

## APPENDIX B – STATUTORY COMPLIANCE TABLE

Table 1 Statutory Compliance

Statutory reference	Relevant Considerations	Relevance	Section in EIS
<b><i>Environmental Planning and Assessment Act 1979</i></b>			
Section 1.3	<i>(a) To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources</i>	<p>The Proposal will deliver critically needed data storage space in a highly suitable and accessible location close to consumers and existing NEXTDC infrastructure. The site is in a strategic location within the Macquarie Park Economic Corridor and the Proposal will transform the prominent location with public domain upgrades and landscaping.</p> <p>The Proposal will generate local and regional employment opportunities within close proximity to public transport services during construction and operation of the development. Unlike typical data centre developments, the Proposal provides for a variety of employment generating land uses including office floor space and an innovation hub, as well as retail tenancies. Overall, the Proposal will deliver approximately 942 construction jobs and 855 full-time employment opportunities once operational.</p> <p>As demonstrated throughout the EIS, the proposed development will not result in any significant impacts on the biological and ecological integrity of surrounding land,</p>	<b>Section 3.1</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
		and potential environmental impacts will be appropriately mitigated to avoid unacceptable impacts on the local community and the environment.	
	<i>(b) To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal has been carefully designed with regards to the principles of ecologically sustainable development (ESD) to reduce energy and water consumption. The proposal addresses the principles of ESD including the precautionary principle, intergenerational equity, conservation of biological and ecological integrity and improved valuation, pricing and incentive mechanisms in accordance with the requirements of the <i>Environmental Planning and Assessment Regulation 2021</i> .	<b>Section 6.2</b> <b>Appendix N</b>
	<i>(c) To promote the orderly and economic use and development of land</i>	The Proposal will facilitate the orderly and economic development of a highly strategic site. The proposed data centre is within the E2 zone in which data centres are permissible and meets the zone objects. The proposed built form is compatible with neighbouring development in the locality and has been carefully designed to address the relevant State and local planning controls and avoid any unacceptable impacts.	<b>Section 4.1</b>
	<i>(d) To promote the delivery and maintenance of affordable housing,</i>	Not applicable to this Project.	N/A
	<i>(e) To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	Eco Logical Australia Pty Ltd is preparing a Biodiversity Development Assessment Report (BDAR) which will be submitted as part of the formal SSD lodgement. The potential environmental impacts have been outlined within Section 6 of the EIS. Any mitigation measures recommended in the BDAR will be included in the EIS to	<b>Section 6</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
		<p>ensure the potential for biodiversity impacts are limited. There are no such Serious and Irreversible Impacts (SAII) as a result of the proposed data centre on biodiversity significance and values.</p>	
	<p><i>(f) To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i></p>	<p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared which concluded that the site is unlikely to contain any items of Aboriginal heritage significance. Further, the site is not a heritage item, nor is it within a heritage conservation area. There are no items of heritage significance within the vicinity of the site.</p> <p>Therefore, the proposal is unlikely to have any impact on heritage items. Appropriate mitigation measures have been recommended which will be implemented at the construction phase to avoid any unforeseen impacts.</p>	<p><b>Section 6.1</b> <b>Appendix CC</b></p>
	<p><i>(g) To promote good design and amenity of the built environment,</i></p>	<p>The Proposal promotes good design and improves the amenity of the built environment through activation of the site. The integration of landscape design and civic spaces fosters a vibrant public domain. The proposed design of the buildings will create a high-quality urban design outcome through the careful consideration of material, finishes and siting. The materials and finishes have been carefully considered to help reduce the bulk and scale of the development and create visual interest.</p> <p>By incorporating engaging and attractive design elements, such as well-designed architecture, landscaping and inviting civic spaces, the Project will elevate the visual appeal from the site from the surrounding streetscape. A public plaza, linear park and</p>	<p><b>Section 6.1</b> <b>Appendix E</b> <b>Appendix F</b></p>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
		various pedestrian pathways are all proposed as part of this development which will enhance the amenity and improve pedestrian connectivity.	
	<i>(h) To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants</i>	The Proposal will comply with the Building Code of Australia ( <b>BCA</b> ) to ensure the health and safety of workers and visitors to the site.	<b>Section 6.2</b> <b>Appendix I</b> <b>Appendix DD</b>
	<i>(i) To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	Whilst the State Significant Development ( <b>SSD</b> ) application will be assessed and determined by the Minister for Planning or the Independent Planning Commission, the relevant Council and government agencies have been consulted during the process and preparation of the SSDA.	<b>Section 6.2</b> <b>Section 7</b>
	<i>(j) To provide increased opportunity for community participation in environmental planning and assessment.</i>	Community consultation and engagement with relevant stakeholder groups has been undertaken throughout the planning and design process. Further consultation will occur during the formal exhibition period.	<b>Section 5</b> <b>Appendix D</b>
Section 4.15	Relevant environmental planning instruments: <ul style="list-style-type: none"> <li>▪ <i>State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)</i></li> </ul>	See below detail under State Environmental Planning Policies ( <b>SEPPs</b> ).	<b>Section 4</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>▪ <i>State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)</i></li> <li>▪ <i>Ryde Local Environmental Plan 2014 (RLEP 2014)</i></li> </ul>		
	<p>Draft environmental planning instruments:</p> <ul style="list-style-type: none"> <li>▪ <i>Draft Macquarie Park Innovation Precinct – Stage 1 Rezoning Proposal</i></li> </ul>	<p>The Macquarie Park Innovation Precinct – Stage 1 Rezoning Proposal was placed on public exhibition from 9 November to 10 December 2023. Stage 1 includes a Master Plan and introduces new planning controls to guide future development within the priority neighbourhoods.</p> <p>The site is <u>not</u> located within Stage 1. Further, it has been demonstrated that the proposed development is aligned with the Macquarie Park Innovation Precinct Place Strategy and the Macquarie Park Innovation Precinct Master Plan which will inform the future Stage 2 Rezoning Proposal. However, consideration was given to the proposed changes included within the Stage 1 Rezoning Proposal, including the proposal to prohibit data centres in the E2 Commercial Centre zone.</p> <p>There is no certainty regarding whether the Stage 1 Rezoning Proposal is likely to proceed, including whether the prohibition will apply across all E2 zoned land and/or whether savings provisions will apply for existing proposals, including where SEARs have been obtained. In the meantime, data centres remain a permitted use and the proposal has been designed in accordance with the current planning framework, including both the strategic policy objectives and the existing statutory controls for the Stage 2 land.</p>	<b>Section 2</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
	Relevant planning agreement or draft planning agreement	<p>The applicant is seeking to enter to into a Planning Agreement with the City of Ryde for the following:</p> <ul style="list-style-type: none"> <li>▪ Construction of an urban plaza adjacent to Waterloo Road.</li> <li>▪ Construction and dedication of Road 13 (14.5m wide) along the eastern boundary of the site.</li> <li>▪ Construction and dedication of Road 5 (14.5m wide) which runs through the middle of the site.</li> <li>▪ Monetary contribution of the required incentive and section 7.11 contributions (offset by the cost of the contribution works).</li> </ul> <p>A draft public benefit offer letter will be submitted to the City of Ryde Council in accordance with the City of Ryde Voluntary Planning Agreements Policy.</p> <p>Based on the above, this SSDA seeks approval for development in accordance with the incentive height and floor space ratio (<b>FSR</b>) as per section 6.9 of <i>Ryde Local Environmental Plan 2014</i> (RLEP 2014).</p>	<b>Section 6.2</b>
	Development control plans: Ryde Development Control Plan	<p>Clause 2.10 of the Planning Systems SEPP states that development control plan (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the project against the Ryde Development Control Plan 2014 (<b>RDCP 2014</b>). Regardless, detailed consideration has been given to the DCP provisions in the preparation of</p>	<b>Section 4.1</b> <b>Appendix B</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
		the proposal and outlined in this Table under the “Development Control Plan” heading.	
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the Proposal including the environmental impacts on the natural and built environments and social and economic impact on the locality is assessed in detail within the EIS.	<b>Section 6</b>
	The suitability of the site for the development	The suitability of the site for the Proposal is demonstrated in the EIS.	<b>Section 7.6</b>
	Any submissions made	Submissions will be considered following exhibition of the application and will be responded to in accordance with the <i>State Significant Development Guidelines – preparing a Submissions Report</i> .	<b>N/A</b>
	The public interest	The public interest of the Proposal is demonstrated in the EIS. The Proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls including the relevant provisions in the RLEP 2014 and RDCP 2014. Subject to the implementation of the recommended mitigation measures, no adverse social or economic impacts result from the Proposal in terms of traffic, noise and vibration, air quality or views during construction and operation of the development. On balance, the development is considered to be in the public interest.	<b>Addressed throughout EIS</b> <b>Section 7.7</b> <b>Appendix B</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
<b><i>Environmental Planning and Assessment Regulation 2021</i></b>			
Section 35(2)(h) & Section 35(4)(h)	Relevant plans: <ul style="list-style-type: none"> <li>▪ <i>Macquarie Park Innovation Precinct Place Strategy</i></li> <li>▪ <i>Macquarie Park Innovation Precinct Master Plan</i></li> </ul>	<p>The Macquarie Park Innovation Precinct Place Strategy and the Macquarie Park Innovation Precinct Master Plan have been addressed in detail within the EIS. The proposal demonstrates a high degree of consistency with these plans.</p> <p>Further detailed consideration is given to the Macquarie Park Innovation Precinct – Stage 1 Rezoning Proposal in following sections of the table and the EIS.</p>	<b>Section 2.1</b>
Section 192	Content of environmental impact statement	The EIS provided with this SSDA contains the requisite content required by the Regulations and follows the structure outlined in Section 3 of the <i>State significant development guidelines – preparing an environmental impact statement</i>	<b>Section 4.1</b>
Section 193	Principles of ecologically sustainable development	The Proposal has considered the principles of ESD at each stage of design and development. An ESD Report has been prepared which outlines the sustainability initiatives to be implemented into the Project.	<b>Section 6.2.3</b> <b>Appendix N</b>
<b><i>Biodiversity Conservation Act 2016</i></b>			
Section 7.9 and 7.14	The Minister for Planning may (but is not required to) further consider under the <i>Biodiversity Conservation Act 2016</i> the likely impact of the proposed development on biodiversity values.	Section 7.9 requires a SSDA to be accompanied by a Biodiversity Development Assessment Report ( <b>BDAR</b> ) unless the Planning Agency Head and the Environment Agency Head determine the proposed development is not likely to have any significant impact on biodiversity values.	<b>Section 6.2.4</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
		<p>A request to waive the requirement for a BDAR was prepared by Eco Logical Australia and submitted to DPHI on 29 January 2024 to accompany the SSD. The waiver request was prepared on the basis that:</p> <ul style="list-style-type: none"> <li>▪ No threatened ecological communities or threatened species have previously been mapped within the site.</li> <li>▪ The site is highly disturbed.</li> <li>▪ The site has limited potential to provide breeding habitat for threatened species.</li> <li>▪ The trees present within the study area appear to be planted native and exotic.</li> <li>▪ Movement for less mobile threatened fauna, such as mammals (not including bats), across the site is highly unlikely due to high traffic roads.</li> </ul> <p>DPHI rejected the BDAR waiver request on 18 March 2024.</p> <p>Eco Logical is currently preparing a BDAR which will be submitted as part of the formal SSD lodgement. Any mitigation measures recommended in the BDAR will be included in the EIS to ensure the potential for biodiversity impacts are limited and there are no Serious and Irreversible Impacts (<b>SAII</b>) on biodiversity significance and values.</p>	

