

Patrick Copas
Senior Environmental Assessment Officer
Department of Planning, Industry and Environment
Email: patrick.copas@planning.nsw.gov.au

10 August 2021

Our Ref: COR2021/10

Dear Patrick

**Response to SEARs – 17-23 Talavera Rd MACQUARIE PARK
DATA CENTRE – SSD-24299707**

Thank you for providing the opportunity to comment on the Secretary's Environmental Assessment Requirements for the proposed development at 17-23 Talavera Rd MACQUARIE PARK.

A list of requirements from Council are included in the attached submission. However, Council wishes to raise its concern with respect to the proposed building over the drainage easement and the removal of all remaining trees from the site. The concerns are consistent with those raised in the meeting of 2 August 2021 at Council office between the Applicants representatives, Council and the DPIE staff.

Also note that this submission is made in absence of any draft SEARs provided to Council despite a request for it. Council is not made aware as to what other standard requirements will apply. Only the critical matters have been included. Council hopes that the requirements as outlined in the attached response is included in the SEARs.

If you require any additional information regarding this matter, please contact me on 9952 8187 or email to sanjur@ryde.nsw.gov.au

Yours sincerely



Sanju Reddy
Senior Coordinator – Building and Development Advisory Services.

RESPONSE TO SEARs REQUEST - CITY of RYDE
Project: SSD-24299707 – DATA CENTRE
Location: 17-23 Talavera Road, Macquarie Park
Applicant: Macquarie Data Centres

Project (SSD-24299707) – Council Reference COR2021/10

City of Ryde provides the following comments:

1. COUNCIL CONCERNS

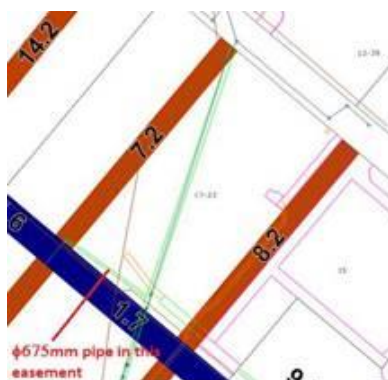
While the environmental assessment requirements are listed in this submission, Council wishes to raise its concern with respect to some aspects of the proposal. This is consistent with the concerns raised in the meeting of 2 August 2021 at Council office between the Applicants representatives, Council and the DPIE staff.

The proposed development, as outlined in the Request for SEARs presents various concern for Council including the following:

- 1.1. The site benefits from an existing Development Consent which addresses and overcame a number of issues with respect to impact on trees and on Council's drainage infrastructure. The Consent requires retention and protection of 67 trees (Conditions No.21 & 22 of LDA2018/322) and also to ensure that the building and structures are clear of the drainage easement, the easement was realigned for future relocation of the trunk drainage (Condition A2). It seems now that the proponent is using the SSD pathway to get rid of the constraints imposed by the L&E Court issued Development Consent. The same problems that were overcome through the previous assessment process are now being brought back. It is highly unlikely that Council will support the building over the relocated easement and the removal of trees.
- 1.2. The development seeks to construct over a public drainage easement. It would be required to confirm if the Department of Planning has the authority to consent to such works, without owners consent from Council.
- 1.3. Despite the applicants insistence that the development will maintain clearance from the services, the concept plans depict a new column in the existing easement.
- 1.4. The proposed construction over the agreed realignment of the easement associated with the Stage 1 development presents considerable implications

in terms of construction logistics and additional costs associated with the exercise, which Council are burdened with following development. This issue led to the realignment of the easement, the proposal simply reintroduces the issue.

- 1.5. The applicants proposed flood and overland flow strategy nominates floodwaters to disperse over and through the parking area in the undercroft so as to reduce the concentration of flow through the site. This does not comply with Council's DCP Part 8.2 (Stormwater and Floodplain Management) Section 4.4.2 which stipulates open parking areas are to be no less than the 100yr ARI event. Notably vehicles are able to float in floodwaters of some 200mm and allowing flow through a carpark would present a significant concern in relation to not only private property damage but potential flood debris (floating vehicles) blocking the flowpath downstream.
- 1.6. The additional constraints through SSD expansion to the future stormwater pipe are considered unacceptable and the replacement of the future stormwater pipe within these restrictions will present real practical challenges which will then increase in cost, time and a significant safety risks.
- 1.7. The proposed expansion is considered to conflict with a number of requirements of the DCP and Council's Technical Manual.
- 1.8. In order to remove the future constraints and improve the life of the building operations and structures, the best approach is to divert the existing 1.8m stormwater away from the existing and future buildings at no cost to Council.
- 1.9. There is a 2.0m wide stormwater easement traversing the rear of the site which contains an active 675mm pipeline. This pipeline comes from the rear property. No new future building footprints should be encroached into this easement or the proposed drainage easement.



