

## APPENDIX B – STATUTORY COMPLIANCE TABLE

Table 1 Statutory Compliance Assessment

Statutory reference	Relevant Considerations	Relevance	Reference
<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 as amended 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 close to public transport 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 490 full-time employment opportunities once operational, consistent with the SSDA as lodged</p> <p>As demonstrated throughout the EIS and amendment report, the proposed development will not result in any significant impacts on the biological and ecological</p>	<b>Section 3.2 of Amendment Report</b>

Statutory reference	Relevant Considerations	Relevance	Reference
		integrity of surrounding land, 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 amended proposal has been carefully designed with regards to the principles of ecologically sustainable development ( <b>ESD</b> ) 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 3.8.2 of Amendment Report</b> <b>Appendix N</b> <b>Appendix MM</b> <b>Appendix NN</b>
	<i>(c) To promote the orderly and economic use and development of land</i>	The amended proposal will continue to facilitate the orderly and economic development of a highly strategic site. The proposed data centre is permitted with consent in the E2 zone in accordance with the savings provisions and satisfactorily responds to the zone objectives. 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 3.5 of Amendment Report</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</i>	Eco Logical Australia Pty Ltd has prepared a revised Biodiversity Development Assessment Report (BDAR)	<b>Section 3.8.1 of Amendment Report</b>

Statutory reference	Relevant Considerations	Relevance	Reference
	<i>animals and plants, ecological communities and their habitats</i>	<p>which will be submitted as part of RTS/Amendments package.</p> <p>The amended proposal retains additional native vegetation and includes measures to avoid and minimise impacts. 0.1ha of Plant Community Type (PCT) 3262 will be retained within the site as part of the total 0.56ha of retained native vegetation, compared to 0.06ha of the same PCT in the original proposal. The residual impacts of the development footprint which are not avoided require credits for biodiversity values. The amended proposal improves the biodiversity outcomes, with biodiversity credits reduced from 13 to 11.</p> <p>Mitigation measures recommended in the BDAR have been included to ensure the potential for biodiversity impacts are limited.</p>	
	<i>(f) To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	A revised Aboriginal Cultural Heritage Assessment Report ( <b>ACHAR</b> ) has been prepared which concludes 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. Appropriate mitigation measures will be implemented in the construction phase to avoid any unforeseen impacts.	<b>Section 3.8.1 of Amendment Report</b> <b>Appendix CC</b>
	<i>(g) To promote good design and amenity of the built environment,</i>	The amended proposal continues to promote 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 buildings will create a high-quality	<b>Section 3.8.1 of Amendment Report</b> <b>Appendix E</b>

Statutory reference	Relevant Considerations	Relevance	Reference
		<p>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 and pedestrian connections enhance the amenity of the site and development potential of surrounding land.</p>	<b>Appendix F</b>
	<i>(h) To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants</i>	The amended 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 3.8.2 of Amendment Report</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>	While 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 3.8.2 of Amendment Report</b> <b>Section 4</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.	<b>Section 5 of EIS and Section 2.2 of</b>

Statutory reference	Relevant Considerations	Relevance	Reference
			<b>Amendment Report</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> <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>	See below detail under State Environmental Planning Policies ( <b>SEPPs</b> ).  The SSDA benefits from savings provisions under clause 1.8A(4) of RLEP 2014. The application was lodged prior to the gazettal of <i>State Environmental Planning Policy Amendment (Macquarie Park Transport Oriented Development Precinct) 2024</i> . Accordingly, the SSDA must be determined as if the provisions of the Amending SEPP, including the associated changes to RLEP 2014, had not commenced. The savings provisions means the former version of the LEP dated 19 July 2024 applies to the proposal.  The proposal is consistent with the E2 zone objectives, is permitted with consent and satisfactorily addresses the relevant provisions in the RLEP 2014 (as per the savings provisions).	<b>Section 3.4 of Amendment Report</b>
	Draft environmental planning instruments: <ul style="list-style-type: none"> <li>▪ NA</li> </ul>	NA – the Stage 2 rezoning had not commenced public exhibition at the time of lodging the SSDA and there were no other draft EPIs which applied at that time. Further, the changes have since been incorporated in the current version of the LEP (which does not apply under the savings provision) so is no longer considered a draft EPI. Notwithstanding, the new LEP provisions have been addressed within Section 4.7 of the Amendment Report.	NA

Statutory reference	Relevant Considerations	Relevance	Reference
	Relevant planning agreement or draft planning agreement	<p>The applicant has offered to enter to into a Planning Agreement with the City of Ryde to secure the delivery and dedication of key public benefits that support the objectives of Clause 6.9 – Development in the Macquarie Park Corridor under the Ryde LEP 2014.</p> <p>A draft Letter of Offer was submitted to Council on 25 September 2025 which seeks to make provision for the following public benefits:</p> <ul style="list-style-type: none"> <li>▪ Construction and dedication of a Public Plaza.</li> <li>▪ Construction and dedication of Road 13 (14.5m wide) along the south-eastern boundary of the site.</li> <li>▪ Construction and dedication of Road 6 (8m wide half-road) along the southern boundary of the site.</li> <li>▪ Construction and dedication of a deceleration lane on Lane Cove Road providing access to Road 6.</li> <li>▪ Monetary contribution equivalent to 0.1% of the estimated development cost for public art.</li> </ul> <p>However, it is acknowledged a Planning Agreement is voluntary and is not the only potential pathway to facilitate delivery of the public domain improvements.</p> <p>The dedication of the land associated with the proposed roads can be facilitated via the exempt development provisions in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) if Council consent to their dedication. The land associated with the proposed roads may be excised</p>	<b>Section 3.2.13 of Amendment Report</b>

