of increased importance given the sensitivity of the local area and the scale of the proposed development.

Council strongly encourages you to review Part S Environment Sustainability and comply with all relevant provisions. Relevant provisions include but are not limited to:

- **2.2 On- site solar**, the provision of solar panels where possible (depicted on the plans).
- **2.3 Refrigerants**, a statement confirming the use of sustainable refrigerants.
- **3.1 Natural Ventilation**, the use of natural ventilation to assist with the cooling of the Data Centre to reduce the use of water.
- **3.2 Glazing**, plans that confirm glazing which has been selected to minimise excessive heat and glare into the bushland area.
- **3.3 Urban Heat and Shade**, the utilisation of natural vegetation and compliant materials to reduce the heat island impacts.
- **3.4 Sustainable Materials**, a statement confirming the use and commitment to sustainable materials.
- **3.5 Design and Construction Impacts**, A Life Cycle Assessment should be provided which details how design and construction impacts have been minimised.
- **S.4 Integrated Urban Water Management**, it is crucial that rainwater harvesting is maximised for a development with a considerable roof area and a high usage of water for the cooling of the Data Centre.

12. Section 7.11 – Local Infrastructure Contribution

The Lane Cove Development Contributions Plan requires a contribution on a square metre rate for industrial development. The current contribution rate can be found in Council's Fees and Charges

(\$53.93 per m² – 2025/2026). This payment would be required prior to the issue of the Construction Certificate.

13. Public Benefit

Council anticipates that a Public Benefit offer would be made in light of the proposed Data Centre. Council's Manager Commercial Operations has not yet received any offer. The SEARs request states that this would be addressed in the EIS.

Thank you and kind regards,
Andrew Bland
Senior Town Planner
LANE COVE COUNCIL



Your ref: SSD-108835458
Our ref: DOC26/161585

Jeffrey Peng
Principal Planning Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

8 April 2026

Subject: Request for Secretary's Environmental Assessment Requirements (SEARs) for 3-4 Apollo Place and 87-91 Mars Road, Lane Cove West – Mars Road Data Centre (SSD-108835458)

Dear Jeffrey,

Thank you for your referral received on 12 March 2026, requesting input from the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy, the Environment and Water on SEARs for the above State significant development.

CPHR notes that the Minister for Planning declared the project State significant development under section 4.36(3) of the *Environmental Planning and Assessment Act 1979* as part of the Housing Delivery Authority expression of interest process.

CPHR has reviewed the *Request for SEARs* (Willowtree Planning, 6 March 2026) and associated documentation, and recommends the proponent address the requirements below and at Attachment A.

Biodiversity assessment requirements

In relation to point 4 of the recommended biodiversity environmental assessment requirements, please note the minimum information and spatial data requirements are in Tables 24 and 25 of the [Biodiversity Assessment Method 2020 \(BAM\)](#). Other requirements, such as those relating to the BAM Calculator and Biodiversity Offset Assessment Management System, are detailed in the [guides, tools and databases](#) webpage.

Should you have any queries regarding this matter, please contact the Central Metropolitan Team at rog.gsrplanning@environment.nsw.gov.au.

Yours sincerely,

Marnie Stewart
**Acting Senior Team Leader, Central Metropolitan
Conservation Planning and Assessment
Conservation Programs, Heritage and Regulation Group**

CPHR Environmental Assessment Requirements for 3-4 Apollo Place and 87-91 Mars Road, Lane Cove West – Mars Road Data Centre (SSD-108835458)

Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the [Biodiversity Conservation Act 2016](#) (BC Act), the [Biodiversity Assessment Method](#) 2020 (BAM) and documented in a [Biodiversity Development Assessment Report \(BDAR\)](#). The BDAR must include information in the form detailed in the BC Act (s 6.12), *Biodiversity Conservation Regulation 2017* (s 6.8) and BAM, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows:
 - The total number and classes of biodiversity credits required to be retired for the development/project.
 - Any proposal to make a payment to the Biodiversity Conservation Fund.
4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the *Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017* under s 6.10 of the BC Act.

Water and Soils

6. The EIS must map the following features relevant to water and soils including:
 - acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map)
 - rivers, streams, wetlands, estuaries
 - wetlands
 - groundwater
 - groundwater dependent ecosystems
 - proposed intake and discharge locations.
7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - Existing surface and groundwater.
 - Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
8. The EIS must assess the impact of the development on hydrology, including:
 - Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
 - Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
 - Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).