- 1.10.** The existing pipeline reduces the diameter from 1800mm to 1200mm. It is expected that the new development will possibly divert flows to adjacent properties and increase the flood levels and runoff as well. The existing pipeline in Talavera Road may not have the capacity to convey additional flows. The subject property is located in the 1 in100 year overland flowpath therefore the detailed flood study must assess the pipe system and overland flowpath for the existing and post-developed situations. The developer must consider providing on site underground flood storage and release a little volume of water into the trunk drainage system.

2. GENERAL REQUIREMENTS

- 2.1. Planning Compliance Report:** The development will be subject to the RLEP2-14 and the standards and requirements of the City of Ryde Development Control Plan DCP 2014 Part 4.5 Macquarie Park Corridor, Macquarie Park, and the Public Domain Technical Manual City of Ryde (PDTM) Section 6 - Macquarie Park.
- 2.2. Pavement Plan:** The pavements of the footway and driveway crossings are to be designed and constructed according to the requirements of the Public Domain Technical Manual (PDTM), Section 6 - Macquarie Park.
- 2.3. The Local Bicycle Network** is to be maintained along the frontage of the development site as per requirement of the DCP 2014 in the form of an Off-Road shared way and in accordance with the Macquarie Park Public Domain Technical Manual.
- 2.4. Design concept plan for Road 1:** A future Road 1 which will be on the southern side of the proposed development , there will be difference in the design levels between Road 1 and future internal driveway. As such, a design concept plan for Road 1 must be submitted to Council for further assessment and comments.
- 2.5. Retaining Wall details:** Due to possible future major excavation for the new Road 1, all the retaining wall on the southern side of this property must be designed to support the neighbouring properties, all the new retaining walls must be within the private land and the depth of these retaining walls must be designed as part of the concept plan for road number 1 layout.
- 2.6. Engineering Design Plans:** All new/existing Councils drainage components, stormwater pipes, kerb inlet pits, overland flow paths for the

new development and discharge points shall be shown on the engineering design plans.

The applicant is to provide suitably prepared engineering plans providing details that demonstrate the smooth connection of the proposed works with the remaining street scape. This will include relevant existing and design surface levels, drainage pit configurations, kerb returns and s-kerbs that would enable street sweepers to properly manoeuvre the indented section of the road pavement.

- 2.7. Services and Utilities Report/Plan:** Any relocation/adjustment of all public utility services affected by the proposed works shall be clearly indicated in proposed design. All of the requirements of the Public Authority shall be complied with underground Utility Services: All telecommunication and utility services are to be adjusted to match the new finished footpath/nature strip levels.

All public utility services affected by the proposed development shall be clearly indicated in proposed design plans and all the existing/ future easements burdening the site must be show on the revised civil plans including the location of the services, depth, type and numbers.

- 2.8. Road details:** The full reconstruction of half road width for the Talavera Road frontage of the development site will be required in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Clause 1.1.4 – Constructing Half Road and the re-alignment and adjustments to Council's infrastructure, where required, in order to ensure a smooth transition is achieved between the new and existing infrastructure.

3. FLOODING

- 3.1. New detailed flood study with data files:** The subject site is subject to flooding, therefore the applicant must submit a new detailed flood study as part of this planning proposal. The revised flood study shall be prepared in accordance with Council's stormwater and Floodplain Technical Manual, and shall demonstrate that the proposed works will not worsen the flooding situation in the area.

- 3.2. Pipe Replacement Strategy:** For the SSD to be supported, that deviates from the approved DA, the existing 1800mm Council's Stormwater Pipe traversing the site diagonally will have to be replaced by a new pipe clear of the building /closer to the side boundaries within the property, in order to avoid any current and future obstructions. These works will have to occur prior to the construction of SSD and at no cost to Council. The preferred

location of the new pipe will have to be determined in agreement with Council upon the final civil design.