Statutory reference	Relevant Considerations	Relevance	Reference
		<p>in accordance with clause 2.75(f) of the Codes SEPP. The roads would then be dedicated to the relevant roads authorities in accordance with section 9 of the Roads Act 1993.</p> <p>Preliminary feedback from Council has indicated they are unlikely to accept the dedication of land associated with the urban plaza. As such, the proposed works can be delivered as outlined within the SSDA and a Section 88B instrument created to provide an access network and public access across the urban plaza as a condition of consent, if considered appropriate and necessary.</p>	
	Development control plans: Ryde Development Control Plan	Clause 2.10 of the Planning Systems SEPP states that development control plans (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 RDCP 2014. Regardless, detailed consideration has been given to the DCP provisions in the preparation of the proposal and outlined in this Table under the “Development Control Plan” heading.	<b>Section 3.5 of Amendment report</b> <b>Appendix B</b>
	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 amended 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 original EIS and the Amendment Report.	<b>Section 3.8 of Amendment Report</b>
	The suitability of the site for the development	The suitability of the site for the amended proposal is demonstrated in the original EIS and Amendment Report.	<b>Section 4.6 of Amendment Report</b>

Statutory reference	Relevant Considerations	Relevance	Reference
	Any submissions made	Submissions have been considered following exhibition of the application and responded to in accordance with the <i>State Significant Development Guidelines – preparing a Submissions Report</i> .	<b>Section 2 of Amendment report and Appendix A</b>
	The public interest	<p>The amended proposal is considered to be in the public interest for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ It is consistent with the objectives of the Environmental Planning and Assessment Act 1979 and broader State, regional and local planning frameworks.</li> <li>▪ The proposed development is permitted with consent and complies with relevant clauses in Ryde Local Environmental Plan 2014 as per the savings provisions which apply to the SSDA.</li> <li>▪ The siting and layout of the proposed built form and public domain improvements is generally consistent and compatible with the future character and density envisaged in the Transit-Oriented Development (TOD) provisions in the current LEP and the Macquarie Park Design Guide.</li> <li>▪ The proposed development will facilitate the delivery of major public-domain improvements, including a new urban plaza, internal road connections (Road 13 and part Road 6), and enhanced landscaping that improves connectivity and amenity within the precinct.</li> </ul>	<b>Section 4.7 of Amendment Report Appendix B</b>

Statutory reference	Relevant Considerations	Relevance	Reference
		<ul style="list-style-type: none"> <li>▪ Potential environmental amenity impacts have been appropriately assessed and mitigation measures incorporated within the proposal so that noise, air quality and traffic impacts comply with relevant criteria, including for adjoining and nearby residential and mixed-use sites.</li> <li>▪ The proposal will have a positive economic and social impact, contributing to Macquarie Park's ongoing role as a critical digital-infrastructure and innovation hub within Greater Sydney.</li> <li>▪ It represents the orderly and economic use and development of strategically located land adjoining high-capacity public transport.</li> <li>▪ The proposal will generate approximately 940 construction jobs and 490 operational jobs, supporting local and regional employment growth.</li> </ul> <p>Accordingly, the amended proposal is considered to be in the public interest.</p>	
<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>	The Macquarie Park Innovation Precinct Place Strategy and the Macquarie Park Innovation Precinct Master Plan have been addressed in detail. The amended proposal demonstrates a high degree of consistency with these plans.	<b>Section 3.3 of Amendment Report</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</i>	<b>Section 4.1 of the EIS</b>

Statutory reference	Relevant Considerations	Relevance	Reference
		<i>development guidelines – preparing an environmental impact statement</i>	
Section 193	Principles of ecologically sustainable development	The proposal has considered the principles of ESD at each stage of design and development. A revised ESD Report has been prepared which outlines the sustainability initiatives to be implemented into the project.	<b>Section 3.8.2 of Amendment Report 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 of the BC Act 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.  Eco Logical Australia Pty Ltd has prepared a revised BDAR for the amended proposal which will be submitted as part of RTS/Amendments package.	<b>Section 3.8.1 of Amendment Report Appendix II</b>
<b><i>State Environmental Planning Policy (Planning Systems) 2021</i></b>			
Section 2.6 – Declaration of State significant development	Section 2.6 states that development is declared to be state significant development for the purposes of the Act if:  <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>	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:  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.	<b>Section 3.4 of Amendment Report</b>

Statutory reference	Relevant Considerations	Relevance	Reference
	<i>The development is specified in Schedule 1 or 2</i>		
<b>State Environmental Planning Policy (Sustainable Buildings) 2022</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 satisfies the objectives of Chapter 3 by incorporating a suite of sustainability measures tailored to the operational profile of a data centre. Specifically, the development will:</p> <ul style="list-style-type: none"> <li>▪ Target a Power Usage Effectiveness (PUE) of &lt; 1.35, consistent with 5-Star NABERS Energy performance benchmarks for data centres.</li> <li>▪ Include efficient luminaires and advanced lighting controls to minimise unnecessary energy use.</li> <li>▪ Provide sub-metering of all major energy and water end uses to allow detailed monitoring of consumption patterns.</li> <li>▪ Utilise a computerised distributed control system (DCS) to optimise plant efficiency and manage peak electricity demand.</li> <li>▪ Install water-efficient fixtures and fittings throughout, supported by a water-usage effectiveness target of &lt; 1.5 L/kW.</li> <li>▪ Integrate construction and demolition waste minimisation measures, including material reuse and recycling in accordance with the project Waste Management Plan.</li> </ul>	<p><b>Section 3.8.1 of Amendment Report</b></p> <p><b>Appendix N</b></p> <p><b>Appendix GG</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
		<ul style="list-style-type: none"> <li>▪ Incorporate provision for future renewable-energy integration through roof-mounted solar-ready infrastructure.</li> </ul> <p>These initiatives are detailed in the accompanying ESD Report and Embodied-Emissions Form, which collectively demonstrate that the proposal addresses the performance outcomes sought under this SEPP. The measures will materially reduce operational energy and water demand, minimise construction waste, and ensure transparent monitoring of environmental performance.</p> <p>The amended proposal complies with the intent and requirements of Chapter 3 of the Sustainable Buildings SEPP and provides verifiable evidence that sustainability outcomes have been embedded in the design and operation of the facility.</p>	
<b><i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></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'.	<p>A revised Hazards and Risks Assessment has been prepared by ARUP and accompanies this Amendment Report. The assessment includes a detailed preliminary screening of all substances proposed to be stored and used on-site during operation, consistent with the criteria set out in Planning Guidelines for Hazardous Industry (DoP, 2011) and SEPP (Resilience and Hazards) 2021.</p> <p>Key findings of the ARUP report are as follows:</p> <ul style="list-style-type: none"> <li>▪ The quantities of diesel fuel, refrigerant gases, cleaning agents and battery systems proposed for the data centre remain below the screening thresholds</li> </ul>	<b>Section 3.8.1 of Amendment Report</b>  <b>Appendix S</b>