Flood Risk Management

9. Prepare a flood impact and risk assessment (FIRA) in accordance with the [*Flood Impact and Risk Assessment – Flood Risk Management Guide LU01*](#). The FIRA is to be undertaken by a suitably qualified engineer with experience in NSW flood risk management. The scope of the FIRA must:
- Consider the relevant provisions of [*the NSW Flood Risk Management Manual*](#) (2023) and existing Council flood information, planning controls, government studies, information and requirements.
 - Address the full range of flood behaviour, flood constraints and risk for the existing scenario. To achieve this, flood behaviour shall be examined for a range of events, including overland flow. Typical events examined may include the 10%, 5%, 1%, 0.5% or 0.2% Annual Exceedance Probability (AEP) floods and probable maximum flood (PMF). The Intensity-Frequency-Duration (IFD) for the base case scenario should be applied in accordance with best industry practice i.e., Australian Rainfall and Runoff (2019, Version 4.2).
 - Address the flood behaviour, flood constraints and risk for post development scenario(s) for the full range of abovementioned flood events. Details of the development must be included in the verified models.
 - Identify and describe the flood constraints on the land (floodways, flood storage, flood hazard and emergency response issues) determined for a number of events, typically 5%, 1%, 0.2% or 0.5% AEP and PMF.
 - Assess the appropriateness of the development or development types for the location based on the flood constraints on the land.
 - Identify the impacts of the development on flooding for the full range of flood events
 - Identify and assess the adequacy of management measures and controls to:
 - effectively address flood constraints to ensure the flood risks to the proposed development and its users are acceptable
 - manage flood and associated emergency management (EM) impacts due to the development existing communities and individual property owners and occupiers.
 - Consider climate change impacts based on the existing advice provided in the [*Flood Risk Management Guideline FB01 Understanding and managing flood risk*](#), outlined in Section 2.6.

End of Submission



Our ref: DOC26/148052-3

23 March 2026

Jeffrey Peng
A/Principal Planning Officer
Department of Planning, Housing and Infrastructure

Email to: jeffrey.peng@planning.nsw.gov.au and upload via: NSW Major Project Planning portal

**Request for Advice - SEARs
Mars Road Data Centre – SSD-108835458**

Dear Jeffrey,

I am writing in response to your request for advice from the NSW Environment Protection Authority (EPA) with regards to a request for Secretary's Environmental Assessment Requirements (SEARs) for the proposed construction and operation of the Mars Road Data Centre, 3-4 Apollo Place and 87-91 Mars Road, Land Cove West (Lot 8 DP241877, Lot 9 DP241877, Lot 100 DP622160 and Lot 1 DP732557).

The EPA understands that the proposed development is a State Significant Development under the *Environmental Planning and Assessment Act 1979* which proposes to develop a data centre with a total information technology (IT) load of approximately 140 megawatts (MW).

In reviewing the request for advice, the EPA has considered the report *Request for SEARs, Proposed Construction and Operation of Data Centre, 3-4 Apollo Place and 87-91 Mars Road, Land Cove West (Lot 8 DP241877, Lot 9 DP241877, Lot 100 DP622160 AND Lot 1 DP732557)* (Willowtree Planning, 6 March 2026) (the **Scoping Report**).

The Scoping Report states that the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) with regards to the thresholds in Clause 9 Chemical Storage (2,000t diesel storage) or Clause 17 Energy Generation (back-up plant operation exceeds 200hrs/pa) because:

- the proposal will not exceed the 2,000-tonne chemical storage threshold on site; and
- it is understood that the stand-by generators will not be used for more than 200 hours per year.

Furthermore, the EPA notes that:

- the proposal is not being undertaken by or on behalf of a NSW Public Authority; and
- the site is not being regulated by the EPA under the *Contaminated Land Management Act* (1997).

As such, the EPA is not considered to be the appropriate regulatory authority (ARA) for the proposal with regards to relevant matters under the POEO Act. As the EPA is not the ARA for the proposal,

NSW Environment Protection Authority

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

Phone:
131 555

Email:
info@epa.nsw.gov.au

Website:
epa.nsw.gov.au

Visit:
6 Parramatta Square
10 Darcy Street
Parramatta NSW 2150

Mail:
Locked Bag 5022
Parramatta NSW 2124



no further consultation on this matter is required unless circumstances or the understanding of the proposal change such that the EPA becomes the ARA.

