

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development

Condition A9 amended on 28 November 2025 pursuant to agreement of Council on 2 December 2025 and the Applicant on 24 November 2025



Joanna Bakopanos

A/Director

Industry Assessments

Sydney

6 November 2025

File: EF23/15259

SCHEDULE 1

Application Number:	SSD-64287712
Applicant:	The Trustee for NineZero DC Sub Trust I
Consent Authority:	Minister for Planning and Public Spaces
Site:	2 Wolseley Place, Jerrabomberra Lot 6 DP 1288362
Development:	Construction and operation of a data centre with a maximum power consumption of 25.4 megawatts, including associated office space, supporting infrastructure and services, car parking and landscaping

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DEFINITIONS

Additional Information	Correspondence by the Applicant in response to the Department's request for information, including the memorandum titled <i>DCI Poplars Data Centre Project – Response to DPHI RFI regarding plant and equipment</i> , prepared by SLR Consulting Australia Pty Ltd and dated 23 September 2025
Applicant	The Trustee for NineZero DC Sub Trust I, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Carrier	Operator of a telecommunication network and/or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
CEMP	Construction Environmental Management Plan
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The carrying out of works for the purpose of the development, including bulk earthworks, the erection of buildings and other infrastructure permitted by this consent and the commissioning of all on-site plant and equipment
Council	Queanbeyan-Palerang Regional Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the EIS, the Submissions Report and the Additional Information, including the works and activities comprising the construction and operation of a data centre, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for the main construction works
EIS	The Environmental Impact Statement titled <i>DCI Poplars Data Centre – Environmental Impact Statement</i> , prepared by PJEP Environmental Planning Pty Ltd and dated February 2025, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPA	NSW Environment Protection Authority
Evening	The period from 6 pm to 10 pm
Fibre-ready facility	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
FRNSW	Fire and Rescue NSW
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
ICNG	<i>Interim Construction Noise Guideline</i> (DECC, 2009)
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance

	Note: “Material harm” is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Load curtailment	Means the use of the back-up generator system to reduce the development’s use of electricity from the National Electricity Market, and does not include instances where load shedding is initiated by the Australian Energy Market Operator in accordance with the National Electricity Rules
Material harm	<p>Is harm that:</p> <ul style="list-style-type: none"> a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) <p>Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval</p> <p>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements</p>
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NPfl	<i>Noise Policy for Industry</i> (EPA, 2017)
OEMP	Operational Environmental Management Plan
Operation	The use of the data centre (including back-up generator testing), as described in the EIS, Submissions Report and Additional Information
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Power outage event	A sustained interruption to the site’s connection to the National Electricity Market, which lasts for a period of more than 15 minutes
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1 of this consent
Submissions Report	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled DCI Poplars Data Centre Submissions Report, prepared by PJEP Environmental Planning Pty Ltd and dated August 2025
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS, Submissions Report and Additional Information;
 - (d) in accordance with the Development Layout in Appendix 1 of this consent; and
 - (e) in accordance with the management and mitigation measures in Appendix 3 of this consent.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

Back-up Generator System

- A6. The Applicant must ensure the back-up generators installed and operated under this consent do not exceed a total installed generating capacity of 35 megawatts.
- A7. The Applicant must ensure:
- (a) operation of the back-up generators (including testing) does not exceed 200 hours per year;
 - (b) no more than one (1) generator is tested at any one time; and
 - (c) the diesel fuel storage capacity of the site does not exceed 2,000 tonnes at any one time.
- Note:** For the purposes of condition A7, calculation of how many hours the back-up generators are tested, as a collective, should be based on the hours (in real time) that testing is in fact undertaken at the site per year. For example, five generators being tested concurrently over the course of an hour would count as one hour towards the threshold stipulated by condition A7 rather than five hours.
- A8. This development consent does not permit the use of the back-up generators:
- (a) for the purpose of generating electricity to be distributed by the National Electricity Market; or
 - (b) to support load curtailment at the site.

Water Supply and Staging

- A9. Unless otherwise agreed to by the Planning Secretary, the Applicant must ensure that for potable water sourced from Council's water supply network, the maximum water demand per **year day** and peak flow rate for each stage of the development does not exceed the limits in Table 1 below.

Table 1 Council's water supply network – Maximum potable water demand per **year day** and peak flow rate

Stage	Maximum potable water demand per year day (kL/ year day)	Peak flow (L/s)
1	2,466.5	5.72
2	1,100	2.17
3	2,354.5	5.72
Total	5,921	13.61

Note Stages 1 to 3 are described in the EIS and shown in Figure 2 of Appendix 1 of this consent.

NOTIFICATION OF COMMENCEMENT

- A10. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- construction;
 - operation;
 - full operation of the development (described in the EIS as being when all data storage equipment and associated infrastructure is in place and operating); and
 - cessation of operations.
- A11. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary).