Statutory reference	Relevant Considerations	Relevance	Reference
		<p>for classification as a potentially hazardous industry under Schedule 1 of the Hazardous Industry Planning Advisory Paper No. 2 (HIPAP 2).</p> <ul style="list-style-type: none"> <li>▪ The site layout provides adequate separation distances to neighbouring properties, in accordance with HIPAP 4 – Risk Criteria for Land Use Safety Planning, ensuring no unacceptable off-site individual or societal risk.</li> <li>▪ The operation of the data centre does not involve offensive emissions, waste discharges or odours, and therefore does not constitute a potentially offensive industry under the SEPP.</li> </ul> <p>Based on this screening, the development does not trigger the definition of either “potentially hazardous” or “potentially offensive” industry under the SEPP. Consequently, the additional risk assessment, referral and public notification provisions in Clauses 3.6–3.10 are not applicable to this proposal.</p> <p>The Hazards and Risks Report confirms that the amended proposal does not constitute a potentially hazardous or offensive industry under Chapter 3 of the Resilience and Hazards SEPP. The project therefore complies with the intent of the SEPP, ensuring that potential off-site safety, emissions and risk impacts have been fully assessed and appropriately managed.</p>	

Statutory reference	Relevant Considerations	Relevance	Reference
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.	<p>A Preliminary Site Investigation (<b>PSI</b>) was undertaken by JK Environments which confirmed that the site can be made suitable for the proposed data centre use through standard remediation procedures. Following exhibition, a Remediation Action Plan (<b>RAP</b>) was also prepared to guide the safe management of any identified contaminants during demolition and construction.</p> <p>The PSI and RAP collectively demonstrate that contamination has been appropriately considered in accordance with Clause 4.6(1) of the Resilience and Hazards SEPP. The land is suitable, or can be made suitable, for the proposed development through implementation of the approved remediation measures. Accordingly, the proposal complies with the intent and requirements of Chapter 4 of the SEPP.</p>	<p><b>Section 3.8.2 of Amendment Report</b></p> <p><b>Appendix V, Appendix OO and Appendix QQ</b></p>
<b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b>			
Section 2.122 – Traffic generating development	<p>Traffic generating development specified at Schedule 3 requiring referral to Transport for NSW (TfNSW) includes ‘industry:</p> <p><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></p>	<p>Under Schedule 3, industry development with a site area or gross floor area greater than 20,000m<sup>2</sup> is defined as traffic-generating. The proposed data-centre development has a gross floor area of approximately 47,285 m<sup>2</sup> and gains access from Waterloo Road, a local road. Accordingly, the proposal meets the threshold and qualifies as traffic-generating development.</p> <p>In accordance with Clause 2.123 of the SEPP, the application has been formally referred to TfNSW for review. TfNSW provided formal comments on the exhibited proposal, which have been addressed in the revised design through:</p>	<p><b>Section 3.4 of Amendment Report</b></p> <p><b>Appendix M</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
		<ul style="list-style-type: none"> <li>▪ refinement of vehicle access and circulation arrangements.</li> <li>▪ updated traffic modelling confirming adequate intersection performance.</li> <li>▪ inclusion of measures to improve pedestrian connectivity and construction-stage traffic management.</li> </ul> <p>The revised proposal will be re-exhibited and the application referred to TfNSW for review. The Traffic and Transport Assessment which forms part of the updated package demonstrates:</p> <ul style="list-style-type: none"> <li>▪ the development will generate a low number of daily vehicle movements relative to its size due to the low-employment intensity of data-centre operations; and</li> <li>▪ the surrounding road network can accommodate the forecast traffic volumes without adverse impacts on safety or performance.</li> </ul> <p>The proposal meets the definition of traffic-generating development under Section 2.122 and Schedule 3 of the Transport and Infrastructure SEPP 2021. The required referral process has been followed, TfNSW comments on the exhibited proposal have been addressed, and the revised proposal will be subject to further TfNSW review during re-exhibition. Accordingly, the proposal complies procedurally with the SEPP and ensures that potential road-network impacts have been appropriately assessed and mitigated.</p>	

