

Department of Planning, Housing and Infrastructure

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Project Apollo Data Centre

State Significant Development Assessment Report (SSD-74069708)

September 2026





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Published: September 2026

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Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of the State significant development (SSD) application for the Project Apollo Data Centre located at 4-10 Talavera Road, Macquarie Park, lodged by Goodman Property Services (Aust) Pty Limited. The report includes:

- an explanation of why the project is considered SSD and who the consent authority is
- an assessment of the project against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the project during the assessment process
- an assessment of the likely environmental, social and economic impacts of the project
- an evaluation which weighs up the likely impacts and benefits of the project, having regard to the proposed mitigations, and provides a view on whether the impacts are on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether development consent for the development should be granted and any conditions that should be imposed.

Executive Summary

Goodman Property Services (Aust) Pty Limited (the Applicant) proposes to construct and operate a data centre with associated infrastructure and ancillary office space at 4-10 Talavera Road, Macquarie Park, within the Ryde local government area. The development has an estimated development cost of \$1.365 billion and would generate up to 400 construction jobs and 60 operational jobs.

The site is located within the Macquarie Park Transport Oriented Development Accelerated (TOD) Precinct. Surrounding land uses comprise a mix of commercial, business park and infrastructure developments, including existing and approved data centres within the broader Macquarie Park precinct. The nearest residential receivers are located north of the site, beyond the M2 Motorway, at a distance of approximately 100 metres.

The development seeks to respond to growing demand for secure, high -performance digital infrastructure in Sydney. The development involves a 24-hour data centre with maximum building height of up to 45 metres and comprising eight data halls. The facility would have a total power demand of around 135 megawatts (MW) and would be supported by open circuit evaporative cooling towers, on-site water storage, back-up diesel generators and lithium-ion battery systems.

The Department publicly exhibited the development application and accompanying Environmental Impact Statement from 21 March 2025 to 17 April 2025. During exhibition, the Department received no public submissions, a submission from Council objecting to the proposal, and advice from government agencies, utility providers and State-owned corporations. Council's objection focused primarily on urban design matters, including bulk and scale, landscaping and tree retention, public domain outcomes, at-grade car parking and security fencing, as well as broader sustainability considerations such as energy/water efficiency and greenhouse gas emissions.

Following exhibition, the Applicant provided a Submissions Report and supplementary information addressing issues raised by Council and government agencies. This included refinements to built form articulation, landscaping, parking layout and façade treatment, together with updated technical assessments. The Department circulated this information to relevant agencies and Council for further comment.

The Department's assessment focused on two key issues, being operational noise and urban design. Operational noise is mitigated through acoustic treatments, optimised plant layout, and attenuated generator enclosures, with conditions restricting the operating envelope and requiring on-going monitoring to verify compliance with noise limits. In relation to urban design, the Department acknowledges Council's concerns regarding the site's prominent entry location within the Macquarie Park TOD Precinct and the scale of the development. The Department notes, however, that the revised

proposal improves upon the exhibited scheme through increased articulation, stepped massing, recessed upper-level plant, expanded landscaped setbacks, the relocation and screening of at-grade parking, and the integration of public art and “Designing with Country” principles. The development meets the applicable incentive height and floor space ratio controls, and the Department considers that, on balance, the size and scale of the development would not be out of place within the evolving commercial and technology-focused context of the locality.

In addition to these key issues, the Department assessed other matters including electricity/water demand and servicing, air quality, greenhouse gas emissions, construction noise, stormwater management and flooding, traffic and access, hazards and risk, heritage, and construction impacts. The Department is satisfied that these matters can be appropriately managed through design measures and recommended conditions of consent.

The Department considers the development is consistent with the Sydney Plan, Greater Sydney Region Plan, the North District Plan and Ryde Council’s Local Strategic Planning Statement, which support investment in knowledge-intensive industries and employment within the Macquarie Park precinct. The development would deliver significant economic benefits and support the continued role of Macquarie Park as a strategic technology and innovation hub.

On balance, the Department concludes that the development would not result in unacceptable environmental or amenity impacts, subject to the recommended conditions of consent.

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1 Introduction

1.1 The Department's Assessment

This report details the Department of Planning, Housing and Infrastructure (Department's) assessment of a State significant development (SSD) application for the Project Apollo Data Centre (SSD-74069708). The proposed development (the development) involves the demolition of existing buildings, and construction and operation of a data centre located at 4-10 Talavera Road, Macquarie Park in the Ryde local government area (LGA).

