

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 14 June 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

Sydney

14 April 2026

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

SCHEDULE 1

Application Number: SSD-66777221

Applicant: Goodman Property Services (Aust) Pty Ltd

Consent Authority: NSW Independent Planning Commission

Site: **SSD-66777221-Mod-2, Artarmon**
Lot 100 DP 131695

Development: Site preparation works, construction, fit out and operation of a data centre utilising **90MVA** of power, including ancillary office space, parking, landscaping, utilities and installation of services and drainage infrastructure.

FOR INFORMATION

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-66777221-Mod-1	11 December 2025	A/Team Leader, Industry Assessments	Amend the development layout including a reduction in floor space ratio, internal and external alterations to the building, and amendments to mechanical plant and landscaping.
SSD-66777221-Mod-2	14 April 2026	A/Team Leader, Industry Assessments	Modification to the development's power capacity, building façade, mechanical plant, generators, and other minor changes

FOR INFORMATION

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DEFINITIONS

Additional Information	Correspondence by the Applicant in response to the Department's request for information, including the letters prepared by Goodman Property Services (Aust) Pty Ltd with the subject line "SSD-66777221 2-8 Lanceley Place and 14 Campbell Street, Artarmon Artarmon Data Centre" dated 16 January 2025 and 18 January 2025
Applicant	Goodman Property Services (Aust) Pty Ltd, 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)
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
CEMP	Construction Environmental Management Plan
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, and erection of buildings and other infrastructure permitted by this consent
Council	Willoughby City 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 and Response to Submissions, 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 construction
EIS	The Environmental Impact Statement titled <i>Lanceley Place Data Centre Artarmon Environmental Impact Statement</i> , prepared by Urbis dated 6 June 2024, 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
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
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)
GFA	Gross Floor Area
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

HPC

Housing and Productivity Contribution

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

Is harm that:

- 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)

Note: This definition excludes "harm" that is either authorised under this consent or any other statutory approval

Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements

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

Modification Applications

The documents assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act:

- a) SSD-66777221-Mod-1, Section 4.55(1A) modification application titled "SSD-66777221 – Lanceley Place Data Centre S4.55(1A) Modification Report", prepared by Urbis and 22 August 2025
- b) **SSD-66777221-Mod-2, Section 4.55(1A) modification application titled "S4.55(1A) Modification Report SYD01- Lanceley Place Data Centre", prepared by January 2026**

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

Operation

The use of the site as a data centre, as described in the EIS and RTS

Planning Secretary

Secretary of the Department, or delegate

POEO Act

Protection of the Environment Operations Act 1997

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

Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Response to Submissions (RTS)	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 <i>Submissions Report</i> , prepared by Urbis and dated 14 October 2024
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
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

FOR INFORMATION

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 and Response to Submissions and Additional Information;
 - (d) in accordance with the Modification Assessments;
 - (e) in accordance with the Development Layout in Appendix 1; and
 - (f) in accordance with the management and mitigation measures in Appendix 2.
- 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(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), or A2(f), 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.
- A6. The offices onsite must remain ancillary to the approved use of the site for a data centre.

Back-up Generator System

- A7. The Applicant must ensure the back-up generators installed and operated under this consent do not exceed a total installed generating capacity of 108.5 megawatts.
- A8. The Applicant must ensure:
- (a) operation of the back-up generators (including testing) does not exceed 200 hours per year; and
 - (b) no more than two (2) generators are tested at any one time.

Note: For the purposes of condition A8, 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, two generators being tested concurrently over the course of an hour would count as one hour towards the threshold stipulated by condition A7 rather than two hours.

- A9. 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.

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:
- (a) construction; and
 - (b) operation.
- 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:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) 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:
- (a) 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);
 - (b) 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
 - (c) 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:
- (a) 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;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including substation sites, Ausgrid Depot, roads, gutters and footpaths). Necessary access arrangements and permissions must be obtained from Ausgrid to assist with obtaining entry to the substations and Depot when preparing the dilapidation report; and
 - (c) 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:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
 - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Sydney Water

- A18. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.
- A19. Prior to the commencement of works the Applicant must obtain Building Plan Approval from Sydney Water.

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:
- (a) 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

- (b) 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 the 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.

STRUCTURAL ADEQUACY

A22. 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.

EXTERNAL WALLS AND CLADDING

A23. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A24. Prior to the issue of:

- (a) 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
- (b) 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 to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

A26. The Applicant must ensure that all of 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.

CONTRIBUTIONS TO COUNCIL

A27. Prior to the issue of a Construction Certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW), must be paid to Council under section 7.12 of the EP&A Act and in accordance with the Willoughby Local Infrastructure Contributions Policy and Plan 2019.

HOUSING AND PRODUCTIVITY CONTRIBUTION

A28. Prior to the issue of a Construction Certificate for any part of the development, a housing and productivity contribution (HPC) in accordance with Table 1 must be paid for the development, as adjusted in accordance with condition A29.

Table 1 Housing and Productivity Contribution Amount

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$426,576.34
Transport project component	N/A
Total housing and productivity contribution	\$426,576.34

A29. At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the EP&A Act agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A Act to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

OPERATION OF PLANT AND EQUIPMENT

- A30. 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.