Statutory reference	Relevant Considerations	Relevance	Reference
<p>Section 2.119 - Development with a frontage to a classified road.</p>	<p>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</p>	<p>The subject site fronts Lane Cove Road, which is a classified road under the Roads Act 1993. Accordingly, the provisions of Section 2.119 apply.</p> <p>The Traffic and Transport Impact Assessment confirms that the proposed development will not adversely affect the function or operation of Lane Cove Road, noting:</p> <ul style="list-style-type: none"> <li>▪ All vehicular access to the site is provided via Waterloo Road via Road 13, ensuring no direct driveway access is proposed from Lane Cove Road.</li> <li>▪ The intersection performance of adjoining roads remains within acceptable levels of service under both construction and operational traffic scenarios.</li> <li>▪ The road design and sight distances meet the relevant Austroads and TfNSW standards.</li> <li>▪ Appropriate construction traffic management measures will be implemented to maintain road safety and minimise temporary disruptions during works.</li> </ul> <p>TfNSW was consulted on the originally exhibited proposal and raised no objection, subject to coordination of access and traffic measures. These have been addressed in the revised plans, and the amended proposal will be re-referred following re-exhibition for any further comment or conditions.</p> <p>The development complies with Section 2.119 of the Transport and Infrastructure SEPP 2021. The design ensures that the safety, efficiency, and operation of Lane</p>	<p><b>Section 3.4 of Amendment Report</b></p> <p><b>Appendix M</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
		Cove Road will not be adversely affected, with all vehicular movements directed to the local road network.	
<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.	<p>Sections 8.7 and 8.8 of the Biodiversity and Conservation SEPP 2021 require that a consent authority must not grant consent to development on land within the Sydney Drinking Water Catchment unless it is satisfied that the development will have a neutral or beneficial effect (NorBE) on water quality. The test applies to both construction and operational phases of the development.</p> <p>The site is located within the Sydney Drinking Water Catchment, and as such, the proposal has been assessed against the NorBE test.</p> <p>A Civil Engineering Report and accompanying Civil Plans outline a stormwater management strategy that complies with Council’s Water Quality Objectives and the Neutral or Beneficial Effect on Water Quality Assessment Guidelines (DPE, 2022).</p> <p>Key design and management measures include:</p> <ul style="list-style-type: none"> <li>▪ On-site detention and treatment through biofiltration, gross pollutant traps, and proprietary water-quality devices to remove sediments and hydrocarbons prior to discharge.</li> <li>▪ Separation of clean and dirty water catchments to ensure treatment of all operational runoff prior to entering Council’s stormwater system.</li> </ul>	<p><b>Section 3.8.2 of Amendment Report</b></p> <p><b>Appendix R</b></p> <p><b>Appendix U</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
		<ul style="list-style-type: none"> <li>▪ Erosion and sediment control measures implemented during construction in accordance with the Blue Book – Managing Urban Stormwater: Soils and Construction.</li> <li>▪ Spill containment, bunding, and stormwater shut-off systems for fuel storage and backup generator areas to prevent pollutant migration.</li> </ul> <p>The stormwater design and treatment measures ensure that post-development runoff will achieve pollutant removal targets that meet or exceed the pre-development baseline condition. The proposal therefore demonstrates that it will achieve a neutral or beneficial effect on water quality in accordance with the SEPP</p>	
B&C SEPP – Chapter 2 - Vegetation in non-rural areas	<p>The aims of this Chapter are—</p> <p>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</p> <p>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</p>	<p>The purpose of Chapter 2 is to protect the biodiversity and amenity values of trees and other vegetation in non-rural areas of NSW. The Chapter generally applies to development that does not require development consent, regulating vegetation clearing through Council’s approval processes.</p> <p>This SSD requires development consent under Part 4, of the Environmental Planning and Assessment Act 1979 and is therefore not subject to Chapter 2 of the Biodiversity and Conservation SEPP 2021.</p> <p>Notwithstanding, the proposal incorporates landscaping, deep-soil planting and canopy tree replacement consistent with the Ryde DCP 2014 and the Macquarie</p>	<b>Appendix II</b>


Statutory reference	Relevant Considerations	Relevance	Reference
		<p>Park Design Guide, ensuring there is no net loss of vegetation or amenity on the site.</p> <p>Chapter 2 of the SEPP does not apply to development that requires consent. The proposal nevertheless delivers positive vegetation and amenity outcomes consistent with the intent of the Chapter.</p>	
B&C SEPP – Chapter 4 Koala habitat protection 2021	Chapter 4 establishes a framework for the conservation and management of koala habitat in designated local government areas within the Sydney and Central Coast regions.	The subject site is located within the City of Ryde LGA, which is not identified as land to which the Koala Habitat Protection provisions of Chapter 4 apply. No potential or core koala habitat has been mapped or identified within or adjoining the site. Accordingly, Chapter 4 of the Biodiversity and Conservation SEPP 2021 is not applicable to the proposal.	<b>Appendix II</b>
<b><i>State Environmental Planning Policy (Industry and Employment) 2021</i></b>			
Schedule 5 Assessment Criteria	<p>1 Character of the area</p> <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> <li>▪ Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	<p>The signage locations have been adjusted to align with the single building footprint of the amended proposal. The signage will be positioned similarly to the original design, with three signs distributed across three facades. The scale and content of the signage generally remain unchanged; however, Sign C has been removed.</p> <p>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.</p> <p>The signage is comparable with nearby NEXTDC data centres. The signage is commensurate with signage locations and dimensions for other commercial</p>	<p><b>Section 3.2.2.3 of Amendment Report</b></p> <p><b>Appendix E</b></p>


Statutory reference	Relevant Considerations	Relevance	Reference
	<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>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>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> <li>▪ Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> </ul>	<p>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>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>The signage will be located on the external façades of the buildings at the upper level and will not protrude above the buildings. It will not dominate the skyline or impact the viewing rights of other advertisers.</p> <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 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</p>	

Statutory reference	Relevant Considerations	Relevance	Reference
	<ul style="list-style-type: none"> <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>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>	
	<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> </ul>	<p>The illuminated signage is not anticipated to have any negative impacts in terms of glare.</p>	

Statutory reference	Relevant Considerations	Relevance	Reference
	<ul style="list-style-type: none"> <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 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>	
<p><b><i>State Environmental Planning Policy (Housing) 2021 –</i></b></p> <p>The proposal does not include residential accommodation and accordingly, the provisions of the Housing SEPP 2021 are not applicable</p>			
<p><b><i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2021 –</i></b></p> <p>The proposal does not involve mining, extractive industry or petroleum production activities. Accordingly, the SEPP (Mining, Petroleum Production and Extractive Industries) 2021 is not applicable</p>			
<p><b><i>State Environmental Planning Policy (Primary Production and Rural Development) 2021 –</i></b></p> <p>The site is within an established urban area of Macquarie Park and not zoned for primary-production purposes. The SEPP (Primary Production and Rural Development) 2021 is not applicable.</p>			
<p><b><i>State Environmental Planning Policy (Energy and Resources) 2021 –</i></b></p>			