The Department's assessment considers all documentation submitted by Goodman Property Services (Aust) Pty Limited (the Applicant), including the Environmental Impact Statement (EIS), Submissions Report and additional information, and the advice and submissions received from government authorities and utility providers. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions and government advice. The report evaluates the key issues associated with the development and provides recommendations for managing any impacts during construction and operation.

1.2 Development Background

The Applicant is seeking development consent for the demolition of existing warehouse and ancillary office buildings and the construction and 24-hour operation of a data centre up to 45 metres in height. The proposed development would comprise of a purpose-built data hall floorspace with ancillary office, together with associated supporting infrastructure, including back-up power generation, cooling plant, electrical infrastructure, on-site servicing areas, hardstand, car parking and landscaping. A detailed description of the development is provided in **Section 2** of this report.

Data centres are secure facilities used by organisations to store, process and manage electronic data and digital applications using specialised information technology (IT) infrastructure. This may include personal data (such as social media content or cloud photo libraries), corporate data (such as financial systems or customer records), or sensitive government data (such as health and taxation information). Increasingly, data centres also support high-performance computing tasks, including artificial intelligence (AI), machine learning and real-time analytics.

In recent years, demand for both large-scale and edge data centres (smaller, decentralised facilities designed to process data closer to end-users to reduce latency) has grown significantly across New South Wales. This growth is being driven by the rapid adoption of digital technologies, including AI,

autonomous systems, cloud computing and next-generation mobile networks. As these technologies become more embedded in everyday life and business operations, additional data centre capacity is required to support the increasing volume, speed and complexity of data generated and accessed by Australians.

The Applicant is a global industrial property group, which develops and manages property in sectors including logistics, warehousing and distribution, e-retail, automotive, professional services, pharmaceuticals, and technology. Given the growing demand for data connectivity and technology in Australia, the Applicant has identified an opportunity to redevelop an underutilised industrial site into a data centre.

1.3 Site Description

The site comprises approximately 25,200 square metres (m²) of land located at 4–10 Talavera Road, Macquarie Park, within the Ryde Local Government Area (LGA). The land is legally described as Lot 11 DP 733881, Lot 4 DP 1031467, and Lots 10 and 11 DP 883750.

As shown in **Figure 1**, the site is located in Macquarie Park, a major employment precinct in Sydney's North District, approximately 15 kilometres (km) north-west of the Sydney CBD, with access to the broader road network via Talavera Road. There are currently three access driveways for the existing lots (see **Figure 2**).

The site is currently occupied by two warehouse buildings with ancillary office uses, with associated hardstand areas used for vehicle circulation and servicing. These structures are proposed to be demolished to facilitate the development.

The site is affected by a number of existing easements and infrastructure constraints, including Ausgrid electricity infrastructure and associated easements across parts of the site. The site is serviced by existing power, water, sewer, stormwater and telecommunications infrastructure, with stormwater drainage connecting to Council-owned infrastructure within Talavera Road.

The site generally slopes from west to east toward Lane Cove Road. It is not identified as flood-prone land, is located outside the Probable Maximum Flood (PMF) extent, and is not mapped as bush fire-prone land. The site is also not identified as having any Aboriginal or European heritage significance.



Figure 1 | Regional context map



Figure 2 | Local context map

1.4 Surrounding Land Uses

As shown in **Figure 3**, the site is located within the Macquarie Park Transport Oriented Development Accelerated (TOD) Precinct and is surrounded by a mix of commercial, light industrial and infrastructure uses, including:

- the M2 Motorway and vegetated corridor, located to the north
- commercial and light industrial premises along Lane Cove Road, located to the east
- commercial office developments along Talavera Road, located to the south
- additional commercial office buildings and business park development at 12–38 Talavera Road, located to the west.

The nearest residential receivers are located north of the site beyond the M2 Motorway, at a distance of approximately 100 metres (m) along Fontenoy Road.

The site is also located within an established data centre cluster in the Macquarie Park and North Ryde area, with existing and approved data centres located along Talavera Road, as well as within the broader Macquarie Park technology precinct.