To assist the Department of Planning, Housing and Infrastructure (DPHI) with their assessment of the Proposal, the EPA has provided general recommended information and assessment requirements relating to data centres proposals in **Attachment A**.

If you have any further questions, please email environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jackson', with a stylized flourish at the end.

Christie Jackson
Unit Head – Environment Protection Planning
NSW Environment Protection Authority

ATTACHMENT A

General recommended information and assessment requirements relating to data centres

The EPA provides the information and assessment requirements below relating to data centres for consideration by DPHI as part of its assessment of the proposal.

1. Licencing requirements

Proposals should clearly identify whether an Environment Protection Licence (EPL) will be required under the *Protection of the Environment Operations (POEO) Act 1997*. Information should be provided addressing the following thresholds in Schedule 1 of the POEO Act.

- Clause 9 - Chemical Storage (diesel storage) – 2,000t,
- Clause 9 - Chemical Storage (pressurised gases) – 20t,
- Clause 17 - Energy Generation (back-up generators) – 30MW and 200hrs/pa,
- Any other activity in Schedule 1 that may be undertaken at the premises.

2. Details of generator testing

Proposals should clearly outline the proposed testing regime for back-up generators, and provide detailed information regarding:

- All testing types (e.g. monthly, annual) and details of scheduled and unscheduled works that would require use of back-up diesel generators (e.g. electrical infrastructure works),
- Number of tests for each generator/year,
- Number of generators to be tested at any one time,
- Testing duration for each generator (including cool down),
- Load during testing,
- Time of the day testing will occur,
- Maximum number of tests per day,
- Total number of cumulative hours generators will be tested and operated per annum.

3. Assessment of air quality and noise impacts

Proposals should prepare a Noise and Vibration Impact Assessment (NVIA) and Air Quality Impact Assessment (AQIA). These assessments should be prepared in accordance with:

- *Approved Methods for Modelling and Assessment of Air Pollutants in NSW 2022*
- *Noise Policy for Industry 2017 (including testing, maintenance and emergency operation of generators)*
- *Interim Construction Noise Guideline*

i. Modelling

Assessment reports should provide appropriate modelling for reasonable worst case impacts during construction and operation, including consideration of generator testing, routine maintenance works that require use of generators and emergency scenarios.

ii. Mitigation

Assessment reports should include an appropriate level of information as required by the relevant guidelines on proposed mitigation and management measures, including:

- Noise – A detailed feasible and reasonable assessment of mitigation consistent with Chapter 3 of the Noise Policy for Industry (NFI). This includes impacts from emergency scenarios which may consider the likelihood, frequency and duration of emergency events as part of the assessment.
- Air – Proposals should justify the selection of proposed plant and commit to replacement of generators with best available technology.

- Regarding the emergency scenario, the potential and extent of any air quality and noise impacts should be considered, particularly on any sensitive land uses (residences, schools, aged care facilities etc.). Proposals should consider whether these impacts can be practicably prevented or minimised with appropriate mitigation measures and include notification protocols for impacted receivers/receptors.

iii. Cumulative Impacts

Assessment reports should clearly identify any nearby data centres (existing, approved or proposed) and any industrial activities that may generate cumulative impacts, and any proposed staging of the proposal where operations and construction of later stages overlap.

Where there is a likelihood of cumulative impacts, proposals should include detailed quantitative assessments and consideration of whether these impacts can be practicably prevented or minimised, including mitigation measures such as coordinating testing times and scheduled maintenance works with other nearby data centres or industries.

iv. Compliance with *Protection of the Environment Operations (Clean Air) Regulation 2022*

Where a data centre, or future changes to a data centre, exceed the threshold for Energy Generation (back-up generators – 200hr/pa) in the POEO Act and require an EPL, the EPA will not be able to issue a licence unless all back-up generators (ie. stationary reciprocating internal combustion engines) comply with the emission concentration limits outlined in Schedule 2 of the Clean Air Regulation, including the NO_x limit of 450mg/m³. The applicable reference conditions for reporting the measured emission concentrations are outlined in Schedule 3 of the Clean Air Regulation.