Statutory reference	Relevant Considerations	Relevance	Reference
The site is urban, not rural or extractive in nature, does not include residential or energy-generation uses, and has been assessed for stormwater and catchment impacts under the Biodiversity and Conservation SEPP 2021.			
<b><i>Ryde Local Environmental Plan (2014)</i></b>			
<p>2.1 - Land use zones and permitted development</p> <p>2.3 – Zone objectives</p>	<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> <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> </ul>	<p>The amended proposal accords with the E2 zone objectives as:</p> <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 public plaza, new road and pedestrian connections.</li> <li>▪ It will provide investment and support the business activity in Macquarie Park,</li> <li>▪ It includes offices, an innovation hub, 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 public domain improvements, improved pedestrian connectivity and encourage activation to benefit the site and locality. It provides for employment generating land uses including a significant component of ancillary office floor space and ground floor retail uses.</li> </ul>	<p><b>Section 3.4 and Section 3.8 of Amendment Report</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
Permissibility	<p>The site is zoned E2 Commercial Centre in accordance with the RLEP 2014.</p> <p>It should be noted that the application was lodged prior to the amendment of the planning controls in association with the Macquarie Park Transit Oriented Development (TOD) Accelerated Precinct. Accordingly, the SSDA is required to be assessed in accordance with the relevant savings provisions in clause 1.8A(4) of RLEP 2014</p>	<p>The proposed development is defined as a 'data centre':</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>A 'data centre' is permitted with consent in accordance with the E2 zone provisions which applied at the time of lodging the SSDA, noting the savings provisions under clause 1.8A(4) of RLEP 2014.</p>	Section 3.4 of Amendment Report
4.3 – Height of Buildings	<p>The 'base' building height controls are 9.5m, part 30m, part 37m and part 44.5m as shown in the figure below.</p> 	<p>The 'base' building height controls are 9.5m, part 30m, part 37m and part 44.5m.</p> <p>However, under clause 6.9 of RLEP 2014 (as of 19 July 2024), an 'incentive' height up to 65 metres is permitted. This SSDA has been lodged and assessed in accordance with Clause 6.9 as outlined further below in this table. The proposed data centre as amended will comply with the maximum incentive height control of 65 metres.</p>	Section 3.2 of Amendment Report Appendix E
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.</p> <p>However, under clause 6.9 of RLEP 2014 (as of 19 July 2024), a maximum incentive FSR of 3:1 applies. This SSDA has been lodged and assessed in accordance with Clause 6.9 as outlined further below in this table. The</p>	Section 3.2 of Amendment Report Appendix E

Statutory reference	Relevant Considerations	Relevance	Reference
		<p>proposed data centre as amended provides a maximum FSR of 2.11:1 and as such, complies with the maximum incentive FSR control of 3:1.</p>	
<p>5.10 – Heritage Conservation</p>	<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 site is not listed as a heritage item under Schedule 5 of 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 original EIS.</p>	<p><b>Section 3.8.1 and Section 3.8.2 of Amendment Report</b></p> <p><b>Appendix CC</b></p> <p><b>Appendix X</b></p>
<p>5.21 – Flood Planning</p>	<p>Development consent must not be granted unless the consent authority is satisfied the development will satisfy the relevant flooding provisions.</p>	<p>The site is not affected by overland flows as detailed within the Flood Assessment Report. The amended proposal has been designed to be compliant with Council’s flood planning requirements.</p>	<p><b>Section 3.8.2 of Amendment Report</b></p> <p><b>Appendix Q</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
6.1 – Acid sulfate soils	Development consent is required for works on land mapped as containing acid sulfate soils where such works would disturb soil below the natural ground surface or lower the water table, as specified for the relevant land class on the Acid Sulfate Soils Map (Classes 1–5).	The Acid Sulfate Soils Map under the Ryde LEP 2014 confirms that the site is not mapped as containing acid sulfate soils. Accordingly, the proposed works will not disturb or expose acid sulfate soils, and development consent under Clause 6.1 is not required.	-
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.	<p>The proposal includes bulk earthworks to establish the required building platform for the NEXTDC S5 data centre, including cut and fill, excavation for footings and services, and regrading to suit the final site levels shown in the Civil Plans. The earthworks will be contained within the site boundary and within already disturbed industrial land.</p> <p>In accordance with Clause 6.2, the following matters have been considered.</p> <ul style="list-style-type: none"> <li>• Disruption of drainage patterns and soil stability</li> </ul> <p>The site is already urbanised and largely impervious. The proposed regrading will tie into existing levels and formalise stormwater flows in accordance with the detailed drainage design. No adverse impacts on regional drainage patterns or soil stability are expected. Erosion and sediment controls will be implemented for the duration of works.</p> <ul style="list-style-type: none"> <li>• Effect on future use or redevelopment of the land</li> </ul> <p>The earthworks directly support the intended redevelopment of the site as a data centre. They will not restrict any future use and form part of the approved long-term redevelopment strategy for the precinct.</p>	<p><b>Section 3.2 of Amendment Report</b></p> <p><b>Appendix U</b></p> <p><b>Appendix R</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
		<ul style="list-style-type: none"> <li>• Quality of fill and excavated material  Excavated material will primarily comprise existing pavement, compacted fill, and underlying soils. Any imported fill will comply with relevant standards and classification requirements. Spoil unsuitable for reuse will be transported to licensed facilities.</li> <li>• Effect on the amenity of adjoining properties  Given the industrial context, temporary construction impacts such as noise, vibration and dust are expected to be minor and managed through standard construction environmental controls. Earthworks will not result in permanent adverse amenity impacts.</li> <li>• Source of fill material and destination of excavated material  Fill will be sourced from certified suppliers. Excavated spoil will be stockpiled, tested where required and transported off-site to approved waste management facilities. No uncontrolled stockpiling will occur outside designated areas.</li> <li>• Likelihood of disturbing relics  The site has undergone extensive disturbance associated with previous industrial use. A low likelihood exists for encountering archaeological relics. An unexpected finds protocol will be implemented to manage any accidental discoveries.</li> </ul>	