RESTRICTIONS AND COVENANTS

- A31. Prior to commencement of operation of the development, a restriction on use of the land and public positive covenant under section 88B or 88E of the *Conveyancing Act 1919* naming the Council as the prescribed authority, which can only be revoked, varied or modified with the consent of the Council, and which provides for the size and location of the on-site stormwater detention system and stormwater treatment system must be registered on title of the land.

WORK AS EXECUTED PLANS

- A32. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A33. 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.
- A34. 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.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

AIR QUALITY

Dust Minimisation

- B1. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B2. 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

- B3. 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

- B4. 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

- B5. Prior to the commencement of operation of the development, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP 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) describe a program that is capable of evaluating the performance of the operation against the criteria in the Approved Methods for Modelling and Assessment of Air Pollutants in NSW (2022) (The Approved Methods) (including during a power outage event) and determining compliance with key performance indicators;
 - (d) identify any control measures that will be implemented for each emission source;
 - (e) outline monitoring procedures which would be implemented during each power outage event; and
 - (f) include a Power Outage Notification Protocol (PONP) 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.
- B6. The Applicant must:
- (a) not commence operation until the Air Quality Management Plan required by condition B6 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Air Quality Management Plan approved by the Planning Secretary for the duration of the development.

Odour Management

- B7. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

NOISE

Hours of Work

B8. The Applicant must comply with the hours detailed in Table 2.

Table 2 Hours of Work

Activity	Day	Time
Construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Sunday	24 hours

- B9. Works outside of the hours identified in condition Table 2 may be undertaken in the following circumstances:
- works that are inaudible at the nearest sensitive receivers;
 - works agreed to in writing by the Planning Secretary;
 - for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B10. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). 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 the Appendix 2, in accordance with the Construction Noise and Vibration Management Plan required under condition B11.

Construction Noise and Vibration Management Plan

- B11. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must
- be prepared by a suitably qualified and experienced noise expert;
 - be prepared in consultation with Ausgrid and other surrounding affected owners;
 - describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
 - describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - include strategies that have been developed with the community for managing high noise generating works;
 - include strategies developed in consultation with adjacent properties in order to meet the vibration limits in condition B15 such as any alternative construction methods with lower source vibration levels and respite periods;
 - describe the community consultation undertaken to develop the strategies in condition B11(e) and B11(f); and
 - include a complaints management system that would be implemented for the duration of the development.
 - include a Vibration Monitoring system to be installed during demolition, excavation and construction works
- B12. The Applicant must:
- not commence construction of the development until the Construction Noise and Vibration Management Plan required by condition B11 is approved by the Planning Secretary; and
 - implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B13. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 3.

Table 3 Noise Limits (dB(A))

Location ^a	Day	Evening	Night
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)
R01 - Residential along Pacific Hwy	43	38	38
R02 - TAFE NSW St Leonards	42 (when in use)		
R03 - Bradfield Senior College	42 (when in use)		
R04 - North Shore Private Hospital	42 (when in use)		
R06 - Surrounding commercial premises	56 (when in use)		
R07 - Child care (playground)	45	-	-
R07 - Child care (school classroom)	50	-	-
R08 - Residential to the west of Pacific Hwy	35	31	31

a. Refer to the plan in Figure 3 for the location of residential sensitive receivers.

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 NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time).

Operational Noise Verification Report

B14. Within three months of the completion of 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), 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 acoustic consultant;
- (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018);
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022); and
 - (iii) the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017); and
- (c) include:
 - (i) an analysis of compliance with noise limits specified in condition Table 3;
 - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition Table 3; and
 - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

VIBRATION

Vibration Criteria

B15. Vibration caused by construction at any residence or 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
- (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

B16. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B15.

B17. The limits in condition B15 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.

Dilapidation Reports

B18. The Applicant must offer and prepare (if the offer is accepted) a pre-dilapidation and post-dilapidation survey at the adjacent properties with buildings falling within the cosmetic damage buffer zone shown on Figure 2 in this consent:

- (a) prior to the commencement of construction; and
- (b) within one month of the conclusion of construction, or as otherwise agreed with the Planning Secretary.

The surveys must be submitted to the Planning Secretary and the relevant property owners within seven days of being prepared.

B19. Should the survey at B18(b) identify any damage, the Applicant must discuss the repairs to be undertaken with the relevant property owners, and repair or pay the full costs associated with repairing any part of the building that is determined to be damaged by the carrying out construction works associated with the development.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B20. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan 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) be prepared in consultation with Ausgrid;
- (d) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
- (e) detail heavy vehicle routes, access and parking arrangements;
- (f) 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;
- (g) include a program to monitor the effectiveness of these measures; and
- (h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B21. The Applicant must:

- (a) not commence construction until the Construction Traffic Management Plan required by condition B20 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

Roadworks and Access

B22. Prior to the commencement of operation of the development, the Applicant must complete the construction of the following works to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993* where necessary:

- (a) new kerb and gutter together with any necessary associated pavement restoration for the full frontage of the development site in Lanceley Place and to replace any redundant vehicle crossings in Campbell Street;
- (b) new footpath / shared path to replace redundant vehicle crossings and 2 metres each side of the new vehicular crossing;

- (c) a footpath constructed along the southern side of Campbell Street for the full frontage of the development; and
- (d) new vehicular crossings for the site.