4. Greenhouse Gas Emissions

Proposals are to provide GHG emissions estimates and consider whether they will exceed 25,000t CO₂-e per annum during its operational life, which would trigger reporting under the National Greenhouse and Energy Reporting (NGERs) scheme.

Proposals not requiring an Environmental Protection Licence will not be subject to the requirements in the NSW Large Emitters Guide (the guide). However, the EPA encourages consistency with the principles of this guide to reduce scope 2 emissions as much as practicable.

EPA encourages consideration of the following measures to reduce scope 2 emissions (see Box 8 p27 in large emitters guide).

- Energy efficiency practices,
- Installation of on-site renewable power generation,
- Purchasing renewable energy certificates,
- Entering into green power purchase agreements.

Should any GHG commitments be made, DPHI should consider including those GHG commitments as part of conditions of consent for the project.

5. Waste Management

For data centres that include forms of Battery Energy Storage Systems (BESS), proposals should include details about the amount of waste batteries proposed to be stored on the premises at any one time and appropriate fire management measures proposed, including separation and storage of any contaminated fire-fighting water.

The proponent should also be made aware that an EPL is required to transport higher risk wastes (classification of waste batteries should be applied in accordance with EPA's waste classification guidelines) and waste tracking requirements also apply.

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

Jeffrey Peng
Department of Planning, Housing and Infrastructure
jeffrey.peng@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: Mars Road Data Centre

Major Project reference: SSD-108835458

Received: 12 March 2026

Dear Mr Peng,

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the provided scoping report. Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed Mars Road Data Centre (SSD-108835458)

- The Environmental Impact Statement should be informed by an Aboriginal Cultural Heritage Assessment Report, prepared in accordance with relevant policy and guidelines to identify, describe and assess any impacts to Aboriginal cultural heritage sites or values associated with the project. The Aboriginal Cultural Heritage Assessment Report must be prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* <https://www.environment.nsw.gov.au/publications/guide-investigating-assessing-and-reporting-aboriginal-cultural-heritage-new-south-wales> and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* <https://www.environment.nsw.gov.au/publications/code-practice-archaeological-investigation-aboriginal-objects-nsw>, including results of archaeological survey and test excavations (where required) undertaken in accordance with the relevant standards and requirements;
- Include evidence of adequate and continuous consultation with Aboriginal parties in relation to determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed

measures) in substantial compliance with the consultation process outlined in the *Aboriginal cultural heritage consultation requirements for proponents*

<https://www.environment.nsw.gov.au/publications/aboriginal-cultural-heritage-consultation-requirements-proponents>

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Alison Lamond at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond
Manager
Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*

25 March 2026

Our ref: HMS ID 14005

Jeffrey Peng
Department of Planning, Housing and Infrastructure
jeffrey.peng@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: Mars Road Data Centre

Major Project reference: SSD-108835458

Received: 12 March 2026

Dear Mr Peng,

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements to the Heritage Council of NSW for the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the provided scoping report. The subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site does not contain any known historical archaeological relics. Therefore, no heritage comments are required.

If you have any questions about this correspondence, please contact Alison Lamond at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

Alison Lamond

Alison Lamond
Manager
Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
25 March 2026



File Ref. No: FRN24/1735 BFS26/1768 7000000669
TRIM Doc. No: D26/44077
Contact: Station Officer Courtney Goodhew

17 March 2026

JEFFREY PENG
NSW Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Jeffrey,

Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) – MARS ROAD DATA CENTRE – 3-4 APOLLO PLACE AND 87-91 MARS ROAD, LANE COVE WEST (SSD-108835458)

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on 12 March 2026, requesting input into the preparation of the SEARs for the MARS ROAD DATA CENTRE – 3-4 APOLLO PLACE AND 87-91 MARS ROAD, LANE COVE WEST (SSD-108835458). FRNSW have reviewed the SEARs along with the Scoping Report with particular focus to Sections 3, 4 and 7.2.

The Scoping Report details a Data Centre with Battery Energy Storage. It has been the experience of FRNSW that Data Centres present special problems of fighting fire and suitable additional provisions are likely to be required in accordance with E1D17 and E2D21 of the National Construction Code 2022¹.

