

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-63741210 NEXTDC S4 Data Centre Horsley Park
Applicant	NEXTDC LIMITED
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director, Energy, Resources and Industry Assessments, under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's assessment report is available [here](#).

Date of decision

24 December 2025

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the *Biodiversity Conservation Act 2016* (NSW);
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's assessment report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the Department's assessment report.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including capital investment of \$3.1 billion and generation of 1111 construction jobs and 411 operational jobs;
- the project is permissible with development consent, and is consistent with NSW Government policies including the Greater Sydney Region Plan the Western City District Plan, the Staying Ahead: State Infrastructure Strategy 2022-2042, as well as the Fairfield City 2040 Local Strategic Planning Statement, which support the growth of digital infrastructure and targeted industry sectors in response to
- future technological needs;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- Engagement on the project is considered to be in line with Undertaking Engagement Guidelines for State Significant Projects, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Applicant engaged with the community during the preparation of the Environmental Impact Statement (EIS) as a requirement of the Planning Secretary's environmental assessment requirements.

The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

The Development Application and accompanying EIS was placed on public exhibition from 15 November 2024 until 12 December 2024 (28 days). Two submissions were received from local residents.

Post-exhibition, the development was amended to respond to submissions and government agency advice, including in relation to feedback concerning impacts on adjoining rural-residential receivers and to infrastructure delivery requirements.

The Amendment Report was publicly exhibited from 18 September 2025 until the 1 October 2025 on the NSW planning portal with two submissions received from local residents.

The key issues raised by the community and considered in the Department's assessment report and by the decision maker include being the potential impacts of the proposed development, particularly regarding the amenity impacts from its large bulk and scale, traffic, noise, light and air pollution and location in a bushfire prone area. Other issues are addressed in detail in the Department's assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Noise</i> <ul style="list-style-type: none">construction noise impact and mechanical noise during operation	<i>Assessment</i> <ul style="list-style-type: none">The Applicant's assessment included modelling of two operating scenarios being a standard operating scenario and a worst-case power failure scenario. The NVIA demonstrated compliance with the PNTLs at all receiver locations assessed including residential, education, commercial and industrial receivers, during all assessed time periods.The Department has considered the Applicant's assessment and is satisfied the operation of the development will comply with the relevant project amenity noise criteria established in accordance with the NPfl.. <i>Conditions</i> <ul style="list-style-type: none">Implementation of a construction noise management planLimiting noise emissions of the development at receiver locationsPrepare and submit a noise verification report to ensure that predicted noise compliance is achievedPrepare and implement an Operational Noise Management Plan.
<i>Traffic</i> <ul style="list-style-type: none">traffic through residential areas	<i>Assessment</i> <ul style="list-style-type: none">The Applicant's assessment included traffic modelling of surrounding key intersections which demonstrated that the operations of the development would not result in any unacceptable impacts to the local road network.The Department is satisfied that the Applicant has demonstrated the development would have a minor impact on the local road network and acknowledges that data centres are relatively low traffic generating industrial uses. <i>Conditions</i> <ul style="list-style-type: none">Require the Applicant to prepare and implement a Construction Traffic Management Plan and an Operational Traffic Management Plan.
<i>Visual Amenity</i> <ul style="list-style-type: none">Amenity impacts from the building height and bulk and scale of the data centre buildings on the surrounding area	<i>Assessment</i> <ul style="list-style-type: none">The proposal was amended during assessment, reducing the development from five buildings with a maximum height of 39 metres to two buildings with lower overall heights, and removing Building D from the eastern boundary closest to existing residences.These changes substantially improve visual amenity for surrounding areas, particularly adjoining eastern properties. In addition, the design incorporates varied façade materials to reduce bulk and visual dominance, along with a robust landscape planting schedule and provision for additional landscape screening as required by the recommended conditions, ensuring the visual impact of the development is appropriately mitigated. <i>Conditions</i>