Statutory reference	Relevant Considerations	Relevance	Section in EIS
<b><i>State Environmental Planning Policy (Planning Systems) 2021</i></b>			
Section 2.6 – Declaration of State significant development	<p>Section 2.6 states that development is declared to be state significant development for the purposes of the Act if:</p> <p><i>The development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</i></p> <p><i>The development is specified in Schedule 1 or 2</i></p>	<p>In accordance with Schedule 1 of the Planning Systems SEPP, development for the purpose of a data centre that has a total power consumption greater than 15 megawatts is classified as SSD:</p> <p>The proposed data centre has a megawatt capacity of 90 megawatts and accordingly, the proposal is classified as SSD for the purposes of the Planning Systems SEPP.</p>	<b>Section 4.1</b>
<b><i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></b>			
Chapter 3 – Standards for non-residential development	<p>The consent authority must consider whether the development has been designed to enable:</p> <ul style="list-style-type: none"> <li>▪ Minimisation of waste from demolition and construction, including by the choice and reuse of building materials</li> <li>▪ Reduction in peak demand for electricity, including through the use of energy efficient technology</li> <li>▪ Reduction in reliance of artificial lighting and mechanical heating and cooling through passive design</li> <li>▪ Generation and storage of renewable energy</li> <li>▪ Metering and monitoring of energy consumption</li> <li>▪ Minimisation of consumption of potable water</li> </ul>	<p>The Proposal will implement the following measures:</p> <ul style="list-style-type: none"> <li>▪ Energy consumption target will be a power usage effectiveness of less than 1.3 which is generally in line with a 5-star NABERS Energy for data centres performance.</li> <li>▪ Efficient luminaries and an advanced light control system.</li> <li>▪ Sub-metering or all major energy end uses will provide greater visibility on energy consumption trends.</li> <li>▪ Computerised distributed control system will ensure all components are operating at their optimum efficiency.</li> </ul>	<b>Section 6.2</b> <b>Appendix N</b> <b>Appendix GG</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
		<ul style="list-style-type: none"> <li>▪ Water efficient fixtures and fittings throughout the development</li> <li>▪ Sub-metering of all major water end uses.</li> <li>▪ Water consumption target will be a water usage effectiveness of less than 1.5 L/k/W.</li> </ul> <p>To further address the requirements of this SEPP, an ESD Report and Emissions Embodiment Form have been prepared.</p>	
<b>State Environmental Planning Policy (Resilience and Hazards) 2021</b>			
Chapter 3 Potentially hazardous or potentially offensive development	Part 3 applies to any proposals which fall under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'.	The EIS is accompanied by a Hazards and Risks Report prepared by ARUP. This report includes a preliminary screening which shows that neither the storage nor transportation thresholds are exceeded and accordingly, the facility is not considered 'potentially hazardous' under the R&H SEPP.	<b>Section 6.1</b> <b>Appendix S</b>
Chapter 4 Remediation of land	Clause 4.6(1) states that land must not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.	A Preliminary Site Investigation ( <b>PSI</b> ) was undertaken by JK Environments which confirms the site can be made suitable for the proposed development via remediation. The PSI includes mitigation measures which will need to be implemented following the demolition of the existing development.	<b>Section 6.2</b> <b>Appendix V</b>
<b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b>			
Section 2.122 – Traffic	Traffic generating development specified at Schedule 3 requiring referral to Transport for NSW (TfNSW) includes 'industry:	The site has access to a local road and a GFA of 46,935m <sup>2</sup> , which is greater than the nominated 20,000m <sup>2</sup> . The proposed development is therefore considered traffic	<b>Section 4.1</b> <b>Appendix M</b>

