

20 October 2023

TfNSW Reference: SYD23/01128
DPE Reference: SSD-63168959



Ms. Kiersten Fishburn
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Jeffrey Peng

**REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS
PROPOSED NEXTDC DATA CENTRE
269 LANE COVE ROAD, MACQUARIE PARK**

Dear Ms. Fishburn,

Thank you for providing Transport for NSW (TfNSW) with an opportunity to comment on the request for Secretary's Environmental Assessment Requirements (SEARs) for the subject development.

TfNSW has reviewed the submitted information and requests the items in **TAB A** to be addressed as part of the traffic and transport impact assessment for the proposed development.

In addition, TfNSW advises that the subject development is in the immediate vicinity of the Macquarie Park Bus Priority & Capacity Improvement Project. Work is currently underway on the Lane Cove Road and Waterloo Road intersection upgrade, which is expected to be completed in late 2024. Further details can be accessed here:

<https://www.transport.nsw.gov.au/projects/current-projects/lane-cove-rd-waterloo-rd-intersection-macquarie-park>

For more information, please contact Vic Naidu, Land Use Planner via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "R Davis".

Rachel Davis
Senior Land Use Planner
Land Use Assessment Eastern
Planning and Programs, Greater Sydney Division

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TAB A

- Details of estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips.
- 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 of the proposed development.
- Measures to integrate the development with the existing/future public transport network.
- The impact of trips generated by the development on nearby intersections, with consideration of the cumulative impacts from other approved developments in the vicinity, and the need/associated funding for, and details of, upgrades or road improvement works. Traffic modelling is to be undertaken using SIDRA network modelling.
- The identification of infrastructure required to ameliorate any impacts on traffic efficiency and road safety associated with the proposed development.
- Details of the proposed site vehicle access and parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (i.e. turn paths, sight distance requirements, aisle widths, etc).

TfNSW advises that current practice is to limit the number of vehicular conflict points along the arterial road network to maintain network efficiency and road safety.

Lane Cove Road is a major arterial road, which carries a high volume of traffic, where transport efficiency of through traffic is of great importance. TfNSW at this time notes that 'practicable' access for all vehicles can be obtained via a road other than the classified road, and therefore direct vehicular access to Lane Cove Road for the subject development would not be supported.

- 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.
- The proposed walking and cycling access arrangements and connections to public transport services.
- Details of the light and heavy vehicle movements (including vehicle type and likely arrival and departure times), including service vehicle movements. Emergency vehicle access, service vehicle access, delivery and loading arrangements and estimated service vehicle movements.
- The proposed access arrangements, including car and bus pick-up/drop-off facilities, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and bicycle networks, including pedestrian crossings and refuges and speed control devices and zones.
- Proposed bicycle parking provision, including end of trip facilities, in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance.
- Proposed number of on-site car parking spaces for staff and visitors and corresponding compliance with existing parking codes and justification for the level of car parking provided on-site.
- An assessment of the cumulative on-street parking impacts of cars and bus pick-up/drop-off, staff parking and any other parking demands associated with the development.
- An assessment of road and pedestrian safety adjacent to the proposed development and the details of required road safety measures.
- The preparation of a preliminary Construction Traffic and Pedestrian Management Plan to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:
 - Assessment of cumulative impacts associated with other construction activities (if any).
 - An assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity.

- Details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process.
- Details of anticipated peak hour and daily construction vehicle movements to and from the site.
- Details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicles.
- Details of temporary cycling and pedestrian access during construction.

Relevant Policies and Guidelines:

- Guide to Traffic Generating Developments (Roads and Maritime Services, 2002)
- EIS Guidelines - Road and Related Facilities (DoPI)
- Cycling Aspects of Austroads Guides
- NSW Planning Guidelines for Walking and Cycling
- Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development
- Standards Australia AS2890.3 (Bicycle Parking Facilities).



Jeffrey Peng
Senior Environmental Assessment Officer
Energy Resource Assessment
Department of Planning and Environment
Jeffrey.peng@planning.nsw.gov.au

**State Environmental Planning Policy (Transport and Infrastructure) 2021
Development Application – SSD-63168959
269 Lane Cove Road, Macquarie Park**

18 October 2023

Thank you for the referral via the Major Projects Portal dated 9 October 2023 to Sydney Metro requesting input into the Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARs) for the proposal, in accordance with section 2.99 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP).

Transport for NSW (TfNSW) has delegated its rail authority functions in relation to the Sydney Metro – Northwest rail corridor to Sydney Metro. Therefore, Sydney Metro is the relevant rail authority for the Sydney Metro – Northwest rail corridor for the purpose of the Transport and Infrastructure SEPP.

