CONSOLIDATED CONSENT

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 2022, 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.

Chris Ritchie
Director
Industry Assessments

Sydney | 1 September 2023 | File: EF21/8147

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

Application Number:	SSD-21342738
Applicant:	NineZero DC Sub TC I Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	90 Peter Brock Drive, Eastern Creek Lot 34 DP 1131779 Lots 32 & 33 DP 1140168 Lot 25 DP 1122038
Development:	Construction and operation of an expansion to an existing data centre, comprising: • a four-storey data hall building; • ~~**an ancillary office building;**~~ • consolidation of the site into a single lot; • supporting infrastructure and services, including back-up generators and diesel fuel storage; and • minor earthworks, additional car parking, hardstand areas and landscaping.

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-21342738-Mod-1	18 September 2025	Principal Planning Officer, Industry Assessments	Modification involving alterations to the approved water storage and parking arrangements
SSD-21342738-Mod-2	5 August 2026	Acting Team Leader, Industry Assessments	Modification seeking to: • increase the total power consumption of the development to 100 MVA (IT load of 63 MW) • increase the number of back-up diesel generators to 52 generators • remove the approved ancillary office building • increase the size of the on-site substation • make other general amendments to the data centre

TABLE OF CONTENTS

DEFINITIONS

Applicant	NineZero DC Sub TC I Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
Certifier	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
CNVMP	Construction Noise and Vibration Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including earthworks, and the erection of buildings and other infrastructure permitted by this consent
Council	Blacktown City Council
CTMP	Construction Traffic Management Plan
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	NSW Department of Planning and Environment
Development	The development described in Schedule 1, the EIS and the RTS, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Includes bulk earthworks, site levelling, import and compaction of fill material, and excavation for installation of drainage and services
EIS	The Environmental Impact Statement titled *Eastern Creek Data Centre Expansion – Environmental Impact Statement*, prepared by PJEP Environmental Planning and dated 3 August 2022 submitted with the application for consent for the development
Emergency operations	**Deleted**
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
Evening	The period from 6 pm to 10 pm
FRNSW	Fire and Rescue NSW
FSS	Fire Safety Study
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), or anything identified as a heritage item under the conditions of this consent
ICNG	*Interim Construction Noise Guideline* (DECC, 2009)
Incident	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 ***Note:*** *"material harm" is defined in this consent*
LMP	Landscape Management Plan
Load curtailment	**Means the operation of back-up generators to reduce the development's use of electricity from the National Electricity Market**
Material harm	Is harm that:

	a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) 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)
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Modification Assessments	**The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification application made under the EP&A Act:** **1. SSD-21342738-Mod-1: Including:** • **the Modification Report titled 'Eastern Creek Data Centre Expansion Project (SSD-21342738) – Section 4.55 Modification (Mod 1) – Modification Report' prepared by PJEP Environmental Planning Pty Ltd, dated 15 August 2025 and all accompanying documents;** • **the email titled 'RE: Modification to the Eastern Creek Data Centre Campus Expansion (SSD-21342738-Mod-1)) - Request for additional information' prepared by Phil Jones, dated 29 August 2025 and all attachments; and** • **the letter titled 'Eastern Creek Data Centre Expansion Project (SSD-21342738) – Section 4.55 Modification (Mod 1) – Amendment Letter' prepared by PJEP Environmental Planning Pty Ltd, dated 11 September 2025 and all accompanying documents** **2. SSD-21342738-Mod-2, including:** • **the Modification Report titled 'Eastern Creek Data Centre Expansion Project – Modification Report (Mod 2)', prepared by PJEP Environmental Planning Pty Ltd, dated December 2025 and all accompanying documents;** • **the Additional Information Report titled 'Eastern Creek Data Centre Expansion Project (Mod 2) – Additional Information Report', prepared by PJEP Environmental Planning Pty Ltd, dated May 2026 and all accompanying documents;** • **the email titled 'RE: DCI Eastern Creek Data Centre - (SSD-21342738-Mod-2) - Update', prepared by Phil Jones, dated 24 June 2026 and all attachments; and** • **the email titled 'RE: SYD02 - Status of SSD-21342738-Mod-2', prepared by Sam Keating, dated 30 July 2026 and all attachments**
MW	**Megawatt**
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NPWS	NSW National Parks and Wildlife Service
OCHP	**Deleted**
Operation	The use of the data centre expansion and/or the ancillary office space, as described in the EIS and RTS and as modified by the conditions of this consent
Operation of back-up generators	**Refers to all instances where a back-up generator's internal combustion engine is in use (including ramp-up and cool-down periods)**
Planned power outage event	**Any interruption to electricity supply to the site that is:** **a) scheduled, notified in advance, or reasonably foreseeable;** **b) undertaken for the purpose of maintenance, augmentation, testing or modification of electricity network infrastructure; or** **c) implemented as part of a managed system response, including controlled load shedding or demand management directed by the electricity market operator or a network service provider**
Planning Secretary	Secretary of the Department, or delegate
POEO Act	*Protection of the Environment Operations Act 1997*

PONP	**Deleted**
Power outage event	**Deleted**
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Reasonable	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
RTS	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act, and includes: • the document titled *Eastern Creek Data Centre Expansion – Submissions Report*, prepared by PJEP Environmental Planning and dated February 2023; • the letter titled *Eastern Creek Data Centre Expansion Project (SSD-21342738) – Additional Information*, prepared by PJEP Environmental Planning and dated 9 May 2023; and • the letter titled *Further Response to Submission – Eastern Creek Data Centre Expansion Addendum Report*, prepared by Todoroski Air Sciences and dated 6 June 2023 • the letter titled *DCI SYD03 Eastern Creek – Response to Council RFI*, prepared by Egis Consulting, dated 10 July 2023
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1 of this consent
Unplanned power outage event	**An unplanned and unavoidable loss of electricity supply to the site arising from a failure of external electricity network infrastructure, including outages caused by infrastructure damage arising from events such as severe weather, bushfire, flooding or equipment failure within the external electricity network**
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	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 and RTS;

(d) **in accordance with Modification Assessments;**

(e) in accordance with the Development Layout in Appendix 1 of this consent; and

(f) in accordance with the management and mitigation measures in Appendix 2 of this consent.