4. STORMWATER

- 4.1. **A Stormwater Management Plan** for the proposed works must be submitted. Plans design documentation must show the proposed finished surface levels, surface drainage system and drainage components – all of which are to demonstrate compliance with the DCP. In regards to the provision for OSD, the scale of development will warrant the system designed utilising DRAINS modelling software. These data input files should be provided for review.
- 4.2. **Flood Impact:** The site is noted to be impacted by flooding and over land flow and therefore will warrant a flood impact assessment to be provided . The flood impact statement must address the requirements in Section 4 of councils DCP part 8.2 (stormwater and floodplain management) and any modelling required by this study must be submitted for review.
- 4.3. **Service Investigation Report:** The proposed work seek to construct over councils drainage easement and public services. To guage the impact on this infrastructure, all plans must portray the exact location of councils of the public drainage service through the site and any details necessary to demonstrate that the propose works will not impose on this infrastructure or service.

5. TRAFFIC & PARKING

- 5.1. **Traffic Report & Swept Path Analysis:** The development proposes modification to parking and service areas on the lot. Accordingly a Traffic report will be required with the application to ensure the design of these areas are in accordance with the requirements of AS2890 and Council's DCP. Notably the report will need to perform a swept path analysis of the service area utilising the largest anticipated service vehicles so as to ensure they can safely access and exit the site.
- 5.2. **The traffic and parking impact assessment report** is to, at minimum, address the following:
- a) The additional traffic that is likely to be generated by the proposed development during peak hour periods. As the *Guide to Traffic Generating Developments* does not provide traffic generation rates specific to data centres, it is advised that the traffic generation rates adopted for the proposed development be estimated based

on traffic surveys of the existing data centre on site. In this regard, the following factors are to be considered in determining an appropriate traffic generation rate:

- Mode of transport adopted by staff and visitors; and
 - Maximum number of people that is expected to be on-site at any point in time
- b) The future 10-year (2031) traffic conditions along Talavera Road during peak hour periods and the impact of the development traffic on Talavera Road with respect to the mid-block capacity and the operational performance of nearby intersections.
- c) Provide appropriate recommendations on potential mitigation strategies/road/intersection/active transport (pedestrian and cyclist) infrastructure improvements to alleviate any adverse traffic impacts contributed by the proposed development on the adjoining public road network.
- d) The vehicular access, off-street parking and heavy vehicle servicing arrangements shall be designed to comply with the following:
- The Australian Standard for *Parking Facilities Part 1: Off-Street Parking* (AS 2890.1);
 - The Australian Standard for *Parking Facilities Part 2: Off-Street Commercial Vehicle Facilities* (AS2890.2);
 - The Australian Standard for *Parking Facilities Part 3: Bicycle Parking Facilities* (AS2890.3);
 - The Australian Standard for *Parking Facilities Part 6: Off-Street Parking for People with Disabilities* (AS2890.6); and
 - Ryde City Council's *Development Control Plan*
- e) There should be effective separation between the loading dock areas and the off-street car parking areas to minimise conflict between passenger and heavy vehicle traffic within the site. Further, the applicant is to advise on the largest vehicle that is required to be serviced on site. A swept path assessment shall be undertaken to demonstrate that the largest/longest vehicle to be serviced on site is capable of entering, turning around and exiting the loading dock area in a safe and efficient manner.

6. **TREES & LANDSCAPING**

The proposed works are likely to result in major and unsustainable impacts to a significant number of protected trees on site as a result of a westward expansion of the existing built form, extension of the internal carpark/loop road and installation of new services infrastructure. The majority of those affected trees appear to be primarily located along the western boundary with a smaller number positioned adjacent to the southern boundary and within the front setback.

6.1. Arboricultural Impact Assessment. Given the proposed impact to existing protected trees, an Arboricultural Impact Assessment should be prepared by a suitably qualified AQF Level 5 Arborist. An Arboricultural Impact Assessment (AIA) is required of all trees on site, trees on adjoining sites where any part of the development will encroach into the Tree Protection Zone of those trees and any street trees. This Assessment is to be carried out as per the requirements of Australian Standard AS4970-2009 Protection of trees on development sites and in accordance with the City of Ryde Tree Management Technical Manual and is to provide an assessment of all trees within and adjoining the subject site which are likely to be impacted by the proposal. In the AIA must consider the impacts of the development including:

- Stormwater or drainage works.
- Cut and fill.
- Fence and or Retaining Walls that will be required.
- Car parking and driveway.
- Any encroachment on the Tree Protection Zone and Structural Root Zone of trees on site or on adjoining sites.