FRNSW will likely recommend a Fire Safety Study (FSS) be developed in accordance with the Hazardous Industry Planning Advisory Paper No 2² as a condition of consent. The FSS should be used to inform the design and as such it is FRNSW Position³ that the FSS be developed to the satisfaction of FRNSW prior to any further submission being made to FRNSW; this includes: an Initial Fire Safety Report (IFSR) and / or Performance-Based Design Brief / Fire Engineering Brief Questionnaire (FEBQ).

The FSS should be prepared consistent with the relevant FRNSW Fire Safety Guidelines and FRNSW Technical Information Sheets⁴.

Project proponents undertaking the FSS are to engage directly with FRNSW by submitting all correspondence electronically to FireSafety@fire.nsw.gov.au and reference FRNSW file number FRN24/1735. Further information regarding FRNSW Meetings⁵ and FRNSW Written Reports⁶ can be found at the FRNSW Building Fire Safety Industry Portal⁷.

Yours sincerely,



Inspector Chris Naisby
Team Leader
Fire Safety Liaison Unit

Cc: jeffrey.peng@planning.nsw.gov.au

¹ <https://ncc.abcb.gov.au/editions/ncc-2022>

² <https://www.planning.nsw.gov.au/sites/default/files/2023-03/hazardous-and-offensive-planning-advisory-paper-no-2-fire-safety-study-guidelines.pdf>

³ <https://www.fire.nsw.gov.au/page.php?id=9447&position=51>

⁴ <https://www.fire.nsw.gov.au/page.php?id=9166>

⁵ <https://www.fire.nsw.gov.au/page.php?id=9193>

⁶ <https://www.fire.nsw.gov.au/page.php?id=9156>

⁷ <https://www.fire.nsw.gov.au/page.php?id=9140>

26 March 2026



ATT: Jeffrey Peng
Planning Officer
Department of Planning and Environment

24-28 Campbell St
Sydney NSW 2000
All mail to
GPO Box 4009
Sydney NSW 2001
T +61 2 13 13 65
ausgrid.com.au

Dear Jeffrey,

In reference to Mars Road Data Centre (SSD-108835458).

Ausgrid would like to thank you for seeking input and feedback regarding the advice for SEAR's.

Ausgrid recommends the addition of the following to the SEARS under Utilities:

In consultation with relevant agencies prepare a services and utilities impact assessment which:

- assesses the capacity of existing services and utilities and identify any upgrades required to facilitate the development.
- assesses the impact of the proposal on existing utility infrastructure and service provider assets and describes how any potential impacts would be managed.

Please do not hesitate to contact me for further information.

Regards,

A handwritten signature in black ink, appearing to read "Jim Danks", written in a cursive style.

Jim Danks - Project Officer - Asset Protection
jdanks@ausgrid.com.au
0457 803 587



RFS



Department of Planning, Housing and Infrastructure (Major Projects)

Locked Bag 5022
Parramatta NSW 2124

Your reference: SSD-108835458

Our reference: DA20260315000926-SEARS-1

ATTENTION: Jeffrey Peng

Date: Monday 30 March 2026

Dear Sir/Madam,

Development Application

State Significant Development - SEARS - (none)

Data Centre - 87-91 Mars Road Lane Cove West NSW 2066, 100//DP622160, 1//DP732557, 8//DP241877, 9//DP241877, 1//DP1271404

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 12/03/2026.

After reviewing the supporting document:

- *RE: REQUEST FOR SEARS PROPOSED CONSTRUCTION AND OPERATION OF DATA CENTRE PROPERTY AT: 3-4 APOLLO PLACE AND 87-91 MARS ROAD, LANE COVE WEST (LOT 8 DP241877, LOT 9 DP241877, LOT 100 DP622160 AND LOT 1 DP732557), prepared by Willowtree Planning, REF: WTJ25-464, dated 6 March 2026; and*
- *SKETCH PLAN - SHELL D DESIGN REFERENCE - 3-4 APOLLO PL / 87-91 MARS RD LANE COVE WEST, NSW, prepared by Greenbox Architecture, REF: SYD2.2, job Number: 250120, Drawing Number: ASK035, Issue 2, dated 14 January 2026.*

The proposal must be supported by bush fire report which addresses the requirements of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Joshua Calandra on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese

**Manager Planning & Environment Srv (Est)
Built & Natural Environment**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



NSW National Parks and Wildlife Service

Your ref: SSD-108835458
Our ref: DOC26/167761-4

Mr Jeffrey Peng
Principal Planning Officer
Department of Planning, Housing and Infrastructure

By email: jeffrey.peng@planning.nsw.gov.au

Dear Mr Peng

Thank you for giving the NSW National Parks and Wildlife Service (NPWS) the opportunity to review documentation for the proposed Mars Road Data Centre (SSD-108835458) and inviting us to provide input into the Secretary's Environmental Assessment Requirements (SEARs).