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 condition A2(c)**, A2(d) or A2(f)**. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c)**, A2(d) or A2(f)**, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

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.

Power Demand and Generator Capacity

A5. The Applicant must ensure:

(a) **the IT power consumption of the development does not exceed 63 MW; and**

(b) **the back-up generators installed and operated under this consent do not exceed a total installed generating capacity of 93.6 MW.**

Back-up Generator System

A6. The Applicant must ensure:

(a) operation of the back-up generators**, excluding operation during unplanned power outage events,** does not exceed **48** hours per year; and

(b) the diesel fuel storage capacity of the site does not exceed 2,000 tonnes at any one time.

Note: *For the purposes of condition A6, 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 A6, rather than five hours.*

A7. This development consent does not permit the use of the back-up generators:

(a) for the purposes of generating electricity to be distributed via the National Electricity Market; or

(b) to support load curtailment at the site**; or**

(c) **during a planned power outage event.**

NOTIFICATION OF COMMENCEMENT

A8. 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.

A9. 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 (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.

EVIDENCE OF CONSULTATION

A10. 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

A11. 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).

A12. 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.

A13. 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.

COMPLIANCE

A14. 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.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

A15. Prior to the commencement of construction of the development, the Applicant must consult with the relevant owner and provider of utility services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure.

A16. 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;

(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and

(c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Sydney Water

A17. Prior to the issue of an Occupation Certificate, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site, pursuant to section 73 of the *Sydney Water Act 1994*.

Works in Prospect Nature Reserve

A18. **Prior to the commencement of any works within the Prospect Nature Reserve (including, but not limited to, survey and inspection works, fencing installation works and/or general maintenance works), the Applicant must obtain authorisation from:**

(a) **the NPWS, pursuant to the National Parks and Wildlife Act 1974 and its associated regulations; and**

(b) **WaterNSW, pursuant to the Water NSW Act 2014 and its associated regulations.**

DEMOLITION

A19. All demolition must be carried out in accordance with *AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURES, EXTERNAL WALLS AND CLADDING

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.*
- *The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*

A21. Prior to 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.

A22. The Applicant must provide a copy of the documentation given to the Certifier (see condition A21) to the Planning Secretary within 7 days after the Certifier accepts it.

WORK-AS-EXECUTED DRAWINGS

A23. Prior to the issue of an Occupation Certificate, both Council and the Principal Certifier must be provided with work-as-executed drawings demonstrating that the following works have been constructed as approved:

(a) the development's stormwater drainage system (see condition B35); and

(b) finished ground levels.

The work-as-executed drawings must be signed by a registered surveyor.

LOT CONSOLIDATION

A24. Prior to the issue of an Occupation Certificate, the Applicant must amalgamate the site's lots in accordance with the subdivision plan titled 'Plan of consolidation of Lots 32 & 33 DP 1140168, Lot 34 DP 1131779 & Lot 25 DP 1122038' prepared by Total Surveying Solutions Pty Ltd, dated 17 November 2021.

OPERATION OF PLANT AND EQUIPMENT

A25. 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.

SURRENDER OF EXISTING CONSENTS OR APPROVALS

A26. Prior to the commencement of construction, or within such other timeframe agreed to by the Planning Secretary, the Applicant must surrender the existing development consent SPP-19-00009 (dated 16 November 2020), in accordance with the EP&A Regulation.

A27. The Applicant must provide a copy of the consent authority's response to the surrender of development consent SPP-19-00009 (see condition A26) to the Planning Secretary and Council within 7 days of it having been received by the Applicant.

APPLICABILITY OF GUIDELINES

A28. 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.

A29. 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 below.

Table 1 Hours of Work

Activity		Day	Time
Construction		Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Use of back-up generators (excluding unplanned power outage events)	Monday – Saturday	7 am to 6 pm
	All other activities	Monday – Sunday	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;

(b) works agreed to in writing by the Planning Secretary;

(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 ICNG (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 of this consent.

Construction Noise and Vibration Management Plan

B4. Prior to the commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) for the development to the satisfaction of the Planning Secretary. A copy of the CNVMP must be included in the development's CEMP (see condition C2), and must:

(a) be prepared by a suitably qualified and experienced noise expert(s);

(b) describe procedures for achieving the noise management levels in the ICNG (as may be updated or replaced from time to time);

(c) describe the measures that would be implemented to manage:

(i) high noise-generating works (such as piling); and

(ii) potential vibration impacts to nearby properties; and

(d) include a complaints management system that would be implemented for the duration of construction.

B5. The Applicant must:

(a) not commence construction until the CNVMP (see by condition B4) has been approved by the Planning Secretary; and

(b) implement the most recent version of the CNVMP approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B6. The Applicant must ensure that noise generated by the operation of the development does not exceed the noise limits in Table 2 at the receiver locations shown in Appendix 3 of this consent.

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

Location	Time period	Noise limit $L_{Aeq(15\ minute)}$
Residential receivers in NCA01	Night	35
Residential receivers in NCA02	Night	41

The noise limits in Table 2 do not apply during **unplanned power outage events**.

Note: *Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time).*

B6A. The Applicant must ensure that noise generated during operation of the development does not exhibit annoying noise characteristics, as defined in Fact Sheet C of the *NSW Noise Policy for Industry* (EPA, 2017).

Operational Noise Verification Report

B7. Within three months of the commencement of full operation of the development (described in the EIS as being when all data storage equipment and associated infrastructure is in place and operating), or as otherwise directed by the Planning Secretary, the Applicant must prepare and submit a noise verification report for the development. The Noise Verification Report must:

(a) be prepared to the satisfaction of the Planning Secretary by a suitably qualified acoustic consultant;

(b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with the latest version of:

(i) *AS 1055:2018 Acoustics – Description and measurement of environmental noise* (Standards Australia, 2018); and

(ii) *Approved Methods for the Measurement and Analysis of Environmental Noise in NSW* (EPA, 2022); and

(c) include:

(i) details of the measurement location/s, including justification for the use of any alternative or intermediate location/s in accordance with Section 7 of the *Noise Policy for Industry* (EPA, 2017);

(ii) an analysis of the development's compliance with the noise limits specified in condition B6;

(iii) an outline of management actions to be taken to address circumstances where the noise limits specified in condition B6 are exceeded; and

(iv) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

VIBRATION

Vibration Criteria

B8. Vibration caused by construction at any residence or structure outside the site must be limited to:

(a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and

(b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

B9. The limits in condition B8 apply unless otherwise outlined in the development's CNVMP (see condition B4).