EVIDENCE OF CONSULTATION

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
- consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - provide details of the consultation undertaken including:
 - the outcome of that consultation, matters resolved and unresolved; and
 - details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A13. With the approval of the Planning Secretary, the Applicant may:
- prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A14. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A15. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A16. Prior to the commencement of construction of the development, the Applicant must:
- consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
 - prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - submit a copy of the dilapidation report to the Planning Secretary and Council.
- A17. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
 - relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
 - obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Water Servicing

- A18. Prior to the commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site from Council under section 307 of the *Water Management Act 2000*.

Trade Waste

- A19. Unless an application for trade waste disposal is approved by Council, the Applicant must ensure no trade waste is discharged from the site to Council's sewer system.

Fibre-Ready Facilities

- A20. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
 - the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.
- A21. Prior to the issue of an Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

EASEMENTS AND POSITIVE COVENANTS

- A22. Prior to the issue of an Occupation Certificate, a restriction on the use of land and a positive covenant under the relevant section of the *Conveyancing Act 1919* must be registered on the title of the site in respect of the ongoing management and maintenance of the on-site stormwater detention system.

The terms of the restriction and the positive covenant are to be prepared in consultation with Council prior to being lodged with the NSW Land Registry Services.

The positive covenant must name Council as the prescribed authority, and can only be revoked, varied or modified with the consent of Council.

STRUCTURES, EXTERNAL WALLS AND CLADDING

- A23. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- Under Part 6 of the *EP&A Act*, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The *EP&A (Development Certification and Fire Safety) Regulation 2021* sets out the requirements for the certification of the development.

- A24. Prior to the issue of:
- any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
 - an Occupation Certificate,

the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.

- A25. The Applicant must provide a copy of the documentation given to the Certifier (see condition A24) to the Planning Secretary within seven days after the Certifier accepts it.

WORK AS EXECUTED PLANS

- A26. Prior to the issue of an Occupation Certificate, both Council and the Principal Certifier must be provided with works-as-executed drawings demonstrating that the following works have been constructed as approved:

- (a) the development's stormwater management system (see condition B34); and
- (b) finished ground levels.

The works-as-executed drawings must be signed by a registered surveyor.

COMPLIANCE

- A27. The Applicant must ensure that all its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

- A28. All plant and equipment used on site, or to monitor the performance of the development, must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

APPLICABILITY OF GUIDELINES

- A29. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

- A30. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1.** All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.
- AN2.** Any works under this consent within the vicinity of Essential Energy's assets or easements must be undertaken in accordance with the latest version of *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure* (NSW ISSC, 2012).

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE AND VIBRATION

Hours of Work

B1. The Applicant must comply with the hours detailed in Table 2 below.

Table 2 Hours of Work

Activity		Day	Time
Construction		Monday – Friday	7 am to 6 pm
		Saturday	8 am to 1 pm
Operation	Back-up generator testing or operation (excluding power outage events)	Monday – Friday	7 am to 5 pm
	All other activities	Monday – Sunday	24 hours

B2. Works outside of the hours identified in condition B1 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) works agreed to in writing by the Planning Secretary;
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B3. The development must be constructed to achieve, as far as feasible and reasonable, the construction noise management levels detailed in the ICNG. All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in Appendix 3 of this consent and the development’s CNVMP (see condition B6).

Vibration Criteria

B4. Vibration caused by construction at any structure outside the site must be limited to:

- (a) for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016) and *BS 7385-2 Evaluation and measurement for vibration in buildings Guide to damage levels from groundborne vibration* (British Standards Institution, 1993); and
- (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006).

B5. The limits in condition B4 apply unless otherwise outlined in the development’s CNVMP (see condition B6).

Construction Noise and Vibration Management Plan

B6. Prior to the commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) for the development to the satisfaction of the Planning Secretary. A copy of the CNVMP must be included in the development’s CEMP (see condition C2), and must:

- (a) be prepared by a suitably qualified and experienced noise expert(s);
- (b) describe the procedures to:
 - (i) refine the construction methodology and work schedule to minimise construction noise and vibration impacts;
 - (ii) achieve the noise management levels specified in condition B3; and
 - (iii) achieve the vibration criteria specified in condition B4; and
- (c) include:
 - (i) management and mitigation measures, including any relevant measures described in Appendix 3 of this consent; and
 - (ii) a complaints management system that would be implemented for the duration of construction.

- B7. The Applicant must:
- (a) not commence construction until the CNVMP (see condition B6) is approved by the Planning Secretary; and
 - (b) implement the most recent version of the CNVMP approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

- B8. The Applicant must ensure that noise generated by the operation of the development does not exceed the noise limits outlined in Table 3 below, except where altered by condition B9 of this consent.