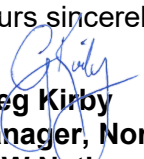
The proposal is 500m east of Lane Cove National Park, which is land reserved under the *National Parks and Wildlife Act 1974* (NPW Act). NPWS is interested in the proposal due to the proximity to the Lane Cove River, and the potential for indirect impacts to the park.

Access to land reserved under the NPW Act by the proponent to conduct any survey, or environmental investigation to inform the overall preparation of the EIS must seek prior consent from the Area Manager.

NPWS has reviewed the Scoping Report, and has prepared SEARs which are presented in **Attachment A**.

If you have any further questions about this matter, please contact the NPWS North Western Sydney Area on (02) 8448 0400 or at npws.northwesternsydney@environment.nsw.gov.au.

Yours sincerely


Greg Kirby
Manager, North-Western Sydney Area
NSW National Parks and Wildlife Service

25 March 2026

Attachment A – NPWS recommended SEARs (SSD-108835458)

1. The EIS must identify and assess:
 - a. The matters outlined in the [*Developments adjacent to National Parks and Wildlife Service lands - Guidelines for consent and planning authorities \(DPIE 2020\)*](#) are adequately considered and include:
 - i. recognition of the natural, cultural and social values attached to that land
 - ii. recognition of the impacts, including direct, indirect and cumulative impacts as they relate to the environmental values of that land, its location, and greater landscape connectivity
 - iii. extent of the direct, indirect and cumulative impacts on that land.
 - iv. duration of the direct, indirect and cumulative impacts on the interface, the greater environmental values and the reserves connectivity in the landscape to other reserved land.
 - b. Measures proposed to prevent, control, abate, minimise and manage the direct and indirect impacts including an evaluation of the proposed measures effectiveness and reliability over the life of the project.
 - c. The impact of the development on water quality and hydrology to downstream receiving environments including the Lane Cove River, as well as indirect impacts to Lane Cove National Park.
 - d. Bushfire protection requirements attached to the proposed development ensuring they are restricted to the development site, and all ignition threats relating to the project are identified and planned for within the confines of the development site. No fire management is to affect, burden or threaten land that is reserved under Part 4 of the NPW Act.
 - e. Cumulative impact assessment of any ancillary works for the operation of the data centre in relation to the nearby park. Including consideration of potential construction impacts and details of ongoing operational maintenance such as existing / proposed data cable and HV connections.
 - f. Residual impacts and their significance subject to the protection and conservation of land that is reserved under Part 4 of the NPW Act.
 - g. Be prepared in consultation with NPWS with initial contact to be made via npws.northwesternsydney@environment.nsw.gov.au.

Department of Climate Change, Energy, the
Environment and Water



Our ref: OUT26/2966

Jeffrey Peng
Planning and Assessment Group
NSW Department of Planning, Housing and Infrastructure

Email: Jeffrey.peng@planning.nsw.gov.au

23 March 2026

Subject: Mars Road Data Centre (SSD-108835458) (Lane Cove)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

Dear Jeffrey Peng,

The NSW DCCEEW Water Group has developed standard input to SEARs for SSD and SSI projects. Please see **Attachment A** for detailed requirements.

If any of the requirements do not apply to this project, the proponent should describe why in a short statement.

Should you have any further queries in relation to this submission please do not hesitate to contact the Water Assessments team at water.assessments@dcceew.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "T. Baker".

