

Our ref: Talavera Road Data Centre Campus Expansion (SSD-24299707)

Mr James Edwards
Project Manager
GIDDIS Project Management

Via email: jedwards@giddis.com.au

24 October 2022

Subject: Updated request to waive requirement to prepare a Biodiversity Development Assessment Report

Dear Mr Edwards

I refer to your correspondence received on 12 September 2022, which relates to the State significant development (SSD) application submitted in support of the proposed Talavera Road Data Centre Campus Expansion (SSD-24299707). I understand you are seeking an updated Biodiversity Development Assessment Report (BDAR) waiver for the SSD application, pursuant to section 7.9(2) of the *Biodiversity Conservation Act 2016*.

Description of the proposed development

The amended development proposal involves the construction and operation of an expansion to an existing data centre campus (including diversion of City of Ryde Council's existing stormwater pipe), and as detailed in the updated BDAR waiver application prepared by Cumberland Ecology, dated 12 September 2022.

BDAR waiver determination

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”.

The Environment and Heritage Group delegate of the Secretary of the Department of Planning and Environment (the Department) has considered the revised waiver request and is satisfied the amended development proposal is not likely to have any significant impact on biodiversity values. Accordingly, the delegate has granted a waiver in a letter dated 25 September 2022.

As delegate of the Planning Secretary within the Planning Group of the Department, I have considered the updated waiver request and determination of the Environment and Heritage Group and have concluded the amended development proposal, as described above, is not likely to have any significant impacts on biodiversity values (see determination attached dated 24 October 2022). Therefore, a BDAR is not required to accompany your current SSD application (SSD-24299707).

If there are any further amendments to the proposal, 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 Group, at the Department on (02) 9274 6273 or via at email at patrick.copas@planning.nsw.gov.au.

Yours sincerely,



Joanna Bakopanos
Team Leader

Industry Assessments – Planning Group

As delegate of the Planning Secretary

Attachments:

Attachment	Title
1	Determination, Environment and Heritage Group
2	Determination, Planning Group

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

I, Louisa Clark, A/Director Greater Sydney, of the Department of Planning 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 (DOC22/826774) and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



25/09/2022

Louisa Clark
A/Director
Greater Sydney
Environment and Heritage Group
Department of Planning and Environment

Date

SCHEDULE 1 – Description of the proposed development

The proposed development is the Macquarie Data Centre IC3 within the eastern portion of Lot 527 DP 752035, 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 that will require the redevelopment of an existing car park/hard surfaces as well as planted vegetation.

The proposed expansion will include the construction of a facility that will include data centre building; electrical substations and diesel storage; offices; access and parking; relocation of stormwater assets and landscaping.

Since submission of the original BDAR waiver for this SSD the proposed development now includes the relocation/construction of a new stormwater pipe that will run along the subject site's southern and western boundaries. As a result of these proposed changes to the stormwater alignment, additional vegetation in the north-western corner of the subject site will be removed that was originally proposed to be retained.

The subject site is currently used as a carpark and constructions site, and has been nearly entirely cleared since 1943.

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 amended BDAR Waiver Vegetation, threatened species and fauna habitat of the study area respectively



Figure 1. Location of the subject site and study area

Figure 1 – Location map



Figure 5. Amended BDAR Waiver – Vegetation, threatened species and fauna habitat of the study area

Figure 2 – Amended BDAR waiver - Vegetation, threatened species and fauna habitat of the study area respectively

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

I, Joanna Bakopanos, Team Leader, Industry Assessments of the Department of Planning and Environment, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, determine that the amended development proposal is not likely to have any significant impact on biodiversity values and therefore a Biodiversity Development Assessment Report (BDAR) is not required.

Amended development proposal refers to the construction and operation of an expansion to an existing data centre campus (including diversion of City of Ryde Council's existing stormwater pipe), as detailed in the updated BDAR waiver application prepared by Cumberland Ecology, dated 12 September 2022.

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



24 October 2022

Joanna Bakopanos
Team Leader
Industry Assessments
Planning Group
Department of Planning and Environment
As delegate of the Planning Secretary

Date