Table 3 Noise Limits (dB(A))

Location	When back-up generators are in use (incl. testing) L _{Aeq} (15 minute)	At all other times		
		Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)
North-eastern residential receivers ¹	42	35		
South-eastern residential receivers ¹	40	35		
Surrounding education receivers	41	33 (When in use)		

¹ The location of the nearest residential receivers is provided in Appendix 2 of this consent.

Note Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NPfI.

- B9. The development’s noise limits (see condition B8) do not apply during a power outage event.

Operational Noise Verification Report

- B10. Within three months of the commencement of full operation of the development (described in the EIS as being when all data storage equipment and associated infrastructure is in place and operating), or as otherwise directed by the Planning Secretary, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:
- (a) be prepared to the satisfaction of the Planning Secretary by a suitably qualified and experienced acoustic consultant;
 - (b) demonstrate that noise verification has been carried out in accordance with:
 - (i) *Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise* (Standards Australia, 2018); and
 - (ii) *Approved Methods for the Measurement and Analysis of Environmental Noise in NSW* (EPA, 2022);
 - (iii) the monitoring and reporting requirements detailed in Section 7 of the NPfI;
 - (c) include:
 - (i) noise measurements taken during general operation and during back-up generator testing;
 - (ii) details of the development’s operating conditions at the time of monitoring and, if required, adjustments to measured noise levels to account for the cooling system’s maximum operating capacity;
 - (iii) validation of the predictions made in the development’s Noise and Vibration Assessment, prepared by SLR Consulting Australia and dated 11 February 2025 (Appendix O of the EIS);
 - (iv) an analysis of:
 - a. the prevailing meteorological conditions;
 - b. applicable corrections for annoying noise characteristics (as per Fact Sheet C of the NPfI); and
 - c. the development’s compliance with the noise limits specified in condition B8; and
 - (v) a description of additional at-source and transmission pathway mitigation measures implemented, and/or a description of contingency measures to be implemented (including a timetable for the implementation of any required actions), to address any exceedance of the noise limits specified in condition B8.

AIR QUALITY

Dust Minimisation

- B11. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B12. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Air Quality Discharges

- B13. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the Protection of the Environment Operations (Clean Air) Regulation 2022.

Back-up Generator System

- B14. The Applicant must ensure the design, installation and operation of the back-up generators and/or the associated enclosures do not preclude the ability for additional air pollution emission controls to be retrofitted.

Air Quality Management Plan

- B15. Prior to the commencement of operation, the Applicant must prepare an Air Quality Management Plan (AQMP) for the development to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) detail and rank all emissions from all sources of the development, including particulate emissions;
 - (c) identify any control measures that will be implemented for each emission source;
 - (d) outline any monitoring procedure/s which would be implemented during each power outage event; and
 - (e) include a Power Outage Notification Protocol for the development that must:
 - (i) identify the neighbouring properties which would be notified should a power outage event last 30 minutes or more;
 - (ii) identify the trigger point(s) for notifying neighbouring properties that the back-up generator system is operating; and
 - (iii) detail how these properties would be made aware that the development's back-up generator system is required to operate for the duration of the power outage event.
- B16. The Applicant must:
- (a) not commence operation until the AQMP (see condition B15) is approved by the Planning Secretary; and
 - (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the development.

Odour Management

- B17. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

HAZARDS AND RISK

Dangerous Goods

- B18. The Applicant must ensure that the quantities of dangerous goods stored and handled at the site remain below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* (DoP, 2011) at all times.
- B19. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards; and
 - (b) for liquids:
 - (i) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (ii) the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (DCCEEW, 2007).

In the event of an inconsistency between the requirements listed in subpoints (b)(i) and (b)(ii) above, the most stringent requirement must prevail to the extent of the inconsistency.

Fire Safety Study

B20. At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must prepare and submit a Fire Safety Study (FSS) to the satisfaction of the Planning Secretary. The FSS must:

- (a) be consistent with:
 - (i) *Hazardous Industry Planning Advisory Paper No. 2, 'Fire safety study guidelines'* (DoP, 2011); and
 - (ii) *Fire Safety Guideline Technical Information – Large scale external lithium-ion battery energy storage systems – Fire safety study considerations* (FRNSW, 2023);
- (b) describe the final design of the external battery units;
- (c) include the most credible worst-case fire scenario to and from the battery units and the associated fire management procedures; and
- (d) identify measures to eliminate the expansion of any fire incident, including:
 - (i) adequate fire safety systems and appropriate water supply;
 - (ii) separation and / or compartmentalisation of battery units; and
 - (iii) strategies and incident control measures specific to the battery unit design; and
- (e) be prepared to the satisfaction of FRNSW.

Note: *The 'to the satisfaction of FRNSW' in condition B20(e) above means confirmation in writing from Fire and Rescue NSW that the study meets their requirements as required by the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline.*

B21. The Applicant must:

- (a) not commence construction of the development, other than preliminary works that are outside the scope of the hazard studies, until the FSS (see condition B20) has been endorsed by FRNSW and associated evidence submitted to the Planning Secretary; and
- (b) implement the most recent version of the FSS for the duration of the development.