<b>Statutory reference</b>	<b>Relevant Considerations</b>	<b>Relevance</b>	<b>Section in EIS</b>
generating development	<i>20,000m<sup>2</sup> in site area or (if the site area is less than the gross floor area) gross floor area.</i>	generating under the T&I SEPP and the application will be required to be referred to TfNSW for a response.	
Section 2.119 - Development with a frontage to a classified road.	The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the safety, efficiency, and ongoing operation of the classified road will not be adversely affected by the development	The proposed development shares a frontage to Lane Cove Road which is a classified road and therefore consideration of Section 2.119 is required	<b>Section 4.1</b> <b>Appendix M</b>
<b><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i></b>			
B&C SEPP – sections 8.7 and 8.8	A consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the Sydney drinking water catchment unless it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality.	The project is located on land within the Sydney drinking water catchment. The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. The proposed development has been designed in accordance with the stormwater management scheme for the Council as outlined in the Civil Engineering Report and Civil Plans and is therefore unlikely to result in any significant environmental impacts.	<b>Section 6.2.</b> <b>Appendix R</b> <b>Appendix U</b>
<b><i>State Environmental Planning Policy (Industry and Employment) 2021</i></b>			
Schedule 5 Assessment Criteria	1 Character of the area <ul style="list-style-type: none"> <li>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> </ul>	The Proposal is located within an established commercial area in the Macquarie Park Corridor. The proposed signage will be compatible with other signage in the locality.	<b>Section 3</b> <b>Appendix E</b>



Statutory reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>▪ Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	<p>The signage is comparable with nearby NEXTDC data centres. The signage is commensurate with signage locations and dimensions for other commercial development signage within the area. The proposed signage is for business identification signage. The scale and location of the signage is consistent with the scale of similar commercial developments in the location.</p>	
	<p>2 Special areas</p> <ul style="list-style-type: none"> <li>▪ Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</li> </ul>	<p>The proposed signage does not detract from the amenity or visual quality of any environmentally sensitive areas, natural or other conservation areas, open space area, waterways or rural landscapes. The proposed signage will not adversely impede the visibility of other signage within the surrounding area.</p>	
	<p>3 Views and vistas</p> <ul style="list-style-type: none"> <li>▪ Does the proposal obscure or compromise important views?</li> <li>▪ Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>▪ Does the proposal respect the viewing rights of other advertisers?</li> </ul>	<p>The signage will be located on the external façades of the buildings at the upper level and will not protrude above the buildings. Therefore, the signage will not dominate the skyline or impact the viewing rights of other advertisers.</p>	
	<p>4 Streetscape, setting or landscape</p> <ul style="list-style-type: none"> <li>▪ Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>▪ Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> </ul>	<p>The proposed signage is compatible with the scale of the proposed streetscape and setting.</p> <p>The proposed signage will incorporate quality materials and finishes and provide a coherent and integrated colour</p>	

Statutory reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>▪ Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>▪ Does the proposal screen unsightliness?</li> <li>▪ Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>▪ Does the proposal require ongoing vegetation management?</li> </ul>	<p>scheme based on the branding, logo and colours of NEXTDC.</p> <p>The proposal will appropriately reflect the future design and character of the data centre development and will not present visual clutter. The signage utilises NEXTDC's distinct logo, colour scheme and branding to convey its operations at the site.</p> <p>The proposed signage will not protrude above any buildings or tree canopies or require ongoing vegetation management.</p>	
	<p>5 Site and building</p> <ul style="list-style-type: none"> <li>▪ Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</li> <li>▪ Does the proposal respect important features of the site or building, or both?</li> <li>▪ Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	<p>The signage will be of suitable scale and design for its intended purpose. The signage will only occupy a small proportion of the external façades of the buildings.</p> <p>The signage will not be the dominant visual feature of the buildings and will remain below the roof line. The signage will be strategically positioned to the building elevations to clearly identify NEXTDC as a business operating at the site.</p>	
	<p>6 Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> <li>▪ Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>	<p>The signage is proposed to be internally illuminated. The signage will display the NEXTDC name and logo. Illumination devices are integrated into the design of the signage.</p>	

Statutory reference	Relevant Considerations	Relevance	Section in EIS
	<p>7 Illumination</p> <ul style="list-style-type: none"> <li>▪ Would illumination result in unacceptable glare?</li> <li>▪ Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>▪ Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>▪ Can the intensity of the illumination be adjusted, if necessary?</li> <li>▪ Is the illumination subject to a curfew?</li> </ul> <p>8 Safety</p> <ul style="list-style-type: none"> <li>▪ Would the proposal reduce the safety for any public road?</li> <li>▪ Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>▪ Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	<p>The illuminated signage is not anticipated to have any negative impacts in terms of glare.</p> <p>The proposed signage will not distract motorists. The signage will be located towards the top of the buildings and therefore will not be in motorist line of sight while driving. No safety implications for pedestrians or vehicular users are envisaged.</p>	
<b>Ryde Local Environmental Plan (2014)</b>			
Zoning and Land Use	<p>The site is zoned E2 Commercial Centre in accordance with RLEP 2014. The zone objectives are as following:</p> <ul style="list-style-type: none"> <li>▪ <i>To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.</i></li> </ul>	<p>The Proposal is appropriately defined as a 'data centre' and is permitted with consent in the E2 Commercial Centre zone. The proposal accords with the zone objectives in that it:</p>	<p><b>Section 4</b> <b>Section 6.1</b></p>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>▪ <i>To encourage investment in commercial development that generates employment opportunities and economic growth.</i></li> <li>▪ <i>To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.</i></li> <li>▪ <i>To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.</i></li> <li>▪ <i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i></li> <li>▪</li> <li>▪</li> <li>▪</li> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ It will provide key technology infrastructure to support surrounding commercial development.</li> <li>▪ It will provide key public infrastructure such as a civic park, pedestrian through site link, public open space etc. It will also develop and dedicate both Road 5 and Road 13 under the RDCP 2014.</li> <li>▪ It will provide a significant boost in investment in Macquarie Park that will support the business activity that occurs within Macquarie Park,</li> <li>▪ It will include a high-rise office and innovation hub with expanded amenities like retail shops, an urban plaza, and connectivity to public transport systems to enhance community engagement and local economic activity.</li> <li>▪ It has been appropriately designed and incorporates mitigation measures to ensure it will not unreasonably impact on the amenity of surrounding properties.</li> <li>▪ It will deliver significant improvements to the surrounding public domain, improve pedestrian connectivity and encourage activation to benefit the site and locality.</li> <li>▪ It will provide for a variety of employment generating land uses including a significant component of ancillary office floor space and ground floor retail uses.</li> </ul>	