6.2. The Report must also include a tree protection plan (drawing) showing the TPZs for the trees as required by Australian Standard AS4970-2009. Protection of trees on development sites. It is best if this plan also shows the Structural Root Zones and is superimposed on the Site Plan showing the development and the assessed trees.

6.3. Impact to Existing Trees. Design changes should be undertaken to reduce the level of impact to existing protected trees to a sustainable level. This includes, but is not limited to; Trees 1, 1a, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 56, 81, 84, 89 & 94 within the subject site and Trees 14, 83 & 95 within the neighbouring allotments – each of which were prescribed for retention under Condition 21 of the

approval handed down by the Land and Environment Court of NSW ([2019] NSWLEC 1470).

6.4. A Landscape Plan is required prepared by a Landscape Architect.

6.5. A Biodiversity Development Assessment Report (BDAR) as required for the site under the proposed SSD.

7. VOLUNTARY PLANNING AGREEMENT (VPA)

Council advises that the proposed SSD cannot rely on the previous VPA applicable under the DA. The requirements of the existing VPA negotiated with the LDA approval has been completed. The VPA did not require any land or road dedication, works in kind or offsets. The contribution required under the VPA was paid on execution, hence the VPA was not registered on title. As the VPA's obligation has been met, it is considered concluded.

As such a new VPA will be required reflective of the proposed expansion and increase floor space as part of the proposed SSD. The applicant is advised to refer to Clause 6.9 of the RLEP2014.

8. PLANNING REPORT

Planning report should indicate clear details of FSR and height and compliance with the relevant planning control.

END

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1 Pope Street, Ryde NSW 2112
(Within Top Ryde City shopping centre)

North Ryde Office
Level 1, Building O, Riverview Business Park,
3 Richardson Place, North Ryde NSW 2113

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DOC21/604725-4

Patrick Copas
Planning and Assessment Division
Department of Planning, Industry and Environment Locked Bag 5022
PARRAMATTA NSW 2124
Email: Patrick.copas@planning.nsw.gov.au

28 July 2021

Request for input into the Secretary's Environmental Assessment Requirements (SEARs) for the Talavera Road, Macquarie Park Data Centre (SSD-24299707)

Dear Patrick,

Thank you for consulting the NSW Environment Protection Authority ('EPA') to request input on the Secretary's Environmental Assessment Requirements (SEARs) for the expansion of the existing Talavera Road Data Centre ('the proposal') located at 17-23 Talavera Road, Macquarie Park NSW (Lot 527 of DP 752035).

The EPA has reviewed the project Scoping Report prepared by Willow Tree Planning (ref WTF21-203) on behalf of Macquarie Data Centres c/- GIDDIS Project Management ('the proponent') and understands that the application seeks consent for the expansion of the existing 28MW data centre to include an additional 53MW data storage facility that will operate 24 hours a day, 7 days per week. The EPA notes that the Section 3.2.2 of the proposal outlines the proposed additions of:

- 14 data halls;
- Electrical switch rooms and indoor substations (housing 4 off 33 to 11kV power transformers and 21 off 11 to 415V distribution transformers);
- 6 diesel fuel bulk storage tanks (approximately 378,000L, with 1000L of day tank fuel storage); and
- Associated plant and equipment.

Scheduled Activity

Based on review of the information provided, it is unclear whether the proposal will require an environment protection licence (EPL) under the *Protection of the Environment Operations Act 1997* ('the POEO Act'). The EPA recommends the proponent consider whether an EPL will be required under the following:

- I. Clause 9 of Schedule 1 of the POEO Act for chemical storage, petroleum products storage. If the proposal has a capacity for more than 2000 tonnes of diesel storage, an EPL would be required.
- II. Clause 17 of Schedule 1 of the POEO Act for electricity generation for metropolitan electricity works (internal combustion engines). This does not apply for stand-by plant that is operated for less than 200¹ hours per year.

¹ noting that multiple generators being operated concurrently for an hour would count as one hour, rather than cumulatively adding the testing time of each generator

Chemical Storage

The EPA understands that as part of the proposal, the quantity of diesel fuel storage will be increased to power the additional back-up generators. Under Clause 9 of Schedule 1 of the POEO Act, an activity requires an EPL if there is a capacity to store more than 2,000 tonnes of petroleum products (which includes diesel).