Landscaped Area

B23. The setback areas in Campbell Street and Lanceley Place between the front boundaries and the perimeter fencing shown on the approved plans are to remain accessible to the public and maintained for the purposes of recreation for the life of the development.

Parking

B24. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operating Conditions

B25. 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) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Green Travel Plan

B26. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Green Travel Plan to encourage the use of sustainable and active transport options by operational staff. The Green Travel Plan must form part of the OEMP required by condition C5 and must:

- (a) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and
- (b) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

B27. The Applicant must not commence operation until the Green Travel Plan is submitted to the Planning Secretary.

B28. The Applicant must implement the most recent version of the Green Travel Plan submitted to the Planning Secretary for the duration of the development.

SOILS, WATER QUALITY

Imported Soil

B29. The Applicant must:

- (a) ensure that only VENM, ENM, or other fill material approved in writing by EPA is brought onto the site;
- (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

B30. Prior to the commencement of any construction or other surface disturbance for the development, 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 CEMP required by condition C2.

B31. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B30 for the duration of construction of the development.

Discharge Limits

B32. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

B33. The Applicant must finalise the detailed design of the stormwater management system for the development, prior to the commencement of construction of that system. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be designed in consultation with Council to Council's design standards;
- (c) be generally in accordance with the conceptual design in the EIS and RTS;
- (d) be in accordance with applicable Australian Standards;
- (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; and
- (f) be designed to manage off site overland flows to provide protection for the development.

B34. 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 B33) and ensure the system is operational.

B35. The Applicant must maintain the stormwater management system installed on the site under condition B34 for the duration of the development.

Flood Management

B36. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Flood Emergency Response Plan (CFERP). 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) address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and
- (c) include details of:
 - (i) the flood emergency responses the construction phase of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees and contractors.

B37. The Applicant must:

- (a) not commence construction until the CFERP required by condition B36 is submitted to the Planning Secretary; and
- (b) implement the most recent version of the CFERP submitted to the Planning Secretary for the duration of construction.

B38. Prior to the commencement of operation of the development, the Applicant must update the CFERP for the purposes of operation of the development in an Operational Flood Emergency Response Plan (OFERP). The OFERP must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and
- (c) include details of:
 - (i) the flood emergency responses the operational phase of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees and contractors.

B39. The Applicant must:

- (a) not commence operation of the development until the OFERP required by condition B38 is submitted to the Planning Secretary; and
 - (b) implement the most recent version of the OFERP submitted to the Planning Secretary for the operational life of the development..
- B40. Prior to the commencement of operation of the development a flood wall must be implemented in accordance with the recommendations of the Flood Impact and Risk Assessment (Revision B dated 27/09/2024 prepared by TTW (NSW) Pty Ltd) .

HAZARDS AND RISK

Dangerous Goods

- B41. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B42. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) for liquids, the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B43. In the event of an inconsistency between the requirements of conditions B42 (a) and B42 (b), the most stringent requirement must prevail to the extent of the inconsistency

Fire Safety Study

- B44. 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 for the approval of the Planning Secretary a Fire Safety Study (FSS) for the development. The FSS must:
- (a) meet the operational requirements of FRNSW.
 - (b) address the relevant aspects of:
 - (i) *Hazardous Industry Planning Advisory Paper No. 2, 'Fire safety study guidelines'* (DoP, 2011); and
 - (ii) *Best practice guidelines for contaminated water retention and treatment systems* (NSW HMPCC, 1994);
 - (c) consider the operational capability of local fire agencies and the need for the facility to achieve an adequate level of on-site fire and life safety independence.
 - (d) verify the final design of the fire safety systems complies with:
 - (i) Australian Standard 1940 The storage and handling of flammable and combustible liquids;
 - (ii) Australian Standard 4681 The storage and handling of Class 9 (miscellaneous) dangerous goods and articles;
 - (iii) Australian Standard 62619 Secondary cells and batteries containing alkaline or other non-acid electrolytes – Safety requirements for secondary lithium cells and batteries, for use in industrial applications;

In the event of an inconsistency between the requirements listed from d(i) to d(iii) above, the requirements as agreed with Fire and Rescue NSW shall prevail to the extent of the inconsistency;
 - (e) consult with FRNSW and report on the consultation outcome of compliance with FM Global Data Sheet 5-32 Data Centers and Related Facilities
 - (f) include Fire and Rescue NSW's correspondence stating that the study has been prepared to their satisfaction.

Emergency Plan

- B45. At least two months prior to the commencement of commissioning 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 Planning Secretary and FRNSW. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*..

Emergency Services Information Package

- B46. Prior to operation and for the life of the development, an Emergency Services Information Package, developed in accordance with the FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans*, must be stored in an emergency information cabinet directly adjacent to the main entry point to the site.

Further Requirements

- B47. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) for liquids, the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B48. In the event of an inconsistency between the requirements of conditions B47(a) and B47(b), the most stringent requirement must prevail to the extent of the inconsistency.

ABORIGINAL HERITAGE

Aboriginal Cultural Heritage Management

- B49. All reasonable steps must be taken to avoid harm, modification, or other impact to Aboriginal objects except as authorised by this consent.
- B50. The Registered Aboriginal Parties must be kept informed about the commencement of construction and commencement of operation of the development. The Registered Aboriginal Parties must continue to be provided with the opportunity to be consulted about the Aboriginal Heritage management requirements of the development.