Legend

- E3 Productivity Support zone (indicative)
- Subject site
- Existing data centre
- SSD data centre under assessment / SEARs issued
- Approved SSD data centre (not yet operational)

- 1 NEXTDC S1 (LDA2011/0413)
- 2 Talavera Road Data Centre Campus (LDA2018/0322) and Data Centre Expansion (SSD-24299707)
- 3 M Park Data Centre (SSD-10467)
- 4 NEXTDC S2 (LDA2017/0192)
- 5 23-25 Waterloo Road Data Centre (SSD-91297457)
- 6 NEXTDC S5 (SSD-63168959)
- 7 1-5 Khartoum Road Data Centre (SSD-63235720)
- 8 Road 1 Data Centre (SSD-80814238)

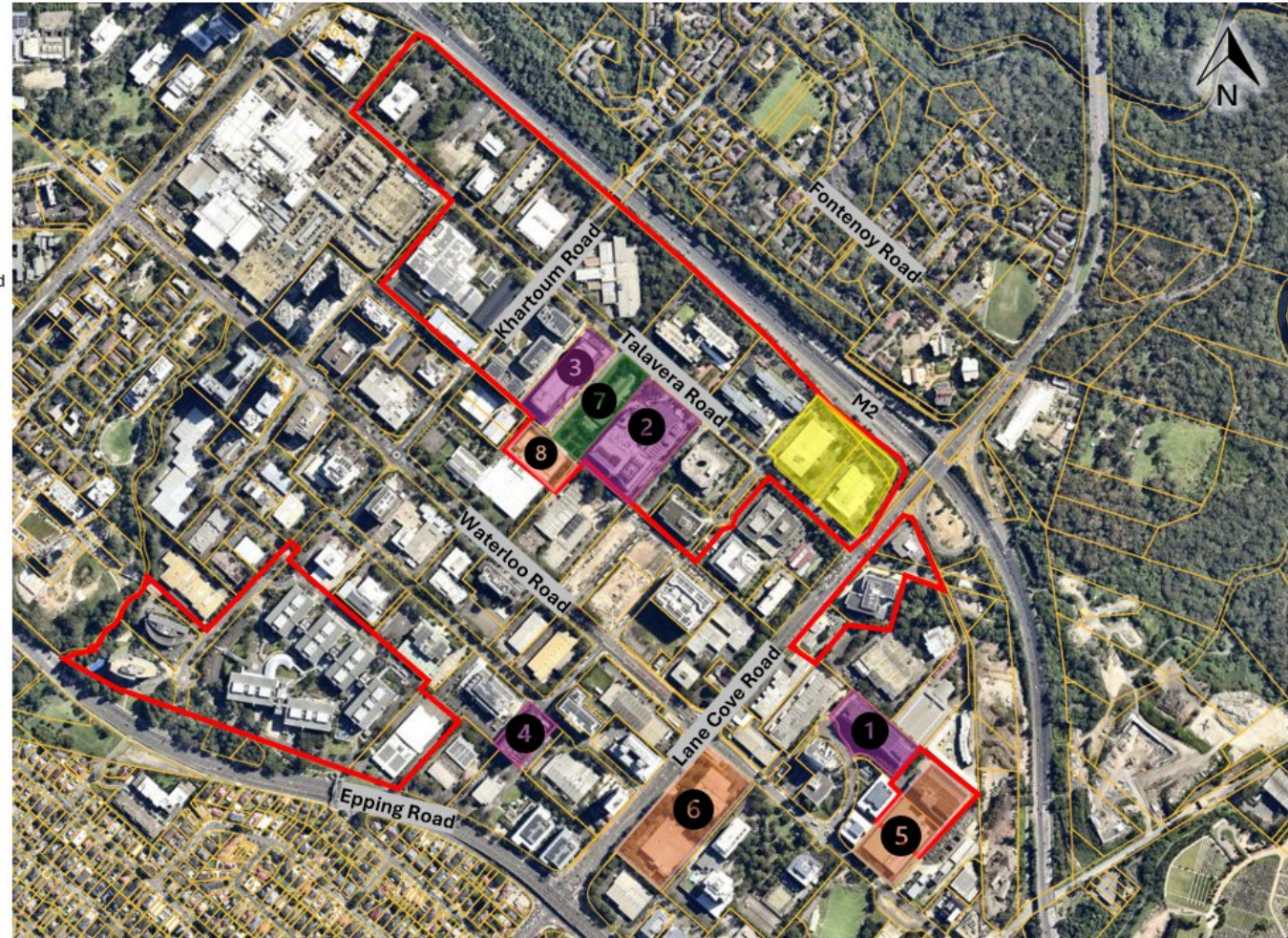


Figure 3 | Local context map

2 Development

2.1 Description of the Development

The main aspects of the development are summarised in **Table 1** and shown in **Figure 4** to **Figure 13**, and described in full in the EIS and Submissions Report included in **Appendix A** of this report.