Emergency Plan

B22. No later than two months prior to the commencement of operation of the development, or within such further period as the Planning Secretary may agree, the Applicant must submit a comprehensive Emergency Plan and detailed emergency procedures for the development to the satisfaction of the Planning Secretary. The Emergency Plan must:

- (a) include consideration of the safety of all people outside of the development who may be at risk from the development;
- (b) be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'* (DoP, 2011); and
- (c) include an Emergency Services Information Package in accordance with FRNSW's *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans* (FRNSW, 2019), to the satisfaction of FRNSW.

B23. The Applicant must:

- (a) implement the most recent version of the Emergency Plan and the Emergency Services Information Package (see condition B22) for the duration of the development; and
- (b) keep a copy of the Emergency Services Information Package on-site in a prominent position adjacent to the site entry points at all times.

BUSH FIRE MANAGEMENT

Bush Fire Design Measures

B24. The Applicant must ensure the development complies with:

- (a) the relevant provisions of *Planning for Bush Fire Protection* (RFS, 2019); and
- (b) the findings and recommendations in the Bushfire Protection Assessment prepared by Australian Bushfire Protection Planners Pty Ltd and dated 29 November 2024 (Appendix V of the EIS), as amended by the relevant management and mitigation measures in Appendix 3 of this consent.

Bush Fire Emergency Management and Evacuation Plan

B25. Prior to the commencement of operation, the Applicant must prepare and implement a Bush Fire Emergency Management and Evacuation Plan for the development, which is consistent with the requirements of *Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* (RFS, 2014).

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B26. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with Council;
- (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
- (d) detail heavy vehicle routes, access and parking arrangements;
- (e) include a Driver Code of Conduct to:
 - (i) minimise the impacts of earthworks and construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise; and
 - (iv) ensure truck drivers use specified routes;
- (f) include a program to monitor the effectiveness of these measures; and
- (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B27. The Applicant must:

- (a) not commence construction until the CTMP (see condition B26) is approved by the Planning Secretary; and
- (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Parking

B28. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the operation of the development does not utilise (for parking purposes) public roads or public parking facilities in the vicinity of the site.

Operating Conditions

B29. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant Austroads guidelines;
- (c) heavy vehicles, equipment and bins associated with the development are not parked and/or stored on public roads or footpaths in the vicinity of the site;
- (d) all vehicles are wholly contained on site before being required to stop;
- (e) all loading and unloading of materials is carried out on-site; and
- (f) all on-site turning areas are kept clear of any obstacles, including parked vehicles, at all times.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B30. The Applicant must:

- (a) ensure that only VENM, ENM, or other fill material approved in writing by EPA is brought onto the site for use as fill;
- (b) keep accurate records of the volume and type of fill to be used; and

- (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

- B31. Prior to the commencement of construction, the Applicant must install suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the development's CEMP (see condition C2).
- B32. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B31 for the duration of construction.

Discharge Limits

- B33. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence or in accordance with any applicable regulations under the POEO Act.

Stormwater Management System

- B34. Prior to the commencement of construction of the development's stormwater management system, the Applicant must finalise the system's detailed design. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
 - (b) be designed in consultation with Council;
 - (c) be generally in accordance with the conceptual design in the EIS;
 - (d) be in accordance with applicable Australian Standards; and
 - (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;
- B35. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B34) and ensure the system is operational.
- B36. The Applicant must maintain the stormwater management system installed on the site under condition B35 for the duration of operation of the development.

Flood Management

- B37. All finished floor levels must be no lower than the 1% Annual Exceedance Probability (AEP) flood level plus 500 mm of freeboard.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B38. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - (c) Heritage NSW must be contacted immediately.
- B39. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

NON-ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B40. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:
- (a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;
 - (b) Heritage NSW must be contacted immediately; and
 - (c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.
- B41. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

WASTE MANAGEMENT

Statutory Requirements

- B42. Waste generated by the development must be secured and maintained within designated on-site waste storage areas until it is removed from the site.

- B43. The Applicant must assess and classify all liquid and non-liquid wastes to be removed from the site in accordance with the latest version of the EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).
- B44. The Applicant must ensure:
- (a) all e-waste materials removed from the site are directed to a reuse or recycling facility lawfully permitted to accept the materials (or as otherwise agreed to by the Planning Secretary); and
 - (b) all other waste materials removed from the site are directed to a waste management facility or premises lawfully permitted to accept the materials.
- B45. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

Pests, Vermin and Priority Weed Management

- B46. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
 - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.

CONTAMINATION

Unexpected Finds

- B47. Prior to the commencement of construction, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must:
- (a) form part of the development's CEMP in accordance with condition C2; and
 - (b) ensure any material identified as contaminated is managed in accordance with the POEO Act and its associated regulations.

Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

VISUAL AMENITY

Landscaping

- B48. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan to manage the development's landscaping works, to the satisfaction of the Planning Secretary. The plan must form part of an OEMP in accordance with condition C5, and must:
- (a) detail the species to be planted on-site;
 - (b) be consistent with:
 - (i) the planting schedule, species, pot size, number of plants as described in the Landscape Design Report prepared by Geoscapes and dated 16 December 2024 (Rev A) (Appendix C of the EIS);
 - (ii) Appendix 4 of *Planning for Bush Fire Protection* (RFS, 2019);
 - (iii) the relevant management and mitigation measures in Appendix 3 of this consent; and
 - (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works.
- B49. The Applicant must:
- (a) not commence operation until the Landscape Management Plan (see condition B48) is approved by the Planning Secretary;
 - (b) implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
 - (c) maintain the landscaping and vegetation on the site in accordance with the most recent version of the approved Landscape Management Plan for the life of the development.

Lighting

- B50. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

B51. Any signage associated with the data centre is to be subject to further approval.

B52. All permanent fencing must be erected in accordance with the development plans in Appendix 1 of this consent.

Note: *Conditions B51 and B52 does not apply to temporary construction and safety related signage and fencing.*

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) a condition compliance table for that plan;
 - (b) detailed baseline data (where required);
 - (c) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (d) above;
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (h) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (i) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) details of the community consultation and complaints handling procedure to be implemented during construction;
 - (b) Construction Noise and Vibration Management Plan (see condition B6);
 - (c) Construction Traffic Management Plan (see condition B26);
 - (d) Erosion and Sediment Control Plan (see condition B31); and
 - (e) a copy of the development's Unexpected Contamination Finds Procedure (see condition B47).
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP (see condition C2) is approved by the Planning Secretary; and
 - (b) carry out construction of the development in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) a description of the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;

- (b) a description of the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance; and
 - (v) respond to emergencies;
 - (c) Air Quality Management Plan (see condition B15); and
 - (d) Landscape Management Plan (see condition B48).
- C7. The Applicant must:
- (a) not commence operation until the OEMP (see condition C5) is approved by the Planning Secretary; and
 - (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C8. Within three months of:
- (a) the submission of an incident report under condition C10;
 - (b) the submission of a Back-up Generator Incident Report under condition C15;
 - (c) the approval of any modification of the conditions of this consent; or
 - (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.

- C9. If identified as part of the review process (see condition C8), or considered necessary to improve the environmental performance of the development, the Applicant must ensure the strategies, plans and/or programs required under this consent are revised, to the satisfaction of the Planning Secretary.

The revised document(s) must be submitted to the Planning Secretary for approval within six weeks of the review process taking place, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- C11. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 4 of this consent.

Non-Compliance Notification

- C12. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).
- C13. A non-compliance notification (see condition C12) must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Back-up Generator Operation Monitoring and Reporting

- C14. For the life of the development (or such other time as agreed to in writing by the Planning Secretary), the Applicant must maintain a log of all instances where the back-up generators are used and/or tested at the site, excluding those

instances where a Back-up Generator Incident Report is required to be submitted (see condition C15). The log must detail the following:

- (a) the date and time of operation;
- (b) the purpose of operation;
- (c) the total number of back-up generators operated;
- (d) the operating load of each generator; and
- (e) the duration of operation.

A copy of the log must be made available to the Planning Secretary upon request.

Back-up Generator Incident Report

C15. Within 30 days of the back-up generators being used to power any part of the development during a power outage event (or as otherwise agreed to by the Planning Secretary), the Applicant must prepare and submit a Back-up Generator Incident Report for the development to the satisfaction of the Planning Secretary. The report must include:

- (a) details regarding the:
 - (i) date and time of the power outage event;
 - (ii) date and time of back-up generator operation;
 - (iii) identification of the back-up generators used and the total number of generators operated;
 - (iv) duration of operation for each generator and the total duration of generator use;
 - (v) total quantity of diesel fuel used by the back-up generators;
 - (vi) total amount of electricity produced by the back-up generators;
- (b) if relevant, confirmation regarding whether neighbouring properties were made aware that the development's back-up generator system was operating (see condition B15(e));
- (c) an assessment of any air quality impacts resulting from the operation of the back-up generators; and
- (d) an assessment and recommendation of any additional measures that could be implemented to reduce future impacts including, but not limited to, reduced likelihood of generator operation and retrofitting of generator emission controls.