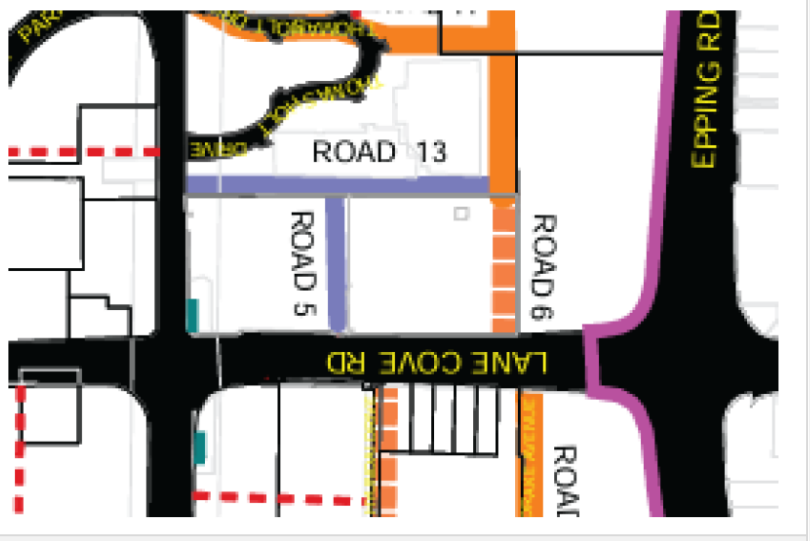
Statutory reference	Relevant Considerations	Relevance	Reference
		<ul style="list-style-type: none"> <li>• Proximity to waterways or environmentally sensitive areas</li> </ul> <p>The site is not adjacent to any waterways, drinking water catchments or sensitive ecological areas. Earthworks will not affect any such features.</p> <ul style="list-style-type: none"> <li>• Measures to avoid, minimise or mitigate impacts</li> </ul> <p>A Construction Environmental Management Plan will incorporate erosion and sediment controls, dust suppression, traffic management and noise mitigation. These measures will minimise potential impacts during earthworks and construction.</p> <p>Overall, the proposed earthworks are appropriate for the site's existing condition and industrial context, and can be undertaken without detrimental impact on environmental processes, adjoining uses or heritage values.</p>	
<p>6.9 – Development in Macquarie Park Corridor</p>	<p><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 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>The site is located in Precinct 01 – Macquarie Park Corridor, enabling the consent authority to grant approval for development up to the incentive height and FSR shown on the relevant Macquarie Park Corridor Precinct Incentive Maps, subject to satisfying specific criteria relating to recreation areas and the access network.</p> <p>The amended proposal applies the maximum incentive controls of a 65m building height and an FSR of 3:1, consistent with the incentive framework for the precinct. The proposed gross floor area (GFA) of 47,285 m<sup>2</sup> equates to an FSR of 2.11:1, which is well below the</p>	<p><b>Section 3.2 of Amendment Report Appendix B</b></p>

Statutory reference	Relevant Considerations	Relevance	Reference
	<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>applicable incentive limit, and the maximum building height of 65m also complies.</p> <p>The proposal complies with each of the relevant provisions under sub-clause (3) as outlined below:</p> <p><i>(a) Adequate provision for recreation areas and access network:</i></p> <p>The proposal delivers significant public domain improvements that provide community and connectivity benefits consistent with Clause 6.9. These include the construction and provision for public access to a public plaza along the northern frontage adjoining Waterloo Road, directly adjacent to the Macquarie Park Metro Station entrance. The proposal also includes delivery of new internal roads (Road 13 and half-width Road 6) and provision for a future pedestrian connection to the Lane Cove Road overbridge.</p> <p><i>(b) Configuration and location of recreation areas:</i></p> <p>The proposed plaza is a highly visible and accessible space that forms a key pedestrian gateway between the site and the metro station. Its location ensures high activation and amenity, providing a landscaped and publicly accessible forecourt that supports both recreation and movement. The configuration, landscaping and seating elements have been designed to encourage passive use and reinforce the site's integration with the broader public domain network.</p> <p><i>(c) Configuration and location of access network:</i></p>	

Statutory reference	Relevant Considerations	Relevance	Reference
		<p>The internal road and publicly accessible access network has been designed to provide a logical, legible and safe movement framework that enhances connectivity through the site and the broader Macquarie Park precinct. The proposal includes the construction of Road 13 and half-width delivery of Road 6, both of which form integral components of the local street grid and will significantly improve east–west and north–south permeability for vehicles, cyclists and pedestrians.</p> <p>In addition, the proposal allows for the future provision of a publicly accessible pedestrian bridge connection linking the site to the Lane Cove Road overbridge, ensuring a continuous, accessible and high-quality movement corridor between the Metro Station, the site and surrounding employment uses. The configuration of the access network is consistent with the movement hierarchy and structure plan established in the Macquarie Park Design Guide and will facilitate seamless integration with adjoining development sites.</p> <p>A draft letter of offer to enter into a Planning Agreement has been submitted to the City of Ryde, providing for the delivery and provision for public access to the public plaza, roads and associated public-domain works. However, it is acknowledged that a Planning Agreement is voluntary and is not the only potential pathway to facilitate delivery of the public domain improvements.</p> <p>The dedication of the land associated with the proposed roads can be facilitated via the exempt development provisions in <i>State Environmental Planning Policy</i></p>	

Statutory reference	Relevant Considerations	Relevance	Reference
		<p><i>(Exempt and Complying Development Codes) 2008 (Codes SEPP)</i> if Council consent to their dedication. The land associated with the proposed roads may be excised in accordance with clause 2.75(f) of the Codes SEPP. The roads would then be dedicated to the relevant roads authorities in accordance with section 9 of the <i>Roads Act 1993</i>.</p> <p>Preliminary feedback from Council has indicated they are unlikely to accept the dedication of land associated with the urban plaza. As such, the proposed access network and plaza can be delivered as outlined within the SSDA and a Section 88B instrument created to provide public access as a condition of consent, if considered appropriate and necessary.</p> <p>Overall, it is concluded the proposed roads and urban plaza will deliver public benefits, access networks and infrastructure improvements consistent with the planning objectives for the Macquarie Park Corridor and in accordance with the statutory requirements under clause 6.9 of Ryde LEP 2014 in accordance with the savings provisions.</p>	
6.13 – Design Excellence	Development consent must not be granted for land identified on the Design Excellence Map unless the consent authority is satisfied the proposal demonstrates design excellence consistent with Ryde’s natural, cultural, visual, and built character values.	Clause 6.13 does not apply as the site is not identified on the Design Excellence Map under the Ryde LEP 2014.	-


Table 2 Ryde DCP 2014 Compliance Assessment

Reference	Relevant Considerations	Response	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>The amended proposal includes the construction and dedication (should Council agree as per the letter of offer) of Road 13 and half-width Road 6 in accordance with the RDCP 2014.</p> <p>The amended proposal has removed Road 5 as it is not required for vehicle and/or pedestrian connections, noting delivery of alternative connections across the site which link with the Macquarie Park Metro Station, surrounding bus stops and the future overbridge across Lane Cove Road. The removal of Road 5 and inclusion of Road 6 (half-width) provides for improved public domain outcomes, including an expanded public plaza and the future overbridge which was not envisioned within the DCP.</p>	<p><b>Section 3.2 of Amendment Report</b></p> <p><b>Appendix E</b></p>