Table 1 | Key aspects of the development

Aspect	Description
Development summary	Demolition of existing buildings and construction and 24/7 operation of a 135-megawatt data centre, including emergency back-up generators, cooling plant, diesel and lithium-ion battery storage, associated infrastructure, car parking and landscaping
Site area	23,190 m ²
Gross floor area	28,878 m ² , including eight data halls over a footprint of 14,676 m ² , 3,465 m ² of ancillary office and 10,737 m ² of ancillary spaces (e.g. amenities, storage and circulation areas), calculated excluding plant areas and vertical circulation
Building height	Up to 45 m (inclusive of rooftop plant and acoustic screens)
Power consumption	Total power consumption of up to 135 megawatts (MW)
Water consumption	Up to a maximum of 1,500,000 kL/year
Demolition	Demolition of the two warehouse buildings and all hardstand structures
Earthworks	Net cut volume of 57,774.31 m ³ (60165.45 m ³ of cut and 2391.14 m ³ of fill)
Construction timeframe	Construction of the development would take up to approximately 24 months, and comprise the following stages: • demolition and vegetation clearing (approximately 3 months) • bulk earthworks and site preparation, including excavation and ground improvement works (approximately 6 months) • excavation of hard rock and in-ground services installation (up to 12 months, overlapping with bulk earthworks)

Aspect	Description
	• construction of building structure, plant installation and external works (approximately 3 months) • final fit-out, commissioning, landscaping and finishing works (approximately 1–2 months)
Ancillary infrastructure	The operation of the development will be supported by the following infrastructure systems: • dual 33 kV Ausgrid feeders, providing a fully redundant electricity supply to the site via 33 kV switch-rooms • 66 back-up diesel generators (2.8 MW each), supported by approximately 1.166 ML of diesel fuel storage contained within 11 in-ground bulk diesel tanks and 66 day tanks. • 210 tonnes of lithium-ion batteries as uninterruptible power supply (UPS), with batteries located in dedicated battery rooms and within data halls • 540 kW solar photovoltaic (PV) system to generate renewable electricity • water-cooled heat rejection infrastructure, comprising 36 evaporative cooling towers • four above-ground water tanks, including dedicated fire-fighting water storage and containment tank • on-site water storage tanks to support cooling system make-up water, sized to meet 24-hour operational demand, with final capacity to be confirmed during the Section 73 servicing process • rainwater harvesting capacity of approximately 50 kL, used for landscape irrigation and non-potable demands • dedicated fire protection systems, including hydrant and sprinkler networks, pre-action sprinkler systems to data halls, water-mist protection to generator enclosures, fire pumps, booster assemblies and associated control infrastructure
Landscaping	• Retain 77 trees, remove 55 trees, and plant 175 new trees • Provide 7,671 m² of landscaped area (30% of the site) and a combined tree canopy cover of 5,457 m² (21.65% of the site area), comprising retained and proposed canopy

Aspect	Description
Access and parking	- Vehicular access is provided via a single signalised driveway on Talavera Road, with separate car and truck trap controls managing light and heavy vehicle entry and exit movements - On-site parking and servicing provision includes 58 car parking spaces (including 2 accessible spaces), two (2) 12.5 m loading docks, bicycle parking with end-of-trip facilities, and internal manoeuvring areas to accommodate up to 12.5 m heavy rigid vehicles (external hardstand areas area designed to accommodate 20 m articulated vehicles)
Signage	- Building identification signage (5650mm x 800mm x 300mm), located at the site access along Talavera Road (south elevation) - Business identification signage (3000mm x 3000mm), located at eastern elevation
Hours of operation	24 hours per day, seven days per week
Estimated development cost	\$1,365,463,075
Employment	400 full-time equivalent construction jobs and 60 operational jobs