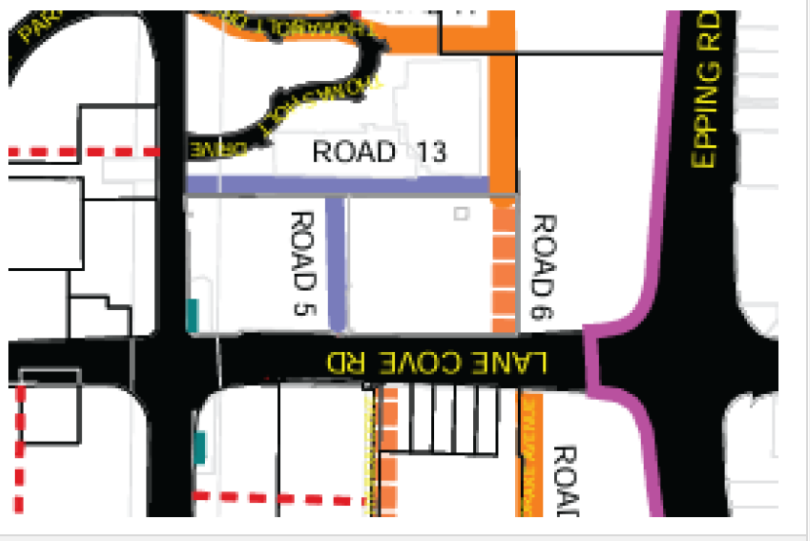
Statutory reference	Relevant Considerations	Relevance	Section in EIS
Permissibility	A data centre is permitted in the E2 zone under the LEP.	<p>The proposed development constitutes a 'data centre' which is defined as following:</p> <p><i>data centre means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.</i></p> <p>Data centre is a type of 'high technology industry', which in turn a high technology industry is a type of 'light industry'. Light industries are permitted with consent within the E2 Zone. The data centre includes 13,600m<sup>2</sup> of ancillary office and innovation floor space which is subordinate or subservient to the dominant use in accordance with Planning Circular PS 21-008 ('How to characterise development') and outlined in detail in the EIS. Accordingly, the innovation and office components are also permitted under the 'data centre' use.</p> <p>The proposal also includes two retail tenancies at ground level. 'Retail premises' are a type of 'commercial premises' which are permitted in the E2 zone.</p>	<b>Section 4</b>
4.3 – Height of Buildings	The 'base' building height controls are 9.5m, part 30m, part 37m and part 44.5m as shown in the figure below.	<p>The 'base' building height controls are 9.5m, part 30m, part 37m and part 44.5m. However, the site is within the Macquarie Precinct Corridor under Clause 6.9 of the RLEP 2014 which permits an 'incentive' height up to 65 metres.</p> <p>This SSDA has been lodged and assessed in accordance with Clause 6.9 as outlined further below in this table. The proposed data centre will comply with the maximum incentive height control of 65 metres.</p>	<b>Section 3.2</b> <b>Appendix E</b>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
			
4.4 – Floor Space Ratio	<p>Most of the site has a maximum floor space ratio (FSR) of 2:1 while the part adjoining Waterloo Road has a maximum FSR of 3:1.</p> 	<p>The ‘base’ maximum FSR is part 3:1 and part 2:1. However, the site is within the Macquarie Precinct Corridor under Clause 6.9 of the RLEP 2014 which permits a maximum incentive FSR of 3:1 across the entire site.</p> <p>This SSDA has been lodged and assessed in accordance with Clause 6.9 as outlined further below in this table. The proposed data centre provides a maximum FSR of 2.1:1 and as such, complies with the maximum incentive FSR control of 3:1.</p>	Section 3.2 Appendix E

<b>Statutory reference</b>	<b>Relevant Considerations</b>	<b>Relevance</b>	<b>Section in EIS</b>
5.10 – Heritage Conservation	<p><i>Development consent is required for any of the following—</i></p> <p><i>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p>	<p>The subject site is not listed as a heritage item under Schedule 5 of the RLEP 2014. The site is not located within the vicinity of any heritage items or heritage conservation areas.</p> <p>An Aboriginal Cultural Heritage Assessment Report (<b>ACHAR</b>) has been prepared by Urbis which concludes there were no items of Aboriginal cultural significance on the site give it has wholly been disturbed. The likelihood the site containing items of Aboriginal heritage is low. An unexpected finds protocol has been provided and outlined within the EIS.</p>	<p><b>Section 6.1</b></p> <p><b>Section 6.2</b></p> <p><b>Appendix CC</b></p> <p><b>Appendix X</b></p>
5.21 – Flood Planning	Development consent must not be granted unless the consent authority is satisfied the development will satisfy the relevant flooding provisions.	The site is not affected by overland flows as detailed within the Flood Assessment Report. The Proposal has been designed to be compliant with Council's flood planning requirements.	<p><b>Section 6.2</b></p> <p><b>Appendix Q</b></p>
6.2 – Earthworks	Earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	Bulk earthworks will be required as part of the development to accommodate the building footprints. A cut and fill plan has been provided within the Civil Plans. Construction works will be appropriately managed by way of a Construction Environmental Management Plan ( <b>CEMP</b> ) to minimise adverse impacts to neighbouring properties and uses.	<p><b>Section 3</b></p> <p><b>Appendix U</b></p> <p><b>Appendix R</b></p>
6.9 – Development in Macquarie Park Corridor	<i>The consent authority may approve development with a height and floor space ratio that does not exceed the increased building height and floor space ratio identified on the Macquarie Park Corridor Precinct Incentive Height of Buildings Map and the Macquarie Park Corridor</i>	<p>The site is within Precinct 01 – Macquarie Park which aims to facilitate delivery of improved access and recreation areas through incentive built form controls.</p> <p>The Project applies the maximum incentive FSR of 3:1 and a maximum incentive building height of 65 metres</p>	<p><b>Section 3</b></p> <p><b>Appendix B</b></p>

Statutory reference	Relevant Considerations	Relevance	Section in EIS
	<p><i>Precinct Incentive Floor Space Ratio Map, but only if the consent authority is satisfied that—</i></p> <p><i>(a) there will be adequate provision for recreation areas and an access network, and</i></p> <p><i>(b) the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and</i></p> <p><i>(c) the configuration and location of the access network will allow a suitable level of connectivity within the precinct.</i></p>	<p>based on the delivery of substantial public benefits, including construction and dedication of Road 5 and Road 13 and an urban plaza along Waterloo Road.</p> <p>The Proposal provides a total GFA of 46,935m<sup>2</sup>, which equates to an FSR of 2.1.1 and complies with the incentive FSR control. The Proposal provides a total maximum building height of 65 metres which complies the incentive height control.</p>	