Reference	Relevant Considerations	Response	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>The amended 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 3.2 of Amendment Report</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>The amended 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 3.2 of Amendment Report</b></p> <p><b>Appendix E</b></p>

Reference	Relevant Considerations	Response	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>A revised Green Travel Plan is included as part of the RTS documentation. The Green Travel Plan adopts a 54% public transport target for journey to work trips.</p>	<p><b>Section 3.2 and Section 3.8 of Amendment Report</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><u>Car Parking Spaces</u></p> <p>The RDCP 2014 does not provide specific car parking rates for data centres. The amended proposal seeks to reduce the number of on-site parking spaces from 105 spaces to 51 spaces. The proposed parking provision remains compliant with the maximum parking requirement of 111 spaces allowed under the RDCP 2014.</p> <p>The amended parking provision 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>As the amended proposal provides 51 car spaces, six bicycle spaces are required.</p>	<p><b>Section 3.2 and Section 3.8 of Amendment Report</b></p> <p><b>Appendix M</b></p>

Reference	Relevant Considerations	Response	Section in EIS
		The amended proposal provides 20 bicycle spaces which complies with DCP requirements. This represents an increase of bicycle spaces in comparison to the existing proposal and will encourage active transport to and from the site.	
Part 4.5, Section 5.8 – Street Trees, Front Setback Tree Planting and Significant Trees	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	Street trees and the front setbacks have been designed in accordance with the requirements of the Macquarie Park Public Domain Technical Manual.	<b>Section 3.2 of Amendment Report</b> <b>Appendix E</b> <b>Appendix J</b>
<b>5.0 Public Domain</b>			
5.7 Rail Station Plazas	<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: Provide minimum 88 x 40m as shown in Figure 5.7.3. 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>The amended proposal will deliver of a larger, highly activated public plaza fronting Waterloo Road. An increased setback of 47.77 metres is provided from the boundary of Waterloo Road to the development 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 3,762m<sup>2</sup>.</p> <p>The plaza will be publicly accessible at all times, with tiered seating, verdant landscapes, and sheltered areas, to foster</p>	<b>Section 3.2 of Amendment Report</b> <b>Appendix E</b>

Reference	Relevant Considerations	Response	Section in EIS
	<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>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>a welcoming atmosphere conducive to social connections. Retail shops interface with the plaza allowing visitors to relax among lush greenery or public seating. The plaza will provide for public art and a variety of amenity zones.</p> <p>The public 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.</p> <p>The design of the amended plaza also includes a café kiosk and provides for vehicle access to enable food trucks to further activate this space.</p>	

<b>Reference</b>	<b>Relevant Considerations</b>	<b>Response</b>	<b>Section in EIS</b>
	<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>	New street trees will be provided within the public domain of the site and public 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.	<b>Section 3.2 of Amendment Report</b> <b>Appendix M</b>
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>	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.	<b>Section 3.2 of Amendment Report</b> <b>Appendix J</b> <b>Appendix K</b>
Part 6.0 Implementation Infrastructure, Facilities and Public Domain Improvements	Floor Space Ratios and Height of Buildings are to comply with the Ryde LEP 2014.	The amended proposal complies with the incentive building height and FSR controls for the site in accordance with Clause 6.9 of the RLEP 2014.	<b>Section 3.4 of Amendment Report</b> <b>Appendix B</b>
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.	The amended proposal incorporates new streets and open spaces in accordance with the RDGP 2014.	<b>Section 3.2 of Amendment Report</b> <b>Appendix E</b>

Reference	Relevant Considerations	Response	Section in EIS
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>The amended proposal incorporates ground level retail uses to activate the public plaza 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 plaza.</p> <p>A loading dock is provided in the basement level. Road 13 will provide access to the via Waterloo Road.</p> <p>The amended 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 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><b>Section 3.2 of Amendment Report</b></p> <p><b>Appendix E</b></p>
7.4 Setbacks and Build-to Lines	<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> <p>i. Zero setbacks / build-to lines to Primary Active Frontage;</p> <p>ii. 5m setback to all existing and new streets unless otherwise specified;</p> <p>iii. 10m setback to Waterloo Road to accommodate Linear Park</p>	<p>The amended proposal provides the following build to line setbacks:</p> <ul style="list-style-type: none"> <li>▪ 47.77 metres from Waterloo Road to Building A to accommodate the expanded public plaza and pedestrian circulation space around the Metro Station and nearby bus stops.</li> </ul>	<p><b>Section 3.2 of Amendment Report</b></p> <p><b>Appendix E</b></p>

Reference	Relevant Considerations	Response	Section in EIS
	<p>iv. 10m green setbacks to the M2 tollway and Epping Road; and</p> <p>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).</p> <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>	<ul style="list-style-type: none"> <li>▪ 9.35 metres from Proposed Road 13 to the building footprint.</li> <li>▪ 5 metres from Proposed Road 6 to the building footprint.</li> <li>▪ 10.065 metres to 11.57 metres from Lane Cove Road to building footprint.</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>	
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>The amended proposal provides the following side setbacks:</p> <ul style="list-style-type: none"> <li>▪ 16.75 metres to the southern boundary (inclusive of half-width road reserve for delivery of Road 6).</li> <li>▪ 22.53 metres to the eastern boundary (inclusive of proposed Road 13 reserve).</li> </ul>	Appendix E

Reference	Relevant Considerations	Response	Section in EIS
	f. Natural ground level is to be retained throughout side and rear setbacks, wherever possible.		
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>	N/A - the amended proposal provides a single building footprint.	
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. 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</li> </ul>	<p>a. The floorplate of the building above 8 storeys provides a total GFA of 1,909m<sup>2</sup>.</p> <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><b>Section 3.2 of Amendment Report</b></p> <p><b>Appendix E</b></p> <p><b>Appendix F</b></p>