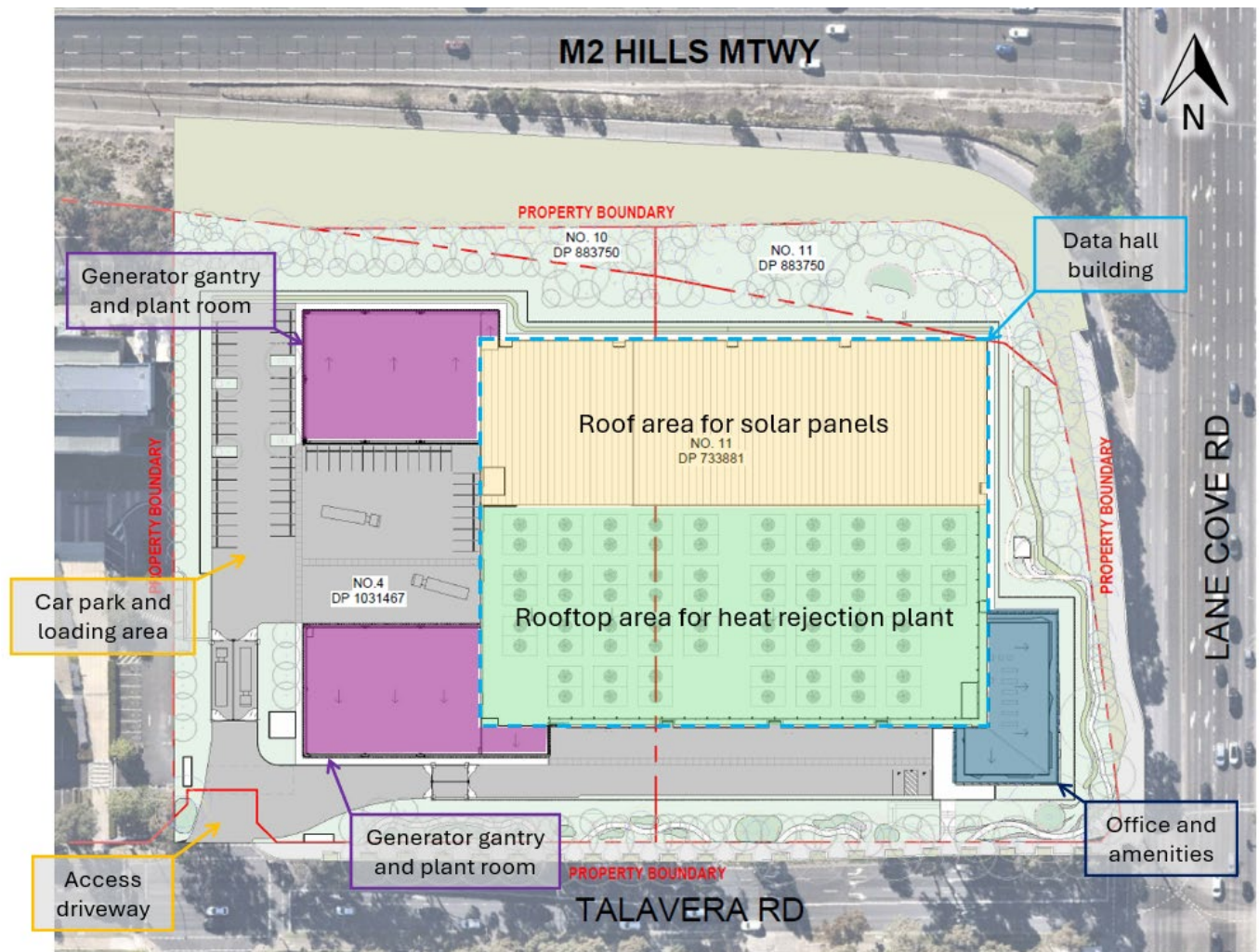


Figure 4 | Site layout

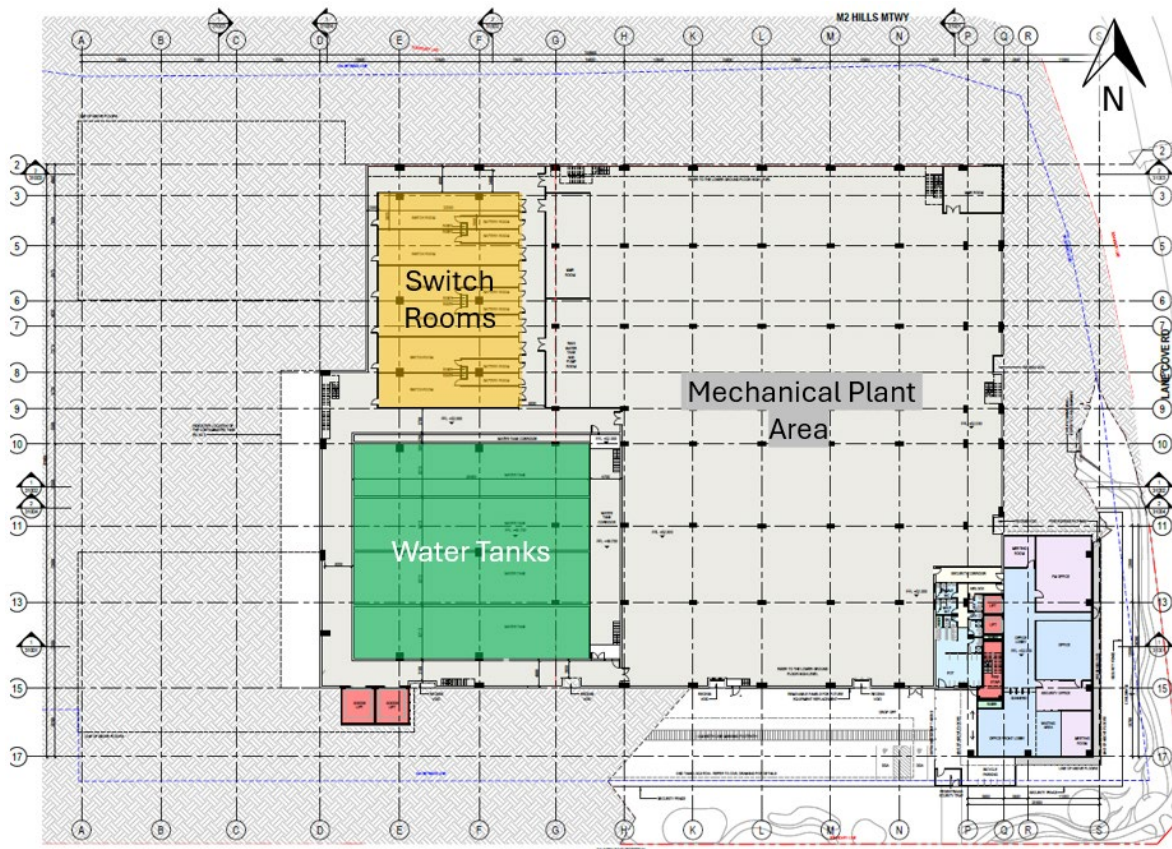