Table 2 Ryde DCP 2014 Compliance Assessment

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
<b>Part 4.5 Macquarie Park Corridor</b>			
<b>4.0 Access Network</b>			
4.1 Streets	<p>a. Provide new public streets and pedestrian connections in accordance with Figure 4.1.1 Access Network.</p> <p>b. New streets are to be dedicated to the Council. New streets are to be maintained by the landowner until dedicated to Council.</p> <p>c. Buildings are not permitted to be located on any proposed street and are required to be setback from proposed streets identified in Figure 4.1.1 Access Network.</p> 	<p><b>Yes.</b></p> <p>The Proposal includes the construction of two planned internal roads (Road 5 and Road 13) for the site in accordance with the RDCP 2014. Road 13 has been designed to allow for a future connection with indicative Road 6 which is proposed in the neighbouring development to the south-west</p>	<p><b>Section 3</b></p> <p><b>Appendix E</b></p>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
4.2 Pedestrian Connections	<p>b. Provide pedestrian connections in accordance with Figure 4.1.1 Access Network.</p> <p>c. Pedestrian connections are to:</p> <ul style="list-style-type: none"> <li>i. Be a minimum of 6m wide comprising 4m wide paving and 2m wide soft landscaping as shown in Figure 4.2.1 (or as determined by Council).</li> <li>ii. Be designed with a 2m setback to any building.</li> <li>iii. Be publicly accessible at all times.</li> </ul>	<p><b>Yes.</b></p> <p>The Proposal incorporates a public access network through the site in accordance with the RDCP 2014. All pedestrian footpaths are setback at least 2 metres from the building and will be publicly accessible at all times.</p>	<p><b>Section 3</b></p> <p><b>Appendix E</b></p>
4.3 Bicycle Network	<p>a. Provide dedicated cycle access in accordance with Ryde Bicycle Strategy 2014, refer Figure 4.3.1 Indicative Cycleways.</p> <p>b. The Regional Bicycle network is to be implemented as off-street shared cycleways in accordance with the Macquarie Park Public Domain Technical Manual. The Regional Bicycle network comprises:</p> <ul style="list-style-type: none"> <li>i. Waterloo Road</li> <li>iii. Epping Road</li> <li>iv. Lane Cove Road</li> </ul>	<p><b>Yes.</b></p> <p>The Proposal will include the construction of a cycle way path along the Waterloo Road frontage of the site which will connect to Council's Regional Bicycle network.</p>	<p><b>Section 3</b></p> <p><b>Appendix E</b></p>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
4.4 Sustainable Transport	<p><b>Public transport</b></p> <p>c. A Framework Travel Plan (<b>FTP</b>) is required to be submitted to Council for approval together with a DA for all development that exceeds 10,000sqm new floor space.</p> <p>For all development the FTP must adopt strategies and procedures to meet a 40% public transport/ 60% private transport target for the development for journey-to-work trips, to minimise drive-alone vehicle trips and to encourage transport choice to and within the Macquarie Park Corridor.</p>	<p><b>Yes.</b></p> <p>A Green Travel Plan is included as part of EIS documentation. The Green Travel Plan adopts a 40% public transport target for journey to work trips.</p>	<p><b>Section 3</b></p> <p><b>Section 6.1</b></p> <p><b>Appendix EE</b></p>
	<p><b>Parking Rates</b></p> <p>f. Bicycle parking and end of trip facilities are to be provided in accordance with Ryde DCP Part 9.3 Parking.</p> <p>g. Parking is to be provided in accordance with DCP Part 9.3 Parking Controls.</p>	<p><b>Yes.</b></p> <p><u>Car Parking Spaces</u></p> <p>The RDCP 2014 does not provide specific car parking rates for data centres.</p> <p>The Proposal has been assessed based on the total commercial office floor space for the development (including the innovation hub) which equates to 12,600m<sup>2</sup>. The 33,643m<sup>2</sup> allocated as data hall floor space will only be used as data storage and does not generate any demand for parking. Further, two retail tenancies are expected to be used by employees and visitors to the data centre and are not expected to generate demand for car parking.</p> <p>Based on a total commercial office floor space of 12,600m<sup>2</sup>, the maximum parking</p>	<p><b>Section 3</b></p> <p><b>Section 6.1</b></p> <p><b>Appendix M</b></p>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
		<p>provision is 126 spaces. The Proposal provides a total of 105 spaces which is considered appropriate to accommodate the proposed office/innovation related activities, while encouraging use of the adjoining public transport.</p> <p><u>Bicycle Parking</u></p> <p>The Proposal provides a total of 105 car spaces and accordingly, 11 bicycle spaces are required. The Proposal provides 12 bicycle spaces which complies with the RDCP 2014. Appropriate end of trip facilities accessible to staff will also be provided on the ground floor to encourage cycling to work.</p>	
<p>Part 4.5, Section 5.8 – Street Trees, Front Setback Tree Planting and Significant Trees</p>	<p>Part 4.5, Section 5.8 – Street Trees, Front Setback Tree Planting and Significant Trees Street trees i.e., those along Waterloo Road, and Epping Road are to provide trees in accordance with Section 3.4 of the Macquarie Park Public Domain Technical Manual</p>	<p><b>Yes.</b></p> <p>Street trees and the front setbacks have been designed in accordance with the requirements of the Macquarie Park Public Domain Technical Manual.</p>	<p><b>Section 3</b></p> <p><b>Appendix E</b></p> <p><b>Appendix J</b></p>
<p><b>5.0 Public Domain</b></p>			
<p>5.7 Rail Station Plazas</p>	<p>a. Provide the following Station plazas (including fittings):</p> <p><i>ii. Macquarie Park Station Plaza – East Area: Provide minimum 0.35 ha Dimensions:</i></p> <p><i>Provide minimum 88 x 40m as shown in Figure 5.7.3.</i></p>	<p><b>Yes.</b></p> <p>The Proposal will deliver of a highly activated urban plaza fronting Waterloo Road and consistent with the dimension requirements of the RDCP 2014.</p>	<p><b>Section 3</b></p> <p><b>Appendix E</b></p>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
	<p><i>Install minimum 10 park benches and 10 bicycle parking spaces.</i></p> <p>b. Station plazas are to be privately owned public space. Station plazas are to be accessible at all times.</p> <p>c. Provide Continuous Active frontage to station plazas.</p> <p>d. Minimise large banks of stairs. If stairs are used to provide alternative access to ensure equitable access for all.</p> <p>e. Provide unimpeded and generous entrances and circulation paths into and through the plaza.</p>  <p>f. Provide infrastructure (such as gas, power and water supply) and subject to consent, appropriately scaled kiosks, vendor stalls, cafes and restaurants) that will enhance the rail station plazas as meeting places and support activities such as markets, community events, leisure and recreation.</p>	<p>A setback of 41.143 metres is provided from the boundary of Waterloo Road to Building A to accommodate the plaza and ensure for adequate pedestrian circulation space around the Metro station entrance. The plaza extends for 86.3 metres along the length of the Waterloo Road frontage. Overall, the proposed urban plaza provides a total area of 3,522m<sup>2</sup>.</p> <p>The plaza will be publicly accessible at all times, with tiered seating, verdant landscapes, and sheltered areas, to foster a welcoming atmosphere conducive to social connections. Retail shops will spill out onto the urban plaza allowing visitors to unwind amidst lush greenery or gather at tiered seating scattered across the site. The urban plaza will provide for public art and a variety of amenity zones with active and passive uses that link the ground floor retail areas and public transport.</p> <ul style="list-style-type: none"> <li>The urban plaza will promote a pedestrian focus and provide a civic focal point at a key intersection within Macquarie Park. The design of the urban plaza will provide opportunities for the community to meet and rest. Retail uses will address the plaza at ground level which will encourage greater activation.</li> </ul>	