Tim Baker
Senior Project Officer, Water Assessments, Planning & Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Water Take and Licensing

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
1	A detailed and consolidated site water balance.	
2	Description of all works/activities that may intercept, extract, use, divert or receive surface water and/or groundwater. This includes the description of any development, activities or structures that will intercept, interfere with or remove groundwater, both temporary and permanent.	NSW Aquifer Interference Policy (2012), section 3 & 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans Clause 46 of the <i>Water Management (General) Regulation 2025</i> Groundwater Guidelines- Water Library: Browsing the Water Group
3	Details of all water take for the life of the project and post closure where applicable. This is to include water taken directly and indirectly, and the relevant water source where water entitlements are required to account for the water take. If the water is to be taken from an alternative source confirmation should be provided by the supplier that the appropriate volumes can be obtained.	Section 3 & 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans Section 2 of the NSW Aquifer Interference Policy provides explanation of water take for aquifer interference activities
4	Details of Water Access Licences (WALs) held to account for any take of water where required, or demonstration that WALs can be obtained prior to take of water occurring. This should include an assessment of the current market depth where water entitlement is required to be purchased. Any exemptions or exclusions to requiring approvals or licenses under the <i>Water Management Act 2000</i> should be detailed by the proponent.	Water Sharing Plans Sections 3, 5, 60A & 60I of the <i>Water Management Act 2000</i> WAL must nominate a work to satisfy s60D of the <i>Water Management Act 2000</i> and this is completed by a dealing application under s71W of the <i>Water Management Act 2000</i> Exemptions or exclusions information: ○ Schedule 4 <i>Water Management Regulation 2025</i> ○ Sections 4.41 and 5.23 of the <i>EP&A Act 1979</i> ○ Water licensing and works approvals exemptions - https://www.water.dcceew.nsw.gov.au/our-work/licensing-and-approvals and Groundwater access licence exemptions NSW Government Water

Water Impacts

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
5	A description of groundwater conditions that provides an understanding of groundwater level across the site under a range of wet and dry conditions.	NSW Aquifer Interference Policy Groundwater Guidelines
6	Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, groundwater dependent ecosystems, and ground water levels; including measures proposed to reduce and mitigate these impacts.	<i>Water Management Act 2000</i> Part 1, Division 1, Section 5(2d; 4c) & Part 3 Div 2 Sect 97 <i>Water Management Act 2000</i> Part 1, Division 1, Section 5(4a;5a; 6a; 7a; 8a)) NSW Aquifer Interference Policy Groundwater Guidelines
7	Proposed surface and groundwater monitoring activities and methodologies.	Groundwater Guidelines NSW Water Quality and River Flow Objectives Australian and New Zealand fresh and marine water quality guidelines (ANZG 2018)

Dam Safety

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation Dam Safety NSW - Resources
8	Identify the proposed construction and/or use of a declared dam under Dam Safety Regulations. This is to include existing declared dams with or without physical modifications, new declared dams, modifications to existing dam/s that would require the dam to be declared or the decommissioning of a declared dam.	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i> – Part 2 & 3
9	Describe the consequence category of existing declared dam/s and provide an overview of compliance with the requirements of the Dam Safety Regulation, including (but not limited to) requirements for a dam safety management system, operations and maintenance plans, and emergency plans.	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i> – Part 3, 4, 5

10	Include a written consequence category assessment for any proposal involving a new dam, modifications to an existing declared dam/s that are likely to change its consequence category, or changes to downstream property that are likely to change the consequence category of a declared dam.	<i>Dam Safety Regulation 2019 Part 3</i>
11	Describe the decommissioning process of any existing declared dam.	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i>
12	Describe all mining and mining related activities proposed within a Mining Notification Area and assess the impacts of the proposed activities on any declared dam. This is to include proposed mitigating measures and monitoring programs.	<i>Dam Safety Act 2015 – Section 48</i> NSW Declared Dams Interactive Map MinView

Assessment against Policy and Guidelines

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
13	Identification and impact assessment of all works/activities located on waterfront land including an assessment against Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025).	Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025)
14	Assessment of project against relevant policies and guidelines	Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy, Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025), Groundwater Guidelines

26 March 2026

Our reference: 229619

Jeffrey Peng

Department of Planning, Housing and Infrastructure
jeffrey.peng@planning.nsw.gov.au

RE: Sydney Water input to SEARs for SSD-108835458 at 87-91 Mars Road and 3-4 Apollo Place, Lane Cove West

(Mars Road Data Centre)

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the SSD-108835458 at 87-91 Mars Road and 3-4 Apollo Place, Lane Cove West. The SSDA will seek consent for the following.