Figure 5 | Lower Ground Layout Plan

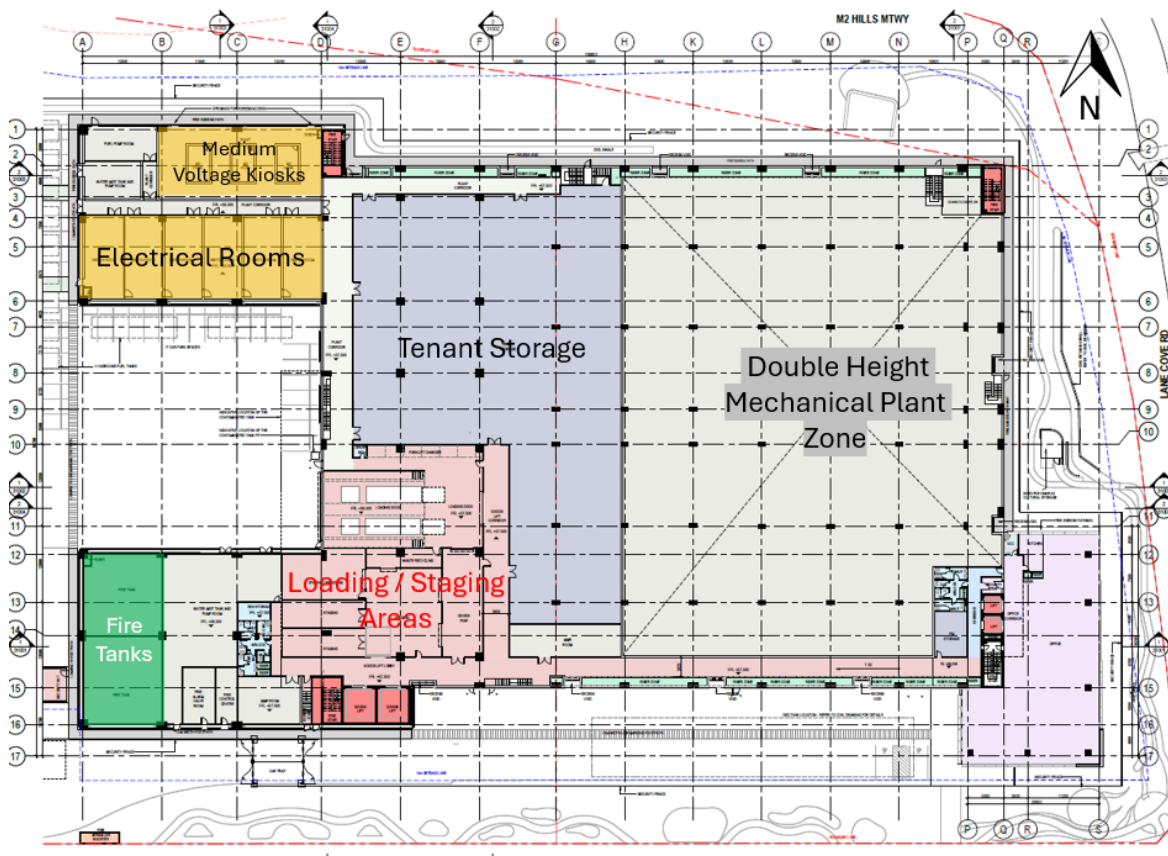


Figure 6 | Lower Ground