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
	<p>g. Provide wireless internet connection to all publicly accessible space, particularly station plazas. Station Plaza Setbacks</p> <p>h. Provide building setbacks for adequate pedestrian circulation space around train stations. Paving and Park Furniture</p> <p>i. Provide paving, lighting bins and directional and information signage in accordance with Macquarie Park Public Domain Technical Manual.</p> <p>j. Install lighting to contribute to public safety.</p> <p>k. Locate bins at square entries/exits.</p>		
5.8 Street Trees, Front Setback Tree Planting, and Significant Trees	<p>a. Street trees and front setback must be provided in accordance with the Street Tree Key Plan in Macquarie Park Public Domain Technical Manual, and their health guaranteed for a minimum of 5 years.</p> <p>b. At grade parking is not permitted in the front setback.</p>	<p><b>Yes.</b></p> <p>New street trees will be provided within the public domain of the site and urban plaza and to all road frontages and boundaries. The street trees will be designed in accordance with the Street Tree Key Plan. All parking is within the basement.</p>	<p><b>Section 3</b></p> <p><b>Appendix M</b></p>
5.10 Art in Publicly Accessible Places	<p>a. Art must be included in all new development with more than 10,000m<sup>2</sup> new floor space in the amount of 0.1% of the construction cost of the works capped at \$1,500,000.</p> <p>b. Art must be located within the site so as to be publicly accessible i.e. viewed or experienced from publicly accessible places.</p> <p>c. A site specific Arts Plan is to be submitted together with the development application.</p>	<p><b>Yes.</b></p> <p>A Public Art Strategy has been prepared within the Landscape Plans and lodged with the SSDA. If required, this can be further developed with greater detail in collaboration with City of Ryde Council.</p>	<p><b>Appendix J</b></p> <p><b>Appendix K</b></p>
Part 6.0 Implementation Infrastructure,	Floor Space Ratios and Height of Buildings are to comply with the Ryde LEP 2014.	<b>Yes.</b>	<p><b>Section 4</b></p> <p><b>Appendix B</b></p>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
Facilities and Public Domain Improvements		The Proposal complies with the incentive building height and FSR controls for the site in accordance with Clause 6.9 of the RLEP 2014.	
7.1 Site Planning and Staging	a. Sites are to be planned to allow for the future provision of new streets and open spaces in accordance the Figure 4.1.1 Access Network and Figure 5.1.1 Proposed Open Space Network.	<b>Yes.</b>  The Proposal incorporates new streets and open spaces in accordance with the RDCP 2014.	<b>Section 3</b>  <b>Appendix E</b>
7.3 Active frontage	<p>a. Continuous ground level active uses must be provided where primary active frontages are shown in Figure 7.3.2 Active Frontage and Setback Control Drawing. Buildings must address the street or public domain.</p> <p>b. Front door and street address is to be located on the primary frontage.</p> <p>c. Loading docks, vehicular access is not to be located where primary active frontages are shown in Figure 7.3.2 Active Frontage and Setback Control Drawing unless it can be demonstrated that there is no alternative.</p> <p>i. Where active frontage is required a minimum of 90% of the building frontage is to be transparent i.e. windows and glazed doors (A maximum 10% active frontage may be fire stairs, plant, masonry walls and other non-active uses).</p>	<p><b>Yes.</b></p> <p>The Proposal incorporates ground level retail uses to activate the urban plaza and Waterloo Road frontage in accordance with the RDCP 2014. The main lobby and entrances to the offices, innovation hub and data centres are provided via the primary frontage facing the urban plaza.</p> <p>A loading dock has been incorporated into the basement level of each of the buildings. Road 13 will provide access to the loading docks via Waterloo Road. The loading docks are separated from the basement car parking area.</p> <p>The Proposal will incorporate a predominately glazed façade to both Waterloo Road and Land Cove Road. The lower two floors of Building A fronting the plaza are clearly separated from the tower above and will be expressed as a</p>	<b>Section 3</b>  <b>Appendix E</b>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
		<p>transparent and recessive glazed base. This transparent base provides for strong visual connections with the adjacent urban plaza and will activate the Waterloo Road frontage.</p>	
<p>7.4 Setbacks and Build-to Lines</p>	<p>a. Minimum setbacks and build-to lines must be provided as shown Figure 7.3.2 Active Frontage and Setback Control Drawing – summarised as follows:</p> <ul style="list-style-type: none"> <li>i. Zero setbacks / build-to lines to Primary Active Frontage;</li> <li>ii. 5m setback to all existing and new streets unless otherwise specified;</li> <li>iii. 10m setback to Waterloo Road to accommodate Linear Park</li> <li>iv. 10m green setbacks to the M2 tollway and Epping Road; and</li> <li>v. 5m built form setback to all parks (existing and proposed – subject to providing a Riparian Corridor in accordance with the NSW Office of Water’s Guidelines for Riparian Corridors on Waterfront Land).</li> </ul> <p>h. 60% of the street setback area is to be soft landscaping. Existing mature trees are to be retained where possible. Paved areas are to relate to the materials and finishes of the adjacent streetscape. At grade car parking must not be located within this setback.</p>	<p><b>Yes.</b></p> <p>The Proposal provides the following build to line setbacks:</p> <ul style="list-style-type: none"> <li>▪ 39.588 metres from Waterloo Road to Building A to accommodate the plaza and pedestrian circulation space around the Metro station.</li> <li>▪ 9.126 metre from Proposed Road 13 to Building A and Building B.</li> <li>▪ 3 metres from Proposed Road 5 to Building A and Building B.</li> <li>▪ 9.014 metres to 11.217 metres from Lane Cove Road to Building A.</li> <li>▪ 11.043 metres to 11.048 metres from Lane Cove Road to Building B.</li> </ul> <p>The landscaping seeks to maintain tree cover through replacement planting and retention of mature trees where feasible. Extensive landscaping and retention of existing canopy cover maintain a green buffer along the Lane Cove Road frontage.</p>	<p><b>Section 3</b></p> <p><b>Appendix E</b></p>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
7.6 Rear and Side Setbacks	<p>a. Buildings are to be set back 10m from the rear boundary and 5m from a side boundary unless a proposed new road is shown on the site.</p> <p>b. Buildings are not to be constructed on the locations for proposed new roads. An allowance for a 5m setback from a proposed road should also be made.</p> <p>c. Awnings, canopies, balconies, sun shading and screening elements may project into the rear setback zones.</p> <p>d. Basement car park structures should not encroach into the minimum required rear or side setback zone unless the structure can be designed to support mature trees and deep root planting.</p> <p>e. Above ground portions of basement car-parking structures are discouraged and deep soil planting is promoted.</p> <p>f. Natural ground level is to be retained throughout side and rear setbacks, wherever possible.</p>	<p><b>Yes.</b></p> <p>The Proposal provides the following side setbacks:</p> <ul style="list-style-type: none"> <li>▪ 5.195 metres to the southern boundary.</li> <li>▪ 21.792 metres to the eastern boundary (inclusive of proposed Road 13 reserve).</li> </ul>	<b>Appendix E</b>
7.7 Building Separation	<p>a. Provide minimum 20m separation between buildings facing each other within a site.</p> <p>b. Provide minimum 10m separation between buildings perpendicular to each other within a site. This reduced building separation control only applies where the width of the facing facades does not exceed 20m</p>	<p><b>Yes.</b></p> <p>A 20.5 metre separation is provided between Building A and Building B.</p>	<b>Section 3</b> <b>Appendix E</b>
7.8 Building Bulk and Design	<p>a. The floorplate of buildings above 8 storeys is not to exceed 2,000m<sup>2</sup>, unless it can be demonstrated that slender building forms are achieved through courtyards, atria, articulation or architectural devices.</p>	<p><b>Yes.</b></p> <p>a. The floorplate of the buildings above 8 storeys provides a total GFA of 1,909m<sup>2</sup>.</p>	<b>Section 3</b> <b>Appendix E</b> <b>Appendix F</b>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
	<p>b. Buildings are to address the street and are to have a street address.</p> <p>c. Façade design is to:</p> <ul style="list-style-type: none"> <li>i. Reflect and respond to the orientation of the site using elements such as sun shading and other passive environmental controls where appropriate.</li> <li>ii. Provide building articulation such as well design roof forms, expressed vertical circulation etc.</li> <li>iii. Express corner street locations by giving visual prominence to parts of the façade (eg a change in building articulation, material or colour, or roof expression).</li> <li>iv. Integrate and co-ordinate building services such as roof plant, parking and mechanical ventilation with the overall façade and building design and be screened from view.</li> <li>v. Roof forms, building services and screening elements are to occur within the overall height controls. Refer to Ryde LEP 2014 for height controls.</li> <li>vi. Ventilation louvres and car park entry doors are to be coordinated with the overall façade design.</li> </ul>	<p>b. The proposed layout has been designed to provide a street address to the urban plaza and Waterloo Road frontage.</p> <p>c. The materials and colours have been designed to create visual interest while being compatible with the surrounding commercial precinct. The proposal provides significant glazing and a variety of colours and materials to enhance the visual interest of the façade and provide views internally to the building which is atypical of a traditional data centre.</p> <p>The two leading corners of Building A have been articulated with a recessive slot, adding visual interest and allowing the building to better engage outwards with the adjoining public realm and street in all directions.</p> <p>The establishment of a two-storey base (reflecting the articulation of adjoining developments), a finer grained vertical expression to the primary side elevations, and a recessive top reduces the perceived height and scale of the Proposal.</p> <p>The glazed elements also allow for views inside the data centre and break up the façade of the building.</p> <p>The office and innovation space component will incorporate an architectural</p>	