Monitoring and Environmental Audits

C16. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

C17. At least 48 hours before the commencement of construction and for the life of the development (or such other time as agreed by the Planning Secretary), the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent, with the exception of any hazard and risk-related studies;
 - (iv) a summary of the current stage and progress of the development;
 - (v) contact details to enquire about the development or to make a complaint;
 - (vi) a complaints register, updated quarterly (see conditions C3(a) and C6(b)(ii));
 - (vii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Job No.	Drawing Number	Drawing Title	Issue	Date
Architectural Drawings prepared by HDR Pty Limited				
10411257	HDR-AR-1300	Site Plan	A	16/12/2024
10411257	HDR-AR-1301	Staging Plan	A	16/12/2024
10411257	HDR-AR-1302	Site Coverage, Landscape and GFA Diagrams	A	16/12/2024
10411257	HDR-AR-2101	General Arrangement – Ground Floor Plan	A	16/12/2024
10411257	HDR-AR-2102	General Arrangement – Roof Plan	A	16/12/2024
10411257	HDR-AR-2103	General Arrangement – Typical Data Hall Plan	A	16/12/2024
10411257	HDR-AR-3000	Elevations Sheet 1 of 3	A	16/12/2024
10411257	HDR-AR-3001	Elevations Sheet 2 of 3	A	16/12/2024
10411257	HDR-AR-3002	Elevations Sheet 3 of 3	A	16/12/2024
10411257	HDR-AR-8000	Preliminary Finishes Schedule	A	16/12/2024
Civil Drawings prepared by BG&E Pty Limited				
S24140	CI-1050	Overall Plan Layout Sheet 1 of 1	B	11/12/2024
S24140	CI-1100	Earthworks Plan Sheet 1 of 1	B	11/12/2024
S24140	CI-1140	Earthworks Section 1 Sheet 1 of 1	A	11/12/2024
S24140	CI-1141	Earthworks Section 2 Sheet 1 of 1	A	11/12/2024
S24140	CI-1142	Earthworks Sections 3 Sheet 1 of 2	A	11/12/2024
S24140	CI-1143	Earthworks Sections 3 Sheet 2 of 2	A	11/12/2024
S24140	CI-1201	Siteworks and Drainage Plan Sheet 1 of 6	B	11/12/2024
S24140	CI-1202	Siteworks and Drainage Plan Sheet 2 of 6	B	11/12/2024
S24140	CI-1203	Siteworks and Drainage Plan Sheet 3 of 6	B	11/12/2024
S24140	CI-1204	Siteworks and Drainage Plan Sheet 4 of 6	B	11/12/2024
S24140	CI-1205	Siteworks and Drainage Plan Sheet 5 of 6	B	11/12/2024
S24140	CI-1206	Siteworks and Drainage Plan Sheet 6 of 6	B	11/12/2024
S24140	CI-1280	Typical Details Sheet 1 of 1	B	11/12/2024
S24140	CI-1350	Basin Plan Sheet 1 of 1	B	11/12/2024
S24140	CI-1355	Basin Sections and Details Sheet 1 of 1	B	11/12/2024
S24140	CI-1500	Catchment Plan Sheet 1 of 1	B	11/12/2024
S24140	CI-1601	Staging Plan – Stage 1 Sheet 1 of 3	B	11/12/2024
S24140	CI-1602	Staging Plan – Stage 2 Sheet 2 of 3	B	11/12/2024
S24140	CI-1603	Staging Plan – Stage 3 Sheet 3 of 3	B	11/12/2024
S24140	CI-1700	Erosion and Sediment Control Plan Sheet 1 of 1	B	11/12/2024
S24140	CI-1720	Erosion and Sediment Control Detail Sheet 1 of 1	B	11/12/2024