Mezzanine Layout Plan

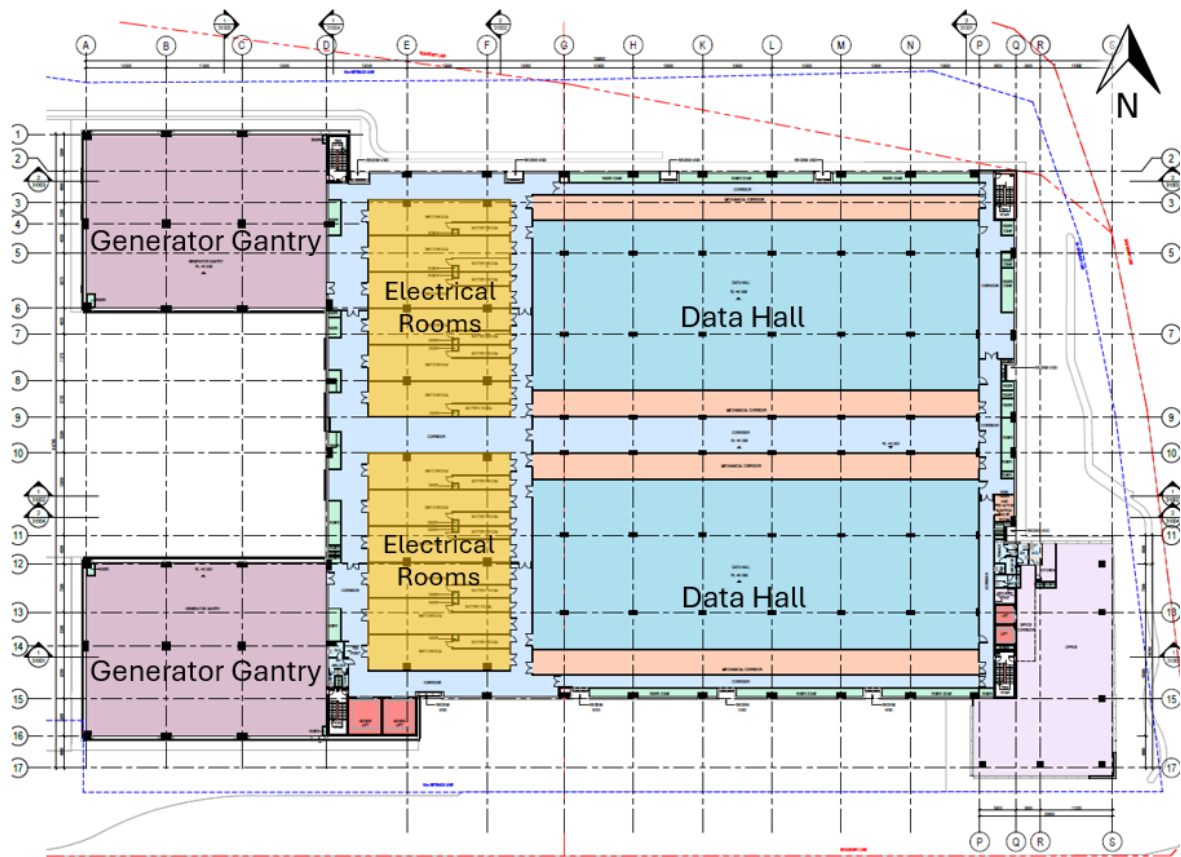


Figure 7 | Typical Data Hall Level Layout