AIR QUALITY

Dust Minimisation

B10. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B11. During construction, the Applicant must ensure that:

(a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;

(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.

Air Quality Discharges

B12. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the Protection of the Environment Operations (Clean Air) Regulation 2022.

Back-up Generator System

B13. The Applicant must ensure the design, installation and operation of the back-up generators and/or the associated enclosures do not preclude the ability for additional air pollution emission controls to be retrofitted.

Air Quality Management Plan

B14. **Prior to the commencement of operation, the Applicant must prepare an Air Quality Management Plan (AQMP) for the development to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5 and must:**

(a) **be prepared by a suitably qualified and experienced person(s);**

(b) **detail and rank all emissions from all sources of the development, including particulate emissions;**

(c) **identify any control measures that will be implemented for each emission source;**

(d) **outline any monitoring procedure/s which would be implemented during each unplanned power outage event; and**

(e) **include a Power Outage Notification Protocol for the development that must:**

(i) **identify the neighbouring properties which would be notified should an unplanned power outage event last 30 minutes or more;**

(ii) **identify the trigger point(s) for notifying neighbouring properties that the back-up generator system is operating; and**

(iii) **detail how these properties would be made aware that the development's back-up generator system is required to operate for the duration of the unplanned power outage event.**

B15. **The Applicant must:**

(a) **not commence operation until the AQMP (see condition B14) is approved by the Planning Secretary; and**

(b) **implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the development.**

HAZARDS AND RISK

B16. The Applicant must design and operate the development in accordance with:

(a) *AS/NZS 4681:2000 The storage and handling of Class 9 (miscellaneous) dangerous goods and articles* (Standards Australia, 2000);

(b) *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

(c) *AS 1940:2017 The storage and handling of flammable and combustible liquids* (Standards Australia, 2017).

In the event of an inconsistency between the standards listed above, the most stringent requirement shall prevail to the extent of the inconsistency.

Fire Safety Study

B17. At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must prepare and submit a Fire Safety Study (FSS) for the development. The FSS must:

(a) meet the operational requirements of FRNSW**, including the relevant aspects of *Position Statement Summary: Lithium-ion batteries and diesel generators in data centres* (FRNSW, 2026)**;

(b) address the relevant aspects of:

(i) *Hazardous Industry Planning Advisory Paper No. 2, 'Fire safety study guidelines'* (DoP, 2011); and

(ii) *Best practice guidelines for contaminated water retention and treatment systems* (NSW HMPCC, 1994); and

(c) 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;

(d) verify that the final design of the fire safety system **(as amended by Modification Assessments)** complies 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); and

(iii) *AS 1940:2017 The storage and handling of flammable and combustible liquids* (Standards Australia, 2017); and

(e) 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 (d)(i) to (d)(iii) above, the requirements as agreed to with FRNSW shall prevail to the extent of the inconsistency.

B18. The Applicant must:

(a) not commence construction of the development (except for construction of preliminary works that are outside the scope of the fire-related reports or studies) until the FSS (see condition B17) has been approved by FRNSW; and

(b) provide a copy of the approved FSS to the Planning Secretary within seven days after it is approved by FRNSW.

Emergency Plan

B19. **No later than two months prior to the commencement of operation of the development, or within such further period as the Planning Secretary may agree, the Applicant must submit a comprehensive Emergency Plan and detailed emergency procedures for the development to the Planning Secretary. The Emergency Plan must:**

(a) **include consideration of the safety of all people outside of the development who may be at risk from the development;**

(b) **be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' (DoP, 2011); and**

(c) **include an Emergency Services Information Package in accordance with FRNSW's Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans (FRNSW, 2019).**

B19A. The Applicant must:

(a) **implement the most recent version of the Emergency Plan and the Emergency Services Information Package (see condition B19) for the duration of the development; and**

(b) **keep a copy of the Emergency Services Information Package on-site in a prominent position adjacent to the site entry points at all times.**

Further Requirements

B20. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B17 to B19 inclusive, within such time as the Planning Secretary may agree.

B21. 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.

B22. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:

(a) the requirements of all relevant Australian Standards; and

(b) for liquids, the *Storing and Handling Liquids: Environmental Protection – Participants Manual* (DECC, 2007).

B23. In the event of an inconsistency between the requirements of conditions B22(a) and B22(b), the most stringent requirement must prevail to the extent of the inconsistency.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B24. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. A copy of the CTMP must be included in the development's CEMP (see condition C2), and must:

(a) be prepared by a suitably qualified and experienced person(s);

(b) be prepared in consultation with Council;

(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;

(d) include details of:

  (i) heavy vehicle routes, parking and access arrangements;

  (ii) the strategies which would be implemented to:

  - maintain access to the existing data centre;
  - minimise conflicts with existing data centre staff; and
  - minimise the number of construction workers who drive to the site;

(e) 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;

(f) include a program to monitor the effectiveness of these measures; and

(g) if necessary, detail procedures for notifying surrounding businesses of any potential disruptions to routes.

B25. The Applicant must:

(a) not commence construction until the CTMP (see condition B24) 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.

Roadworks and Access

B26. Prior to the commencement of operation, the Applicant must ensure the new industrial vehicle crossing off Raceway Place and any other works in a public road reserve are completed in accordance with the relevant roads authority's specifications and any approval required under section 138 of the *Roads Act 1993*.

Bicycle Facilities

B27. Prior to the commencement of operation, a minimum of eight (8) bicycle racks (or similar) must be provided at the site. All bicycle parking infrastructure must be located and installed in accordance with the applicable design standards and dimensional requirements contained in *AS 2890.3:2015 Parking facilities, Part 3: Bicycle parking* (Standards Australia, 2015), to the satisfaction of the Certifier.

B28. Prior to the commencement of operation, the Applicant must ensure that suitable end-of-trip facilities have been provided at the site. These facilities must be designed and constructed in accordance with the applicable design standards contained in the *Guide to Traffic Management Part 11: Parking Management Techniques* (Austroads, 2020), to the satisfaction of the Certifier.