Table 4 of the report states that diesel fuel storage would increase from 216,000 litres to approximately 594,000 litres, however section 3.2.2 states that “based on the Preliminary Architectural Plans prepared by HDR, it is anticipated that there would be approximately 323 tonnes (or 380,000 kL) of diesel fuel stored on-site”. Both estimates are less than the 2,000-tonne capacity required under Clause 9, however accurate capacities of diesel storage capacity must be provided in the Environmental Impact Statement (EIS).

Information on the location and design of chemical bunding and containments should also be included in the EIS. Bunding requirements for above ground storage tanks are set out in *AS 1940:2017 The storage and handling of flammable and combustible liquids*.

Electricity Generation

The EPA understands that the existing data centre has 16 generators of undefined wattage capacity. The proposed expansion would include additional 18 generators, raising the total number of generators on site to 34.

The EIS should definitively state whether scheduled testing will exceed the 200-hour annual limit. If the testing time could exceed 200 hours per year, then the proposed activity may meet the trigger for Clause 17, Schedule 1 of the POEO Act. Please note that the EPA would consider ‘operating’ to include testing, if testing involves starting the generator. In addition, the definition of ‘plant’ in this scheduled activity includes all generators on the premises, not each individual generator.

The EPA requests further information be provided in the EIS about the back-up generators, including:

- a) number of back-up generators proposed;
- b) individual capacity (in terms of megawatts and megajoules per second);
- c) maximum operating time in an emergency situation;
- d) testing procedure, frequency and duration;
- e) confirmation that testing will be carried out individually or in clusters; and
- f) justification of the need to test during the evening or at night (if applicable).

Noise and Vibration

The proponents Scoping Report states that the site is to be “sufficiently separated from any noise sensitive receivers” and that the proposal will consider construction and operational acoustic impacts through the preparation of both a Construction Noise and Vibration Management Plan (CNVMP) and an operational Noise and Vibration Impact Assessment. The EPA notes that the site is close to a number of sensitive receivers including:

- 100m to the north of Excelsia College;
- 200m to the south-east of WiSE Specialist Emergency Clinic;
- 300m to the south of high density residential zoned land;
- 300m to the south-east of Meriton Suites North Ryde; and
- Between 150m - 300m to the south-east, west, and north-west of several childcare centres.

The EPA recommends that a noise and vibration assessment be prepared in accordance with the *Noise Policy for Industry* (2017) and include an assessment of all potential noise and vibration generating activities occurring at the premises, including the operation and testing of specific

generators that will be used for backup electricity generation. The noise and vibration assessment must consider all sensitive receptors that will potentially be impacted during construction and operational stages of the proposal.

Air Quality

The EPA notes that an air quality assessment will be undertaken within the EIS for the proposal to assess air quality impacts from back-up generator emissions.

The EPA recommends that the assessment should include, but not be limited to:

- Generator specifications, electrical generation capacity and generator fuel rate to assess against the criteria for a scheduled activity;
- Assessment of emissions from the generators against the *POEO (Clean Air) Regulation* standards of concentration;
- Assessment of offsite impacts from the operation of the proposed generators in strict accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2016); and
- A description of any proposed mitigation, monitoring and management measures the proponent intends to implement to reduce air quality impacts associated with the proposal.

Further Correspondence

In view of the above factors, the EPA requests further consultation on the proposal following submission of the Environmental Impact Statement (EIS).

If you would like to discuss this letter, please contact Jennifer Brown directly on (02) 8289 6829 or by e-mail to jennifer.brown@epa.nsw.gov.au.

Yours sincerely



JACQUELINE INGHAM
Unit Head – Metropolitan Operations West
Regulatory Operations Metropolitan



Transport
for NSW

2 August 2021

TfNSW Reference: SYD21/00875/01

Departments Reference: SSD-24299707

Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Patrick Copas

Dear Mr Copas

**REQUEST FOR SEARS - TALAVERA ROAD DATA CENTRE CAMPUS EXPANSION
(SSD-24299707) (CITY OF RYDE)**

Reference is made to the Department's correspondence dated 19 July 2021, requesting Transport for NSW (TfNSW) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment Requirements (SEARs).

TfNSW has reviewed the submitted scoping report and other supporting documentation and provides the following advice for consideration to the draft SEARs in **Attachment A – Key Issues**.

