

Mr James Edwards
Project Manager
GIDDIS Project Management
64A Irrubel Road
NEWPORT NSW 2106

Our ref: SSD-24299707
EF21/10619

Attention: Mr Paul Christensen, Macquarie Data Centres

28 September 2021

Dear Mr Edwards

Subject: Request to waive requirement to prepare a Biodiversity Development Assessment Report

I refer to your correspondence received on 20 August 2021, which related to the State significant development (SSD) application for the Talavera Road Data Centre Campus Expansion (SSD-24299707). I understand you are seeking to waive the requirement to prepare and submit a Biodiversity Development Assessment Report (BDAR) as part of any application for development consent for the proposed development.

The development seeks consent for the construction and operation of an expansion to an existing data centre campus, as detailed in the BDAR waiver application prepared by Cumberland Ecology, dated 19 August 2021.

Under section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act):

"Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on the biodiversity values".

This letter is to confirm that the Planning Secretary of the Department of Planning, Industry and Environment has determined that the proposed development as described above is not likely to have any significant impact on biodiversity values and that a BDAR is therefore not required to accompany any application for development consent for the proposed development.

I, as delegate of the Planning Secretary within the Planning and Assessment Division, have determined that the proposed development is not likely to have any significant impacts on biodiversity values (see determination attached dated 28 September 2021). Evidence that the delegate of the Secretary within the Environment, Energy and Science Group (Director, Greater Sydney) has made the determination is also attached (dated 31 August 2021).

If there are any amendments to the proposed development, a fresh request for a BDAR waiver determination will be required or a BDAR may need to be prepared.

Should you have any further enquiries, please contact Patrick Copas, Planning and Assessment, at the Department on (02) 9274 6273 or via email at patrick.copas@planning.nsw.gov.au.

Yours sincerely,



William Hodgkinson
Acting Director, Industry Assessments – Planning and Assessment Division
As delegate of the Planning Secretary

Attachment	Title
1	Determination, Environment, Energy and Science Group
2	Determination, Planning and Assessment Division

Determination under section 7.9(2) of the Biodiversity Conservation Act 2016

I, Trish Harrup, Director Greater Sydney, of the Department of Planning, Industry and Environment, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, determine that the proposed development is not likely to have any significant impact on biodiversity values. Therefore, a Biodiversity Development Assessment Report **is not required**.

Proposed development means the development as described in the BDAR Waiver request report (DOC21/734586) and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

Trish Harrup

31/08/2021

Trish Harrup
Director
Greater Sydney
Environment, Energy & Science Group
Department of Planning, Industry and Environment

Date

SCHEDULE 1 – Description of the proposed development

The proposed development is the Macquarie Data Centre IC3 within the western portion of Lot 527 DP 752035 located at 17-23 Talavera Road, Macquarie Park within the City of Ryde Local Government Area.

The proposed development includes the construction and operational use of an expansion to the existing data centre. The proposed expansion will include: data centre building; electrical substations and diesel storage; offices; access and parking; and landscaping.

The subject site is currently used as a carpark and constructions site, and has been nearly entirely cleared since 1943. The expansion of an existing data centre will require the redevelopment of the existing car park/hard surfaces as well as planted vegetation.

The site includes planted vegetation in rows along its perimeters as well as landscaped areas around existing structures and the Talavera Road frontage in the north.

Figures 1 and 2 show the location of the subject site and the Vegetation, threatened species and fauna habitat of the study area respectively

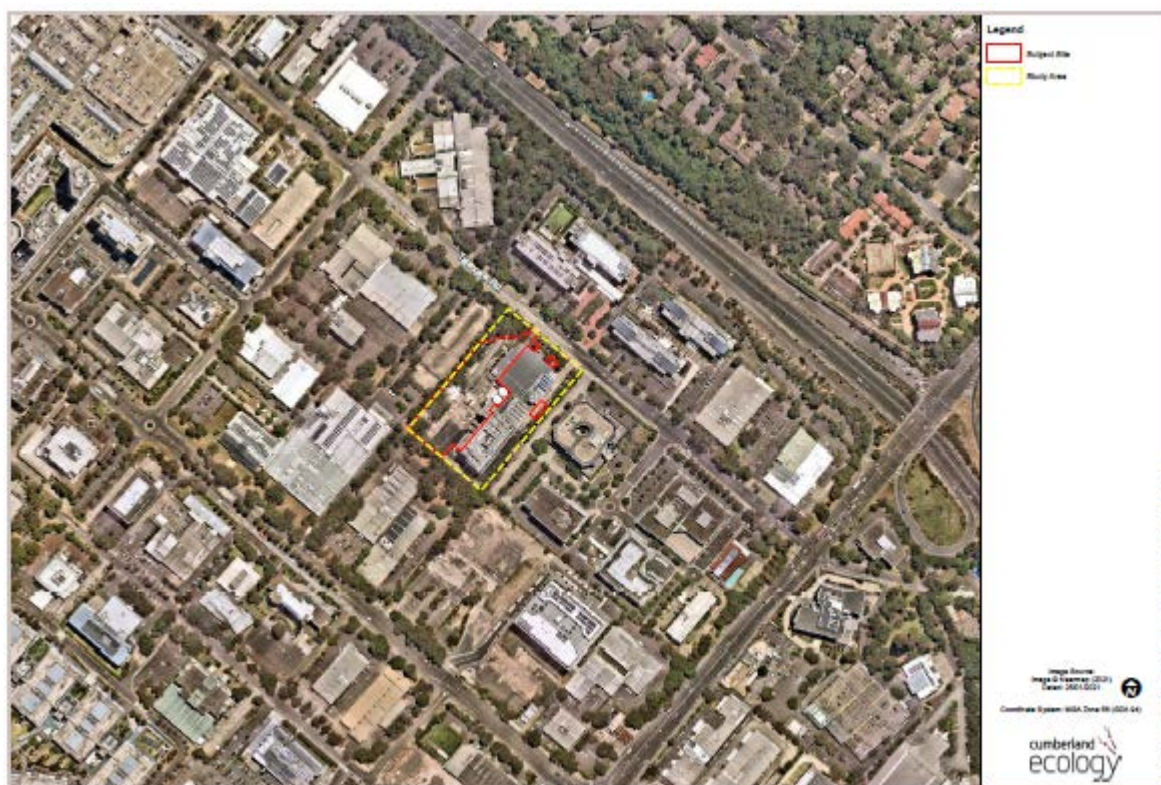


Figure 1 – Location of subject site and study area



Figure 2 – Vegetation, threatened species and fauna habitat of the study area

Determination under section 7.9(2) of the Biodiversity Conservation Act 2016

I, William Hodgkinson, Acting Director, Industry Assessments, of the Department of Planning, Industry and Environment, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, determine that the proposed development is not likely to have any significant impact on biodiversity values and therefore a Biodiversity Development Assessment Report is not required.

Proposed development means the construction and operation of an expansion to an existing data centre campus, as detailed in the BDAR waiver application prepared by Cumberland Ecology, dated 19 August 2021.

If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

If you do not lodge the development application related to this determination for the proposed development within two (2) years of the issue date of this determination, you must either prepare a BDAR or lodge a new request to have the BDAR requirement waived.



28 September 2021

William Hodgkinson
Acting Director
Industry Assessments
Planning and Assessment Division
Department of Planning, Industry and Environment
As delegate of the Planning Secretary

Date