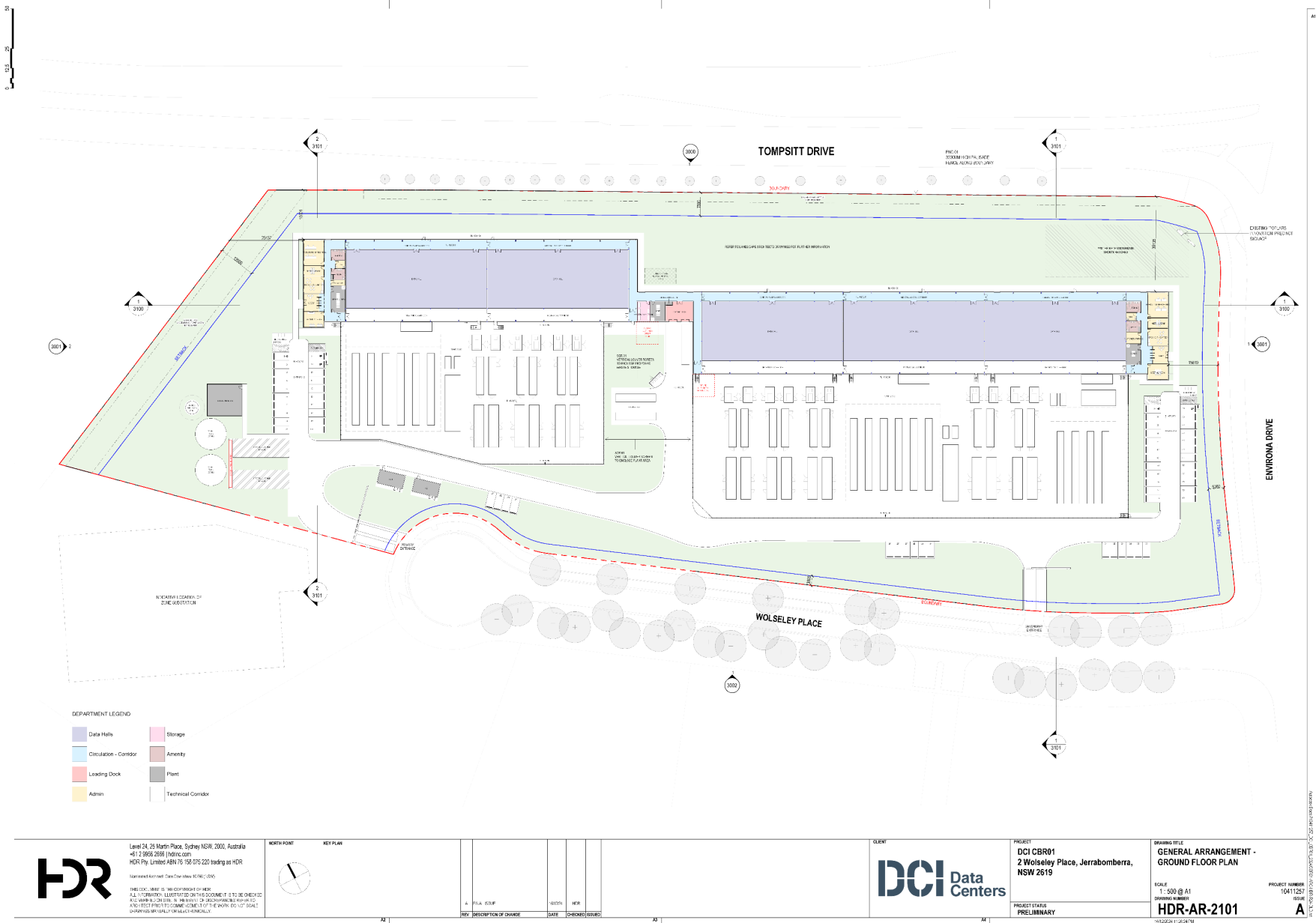


Figure 1 Ground Floor Plan



<p>Level 24, 25 Market Place, Sydney NSW, 2000, Australia +61 2 9556 2656 hdrinc.com HDR Pty. Limited ABN 76 158 075 220 trading as HDR</p> <p><small>HDR is a member of the HDR Group of Companies. HDR Group of Companies is a registered company in Australia. HDR Group of Companies is a member of the HDR Group of Companies. HDR Group of Companies is a member of the HDR Group of Companies.</small></p> <p><small>THIS DOCUMENT IS THE PROPERTY OF HDR. NO REPRODUCTION OR DISTRIBUTION OF THIS DOCUMENT IS PERMITTED WITHOUT THE WRITTEN PERMISSION OF HDR. THIS DOCUMENT IS INTENDED FOR THE EXCLUSIVE USE OF THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. ANY REPRODUCTION OR DISTRIBUTION OF THIS DOCUMENT IS AT THE USER'S RISK. HDR ACCEPTS NO LIABILITY FOR ANY LOSS OR DAMAGE ARISING FROM THE USE OF THIS DOCUMENT.</small></p>	<p>NORTH POINT</p> <p>KEY PLAN</p>	<p>REV. DESCRIPTION OF CHANGE DATE CHECKED/DRAWN</p>	<p>CLIENT</p> <p>DCI Data Centers</p>	<p>PROJECT</p> <p>DCI CBR01 2 Wolsley Place, Jerrabomberra, NSW 2519</p>	<p>DRAWING TITLE</p> <p>STAGING PLANS</p>
		<p>SCALE</p> <p>1:1000 @ A1</p> <p>DRAWING NUMBER</p> <p>HDR-AR-1301</p>	<p>PROJECT NUMBER</p> <p>10411251</p> <p>REV. A</p>	<p>PROJECT STATUS</p> <p>PRELIMINARY</p>	<p>DATE</p> <p>11/2023</p>