Unexpected Finds Protocol

- B51. 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.
- B52. 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*.

HISTORIC HERITAGE

Unexpected Finds Protocol

- B53. 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.
- B54. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

BIODIVERSITY

Tree Protection Measures

- B55. All trees identified for retention within the site are to be retained and protected in accordance with the latest version of Australian Standard 4970:2009 – *Protection of Trees on Development* for the duration of the development.

WASTE MANAGEMENT

Construction Waste Management

- B56. Prior to the commencement of construction of the development, the Applicant must prepare a Construction and Demolition Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:
- (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and
 - (b) be implemented for the duration of construction works.
- B57. The Applicant must:
- (a) not commence construction until the Construction Waste Management Plan is approved by the Planning Secretary.
 - (b) implement the most recent version of the Construction Waste Management Plan approved by the Planning Secretary.

Waste Storage and Management

- B58. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

- B59. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- B60. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B61. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal

CONTAMINATION

Unexpected Finds

- B62. 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 form part of the CEMP in accordance with condition C2 and must 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.

Asbestos

- B63. The Applicant must ensure that any asbestos encountered during the remediation and construction works for the development is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:
- Work Health and Safety Regulation 2017;
 - SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace December 2022;
 - SafeWork NSW Code of Practice – How to Safely Remove Asbestos December 2022; and
 - Protection of the Environment Operations (Waste) Regulation 2014.

VISUAL AMENITY

Landscaping

B63A. The three (3) Banksia Integrifolia trees located in the finger planting beds within the carpark as notated on Landscape Plan SYD01-ALA-LAN-DRG-0101-4000 (Issue E dated 06/11/2025 prepared by Arcadia as part of Modification 1) are to be deleted from the approved Landscape Plans.

- B64. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage the landscaping works, in accordance with the approved Landscape Plans in Appendix 2 of this consent, to the satisfaction of the Planning Secretary. The plan must:
- detail the species to be planted on-site, including locally native species;
 - confirm the finger planting beds located within the car park have a minimum soil depth of 600mm**
 - describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
 - be consistent with the Applicant's Management and Mitigation Measures at Appendix 3.
- B65. The Applicant must:
- not commence operation until the Landscape Management Plan is approved by the Planning Secretary;
 - must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
 - maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B64 for the life of the development.

Lighting

- B66. The Applicant must ensure the lighting associated with the development:
- complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
 - 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

- B67. All signage and fencing must be erected in accordance with the approved development plans.

Note: This condition 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) Construction Traffic Management Plan (see condition B20);
 - (b) Erosion and Sediment Control Plan;
 - (c) Construction Noise and Vibration Management Plan (see condition B11);
 - (d) Construction Waste Management Plan (see condition B56); and
 - (e) Community Consultation and Complaints Handling.
 - (f) a copy of the Construction Flood Emergency Response Plan (see condition B36);
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the 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) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (b) describe 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;
- (v) respond to emergencies; and
- (c) include the following environmental management plans:
 - (i) Air Quality Management Plan (see condition B5);
 - (ii) Landscape Management Plan (see condition B64);
 - (iii) a copy of the Green Travel Plan (see condition B26); and
 - (iv) a copy of the Operational Flood Emergency Response Plan (see condition B38).

C7. The Applicant must:

- (a) not commence operation until the OEMP 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 a Compliance Report under condition C18;
- (b) the submission of an incident report under condition C11;
- (c) the submission of an Independent Audit under condition C18;
- (d) the approval of any modification of the conditions of this consent; or
- (e) 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 strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, 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 5 (Incident Notification and Reporting Requirements).

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 submitted under 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.*

Compliance Reporting

- C14. Within the first year of commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:
- (a) identify any trends in the monitoring data over the life of the development;
 - (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
 - (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.
- C15. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Back-up Generator Testing

- C16. 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 back-up generator tests undertaken at the site. For each test, the log must detail the following:
- (a) the date and time of the test;
 - (b) the total number of back-up generators which were tested; and
 - (c) the duration of the test.
- A copy of the log must be made available to the Planning Secretary upon request.
- C17. Within 30 days of the emergency electricity generators being used to power the development during a power outage event (or as otherwise agreed to in writing by the Planning Secretary), the Applicant must prepare and submit a Backup Generator Incident Report for the development to the Planning Secretary. The report must include:
- (a) date and time of the power outage event
 - (b) date and time of generator operation;
 - (c) identification of generators used to power the development;
 - (d) duration of each generator operation and total generator operation;
 - (e) total quantity of diesel fuel used by the back-up generators;
 - (f) total amount of electricity produced by the back-up generators;
 - (g) assessment of air quality impacts resultant from the operation of the generators; and
 - (h) assessment and recommendation of additional measures that could be implemented to reduce future impacts, including but not limited to reduced likelihood of generator operation and retrofit of generator emission controls.

Monitoring and Environmental Audits

- C18. 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.*

Ecologically Sustainable Development

- C19. Within 3 months of the commencement of operation the Applicant must prepare an operational ESD report, demonstrating that the measures identified in the ESD report (issue B, prepared by Goodman, dated 27 September 2024) submitted with the application are being implemented.