Due to the Covid-19 Pandemic, counts undertaken at the moment may not be representative. Alternative approaches to understand the impact of Covid-19 on traffic patterns should be discussed with TfNSW.

It is suggested the applicant meet with TfNSW to discuss these issues and the options available prior to undertaking a traffic impact assessment.

If you have any further questions, Ms Shoba Sivasubramaniam would be pleased to take your call on 0431446623 or please email development.sydney@rms.nsw.gov.au. I hope this has been of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Malgy'.

Malgy Coman
Senior Land Use Planner
Transport for NSW

Attachment A – Key Issues

Transport and Accessibility

Provide a transport and accessibility impact assessment, which includes, but is not limited to the following:

1. Details of all traffic types and volumes likely to be generated by the proposed development during construction and operation, including a description of haul route origins and destinations, including:
 - a. Daily inbound and outbound vehicle traffic profile by time of day and day of week (if travel patterns differ across the week);
 - b. Site and traffic management plan on how to manage number of vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the surrounding road network;
 - c. Detailed plan of proposed layout of internal road network to demonstrate that the site will be able to accommodate the most productive vehicle types and parking on site in accordance with the relevant Australian Standard and Council's Development Control Plan;
 - d. Plans detailing how the proposed development connects to adjoining sites to facilitate their future development for their intended purposes;
 - e. Swept path diagrams to demonstrate vehicles entering, exiting and manoeuvring throughout the site;
 - f. An assessment of the forecast impacts on traffic volume generated on road safety and capacity of road network including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model as prescribed by TfNSW (former Roads and Maritime). The traffic modelling should consider the scenarios of year 2026, 2031, 2036. These should include, but not be limited to:
 - i. Lane Cove Road/Talavera Road
 - ii. Talavera Road/Khartoum Road
 - g. To ensure that the above requirements are fully addressed, an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model. This is to include the identification and consideration of approved and proposed developments/planning proposals/road upgrades in the vicinity.

- h. details of road upgrades, infrastructure works, or new roads or access points required for the development;
- i. details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan and specific Workplace Travel Plan) and the provision of facilities to increase the non-car mode share for travel to and from the site;
- j. details of the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand for the proposed development; and
- k. measures to integrate the development with the existing/future public transport network.
- l. The preparation of a preliminary Construction Pedestrian and Traffic Management Plan (CPTMP) to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:
 - i. assessment of cumulative impacts associated with other construction activities (if any);
 - ii. an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity;
 - iii. details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process;
 - iv. details of anticipated peak hour and daily construction vehicle movements to and from the site;
 - v. details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle;
 - vi. details of temporary cycling and pedestrian access during construction.

2. Traffic Counts:

TfNSW requests that any counts undertaken are not within close proximity to the school holidays/long weekend.

Counts undertaken within close proximity to these events may not indicate normal traffic conditions. Ideally vehicle counts should be undertaken during a typical day, to include Thursday (or Wednesday) and Friday for the study (not near school/public holidays). This will provide the departments with an accurate understanding of the existing traffic conditions and the actual impact of this development application to the surrounding network.

Should the date of the counts be within a week either side of the above events, it will be recommended that new counts are undertaken at more appropriate dates and are to include a breakdown of light and heavy vehicle.

Statutory and Strategic Framework

The applicant is to demonstrate that the proposal is generally consistent with all relevant environmental planning instruments including:

- State Environmental Planning Policy (Western Sydney Employment Area) 2009 Amendment
- State Environmental Planning Policy (Infrastructure) 2007

In addition (but not limited to) the following plans and reports:

- Future Transport 2056 and supporting plans
- Guide to Traffic Generating Developments (Roads and Maritime Services, 2002).
- Freight and Ports Plan 2018-2023
- Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas.
- Cycling Aspects of Austroads Guides.
- NSW Planning Guidelines for Walking and Cycling (Department of Infrastructure, Planning and Natural Resources (DIPNR), 2004).
- Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments (Austroads, 2020).
- Australian Standard 2890.3 Parking facilities, Part 3: Bicycle parking (AS 890.3).

Consultation

During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.