	<ul style="list-style-type: none"> The development is required to be carried out in accordance with the approved architectural and landscape plans. The Applicant is required to notify adjoining landowners to offer the provision of at receiver visual mitigation measures including landscaping and to implement the agreed visual mitigation measures within 12 months of that request
<p><i>Air pollution</i></p> <ul style="list-style-type: none"> pollution from operation 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant's assessment modelled the predicted pollutant emissions from the testing of diesel generators and an emergency power failure operating scenario The assessment demonstrated compliance with the pollutant criterion for each pollutant at all receiver locations under the standard operating scenario. Non-compliances were predicted during the emergency power failure scenario however, the Applicant justified that any critical power failure event is deemed to be highly unlikely and would have minimal duration. The EPA raised no concerns with the Applicant's conclusions regarding air quality. The Department is satisfied the Applicant has sufficiently demonstrated that proposed standard operations of the development will have an acceptable impact on air quality, and that the likelihood of a critical power outage event is highly unlikely. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The Department recommended conditions of consent requiring the preparation and implementation of an Air Quality Management Plan which will include procedures for annual emissions testing and reporting, the reporting of emergency back-up generators operation subsequent to any power outage event and a power outage notification protocol.
<p><i>Light pollution</i></p> <ul style="list-style-type: none"> Light pollution impacts on amenity 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> External lighting has been designed to minimise light spill and glare through the use of directional, low-spill luminaires, appropriate mounting heights, and timed illumination. Lighting will be oriented away from adjoining residential properties, particularly to the east, and measures will be implemented to limit impacts on native fauna, ensuring consistency with relevant Australian Standards and best-practice lighting design. In addition, landscaped planting will mature over time to further screen and filter light spill from the site to surrounding areas. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The development is required to be carried out in accordance with the approved architectural, landscape and signage plans. External lighting will comply with Australian Standard 4282-2019 – Control of the Obtrusive Effects of Outdoor Lighting, ensuring light spill, glare, and nuisance are appropriately managed.
<p><i>Bush fire</i></p> <ul style="list-style-type: none"> Bush fire risk to conservation area 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> NSW Fire and Rescue and the NSW Rural Fire Service have reviewed the development and raised no objections, subject to the data centre being designed and constructed in accordance with applicable bush fire protection requirements. The proposal includes appropriate bush fire protection measures, including asset protection zones and compliance with relevant standards. Any storage of hazardous goods will be managed in accordance with the relevant legislation to minimise risk, and sufficient on-site water storage will be provided to support firefighting operations, ensuring the development can be safely managed in a bush fire-prone area <p><i>Conditions</i></p> <ul style="list-style-type: none"> The Department has recommended conditions of consent requiring the Applicant to comply with the relevant provisions of NSW RFS <i>Planning for Bush fire Protection 2019</i>, implement the recommendations of the Bush fire Protection Assessment, and prepare and implement a Bush fire Emergency Management and Evacuation Plan in accordance with NSW RFS requirements.

	<ul style="list-style-type: none"> The Department has subsequently recommended conditions requiring the preparation of a Fire Safety Study, Emergency Response Plan and Emergency Service Information Package for the development.
<p><i>Data Centre location</i></p> <ul style="list-style-type: none"> the site is not suitable for the surrounding residential area 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The data centre is a permissible land use within the IN1 General Industrial zone, and the proposal complies with the applicable floor space ratio (FSR) controls; there is also no prescribed maximum building height applying to the site, meaning the building height is permissible under the planning framework. In response to concerns, the design was significantly amended, reducing the development from five buildings to two buildings and increasing landscaped areas to improve visual amenity. These changes substantially reduce bulk and scale impacts and provide improved screening to surrounding areas. It is also noted that the site is located within an area transitioning to industrial uses, and the development is consistent with the intended future character of the locality. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The development is required to be carried out in accordance with the approved architectural and landscape plans. The Applicant is required to notify adjoining landowners to offer the provision of at receiver visual mitigation measures including landscaping and to implement the agreed visual mitigation measures within 12 months of that request