On-site Parking Facilities

B29. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the operation of the development does not park on local roads or in public parking facilities.

Operating Conditions

B30. 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), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009);

(b) the development does not result in any vehicles queuing on the public road network;

(c) heavy vehicles, equipment and bins associated with the development are not parked and/or stored on local roads or footpaths in the vicinity of the site;

(d) all vehicles are wholly contained on site before being required to stop;

(e) all loading and unloading of materials is carried out on-site; and

(f) all on-site turning areas are kept clear of any obstacles, including parked vehicles, at all times.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B31. The Applicant must:

(a) ensure that only VENM, ENM, or other material approved in writing by the Environment Protection Authority 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.

Erosion and Sediment Control

B32. Prior to the commencement of construction, the Applicant must install 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(s) included in the development's CEMP (see condition C2).

B33. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B32 for the duration of construction.

Discharge Limits

B34. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.

Stormwater Management System

B35. Prior to the commencement of construction **of the development's stormwater management system, the Applicant must finalise the system's detailed design**. The system must:

(a) be designed by a suitably qualified and experienced person(s);

(b) be prepared in consultation with Council;

(c) be generally in accordance with:

(i) the conceptual design in the RTS **and Modification Assessments**;

(ii) Council's Works Specification - Civil (Current Version);

(iii) Council's Engineering Guide for Development (Current Version);

(iv) Council's On-Site Detention General Guidelines and Checklist; and

(v) Council's WSUD Standard Drawings A(BS)175M (Current Version);

(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.

B36. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B35) and ensure the system is operational.

B37. The Applicant must maintain the stormwater management system installed on the site under condition B35 for the life of the development.

Flood Emergency Response Plan

B38. Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) for the development. The Plan must:

(a) be prepared by a suitably qualified and experienced person(s);

(b) address the relevant provisions of the *Floodplain Risk Management Guideline* (OEH, 2007);

(c) include details of:

(i) predicted flood levels in the road network adjacent to the site;

(ii) flood warning time and flood notification procedure/s;

(iii) assembly points, refuge areas and evacuation routes;

(iv) refuge and evacuation protocols for all employees and contractors; and

(v) awareness training for employees and any relevant persons associated with the development.

B39. The Applicant must:

(a) not commence operation until the FERP (see condition B38) has been submitted to the Planning Secretary; and

(b) implement the most recent version of the FERP submitted to the Planning Secretary for the operational life of the development.

CONTAMINATION

Unexpected Contamination Finds Procedure

B40. Prior to the commencement of construction, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the development's CEMP (see condition C2) and must ensure any material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

B41. 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 m wide buffer area around the suspected item or object must be cordoned off; and

(c) Heritage NSW must be contacted immediately.

B42. 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*.

Human Remains Procedure

B43. If human remains are discovered on site during any works:

(a) all work in the immediate vicinity of the human remains must cease immediately;

(b) the area must be secured; and

(c) the NSW Police Force and Heritage NSW must be contacted immediately.

B44. Work in the immediate vicinity of the human remains must not recommence until this has been authorised by the NSW Police Force and Heritage NSW.

NON-ABORIGINAL HERITAGE

Unexpected Finds Protocol

B45. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:

(a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;

(b) Heritage NSW must be contacted immediately; and

(c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.

B46. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

BIODIVERSITY AND LANDSCAPING

Tree Protection

B47. All trees to be retained at the site and in the vicinity of the development's associated infrastructure works must be protected in accordance with:

(a) the latest version of *AS 4970-2009 Protection of trees on development sites* (Standards Australia, 2009); and

(b) the Arboricultural Impact Appraisal and Method Statement included in **Modification Assessments**.

Landscaping

B48. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the development's landscaping works, to the satisfaction of the Planning Secretary. The LMP must **form part of the OEMP required by condition C5 and must**:

(a) be prepared in consultation with Council;

(b) detail the local, native species to be planted on-site (including planting densities);

(c) be generally consistent with:

(i) the Landscape Plans included in **Modification Assessments**;

(ii) the Applicant's Management and Mitigation Measures (see Appendix 2 of this consent); and

(iii) Appendix 4 of *Planning for Bush Fire Protection* (RFS, 2019);

(iv) ***Where to draw the line on safety clearances from electricity assets*** **(Endeavour Energy, 2024), which restricts mature tree heights under overhead power lines to a maximum of three (3) metres;**

(d) include a Street Tree Plan which:

(i) includes:

- plans showing the location of the associated tree pits in relation to services, intersections, driveways, light poles, stormwater pits, sewerage infrastructure and utilities; and
- cross-sections showing the dimensions of the associated tree pits;

(ii) provides details of:

- selected street tree species;
- root protection barriers; and
- soil specifications; and

(e) describe the ongoing monitoring and maintenance measures which will be implemented to manage the landscaping works.

B49. The Applicant must:

(a) not commence operation until the LMP (see condition B48) is approved by the Planning Secretary;

(b) implement the most recent version of the LMP approved by the Planning Secretary; and

(c) maintain all on-site landscaping in accordance with the approved LMP for the life of the development.

Pests, Vermin and Priority Weed Management

B50. The Applicant must:

(a) implement suitable measures to manage pests, vermin and declared priority 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 priority 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, priority weed has the same definition of the term in the* Biosecurity Act 2015.

VISUAL AMENITY

Lighting

B51. 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.

Fencing

B52. All permanent fencing approved under this consent must be erected in accordance with the development plans included in **Modification Assessments**.

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

WASTE MANAGEMENT

B53. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).

B54. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B55. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

B56. 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.