Our ref: DOC21/639500
Senders ref: SSD 24299707

Patrick Copas
Energy Resource Assessments
Planning and Assessment Group
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Mr Copas

Subject: Request for SEARs for Talavera Road Data Centre Campus Expansion (SSD 24299707)

Thank you for your e-mail received on 19 July 2021, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) on the SEARs for Talavera Road Data Centre Campus Expansion (SSD-24299707), 17-23 Talavera Road, Macquarie Park.

EES has reviewed the scoping report prepared by Willowtree Planning dated July 2021 and provides the following recommendations at Attachment A.

Please note in relation to point (4) of the standard EES biodiversity environmental assessment requirements in Attachment A the minimum information and spatial data requirements are in Tables 24 and 25 of the Biodiversity Assessment Method (BAM), and as required more broadly by the revised BAM 2020. Other requirements, such as those relating to the BAM Calculator and Biodiversity Offsets and Agreements Management System (BOAMS), are detailed in various guidelines, practice notes, updates and other advices issued by EES to BAM accredited assessors – see <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources>.

Should you have any queries regarding this matter, please contact Marnie Stewart, Senior Project Officer - Planning on 9995 6868 or Marnie.stewart@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads 'S. Harrison'.

29/07/21

Susan Harrison
**Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation**

Attachment A – EES Environmental Assessment Requirements

| Biodiversity |
|--|
| <p>1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method 2020, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).</p> <p>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 Biodiversity Assessment Method 2020.</p> <p>3. The BDAR must include details of the measures proposed to address the offset obligation as follows:</p> <ul style="list-style-type: none">• The total number and classes of biodiversity credits required to be retired for the development/project;• The number and classes of like-for-like biodiversity credits proposed to be retired;• The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;• Any proposal to fund a biodiversity conservation action;• Any proposal to conduct ecological rehabilitation (if a mining project);• Any proposal to make a payment to the Biodiversity Conservation Fund. <p>If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.</p> <p>4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM.</p> <p>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 s6.10 of the Biodiversity Conservation Act 2016.</p> |

Water and soils

6. The EIS must map the following features relevant to water and soils including:
 - a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
 - c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.
 - d. Groundwater.
 - e. Groundwater dependent ecosystems
 - f. 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.
 - Water Quality Objectives (as endorsed by the NSW Government <http://www.environment.nsw.gov.au/ieo/index.htm>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
 - Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the [ANZECC \(2000\) Guidelines for Fresh and Marine Water Quality](#) and/or local objectives, criteria or targets endorsed by the NSW Government.
 - Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>

| |
|---|
| <p>8. The EIS must assess the impact of the development on hydrology, including:</p> <ul style="list-style-type: none"> a. Water balance including quantity, quality and source. b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas. c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems. d. 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). e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water. f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options. g. Identification of proposed monitoring of hydrological attributes. |
| <p>Flooding and coastal hazards</p> |
| <p>9. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:</p> <ul style="list-style-type: none"> a. Flood prone land. b. Flood planning area, the area below the flood planning level. c. Hydraulic categorisation (floodways and flood storage areas) d. Flood Hazard. <p>10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.</p> <p>11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:</p> <ul style="list-style-type: none"> a. Current flood behaviour for a range of design events as identified above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change. <p>12. Modelling in the EIS must consider and document:</p> <ul style="list-style-type: none"> a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies. |

- b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
 - c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories
 - d. Relevant provisions of the NSW Floodplain Development Manual 2005.
13. The EIS must assess the impacts on the proposed development on flood behaviour, including:
- a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
 - b. Consistency with Council floodplain risk management plans.
 - c. Consistency with any Rural Floodplain Management Plans.
 - d. Compatibility with the flood hazard of the land.
 - e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
 - f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
 - g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.
 - h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
 - i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
 - j. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES.
 - k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

End of Submission

HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: Talavera Road Data Centre Campus Expansion
SSD/I #: SSD-24299707

1. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the [Code of Practice for Archaeological Investigation in NSW](#) (DECCW 2010), and be guided by the [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales](#) (OEH 2011).
2. Consultation with Aboriginal people must be undertaken and documented in accordance with the [Aboriginal Cultural Heritage Consultation Requirements for Proponents](#) (DECCW 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
3. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to Heritage NSW.
4. The assessment of Aboriginal cultural heritage values must include a surface survey undertaken by a qualified archaeologist. The result of the surface survey is to inform the need for targeted test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The results of surface surveys and test excavations are to be documented in the ACHAR.
5. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the project to formulate appropriate measures to manage unforeseen impacts.
6. The ACHAR must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

NOTE: The process described in the *Due Diligence Code of Practice for the protection of Aboriginal objects in NSW* (DECCW 2010) is not sufficient to assess the impacts on Aboriginal cultural heritage of Major Projects.