Figure 2 Staging Plans

APPENDIX 2 LOCATION OF NEAREST RESIDENTIAL RECEIVERS



Figure 3 Location of Nearest Residential Receivers

APPENDIX 3 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Issue	Mitigation Measure
<i>General Environmental Management</i>	<ul style="list-style-type: none"> DCI would prepare a detailed Construction Environmental Management Plan (CEMP) for the development, prior to the commencement of construction
<i>Design and Visual</i>	<ul style="list-style-type: none"> The data centre would be developed generally in accordance with the architectural and landscape plans for the project All external lighting would be installed in accordance with <i>AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting</i>
<i>Soil and Water</i>	<ul style="list-style-type: none"> The data centre would be developed generally in accordance with the Erosion and Sediment Control Plan for the project, and the Department's <i>Managing Urban Stormwater – Soils and Construction</i> guidelines An Unexpected Finds Protocol and Asbestos Management Plan would be prepared and implemented as part of the CEMP to manage any unexpected site contamination encountered during the construction works The data centre would be developed generally in accordance with the Stormwater Management Plan for the project. A final Stormwater Management Plan would be prepared in consultation with Council, in accordance with Council engineering specifications, prior to the commencement of construction. Chiller/s would be programmed with set parameters that only activate the adiabatic system within the chiller once high ambient temperatures are reached to reduce water consumption.
<i>Noise and Air Quality</i>	<ul style="list-style-type: none"> Construction and operation of the data centre would be managed in accordance with the relevant noise criteria under the: <ul style="list-style-type: none"> <i>Noise Policy for Industry (NPI)</i>; <i>Interim Construction Noise Guideline (ICNG)</i>; and <i>Road Noise Policy</i> Construction activities would be undertaken generally within the standard hours stipulated in the EPA's <i>Interim Construction Noise Guideline</i> Construction noise would be managed in accordance with the measures outlined in the Noise Assessment, which would be addressed on the CEMP for the development. The measures would include: <ul style="list-style-type: none"> noise management controls, including: <ul style="list-style-type: none"> site induction training; operator instruction; site noise planning, including locating noisy plant away from nearby receivers; scheduling noisy activities so that they do not occur simultaneously, and/or during less sensitive time periods; and selecting less noisy plant and equipment where practicable; maintaining effective community consultation; and maintaining a complaints handling and management system Dust emissions during construction works would be managed in accordance with standard best practice techniques as outlined in the Air Quality Assessment, which would be addressed in the CEMP for the development. The measures would include: <ul style="list-style-type: none"> minimising the area of disturbance as far as practicable; minimising drop heights for materials being worked on the site; keeping exposed surfaces moist at all times; rehabilitating/revegetating disturbed surfaces as soon as practicable; and ensuring that trucks are covered and do not track sediment onto public roads
<i>Greenhouse Gas and Resource Use</i>	<ul style="list-style-type: none"> The data centre would be developed generally in accordance with the energy and water resource use efficiency measures outlined in the Submissions Report and the revised ESD Report DCI would target industry best practice energy performance targets for the proposed data centre, namely: <ul style="list-style-type: none"> NABERS \geq 5 Stars; and PUE \leq 1.3

Issue	Mitigation Measure
	<ul style="list-style-type: none"> DCI would continue to investigate reasonable and feasible alternatives to diesel back-up power generation
<i>Heritage</i>	<ul style="list-style-type: none"> An Unexpected Finds Protocol would be prepared and implemented as part of the CEMP to manage any unexpected heritage items encountered during the construction works
<i>Traffic</i>	<ul style="list-style-type: none"> Site access, parking and internal circulation arrangements for the project would be developed in accordance with relevant Australian Standards (including AS2890.1 and AS2890.2) A Construction Traffic Management Plan (CTMP) would be prepared and implemented as part of the CEMP to appropriately manage traffic and traffic-safety during construction works
<i>Wastes and Hazards</i>	<ul style="list-style-type: none"> The data centre would be developed and managed generally in accordance with the Waste Management Plan for the project The data centre would be developed in accordance with the recommendations of the Bushfire Assessment for the project, including provision of: <ul style="list-style-type: none"> Asset Protection Zones; landscaping in accordance with the Planning for Bushfire Protection guidelines; building construction for Stage 1 to comply with Sections 3 and 6 (BAL 19) of AS 3959:2018; water supply and hydrants in accordance with the BCA and relevant Australian Standards; underground electrical services; and preparation of an Evacuation Plan for the facility All dangerous goods and hazardous substances would be stored in accordance with applicable standards, including the POEO Regulation 2019, AS 1940-2004, AS/NZS 4681 and AS IEC 62619 DCI would prepare a: <ul style="list-style-type: none"> Fire Safety Study (FSS) in accordance with the requirements of the Hazardous Industry Planning Advisory Paper (HIPAP) No.22, prior to the commencement of construction; Emergency Plan in accordance with HIPAP No.1, prior to the commencement of operations; and Emergency Services Information Package (ESIP) in accordance with FRNSW <i>Fire Safety guideline – Emergency services information package and tactical fire plans</i>, prior to the commencement of operations.

APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

INCIDENT REPORT REQUIREMENTS

5. If requested by the Planning Secretary, within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
6. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.