Concurrence of Sydney Metro is not required

Sydney Metro understands that the development the subject of the DA is State Significant Development (SSD). As this is a SSD development application, the provisions of section 2.99 of the Transport and Infrastructure SEPP do not apply.

Section 4.13(2A) of the *Environmental Planning and Assessment Act 1979* excludes concurrence or consultation requirements from applying to development applications for SSD, unless an environmental planning instrument requires concurrence or consultation to SSD. As section 2.99 of the Transport and Infrastructure SEPP does not require concurrence to be provided in the context of a development application for SSD, concurrence is not required for the DA.

Notwithstanding this, in order to ensure the appropriate management and mitigation of the proposed development's impacts on the Sydney Metro – Northwest rail corridor, Sydney Metro has reviewed the DA documents that were uploaded onto the Major Projects Portal, including having regard to the matters outlined in the Transport and Infrastructure SEPP.

Based on this review, Sydney Metro requests:

- Consideration of *the State Environmental Planning Policy (Transport and Infrastructure) 2021*.
- Compliance with the provisions of the Sydney Metro Underground Corridor Protection Guidelines (available from <https://www.sydneymetro.info/>) including providing Sydney Metro with details of any proposed penetrative subsurface investigations (e.g. boreholes) 2m or deeper to be drilled within the first or second protection reserve before the

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Level 43, 680 George Street, Sydney NSW 2000
PO Box K659, Haymarket NSW 1240

sydneymetro.info
ABN 12 354 063 515
SM-23-00876406

commencement of any such drilling. The Applicant is not to commence drilling without confirmation from Sydney Metro that it has no objection to the proposed boreholes.

- Consideration of Sydney Metro At Grade and Elevated Sections Corridor Protection Guidelines.
- Consultation with Sydney Metro.

Sydney Metro thanks the Department of Planning and Environment for its assistance.

Please contact Peter Bourke Senior Manager Corridor Protection or Sophie Butcher Corridor Protection Coordinator at email sydneymetrocorridorprotection@transport.nsw.gov.au should you have any further enquiries on this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Scott', written in a cursive style.

Stephen Scott
Executive Director
Northwest Operations
SSD-63168959 – 269 Lane Cove Road, Macquarie Park

Department of Planning and Environment

Our ref: DOC23/946118
Your ref: SSD-63168959

Jeffery Peng
Senior Environmental Assessment Officer
Planning Group
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

31 October 2023

Subject: Request for advice on SEARs - NextDC S5 Data Centre at 269 Lane Cove Road (SSD-63168959)

Dear Mr Peng

Thank you for your request of 9 October 2023 for input from Environment and Heritage Group (EHG) on the Planning Secretary's environmental assessment requirements (SEARs) for the NextDC S5 Data Centre State Significant Development proposal at 269 Lane Cove Road, Macquarie Park.

EHG has reviewed the Scoping Report prepared by Urbis and recommends the proponent address the attached requirements.

In relation to point 4 of the biodiversity environmental assessment requirements, please note 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 advice issued by EHG to BAM accredited assessors.

Should a waiver to the requirement for a BDAR be sought, it must be clearly demonstrated that the proposed development is not likely to have any significant impact on biodiversity values. Development that requires clearing of native vegetation or additional biodiversity impacts as prescribed by clause 6.1 of the *Biodiversity Conservation Regulation 2017* is likely to require a BDAR.

Any request for a BDAR waiver is to include the information requirements set out in Tables 1 and 2 of the DPIE guidelines on How to apply for a biodiversity development assessment report waiver for a Major Project Application. The proponent can find further information on the BDAR waiver process on the Department's Biodiversity development assessment report waiver webpage.

Should you have any queries regarding this matter, please contact Richard Bonner, Senior Conservation Planning Officer via richard.bonner@environment.nsw.gov.au.

Yours sincerely



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

Biodiversity

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

Water and Soils

6. The EIS must map the following features relevant to water and soils including:
 - 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 the BAM)
 - c. Wetlands (as described in the BAM).
 - 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:
 - a. Existing surface and groundwater.
 - b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - c. Water Quality Objectives (as endorsed by the NSW Government) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
 - d. 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.
 - e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions
8. The EIS must assess the impact of the development on hydrology, including:
 - 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.