SUSTAINABILITY

Sustainability Management Plan

B57. **Prior to the commencement of operation, the Applicant must prepare a Sustainability Management Plan for the development, to the satisfaction of the Planning Secretary. The Plan must form part of the development's OEMP (see condition C5) and must:**

(a) **include a program for annual reporting of:**

  (i) **Power Usage Effectiveness (PUE), calculated as the ratio of total electricity consumption to electricity consumed by information technology equipment;**

  (ii) **Water Usage Effectiveness (WUE), calculated as total water consumption relative to electricity consumed by information technology equipment; and**

  (iii) **greenhouse gas emissions (CO_2-e) associated with all operational activities;**

(b) **identify the mitigation measures which will be implemented to manage and reduce resource consumption and emissions, including:**

  (i) **energy efficiency measures to minimise PUE and WUE;**

  (ii) **measures to reduce emissions associated with the site's overall electricity consumption (e.g. on-site renewable energy generation, power purchase agreements, etc);**

  (iii) **measures to minimise potable water consumption across the development, including prioritising the use of recycled and/or non-potable water where available; and**

(c) **review and, if necessary, revise the mitigation measures included in this plan every three years, including with regard to the following:**

  (i) **updates to energy efficiency and emissions reduction measures;**

  (ii) **availability of alternative, feasible and reasonable lower-emissions or zero-emissions technologies; and**

  (iii) **availability of alternative water servicing arrangements (e.g. new non-potable and/or recycled water supply options).**

B58. **The Applicant must:**

(a) **not commence operation until the development's Sustainability Management Plan (see condition B57) is approved by the Planning Secretary; and**

(b) **implement the most recent version of the Sustainability Management Plan approved by the Planning Secretary for the duration of operation.**

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) a condition compliance table;

(b) 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;

(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;

(d) 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(c) above;

(e) 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;

(f) a program to investigate and implement ways to improve the environmental performance of the development over time;

(g) 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

(h) 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) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.

C3. As part of the CEMP (see condition C2), the Applicant must include the following:

(a) details of the community consultation and complaints handling procedure to be implemented during construction;

(b) erosion and sediment control plan(s); and

(c) a copy of the development's:

(i) Construction Noise and Vibration Management Plan (see condition B4);

(ii) Construction Traffic Management Plan (see condition B24); and

(iii) Unexpected Contamination Finds Procedure (see condition B40).

C4. The Applicant must:

(a) not commence construction of the development until the CEMP (see condition C2) is approved by the Planning Secretary; and

(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

C5. **The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.**

C6. **As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:**

(a) **a description of the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;**

(b) **a description of the procedures that would be implemented to:**

(i) **keep the local community and relevant agencies informed about the operation and environmental performance of the development;**

(ii) **receive, handle, respond to, and record complaints;**

(iii) **resolve any disputes that may arise;**

(iv) **respond to any non-compliance; and**

(v) **respond to emergencies;**

(c) **Air Quality Management Plan (see condition B14); and**

(d) **Landscape Management Plan (see condition B48).**

C6A. The Applicant must:

(a) **not commence operation until the OEMP (see condition C5) is approved by the Planning Secretary; and**

(b) **operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).**

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C7. Within three months of:

(a) the submission of an incident report under condition C9;

(b) the submission of a Back-up Generator Incident Report under condition C10;

(c) the approval of any modification of the conditions of this consent; or

(d) 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 of the outcomes of any review.

C8. If identified as part of the review process (see condition C7), or considered necessary to improve the environmental performance of the development, the Applicant must ensure the strategies, plans and/or programs required under this consent are revised, to the satisfaction of the Planning Secretary.

The revised document(s) must be submitted to the Planning Secretary for approval within six weeks of the review process taking place, or as otherwise agreed to in writing by the Planning Secretary.

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

C9. 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-21342738) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4 of this consent.

Back-up Generator Notification Report

C10. **Within 30 days of the back-up generators being used to power any part of the development during an unplanned power outage event (or as otherwise agreed to by the Planning Secretary), the Applicant must prepare and submit a Back-up Generator Notification Report for the development to the satisfaction of the Planning Secretary. The report must include:**

(a) **details regarding the:**

(i) **date and time of the unplanned power outage event;**

(ii) **date and time of back-up generator operation;**

(iii) **identification of the back-up generators used and the total number of generators operated;**

(iv) **duration of operation for each generator and the total duration of generator use;**

(v) **total quantity of diesel fuel used by the back-up generators;**

(vi) **total amount of electricity produced by the back-up generators;**

(b) **if relevant, confirmation regarding whether neighbouring properties were made aware that the development's back-up generator system was operating (see condition B15(e));**

(c) **an assessment of any air quality impacts resulting from the operation of the back-up generators; and**

(d) **an assessment and recommendation of any additional measures that could be implemented to reduce future impacts including, but not limited to, reduced likelihood of generator operation and retrofitting of generator emission controls.**

Non-Compliance Notification

C11. 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.

C12. A non-compliance notification (see condition C11) must:

(a) identify the development (including the development application number, SSD-21342738);

(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) identify what actions have been, or will be, undertaken to address the non-compliance.

C13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Back-up Generator Operation Monitoring and Reporting

C14. **For the life of the development (or such other time as agreed to in writing by the Planning Secretary), the Applicant must maintain a log of all instances where the back-up generators are used and/or tested at the site, excluding those instances where a Back-up Generator Notification Report is required to be submitted (see condition C10). The log must detail the following:**

(a) **date and time of operation;**

(b) **purpose of operation;**

(c) **total number of back-up generators operated;**

(d) **operating load of each generator;**

(e) **duration of operation; and**

(f) **total quantity of fuel used.**

A copy of the log must be made available to the Planning Secretary upon request.

Independent Audit

C14A. Within six months after the commencement of operation of the development, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements in force at the time the Audit commences, as approved by the Planning Secretary and published on the Department's website.