ACCESS TO INFORMATION

- C20. At least 48 hours before the commencement of construction of the development and for the life of the development, 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, excluding any documents described in conditions B42 to B49;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vii) a summary of the current stage and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated quarterly;
 - (x) the Compliance Report of the development;
 - (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.



Figure 2 Construction Vibration Cosmetic Damage for Dilapidation Surveys (see condition B18)

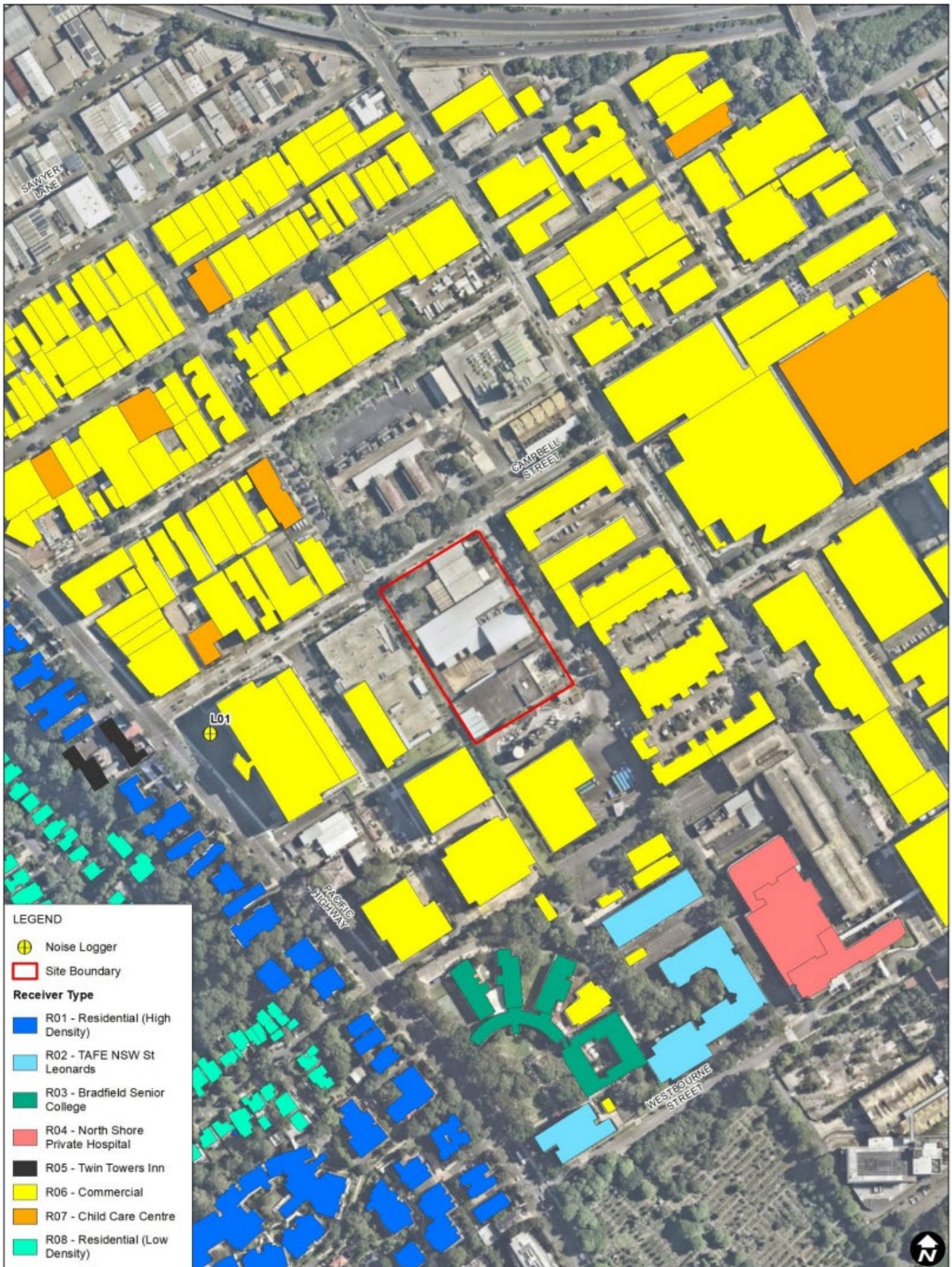


Figure 3 Surrounding receivers

Architectural Plans – Endorsed with Department stamp

Drawing Number	Issue Number	Dated	Prepared By
EOS-AR-DRG-0	E	23/02/2026	HDR
EOS-AR-DRG-11002	E	23/02/2026	HDR
EOS-AR-DRG-11003	E	23/02/2026	HDR
EOS-AR-DRG-11004	D	29/10/2025	HDR
EOS-AR-DRG-21001	D	29/10/2025	HDR
EOS-AR-DRG-21002	D	29/10/2025	HDR
EOS-AR-DRG-21003	D	29/10/2025	HDR
EOS-AR-DRG-21004	D	29/10/2025	HDR
EOS-AR-DRG-21005	D	29/10/2025	HDR
EOS-AR-DRG-21006	D	29/10/2025	HDR
EOS-AR-DRG-21007	D	29/10/2025	HDR
EOS-AR-DRG-21008	D	29/10/2025	HDR
EOS-AR-DRG-21009	D	29/10/2025	HDR
EOS-AR-DRG-30000	D	29/10/2025	HDR
EOS-AR-DRG-30001	D	29/10/2025	HDR
EOS-AR-DRG-30002	D	29/10/2025	HDR
EOS-AR-DRG-30003	D	29/10/2025	HDR
EOS-AR-DRG-31000	D	29/10/2025	HDR
EOS-AR-DRG-31001	D	29/10/2025	HDR
EOS-AR-DRG-31002	D	29/10/2025	HDR
EOS-AR-DRG-31003	D	29/10/2025	HDR
EOS-AR-DRG-31004	D	29/10/2025	HDR
EOS-AR-DRG-31005	D	29/10/2025	HDR
EOS-AR-DRG-31006	D	29/10/2025	HDR
EOS-AR-DRG-94101	D	29/10/2025	HDR
EOS-AR-DRG-96000	D	29/10/2025	HDR