Talavera Road Data Centre Campus Expansion

Closed

State Significant Development (SSD-24299707) > Public Authority Consultation (PAE-24402209)

Close

Actions  

Assignments

View all



Below is the list of Assignments



No work assigned

PAC Details

Engagement Details

Audit

Response History

Public Authority Response

Wednesday, 4 August 2021 10:52:50 AM AEST

Details

Attachments

Resources

Current Stage



Provide Advice



Review Advice



Close



Participants



James Edwards

Initiator



Matt Giddy

ProjectOwner



ToAddIParty



Patrick Copas

Planner



James Edwards

PrimaryContact



Notes:

Talavera Road Data Centre Campus Expansion SSD 24299707.

Lithium-ion battery fires present unique risks to attending firefighters, the recommendations below reflect these risks. It is noted that Fire and Rescue NSW have previously reviewed and issued a response to fire safety study developed for the site.

FRNSW have reviewed the SEARS and make the following recommendations:

1. To ensure that the fire prevention, detection, protection and firefighting measures are appropriate to the specific fire hazards and adequate to meet the extent of potential fires, a comprehensive Fire Safety Study (FSS) is recommended to be undertaken.
2. That the FSS is developed in accordance with the requirements of Hazardous Industry Planning Advisory Paper No.2 (HIPAP No.2).
3. That the FSS is required to be developed in consultation with FRNSW and to the satisfaction of the operational requirements of FRNSW. The development of a FSS should be a condition of consent.
4. That the development of the FSS considers 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.
5. FRNSW preference is to review the Preliminary Hazards Analysis (PHA) report as this will determine the approach and design of the recommended fire safety study.

Related Projects

9 August 2021

Our Ref: 124850, 182564

Patrick Copas

Senior Environmental Assessment Officer
Industry Assessments
Department of Planning, Industry & Environment
4 Parramatta Square, Parramatta NSW 2150
patrick.copas@planning.nsw.gov.au

RE: Input to SEARs for SSD-24299707 Talavera Road Data Centre Campus Expansion

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for SSD-24299707, a 9,478m² expansion to an existing data centre. We have reviewed the proposal and provide the following comments for your consideration.

Potable Water and Wastewater Servicing

- The proposed development presents potentially large water servicing demands, and as such further investigation will be required to determine the servicing requirements for this site.
- **It is recommended that the proponent engage a Water Servicing Coordinator as soon as possible, and a feasibility application is lodged with Sydney Water prior to a Section 73 application being made.**
- It is recommended that an inception meeting is held with the relevant Sydney Water account manager after the proponent has prepared a detailed concept servicing proposal for potable water wastewater services and potentially recycled water services.

Potential Impacts to Sydney Water Assets

- The proposed development may present potential impacts to Sydney Water's assets which traverse the site.
- Appropriate management of any such impacts will be done at the Section 73 Certificate and Building Plan Approval stage.

Further input to the SEARs for this proposal can be found in Attachment 1. If any further information is required, please contact Thomas Mudgway of the Growth Planning team at urbangrowth@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "K. Leitch", with a large, sweeping flourish extending to the right.

Kristine Leitch

Commercial Growth Manager
City Growth and Development, Business Development Group
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Attachment 1

Proposed SEARs Requirements

Sydney Water requests that the Department of Planning, Industry and Environment 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 proponent of development should determine service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled water (if required) services have been made.
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. When determining landscaping options, the proponent should take into account that certain tree species can cause cracking or blockage of Sydney Water pipes and therefore should be avoided.
3. Strict requirements for Sydney Water's stormwater assets (for certain types of development) 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. The proponent should 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.
4. As this development may create trade wastewater, Sydney Water may have trade wastewater requirements which need to be met. By law, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. The proponent must obtain Sydney Water approval for this permit before any business activities can commence. Given this development may comprise waste operations, wastewater may discharge into a sewerage area that is subject to wastewater reuse. Please contact Sydney Water's Business Customer Services to assess what is required, send your permit application or to find out more information. They can be contacted at the following email address: businesscustomers@sydneywater.com.au.

Integrated Water Cycle Management

5. The proponent should 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.