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
		<p>façade to create a visually interesting look. The lower two floors will be clearly separated from the built form above and expressed as a transparent and recessive glazed base. This provides for strong visual connections with the adjacent urban plaza, while helping to break down and reduce the perceived scale of the office building. The sky gardens can be seen as a vertical extension of the plaza.</p> <p>The proposed height of 65 metres height is inclusive of roof plant which complies with the maximum incentive height control permitted under the RLEP 2014.</p>	
8.1 Site Planning and Staging	a. Sites are to be planned to allow for the future provision of new streets, pedestrian connections and open spaces in accordance with Figure 4.1.1 Access Network and Figure 5.1.1 Proposed Open Space Network. Where it is proposed to vary the locations of open space, and roads; a master plan must be submitted with the development application.	<p><b>Yes.</b></p> <p>The Proposal incorporates the open space and access network provisions in accordance with the RDCP 2014.</p>	<p><b>Section 3</b></p> <p><b>Appendix E</b></p> <p><b>Appendix J</b></p>
8.2 Site Coverage, Deep Soil Areas and private open space	<p>a. A minimum 20% of a site must be provided as deep soil area.</p> <p>b. Deep soil areas must be at least 2 m deep.</p> <p>d. A minimum 20% of the site area is to be provided as Landscaped Area.</p> <p>e. Solar access to communal open spaces is to be maximised. Communal courtyards must receive a minimum of 3 hours direct sunlight between 9 am and 3 pm on the 21st of June.</p>	<p><b>Yes.</b></p> <p>The Proposal provides a total of 4,825m<sup>2</sup> of deep soil area is provided which equates to 21.5% of the site area.</p> <p>The Proposal provides a total of 5,185m<sup>2</sup> of landscaped area which equates to 23.16% of the site area.</p>	<p><b>Section 3</b></p> <p><b>Appendix J</b></p> <p><b>Appendix K</b></p>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
		As shown in the overshadowing analysis provided within the Architectural Plans, the Proposal will not cause any additional overshadowing to public open space between 10am and 2pm during the winter solstice.	
8.4 Topography and Building Interface	<p>a. Level changes across sites are to be resolved within the building footprint.</p> <p>b. An accessible path of travel is to be provided from the street through the main entry door of all buildings.</p> <p>c. Natural ground level is to be retained for a zone of 4 m from the side and rear property boundaries. Retaining walls, cut and fill are not permitted within this zone.</p> <p>d. The maximum height of retaining walls within the front, side and rear setbacks is not to exceed 1.2 m.</p>	<p><b>Yes.</b></p> <p>Accessible pedestrian paths are incorporated throughout the site. All entryways into the building have been assessed by an accessibility consultant who has confirmed the proposal meets the Australian standards subject to implementing its recommendations.</p>	<p><b>Section 6.2</b></p> <p><b>Appendix DD</b></p>
8.5 Site Facilities	<p>a. Vehicular access to loading facilities is to be provided from secondary and tertiary streets where possible.</p> <p>b. Rubbish and recycling areas must be provided in accordance with Section 6.3 Waste Management. These areas must:</p> <ul style="list-style-type: none"> <li>i. be integrated with the development;</li> <li>ii. minimise the visibility of these facilities from the street; and</li> <li>iii. be located away from openable windows to habitable rooms.</li> </ul> <p>c. Barrier free access is to be provided to all shared facilities.</p>	<p><b>Yes.</b></p> <p>Vehicle access for employees, visitors and waste and recycling vehicle will all be from proposed Road 13 via Waterloo Road.</p> <p>The waste facilities will be located within the basement parking area away from habitable spaces which will minimise visual impact.</p> <p>Waste collection for the retail tenancies will be curb side from Road 13 in a dedicated waste pick up zone.</p>	<p><b>Section 6.2</b></p> <p><b>Appendix E</b></p>