End of Submission



Department of Planning and Environment

Our ref: HMS ID 4753

Mr Jeffery Peng
Department of Planning and Environment
PO BOX 404
PARRAMATTA NSW 2124
By email: jeffrey.peng@planning.nsw.gov.au

Secretary's Environmental Assessment Requirements (SEARs) for the NextDC S5 Data Centre Lane Cove (SSD-63168959)

Dear Mr Peng,

Thank you for your referral dated 9 October 2023 inviting SEARS input from the Heritage Council of NSW on the above State Significant Development (SSD-63168959) proposal.

The subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site does not contain any known historical archaeological relics. Therefore, no heritage comments are required. The Department does not need to refer subsequent stages of this proposal to the Heritage Council of NSW.

If you have any questions about this correspondence, please contact Kelly Pleasance, Assistant Customer Service Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

Rochelle Johnston

Rochelle Johnston
Acting Director Heritage Assessments
Heritage NSW
Department of Planning and Environment
As Delegate of the Heritage Council of NSW
13 October 2023



File Ref. No: FRN23/3326 BFS23/5755 8000031246
TRIM Doc. No: D23/101799
Contact: Senior Firefighter Courtney Goodhew

19 October 2023

JEFFREY PENG
NSW Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Jeffrey,

Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) – NEXTDC S5 DATA CENTRE – 269 LANE COVE ROAD, MACQUARIE PARK 2113 (SSD-63168959)

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on the 9 October 2023, requesting input into the preparation of the SEARs for the NEXTDC S5 DATA CENTRE – 269 LANE COVE ROAD, MACQUARIE PARK 2113 (SSD-63168959). FRNSW have reviewed the SEARs along with the Scoping Report and make the following comments:

There is currently insufficient information available regarding the fire safety and emergency response management aspects of the project. It is the experience of FRNSW that Data Centres present special problems of firefighting when responding to and managing an incident. FRNSW requests to be consulted and given the opportunity to review the hazard and risk analysis and provide comment regarding the proposed fire and life safety systems at the preliminary and final design phases of the project.

For further information please contact the Operational Liaison and Special Hazards Unit, referencing FRNSW file number BFS23/5755. Please ensure that all correspondence in relation to this matter is submitted electronically to firesafety@fire.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "James O'Carroll".

Superintendent James O'Carroll
Manager
Operational Liaison and Special Hazards Unit

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

From: [Nicole Davis](#)
To: [Jeffrey Peng](#)
Cc: [Joanna Bakopanos](#)
Subject: Heritage NSW - Aboriginal Cultural Heritage - Advice on SEARs - NextDC S5 Data Centre at 269 Lane Cove Road (SSD-63168959) (City of Ryde)
Date: Thursday, 19 October 2023 2:14:00 PM
Attachments: [..datacontent\imgerte\images\logo1644468813661.png](#)
[image001.png](#)

Dear Jeffrey,

Heritage NSW recommends that the following SEAR's be included with respect to Aboriginal cultural heritage (ACH) in relation to the proposed NextDC S5 Data Centre at 269 Lane Cove Road (SSD-63168959) (City of Ryde).

Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR), prepared in accordance with relevant policy and guidelines, identifying, describing and assessing any impacts to Aboriginal cultural heritage sites or values associated with the project.

- The ACHAR must be prepared in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010), including results of thorough archaeological survey and test excavations (where required);
- Include evidence of adequate and continuous consultation with Aboriginal stakeholders in determining and assessing impacts, developing and selecting options for avoidance of Aboriginal cultural heritage and mitigation measures (including the final proposed measures), having regard to the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010).

If you require any further information please contact me directly.

Kind Regards

Nicole Davis

Manager Assessments
Heritage NSW

Department of Planning and Environment

E nicole.davis@environment.nsw.gov.au

Locked Bag 5020 Parramatta 2124



From: no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>

Sent: Monday, 9 October 2023 10:30 AM

To: Erin McWhirter <Erin.McWhirter@environment.nsw.gov.au>; Tanya Pelz <tanya.pelz@environment.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>

Cc: Jeffrey Peng <Jeffrey.Peng@planning.nsw.gov.au>

Subject: Major Projects – New Request for Advice - NextDC S5 Data Centre at 269 Lane Cove Road (SSD-63168959) (City of Ryde)

The Department has sent you a request for advice in relation to the NextDC S5 Data Centre at 269 Lane Cove Road. The due date for this request is 22/10/23.

Please sign in to your account to view the details of this request and to upload your advice.

If you have any enquiries, please contact Jeffrey Peng on 99956685 /at jeffrey.peng@planning.nsw.gov.au.

To sign in to your account click [here](#) or visit the [Major Projects Website](#).

Please do not reply to this email.

Kind regards

The Department of Planning and Environment



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