C14B. The Applicant must make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Monitoring and Environmental Audits

C15. 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, compliance reporting and independent 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

C16. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed to in writing by the Planning Secretary), 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;

(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 complaints register, updated quarterly (see conditions C3(a) and C5(c));

(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

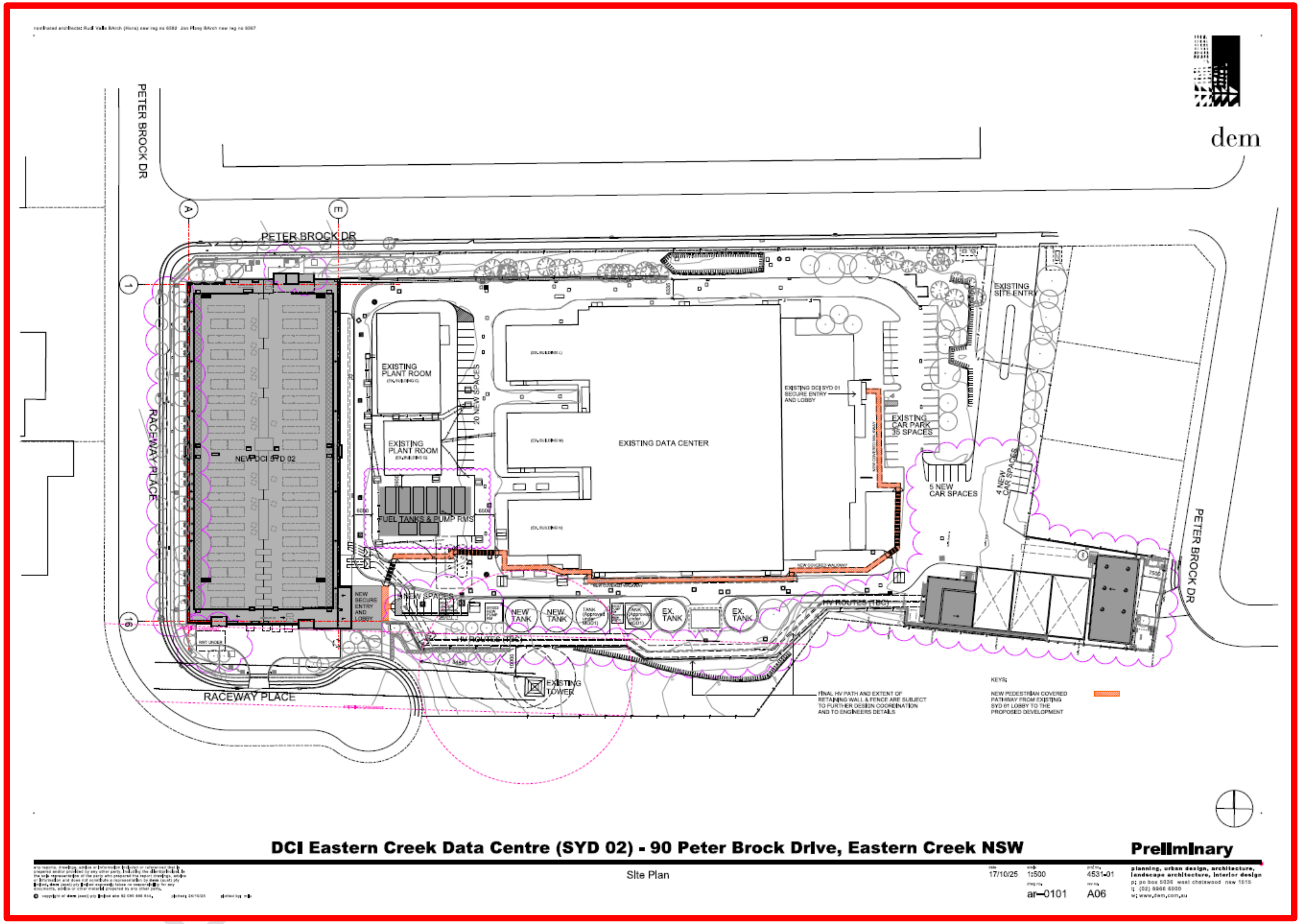

Figure 1: Site plan (Ground level)

