

Mr Jeffery Peng
Department of Planning Housing and Infrastructure

Ref: SSD-67407231

Property Address: 1 & 2 Apollo Place Lane Cove West (Lots 11 DP 558654, AND LOT 1 DP 1271404)

Dear Mr Peng,

Thank you for the opportunity to comment as part of the request for the industry specific Planning Secretary's Environmental Assessment Requirements (SEARS) for the Construction of a 45- megawatt (45MW) data centre development, comprising a single building arranged over 4-storeys.

Following on from our previous correspondence dated 13 November 2024, Council offers these comments relating to the applicant's response to the SEARS public notification process.

Height exceedance

The proposed development exceeds the 18m height control and would attain a height of 32.7m to the cooling towers. Council's previous concern related to the height of the building as viewed from the River. However, more recent photomontages presented by the applicant demonstrate that very little of the building would be visible, as it is nestled behind other buildings. The applicant has submitted an updated Clause 4.6 variation statement to justify the variation for the Department to consider.

View Analysis

The view analysis provided indicates the proposed development would generally be in-keeping with the approved and neighbouring developments. This ensures the development is not out of character with the Lane Cove West business park.

The applicant has taken Council's advice in relation to the external appearance of the building. In particular, the materials, finishes and colour palette are sympathetic and draw from the neighbouring bushland with muted tones. The building would sit behind the approved development at 1 Sirius Road and would not be highly visible from the Lane Cove River or residential developments in proximity to the site.

Front Setback

The proposed development includes a variation to the 8m setback due to the cul-de-sac. The objectives of industrial setbacks are as follows:

- 1. To minimise the impact of development and buildings on the surrounding area.***
- 2. To create a pleasant environment within and external to the site through adequate landscaping.***
- 3. To provide landscape to the street***

The reduced setback is only in a small portion and because of the cu-de-sac. It would continue to meet the three objectives.

Tree removal

19 trees are proposed to be removed as part of the development. The canopy should be replenished as much as possible to ensure minimal net- canopy loss and compliance with Part J Landscaping and Tree Preservation 3.5 Urban Tree Canopy of the DCP 2009. The landscaping plan is recommended to be updated to include additional replacement canopy trees beyond the single water gum. The applicant should also explore any opportunities for additional canopy replacement trees within the neighbouring 1 Sirius Road site

as an alternative. It is noted that the most prominent tree in proximity to the site, a neighbouring 20m high Eucalyptus will not be impacted and should be protected throughout the construction phase. The existing street trees proposed to be removed are of low-value and can be replaced with appropriate canopy trees. Replacement species should be selected from the Part J Landscaping and Tree Preservation Appendix 2 – Approved Street Tree Replacement List. (see below).

APPENDIX 2 – Approved Street Tree List

TREES

BOTANIC NAME	COMMON NAME	SOIL	ASPECT	WATER NEEDS
<i>Acmena smithii</i>	Lilly Pilly	C,H,R	S,D	M
<i>Allocasurina torulosa</i>	Forest Oak	C,H,R	F,S	-
<i>Angophora costata</i>	Sydney Red Gum	D,H	F	D
<i>Angophora floribunda</i>	Rough Barked Apple			
<i>Backhousia myrtifolia</i>	Grey Myrtle	C,H	S,D	M
<i>Banksia serrata</i>	Old Man Banksia	D	F	D
<i>Banksia integrifolia</i>	Coast Banksia	D,R	F,S	-
<i>Cerapetalum gummiferum</i>	New South Wales Christmas Bush	C,H	F,S,D	-
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	C,H	S,D	-
<i>Eucalyptus botryoides</i>	Bangalay			
<i>Eucalyptus gummifera</i>	Red Bloodwood			
<i>Eucalyptus haemastoma</i>	Scribbly Gum	D	F	D
<i>Eucalyptus racemosa</i>	Scribbly Gum	D,H	F	-
<i>Eucalyptus paniculata</i>	Grey Ironbark	C,H	F	-
<i>Eucalyptus pilularis</i>	Blackbutt	All	F,S	-
<i>Eucalyptus piperita</i>	Sydney Peppermint	D	F	D
<i>Eucalyptus punctata</i>	Grey Gum			
<i>Eucalyptus resinifera</i>	Red mahogany	All	F,S	-
<i>Eucalyptus robusta</i>			F,	-
<i>Eucalyptus saligna</i>	Sydney Blue Gum	C,H,R	F,S	-
<i>Glochidion ferdinandi</i>	Cheese Tree	C,H,R	S,D	M
<i>Melaleuca linariifolia</i>	Paperbark	C,H,R	F,S	M
<i>Melaleuca styphelioides</i>	Prickly-leaf Paperbark	C,H,R	F,S	M
<i>Syncarpia glomulifera</i>	Turpentine	C,H	F,S	M

PART J: LANDSCAPING & TREE PRESERVATION

SEPP (Resilience and Hazards) 2021

The provisions of SEPP (Resilience and Hazards) 2021 have been addressed in the SEE.

Contributions

The proposal would be subject to contributions under Section 7.11 of the Act. Please refer to below draft s7.11 contribution condition below. It is requested the Department includes the condition in any future determination.

Council is generally supportive of the proposed development given that it meets the objectives of the Employment Zone. The proposed development would expand the existing Data Centre complex which would be beneficial to the economy of the state and local area. The proposed high-tech industry would also provide increased employment opportunities to the Lane Cove West Business Park.

Should you require any further information or assistance please do not hesitate to contact Council's Senior Town Planner Chris Shortt 9911 3522 between 8.00am and 4.00pm Monday to Friday or via email on cshortt@lanecove.nsw.gov.au (preferred).

Yours faithfully,



Rajiv Shankar
Manager, Development Assessment

DRAFT CONDITIONS**SECTION 7.11 CONTRIBUTION:**

THE PAYMENT OF A CONTRIBUTION OF \$546,544.60 TOWARDS TRAFFIC MANAGEMENT AND STREETScape IMPROVEMENTS, OPEN SPACE AND RECREATION FACILITIES, DRAINAGE AND COMMUNITY FACILITIES. THE

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CONTRIBUTION TO BE MADE PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE AND TO BE AT THE CURRENT RATE AT TIME OF PAYMENT. NOTE: PAYMENT MUST BE IN BANK CHEQUE. PERSONAL CHEQUES WILL NOT BE ACCEPTED.

THE CONTRIBUTION IS BASED ON:

- **8,831SQM INDUSTRIAL (GFA) AT THE CURRENT CONTRIBUTION RATE (2024-2025) OF \$52.78 PER SQM FOR INDUSTRIAL FLOOR SPACE (TOTAL: \$466,100.18); AND**
- **497SQM OFFICE FLOOR SPACE (GFA) AT THE CURRENT CONTRIBUTION RATE (2024-2025) OF \$161.86 PER SQM FOR RETAIL COMMERCIAL FLOOR SPACE (TOTAL: \$80,444.42).**

THIS CONTRIBUTION IS UNDER LANE COVE COUNCIL SECTION S7.11 (FORMALLY S94) CONTRIBUTIONS PLAN WHICH IS AVAILABLE FOR INSPECTION AT THE CUSTOMER SERVICE COUNTER, LANE COVE COUNCIL, 48 LONGUEVILLE ROAD, LANE COVE.