Civil Engineering Plans

DA-C000	B	19.06.2025	Van Der Meer Consulting
DA-C101	C	06.11.2025	Van Der Meer Consulting
DA-C111	B	19.06.2025	Van Der Meer Consulting
DA-C112	B	19.06.2025	Van Der Meer Consulting
DA-C121	B	19.06.2025	Van Der Meer Consulting
DA-C151	B	19.06.2025	Van Der Meer Consulting
DA-C201	B	19.06.2025	Van Der Meer Consulting
DA-C401	C	06.11.2025	Van Der Meer Consulting
DA-C411	C	06.11.2025	Van Der Meer Consulting
DA-C421	C	06.11.2025	Van Der Meer Consulting
DA-C422	C	06.11.2025	Van Der Meer Consulting
DA-C451	B	19.06.2025	Van Der Meer Consulting
DA-C452	B	19.06.2025	Van Der Meer Consulting

Landscape Plans

SYD01-ALA-LAN-DRG-0101-0000	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-0001	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-0002	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-0004	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-0005	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-3000	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-3001	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-4000	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-4001	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-5001	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-5002	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-5003	F	18/02/2026	Arcadia

SYD01-ALA-LAN-DRG-0101-6000	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-6010	F	18/02/2026	Arcadia
SYD01-ALA-LAN-DRG-0101-6080	F	18/02/2026	Arcadia

FOR INFORMATION

APPENDIX 3 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

The following section provides recommendations for mitigation measures in response to potential impacts identified in **Section 6** of the EIS. The structure of mitigation measures is based on the DPIE's hierarchy of approaches for managing impacts identified in the *State Significant Development Guidelines* released by DPE in June 2021, as:

- **Performance based measure** – identify performance criteria that must be complied with to achieve an appropriate environmental outcome but do not specify how the outcome is to be achieved.
- **Prescriptive measure** – require action to be taken or specify something that must not be done.
- **Management based measure** – identify one or more management objectives that must be achieved through the implementation of a management plan.

Following the implementation of appropriate mitigation measures as recommended, it is determined that the proposal will not result in any significant adverse impacts on the surrounding environment. The following table illustrates how the matters raised within the SEARs will be addressed.

This analysis comprises a qualitative assessment consistent with AS/NZS ISO 31000:2009 *Risk Management—Principles and Guidelines* (Standards Australia 2009). The level of risk was assessed by considering the potential impacts of the proposed development prior to application of any mitigation or management measures. In accordance with the SEARs, the Environmental Risk Assessment (ERA) addresses the following significant risk issues:

- The adequacy of baseline data;
- The potential cumulative impacts arising from other developments in the vicinity of the site; and
- Measures to avoid, minimise, offset the predicted impacts where necessary involving the preparation of detailed contingency plans for managing any significant risk to the environment. Risk comprises the likelihood of an event occurring and the consequences of that event. For the proposal, the following descriptors were adopted for 'likelihood' and 'consequence'.

Likelihood		Consequence	
A	Almost certain	1	Widespread and/or irreversible impact
B	Likely	2	Extensive but reversible (within 2 years) impact or irreversible local impact
C	Possible	3	Local, acceptable or reversible impact
D	Unlikely	4	Local, reversible, short term (<3 months) impact
E	Rare	5	Local, reversible, short term (<1 month) impact

The risk levels for likely and potential impacts were derived using the following risk matrix.

		LIKELIHOOD				
		A	B	C	D	E
CONSEQUENCE	1	High	High	Medium	Low	Very low
	2	High	High	Medium	Low	Very low
	3	Medium	Medium	Medium	Low	Very low
	4	Low	Low	Low	Low	Very low
	5	Very low	Very low	Very low	Very low	Very low

The results of the environmental risk assessment for the proposed development are presented in the below table and are based upon the range of technical and specialist consultant reports appended to the EIS. The table has directly related mitigation measures responding to each impact also based upon the range of technical and specialist consultant reports appended to the EIS.