- Demolition of existing buildings and associated infrastructure on the site;
- Consolidation of four (4) existing allotments;
- Construction and operation of a five-storey data centre with a total IT Load of 140MW; and
- Construction of associated infrastructure and landscaping.

Sydney Water requests that the Department of Planning, Housing and Infrastructure (the Department) include the following Secretary's Environmental Assessment Requirements relating to the provision of water-related services for the subject site:

Water-related Infrastructure Requirements

1. The EIS must include water service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled or non-potable water services have been made. Please see the enclosed information sheet for details and a summary of the information required is noted below
 - a. The following information is required:
 - i. Staging of developments showing yearly
 1. Average Day Demand
 2. Maximum hour demand (to understand impact on the network during peak hour)
 3. High demand days (e.g. 95th percentile or those high demand 5 to 10 days per year)
 4. Maximum daily demand (Peak day - 1 in 10 year)
 - ii. One of the following (for ultimate development as a minimum)
 1. Expected daily usage over a year
 2. Expected monthly average daily usage over a year

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- iii. Daily diurnal usage based on a high demand day. The preferred usage pattern should reflect the draw from Sydney Waters' mains and not the internal usage. However, understanding the internal water usage can provide insight to Sydney Water on potential draws from the system and demonstrate that the applicants have leveraged water efficiency opportunities and recycling within their operation as appropriate.
2. The proponent must obtain endorsement and/or approval from Sydney Water to ensure that the proposed development does not adversely impact on any existing water, wastewater or stormwater main, or other Sydney Water asset, including any easement or property.
To do this, it is required that the proponent continue to liaise with Sydney Water under their Feasibility Application CN229619.
3. When determining landscaping options, the EIS should take into account that certain tree species can cause cracking or blockage of Sydney Water pipes and therefore should be avoided.
4. The EIS must consider taking measures to minimise or eliminate potential flooding, degradation of water quality, and avoid adverse impacts on any heritage items, and create pipeline easements where required.
5. Strict requirements for the protection of Sydney Water's stormwater assets may apply to this site. The proponent should ensure that satisfactory steps/measures been taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to stormwater assets and building bridges over stormwater assets.

Integrated Water Cycle Management (IWCM)

6. The EIS must outline any sustainability initiatives that will minimise/reduce the demand for drinking water, including any alternative water supply and end uses of drinking and non-drinking water that may be proposed, and demonstrate water sensitive urban design (principles are used), and any water conservation measures that are likely to be proposed.
This will allow Sydney Water to determine the impact of the proposed development on our existing services and required system capacity to service the development.
7. It is required that the proponent engages directly with Sydney Water via the Feasibility process and discuss IWCM opportunities.

Feasibility Application

8. It is noted that a Feasibility Application has been submitted to Sydney Water under CN229619, however, the development included in the SEARs request differs from that submitted as part of the Feasibility. Therefore, the proponent must continue liaising with their Sydney Water case manager under CN229619 and ensure that any revisions to the estimated flows are communicated to Sydney Water. The EIS should include a summary addressing this.

9. As identified in the Notice of Requirements under CN229619, Sydney Water will carry out a servicing optioneering study, through a mutually agreed planning agreement with the developer, at the developer's cost, to determine water source (potable, recycled or Purified Recycled Water) including any additional network amplifications that may be required to supply water to the data centre. Sydney Water is also implementing a new planning policy for data centres as outlined in the draft Position Paper. The EIS should provide information on how the proponent is progressing with these requirements.

Growth information

Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require the proponent to provide **anticipated non-residential Gross Floor Area, recycled water data and the stages involved** for this development as outlined in the enclosed Growth Data Form.

Next steps

- Given the scale and complexity of the proposed development (or anticipated risk to Sydney Water's assets), further investigations will be required to determine the servicing requirements for this site. It is recommended that the proponent continue to engage directly with Sydney Water via their Feasibility, ensuring to submit an updated Growth Data Form.
- The Department is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides more information on Infrastructure Contributions.

If the proponent has any questions, they should contact their Sydney Water Account Manager at Danijela.Simic@sydneywater.com.au. Should the Department require further information, please contact Joanne Chan from the Growth Analytics Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

Growth Analytics

Growth and Development, Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Enclosed:

- Sydney Water Development Application Information Sheet (for proponent)
- Sydney Water Growth Data Form