Reference	Relevant Considerations	Response	Section in EIS
	<p>overall façade and building design and be screened from view.</p> <p>v. Roof forms, building services and screening elements are to occur within the overall height controls. Refer to Ryde LEP 2014 for height controls.</p> <p>vi. Ventilation louvres and car park entry doors are to be coordinated with the overall façade design.</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 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	The amended proposal incorporates the open space and access network provisions in accordance with the RDCP 2014.	<b>Section 3.2 of Amendment Report</b>

Reference	Relevant Considerations	Response	Section in EIS
	space, and roads; a master plan must be submitted with the development application.		Appendix E Appendix J
8.2 Site Coverage, Deep Soil Areas and private open space	<ul style="list-style-type: none"> <li>a. A minimum 20% of a site must be provided as deep soil area.</li> <li>b. Deep soil areas must be at least 2 m deep.</li> <li>d. A minimum 20% of the site area is to be provided as Landscaped Area.</li> <li>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.</li> </ul>	<p>The amended proposal provides a total of 4,959m<sup>2</sup> of deep soil area is provided which equates to 22.16% of the total site area or 35.6% based on future site area. The amended proposal provides a total of 6,570m<sup>2</sup> of landscaped area which equates to 29.4% of the site area. This represents a substantial improvement to the original proposal.</p> <p>As shown in the overshadowing analysis provided within the Architectural Plans, the amended proposal will not cause any additional overshadowing to public open space between 10am and 2pm during the winter solstice.</p>	Section 3.2 of Amendment Report Appendix J Appendix K
8.4 Topography and Building Interface	<ul style="list-style-type: none"> <li>a. Level changes across sites are to be resolved within the building footprint.</li> <li>b. An accessible path of travel is to be provided from the street through the main entry door of all buildings.</li> <li>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.</li> <li>d. The maximum height of retaining walls within the front, side and rear setbacks is not to exceed 1.2 m.</li> </ul>	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.	Section 3.8.2 of Amendment Report Appendix DD

<b>Reference</b>	<b>Relevant Considerations</b>	<b>Response</b>	<b>Section in EIS</b>
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>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 3.8.2 of Amendment Report</b></p> <p><b>Appendix E</b></p>
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>Vehicle access to the site is via Road 13 and the existing access via Waterloo Road in accordance with the RDCP 2014.</p>	<p><b>Section 3.8.1 of Amendment Report</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>Basement parking is proposed and will be located directly under the building footprint to maintain deep soil areas.</p>	<p><b>Section 3.8.1 of Amendment Report</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>A Noise and Vibration Impact Assessment has been undertaken for the amended proposal. It confirms that the amended proposal will comply with all statutory regulations provided the mitigation measures within the Noise and Vibration Impact Assessment are implemented.</p>	<p><b>Section 3.8.1 of Amendment Report</b></p> <p><b>Appendix P</b></p>

<b>Reference</b>	<b>Relevant Considerations</b>	<b>Response</b>	<b>Section in EIS</b>
9.2, Section 5 – Design requirements for Access for People with Disabilities	Development application to demonstrate compliance with Premises Standards and Design Requirements under this DCP.	A BCA Compliance Report and Access Review Report have been prepared for the revised proposal. These reports confirm that the proposal can achieve compliance with the BCA and Australian Standards subject to resolution of the identified matters.	<b>Section 3.8.2 of Amendment Report</b> <b>Appendix I</b> <b>Appendix DD</b>
Part 9.3, Section 2.7 – Bicycle Parking	Provide bicycle parking equivalent to 10% of the required car spaces or part thereof.	The amended proposal provides 20 bicycle parking spaces. This exceeds the RDCP 2014 requirements.	<b>Section 3.8.1 of Amendment Report</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.	The amended 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 3.8.1 of Amendment Report</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.	Proposed parking will be designed in accordance with the identified Australian Standards.	<b>Section 3.8.1 of Amendment Report</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	A Waste Management Plan has been prepared which demonstrates that the amended proposal will implement appropriate waste management controls that comply with the requirements of the RDCP 2014.	<b>Section 3.8.2 of Amendment Report</b> <b>Appendix BB</b>

<b>Reference</b>	<b>Relevant Considerations</b>	<b>Response</b>	<b>Section in EIS</b>
Part: 9.3 Parking Controls	<p><b>2.3 Non-residential Land Uses</b></p> <p>For new floor space: A maximum of 1 space / 100 m2 GFA.</p> <p><b>2.7 Bicycle Parking</b></p> <p>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.</p>	The amended proposal provides a total of 51 car parking spaces which complies with RDCP 2014 requirements. 17 motorcycle and 20 bicycle parking spaces will be provided.	<p><b>Section 3.2 and Section 3.8.1 of Amendment Report</b></p> <p><b>Appendix M</b></p>
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.	<p>The amended 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.</p> <p>The waste collection for the retail tenancies will be curb side collection. There will be a dedicated area for the waste truck to collect waste along Road 13.</p>	<p><b>Section 3.8.1 of Amendment Report</b></p> <p><b>Appendix M</b></p>
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	Proposed parking will be designed in accordance with the identified Australian Standards	<p><b>Section 3.2 of Amendment report</b></p> <p><b>Appendix M</b></p>
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	The proposed 139 trees to be planted that will replace the 126 trees proposed to be removed will be planted in accordance with Councils Urban Forest Technical Manual	<p><b>Section 3.8.1 of Amendment Report</b></p> <p><b>Appendix J</b></p> <p><b>Appendix K</b></p>

Reference	Relevant Considerations	Response	Section in EIS
			Appendix CC
4.5, Section 5 – Construction Activities	<p>All reasonable efforts are to be taken to protect trees from damage during construction including:</p> <ul style="list-style-type: none"> <li>▪ Clearly marking trees to remain, avoiding compaction of ground around trees and avoiding stockpiling of materials within the dripline of trees</li> <li>▪ Tree protection zones to be fenced off</li> <li>▪ Fences for tree protection zones are to be erected prior to demolition or construction being undertaken</li> </ul>	A revised Arboricultural Impact Assessment has been prepared which provides details on the measures to control, protect and preserve trees. These mitigation measures will be incorporated into the Construction Management Plan for the proposal.	<p><b>Section 3.8.1 of Amendment Report</b></p> <p><b>Appendix CC</b></p>