<b>Reference</b>	<b>Relevant Considerations</b>	<b>Complies (Yes / No)</b>	<b>Section in EIS</b>
8.6 Vehicular Access	<p>a. Vehicular access is not permitted along streets identified as 'Active Frontages'.</p> <p>b. Where practicable, vehicle access is to be from secondary streets.</p>	<p><b>Yes.</b></p> <p>Vehicle access to the site is proposed via proposed Road 13 and the existing access via Waterloo Road in accordance with the RDCP 2014.</p>	<p><b>Section 6.1</b></p> <p><b>Appendix E</b></p>
8.7 On-site Parking	<p>b. Parking areas must not be located within the front, side, or rear setbacks.</p> <p>f. Basement parking areas should be located directly under building footprints to maximize opportunities for deep soil areas unless the structure can be designed to support mature plants and deep root plants.</p>	<p><b>Yes.</b></p> <p>Basement parking is proposed and will be located directly under the buildings to maintain deep soil areas.</p>	<p><b>Section 6.1</b></p> <p><b>Appendix E</b></p>
9.2 – Noise and vibration	<p>An Acoustic Impact Assessment report prepared by a suitably qualified acoustic consultant is required to be submitted with all development applications for commercial, industrial, retail and community buildings, with the exception of applications minor building alterations.</p> <p>Development is to comply with all relevant statutory regulations.</p>	<p><b>Yes.</b></p> <p>A Noise and Vibration Impact Assessment has been undertaken for the Proposal. It confirms that the Proposal will comply with all statutory regulations provided the mitigation measures within the Noise and Vibration Impact Assessment are implemented.</p>	<p><b>Section 6.1</b></p> <p><b>Appendix P</b></p>
9.2, Section 5 – Design requirements for Access for People with Disabilities	<p>Development application to demonstrate compliance with Premises Standards and Design Requirements under this DCP.</p>	<p><b>Yes.</b></p> <p>A BCA Compliance Report and Access Review Report have been prepared for the Proposal. These reports confirm that the Proposal can achieve compliance with the BCA and Australian Standards subject to resolution of the identified matters.</p>	<p><b>Section 6.2</b></p> <p><b>Appendix I</b></p> <p><b>Appendix DD</b></p>

<b>Reference</b>	<b>Relevant Considerations</b>	<b>Complies (Yes / No)</b>	<b>Section in EIS</b>
Part 9.3, Section 2.7 – Bicycle Parking	Provide bicycle parking equivalent to 10% of the required car spaces or part thereof.	<b>Yes.</b>  The Proposal provides 12 bicycle parking spaces. This exceeds the RDCP 2014 requirements.	<b>Section 6.1</b>  <b>Appendix M</b>
Part 9.3, Section 3.1 – On-site loading and unloading facilities	On-site loading facilities shall be provided.  Loading docks shall be located in such a position that vehicles do not stand on any public road, footway, laneway or service road and, that where possible, vehicles entering and leaving the site move in a forward direction.	<b>Yes.</b>  The Proposal includes two on-site loading docks within the basement of the buildings. Vehicles will enter and leave the site in a forward direction.	<b>Section 6.1</b>  <b>Appendix M</b>
Part 9.3, Section 3.2 – Design of Parking Areas	All parking areas shall be designed in accordance with Australian Standards AS2890.1, AS2890.2 and AS2890.6 and the requirements under the DCP.	<b>Yes.</b>  Proposed parking will be designed in accordance with the identified Australian Standards.	<b>Section 6.1</b>  <b>Appendix M</b>
Part 7.2 – Waste minimisation and management	All applications for development, including demolition, construction and the ongoing use of a site/premises, must be accompanied by:  a Site Waste Minimisation and Management Plan  location and design details of waste storage facilities on the site	<b>Yes.</b>  A Waste Management Plan has been prepared for the proposal. It demonstrates that the Proposal will implement appropriate waste management controls that comply with the requirements of the RDCP 2014.	<b>Section 6.2</b>  <b>Appendix BB</b>
Part: 9.3 Parking Controls	<b>2.3 Non-residential Land Uses</b>  For new floor space: A maximum of 1 space / 100 m2 GFA.  <b>2.7 Bicycle Parking</b>	<b>Yes.</b>  The Proposal provides a total of 105 car parking spaces which complies with RDCP 2014 requirements. 11 motorcycle and 12 bicycle parking spaces will be provided.	<b>Section 3</b>  <b>Section 6.1</b>  <b>Appendix M</b>

<b>Reference</b>	<b>Relevant Considerations</b>	<b>Complies (Yes / No)</b>	<b>Section in EIS</b>
	a. In every new building, where the floor space exceeds 600 m2 GFA (except for dwelling houses and multi unit housing) provide bicycle parking equivalent to 10% of the required car spaces or part thereof.		
9.3, Section 3.1 – On-site loading and unloading facilities	On-site loading facilities shall be provided. Loading docks shall be located in such a position that vehicles do not stand on any public road, footway, laneway or service road and, that where possible, vehicles entering and leaving the site move in a forward direction.	<b>Yes.</b>  The Proposal incorporates an on-site loading dock within the basement parking area. All vehicles will be able to enter and exit in a forward direction as demonstrated in the Traffic Impact Assessment.  The waste collection for the retail tenancies will be curb side collection. There will be a dedicated area for the waste truck to pickup waste along Road13.	<b>Section 6.1</b>  <b>Appendix M</b>
9.3, Section 3.2 – Design of Parking Areas	All parking areas shall be designed in accordance with Australian Standards AS2890.1, AS2890.2 and AS2890.6 and the requirements under the DCP	<b>Yes.</b>  Proposed parking will be designed in accordance with the identified Australian Standards	<b>Section 3</b>  <b>Appendix M</b>
9.5, Section 4 – Development Applications	Trees removed as a consequence of a DA must be replaced in accordance with Section 6 of the Urban Forest Technical Manual	<b>Yes.</b>  The proposed 93 trees to be planted that will replace the 146 trees proposed to be removed will be planted in accordance with Councils Urban Forest Technical Manual	<b>Section 6.1</b>  <b>Appendix J</b>  <b>Appendix K</b>  <b>Appendix CC</b>
4.5, Section 5 – Construction Activities	All reasonable efforts are to be taken to protect trees from damage during construction including:	<b>Yes.</b>  An Arboricultural Impact Assessment has been prepared which provides details on the measures to control, protect and	<b>Section 6.1</b>  <b>Appendix CC</b>

Reference	Relevant Considerations	Complies (Yes / No)	Section in EIS
	<ul style="list-style-type: none"> <li data-bbox="436 231 1243 335">▪ Clearly marking trees to remain, avoiding compaction of ground around trees and avoiding stockpiling of materials within the dripline of trees</li> <li data-bbox="436 359 929 391">▪ Tree protection zones to be fenced off</li> <li data-bbox="436 414 1243 486">▪ Fences for tree protection zones are to be erected prior to demolition or construction being undertaken</li> </ul>	<p data-bbox="1276 231 1792 335">preserve trees. These mitigation measures will be incorporated into the Construction Management Plan for the proposal.</p>	