N.B. 'O' – Operational; 'C' – Construction

'Pe' – Performance based mitigation measure; 'Pr' – Prescriptive based mitigation measure 'Ma' – Management based mitigation measure

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
Landscaping and tree removal	Tree removal	C	A	3	Medium	<p>Replacement tree species must suit their location on the site in terms of their potential physical size and their tolerance to the surrounding environmental conditions. To avoid unethical or unprofessional tree selection and / or their replacement, replacement tree species must be selected in consultation with an arborist, who can assist in implementing successful tree establishment techniques.</p> <p>Replacement trees must have the genetic potential to reach a mature size potential of those trees removed to facilitate the development. As a guide, potential height will be a minimum of 10m (or more) and produce a spreading canopy so they may provide amenity value to the property and contribute to the tree canopy of the surrounding area in the future.</p>	Pr	Low

Flooding	Access affected by PMF events.	O	D	5	Very Low	<p>It is recommended that a Flood Emergency Response Plan (FERP) is developed for the site given that both access points lead onto Campbell Street, which is affected in the PMF event. Both the Willoughby City Council DCP and LEP require consideration of safe occupation or efficient evacuation. The development of a FERP will determine which of these management strategies is most effective for the site and ensure adequate management strategies are in place in the event of a significant flood, mitigating any residual flood risks.</p>	M a p r	Low
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FOR INFORMATION

<p>Hazards and risks</p>	<p>Combustion of dangerous goods</p>	<p>O</p>	<p>C</p>	<p>4</p>	<p>Low</p>	<p><u>Design Requirements:</u></p> <p>The design requirements detailed within RiskCon's Dangerous Goods Report 1 May (Appendix BB) shall be adhered to in the development of the design for the facility.</p> <p>Spillage containment with a net capacity of 14m³ shall be installed for the power transformers.</p> <p>The cell manufacturer shall ensure that the Li-ion battery modules and BMS are compliant with the relevant testing requirements.</p> <p><u>Documentation Requirements:</u></p> <p>The following documentation is to be prepared prior to operation of the facility and kept on site:</p> <ul style="list-style-type: none"> ▪ A Dangerous Goods Register, indicating the type of chemical, any notations that may be required for the risk assessment and the Safety Data Sheet for the chemical. ▪ Documentation required by the Work Health and Safety Regulation 2017 	<p>P r M a</p>	<p>Low</p>
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						<p>specific to the site classification based upon the quantity of goods stored.</p> <ul style="list-style-type: none"> ▪ Placard Schedule. ▪ A Manifest and notification shall be submitted to SafeWork NSW. ▪ A DG Risk Assessment of the storage and handling areas. ▪ An Emergency Response Plan (ERP). <p>Goodman shall re-assess their site against Resilience and Hazards SEPP in the event that storage quantities of Dangerous Goods increase.</p>		
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FOR II

Air Quality	Impacts of air quality during construction activities	C	C	4	Low	<p><u>Mitigation Measures specific to Demolition:</u></p> <p>Soft strip inside buildings before demolition (retaining walls and windows in the rest of the building where possible, to provide a screen against dust).</p> <p>Ensure effective water suppression is used during demolition operations. Handheld sprays are more effective than hoses attached to equipment as the water can be directed to where it is needed. In addition, high volume water suppression systems, manually controlled, can produce fine water droplets that effectively bring the dust particles to the ground.</p> <p>Avoid explosive blasting, using appropriate manual or mechanical alternatives.</p> <p>Bag and remove any biological debris or damp down such material before demolition.</p> <p><u>Mitigation Measures specific to Earthworks:</u></p>	P r M a	Low
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					<p>Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.</p> <p>Use Hessian, mulches or trackifiers where it is not possible to re-vegetate or cover with topsoil, as soon as practicable.</p> <p>Only remove the cover in small areas during work and not all at once. <u>Mitigation Measure specific to Construction:</u></p> <p>Avoid scabbling (roughening of concrete surfaces) if possible.</p> <p>Ensure sand and other aggregates are stored in banded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.</p> <p>Ensure bulk cement and other fine powder materials are delivered in enclosed tankers</p>		
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					<p>and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery.</p> <p>For smaller supplies of fine power materials ensure bags are sealed after use and stored appropriately to prevent dust.</p> <p><u>Mitigation Measure specific to Trackout:</u></p> <p>Use water-assisted dust sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the site. This may require the sweeper being continuously in use.</p> <p>Avoid dry sweeping of large areas.</p> <p>Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.</p> <p>Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable.</p> <p>Record all inspections of haul routes and any subsequent action in a site log book.</p> <p>Install hard surfaced haul routes,</p>		
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					<p>which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowsers and regularly cleaned.</p> <p>Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable).</p> <p>Ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits.</p> <p>Access gates to be located at least 10m from receptors where possible.</p>		
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FOR II

Noise and Vibration	Noise Generation during construction phase and from back up generators during operational phase	C O	B	4	Low	<p><u>Construction Phase</u></p> <p>The following construction phase mitigation measures are recommended:</p> <p>The use of standard mitigation measures to minimise the impacts is considered sufficient to control the majority of the impacts. Examples of measures that could be applied to the work are provided in the Transport for NSW Construction Noise and Vibration Guideline.</p> <p>A Construction Noise and Vibration Management Plan (CNVMP) is to be prepared before any work begins. This is to identify all potentially impacted receivers, assess the potential noise and vibration impacts from the proposal and provide details regarding how the impacts would be minimised through the use of all feasible and reasonable mitigation measures. The CNVMP is also to contain procedures for handling complaints, should they occur, and detail any compliance monitoring</p>	P e M a	Low
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						<p>requirements.</p> <p><u>Detailed Design Phase</u></p> <p>These measures should be explored and adopted where possible at the detailed design stage.</p> <ul style="list-style-type: none"> ▪ Appropriate specification and location of mechanical plant during detailed design. <p>All mechanical plant items are to be reviewed during later acoustic assessments during the detailed design stage of the project to confirm compliance with the PNTLs. It is expected that compliance is achievable through a combination of appropriate mechanical plant selection, acoustic louvres where appropriate.</p> <p><u>Operational Phase</u></p> <p>The potential feasible and reasonable mitigation measures that can be applied to the development to minimise the operational noise impacts are:</p> <ul style="list-style-type: none"> ▪ Limit vehicle movements ▪ Use broadband and/or ambient sensing alarms 		
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						<p>on heavy vehicles where they are required to reverse during the night-time</p> <ul style="list-style-type: none">▪ Roller doors kept closed when loading/unloading is not occurring.▪ Preparation of and operation in accordance with an Operational Noise Management Plan.		
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FOR II