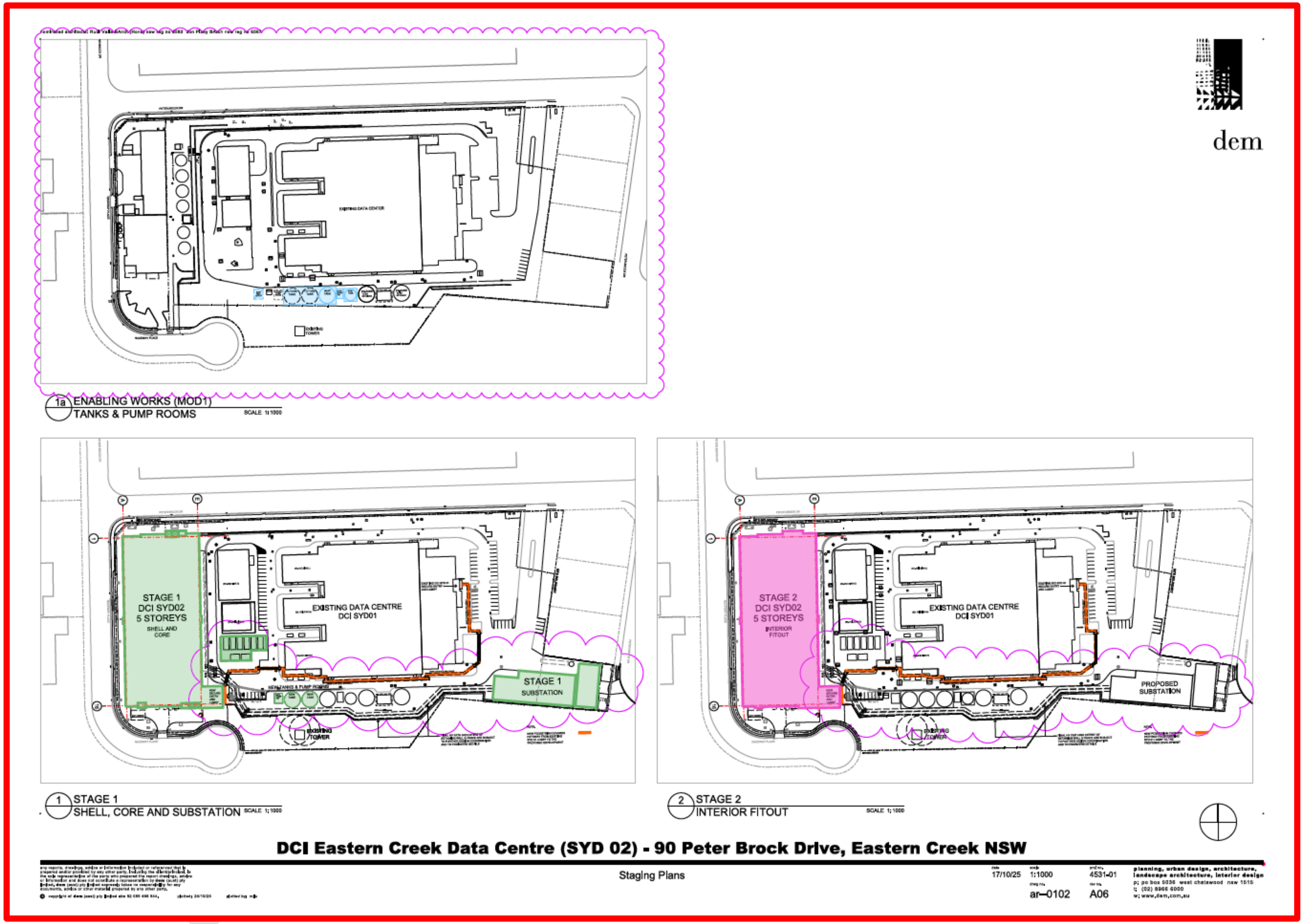

Figure 2: Staging plan

PROJECT NO.	DRAWING NO.	REV	DATE	TITLE
	Architectural drawings prepared by DEM Architects			
4531-01	ar--0101	A07	15/04/26	Site plan
4531-01	ar--0102	A07	15/04/26	Staging plans
4531-01	ar--1201	A05	17/10/25	Ground floor plan
4531-01	ar--1202	A05	17/10/25	Upper ground floor plan
4531-01	ar--1203	A05	17/10/25	Level 1 floor plan
4531-01	ar--1204	A03	17/10/25	Level 2 floor plan
4531-01	ar--1205	A03	15/10/25	Level 3 floor plan
4531-01	ar--1206	A03	17/10/25	Roof plan
4531-01	ar--1207	A05	15/04/26	Floor plans – Zone substation
4531-01	ar--2601	A03	17/10/25	West elevation
4531-01	ar--2602	A03	17/10/25	East elevation
4531-01	ar--2603	A03	17/10/25	North elevation
4531-01	ar--2604	A04	17/10/25	South elevation
4531-01	ar--2621	A02	15/04/26	Elevations – Zone substation
4531-01	ar--2630	A03	17/10/25	Proposed walkway awning section
4531-01	ar--4600	A01	17/10/25	SYD02 pump room
	Civil drawings prepared by ACOR Consultants			
NA241460	S02-CI-05-DRG-ACR-0011	01	20/04/26	Legend sheet
NA241460	S02-CI-05-DRG-ACR-0021	01	20/04/26	General notes
NA241460	S02-CI-05-DRG-ACR-0101	01	20/04/26	Key plan
NA241460	S02-CI-05-DRG-ACR-0301	01	20/04/26	Soil erosion and sediment control plan
NA241460	S02-CI-05-DRG-ACR-0351	01	20/04/26	Soil erosion and sediment control notes and details
NA241460	S02-CI-05-DRG-ACR-0401	01	20/04/26	Bulk earthworks plan
NA241460	S02-CI-05-DRG-ACR-0501	01	20/04/26	Siteworks and stormwater plan sheet 1

PROJECT NO.	DRAWING NO.	REV	DATE	TITLE
NA241460	S02-CI-05-DRG-ACR-0502	01	20/04/26	Siteworks and stormwater plan sheet 2
NA241460	S02-CI-05-DRG-ACR-0503	01	20/04/26	Siteworks and stormwater plan sheet 3
NA241460	S02-CI-05-DRG-ACR-0651	01	20/04/26	Siteworks typical details
NA241460	S02-CI-05-DRG-ACR-0851	01	20/04/26	Stormwater drainage details sheet 1
NA241460	S02-CI-05-DRG-ACR-0852	01	20/04/26	Stormwater drainage details sheet 2
NA241460	S02-CI-05-DRG-ACR-0900	01	20/04/26	Pavement plan

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Issue	***Mitigation Measure***
Staging and Infrastructure	• DCI would not commence construction works (including demolition) on site until Endeavour Energy has approved the associated high voltage electricity works, and NPWS has approved the related Part 5 application for works within Prospect Nature Reserve (subject to separate approval) • DCI would not undertake any ancillary works in Prospect Nature Reserve, including any works in the Reserve associated with the construction of the retaining wall in the south-east corner of the site, without the prior approval of NPWS and WaterNSW
General Environmental Management	• DCI would prepare a detailed Construction Environmental Management Plan (CEMP) for the development, prior to the commencement of construction
Design and Visual	• The data centre expansion would be developed generally in accordance with the architectural and landscape plans for the project
	• All external lighting would be installed in accordance with *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*, and would be installed to ensure lighting is not directed into Prospect Nature Reserve
	• DCI would design and install any amendments to fencing on the boundary of Prospect Nature Reserve in consultation with NPWS and WaterNSW
Soil and Water	• The data centre expansion would be developed generally in accordance with the Erosion and Sediment Control Plan for the project, and the Department's *Managing Urban Stormwater – Soils and Construction* guidelines
	• The data centre expansion would be developed generally in accordance with the salinity management measures in the Salinity Assessment and Management Plan for the project
	• The data centre expansion would be developed generally in accordance with the stormwater management strategy in the Soil and Water Management Plan for the project.
Noise and Air Quality	• Construction and operation of the expanded data centre would be managed in accordance with the relevant noise criteria under the: o *Noise Policy for Industry (NPfI)*; o *Interim Construction Noise Guideline (ICNG)*; and o *Road Noise Policy*
	• Construction activities would be undertaken generally within the hours stipulated in the EPA's *Interim Construction Noise Guideline*
	• Construction noise would be managed in accordance with the measures outlined in the Noise Assessment, which would be addressed the CEMP for the development. The measures would include: o noise management controls, including: - site induction training; - operator instruction; - site noise planning, including locating noisy plant away from nearby receivers; - scheduling noisy activities so that they do not occur simultaneously, and/or during less sensitive time periods; and - selecting less noisy plant and equipment where practicable; o maintaining effective community consultation; and o maintaining a complaints handling and management system
	• Dust emissions during construction works would be managed in accordance with standard best practice techniques, including: o minimising the area of disturbance as far as practicable; o minimising drop heights for materials being worked on the site; o keeping exposed surfaces moist at all times; o rehabilitating/revegetating disturbed surfaces as soon as practicable; and o ensuring that trucks are covered and do not track sediment onto public roads