Traffic and Transport	Impacts of construction activities on the surrounding road network	C	B	3	Medium	<p>It is recommended that a signage and line-marking plan be prepared to manage vehicle circulation in the car park and to assist with way finding across the Site. The signage and line-marking plan would be prepared prior to Occupation Certificate (OC) and if deemed necessary by the assessing authority.</p> <p>A Construction Traffic Management Plan is to be prepared and endorsed by the PCA prior to issuance of a Construction Certificate. The CTMP is to reflect the content and recommendations of the Preliminary CTMP prepared by ASON dated April 2024.</p> <p>A Green Travel Plan is to be prepared and endorsed by the PCA prior to issuance of a Construction Certificate. The GTP is to reflect the content and recommendations of the Preliminary GTP prepared by ASON dated April 2024.</p> <p>An Operational Traffic Management Plan is to be prepared and endorsed PCA prior to issuance of a Construction</p>	M a	Low
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Certificate.

FOR II

<p>Aboriginal cultural heritage</p>	<p>Impacts of construction activities on unknown Aboriginal objects</p>	<p>C</p>	<p>D</p>	<p>4</p>	<p>Low</p>	<p>As the study area was found to be previously disturbed and to have a nil-low potential for Aboriginal objects to be located within it, it is recommended that further assessment is not required.</p> <p>As neither the Metropolitan LALC site officer nor the RAPs identified any socio/cultural, historic or aesthetic significance associated with the heritage study area, further assessment is not required.</p> <p>If changes are made to the proposal that may result in impacts to areas not assessed by this ACHAR further assessment would be required</p> <p>Unexpected Aboriginal objects remain protected by the National Parks and Wildlife Act 1974. If any such objects, or potential objects, are uncovered in the course of the activity, all work in the vicinity should cease immediately. A qualified archaeologist should be contacted to assess the find and Heritage NSW and Metropolitan LALC must be</p>	<p>M a</p>	<p>Low</p>
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						<p>notified.</p> <p>If human remains, or suspected human remains, are found in the course of the activity, all work in the vicinity should cease, the site should be secured, and the NSW Police and Heritage NSW should be notified.</p>		
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FOR II

Contamination	Unexpected finds with the potential to impact future human or ecological receptors	C	D	4	Low	<p>Senversa recommends that a CEMP be prepared and implemented as part of the proposed development works and include requirements for the following procedures during construction:</p> <ul style="list-style-type: none"> ▪ Soil and water management. ▪ Waste management. ▪ Validation requirements for imported material. <p>Remediation is not considered to be required based on data collected as part of this investigation. Should unexpected finds with the potential to impact future human or ecological receptors on site be uncovered during the proposed redevelopment, these should be dealt with in line with the unexpected finds protocol of a Construction Environmental Management Plan.</p>	M a	Low
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FOI

Waste	Waste associated with the construction and operation of the data centre	C O	C	4	Low	<p><u>Demolition and Construction Phase</u></p> <p>Where possible, all demolition and construction materials would be recycled either on-site through reuse or offsite at a licensed facility. Waste would be transported and disposed of offsite by a licensed contractor to a licensed landfill facility.</p> <p><u>Operational Phase</u></p> <p>Signs which clearly identify waste management procedures and provisions to contractors, staff and visitors will be posted at the Development as appropriate. The design and use of safety signs will comply with Australian Standard AS 1319 Safety Signs for the Occupational Environment and clearly describe the types of materials designated for each bin.</p>	P e P r	Low
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FOR

Cumulative Construction Phase Impacts	Cumulative impacts during construction phase	C	C	3	Medium	<p>A Construction Management Plan shall be prepared prior to the construction certificate to minimise potential cumulative construction impacts. The CMP should identify and assess potential cumulative construction-related impacts (e.g. noise, vehicle movements, pedestrian safety) associated with other surrounding developments.</p> <p>Mitigation and monitoring measures should be provided for all identified cumulative construction impacts.</p>	P r	Low
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FOR II

BCA	Fire safety within building	C O	C	3	Medium	<p>Performance Solutions to satisfy the Performance Requirements of the NCC have been proposed to account for non-compliances with the Dts provisions as identified in the NCC Compliance Report (Appendix JJ) to address non-compliances.</p> <p>A complete fire engineering analysis will be included within the Fire Engineering Report (FER) which is expected to be undertaken prior to the commencement of CC.</p>	M a	Low
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FOR II

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.