Issue	Mitigation Measure
Greenhouse Gas and Resource Use	• The data centre expansion would be developed generally in accordance with the energy and water resource use efficiency measures outlined in this EIS and the Energy & Greenhouse Gas Assessment (as modified by any modification applications)
	• DCI would target industry best practice energy performance targets for the proposed data centre expansion, namely: ○ NABERS ≥ 5 Stars; and ○ PUE ≤ 1.3
	• DCI would continue to investigate reasonable and feasible alternatives to diesel back-up power generation
Biodiversity/ Tree Management	• DCI would prepare an arboricultural method statement to manage construction works within the root zone of trees to be retained for the project
Heritage	• An Unexpected Finds Protocol would be prepared and implemented as part of the CEMP to manage any unexpected heritage items encountered during the construction works
Traffic	• Site access, parking and internal circulation arrangements for the project would be developed in accordance with relevant Australian Standards (including AS2890.1 and AS2890.2)
	• A Construction Traffic Management Plan (CTMP) would be prepared and implemented as part of the CEMP to appropriately manage traffic and traffic-safety during construction works, including measures to minimise disruptions to neighbouring land users and reduce on-street parking as far as practicable
Wastes and Hazards	• The data centre expansion would be developed and managed generally in accordance with the Waste Management Plan for the project
	• The data centre expansion would be developed in accordance with the recommendations of the Bushfire Assessment for the project, including provision of: ○ Asset Protection Zones; ○ non-combustible blast wall for the southern elevation of the substation; ○ landscaping in accordance with the Planning for Bushfire Protection guidelines; ○ water supply and hydrants in accordance with the BCA and relevant Australian Standards; ○ underground electrical services; and ○ preparation of an Evacuation Plan for the facility
	• All dangerous goods and hazardous substances would be stored in accordance with applicable standards, including the POEO Regulation 2019, *AS 1940-2004, AS/NZS 4681* and *AS IEC 62619*

APPENDIX 3 NOISE RECEIVER LOCATIONS

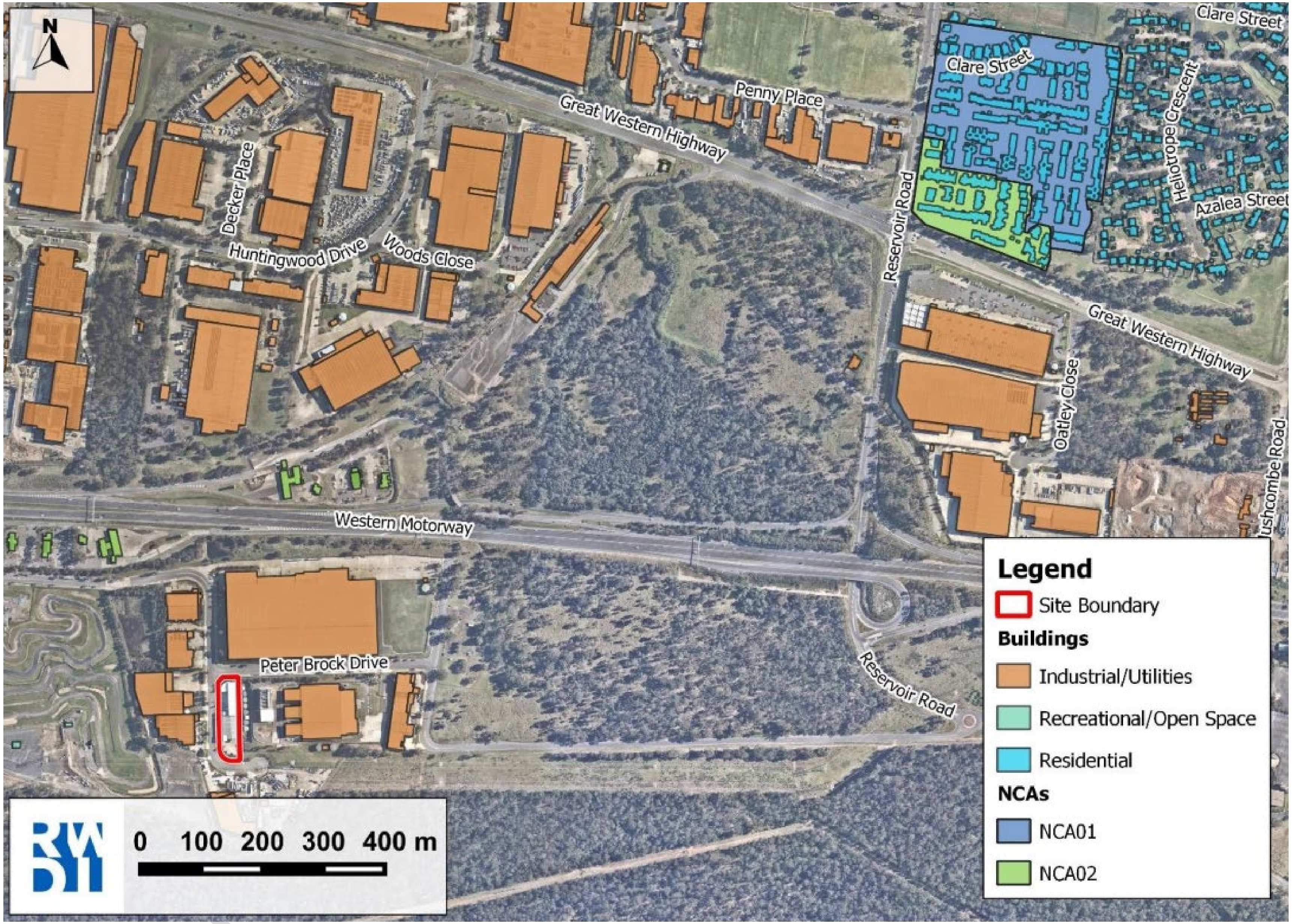

Figure 3: *Noise catchment areas (NCAs)*

APPENDIX 4 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 C9 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.

INCIDENT REPORT REQUIREMENTS

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.