Plan (Levels 1, 3, 5 and 6)

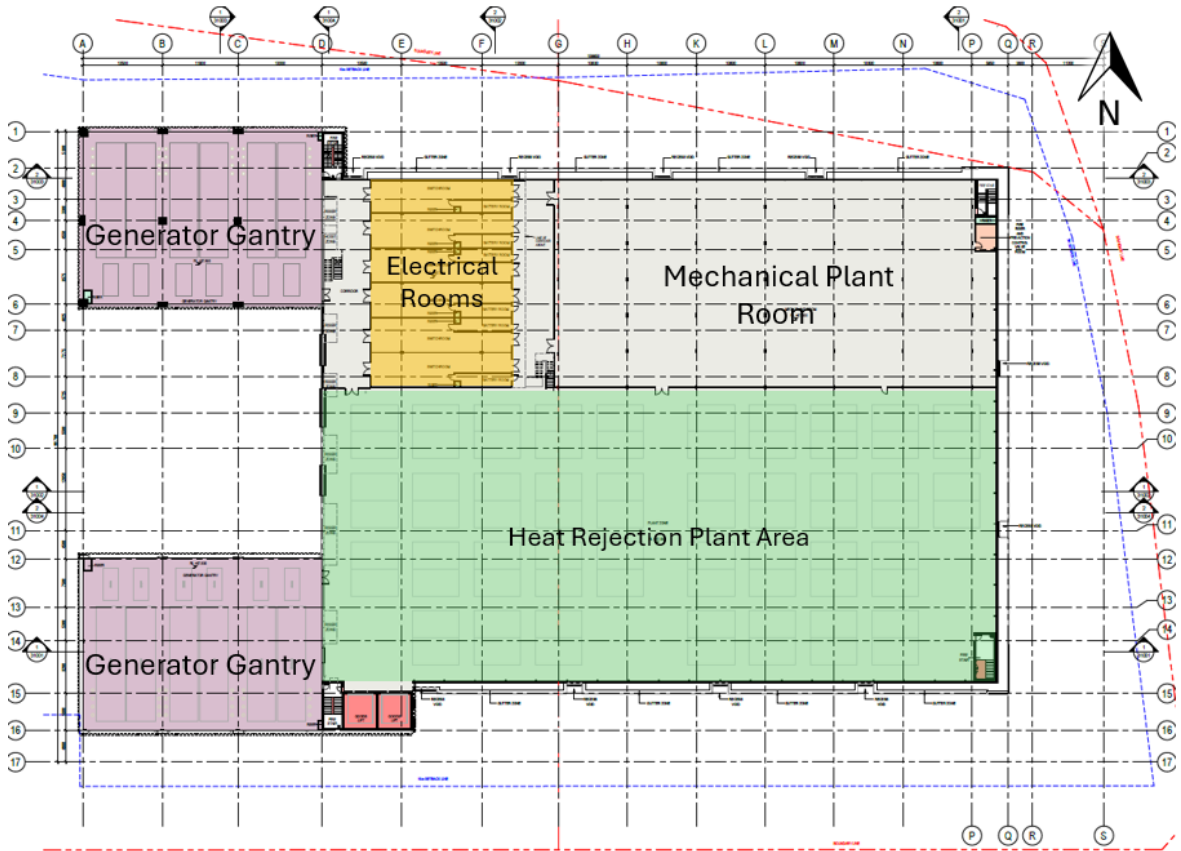


Figure 8 | Roof Level Layout Plan

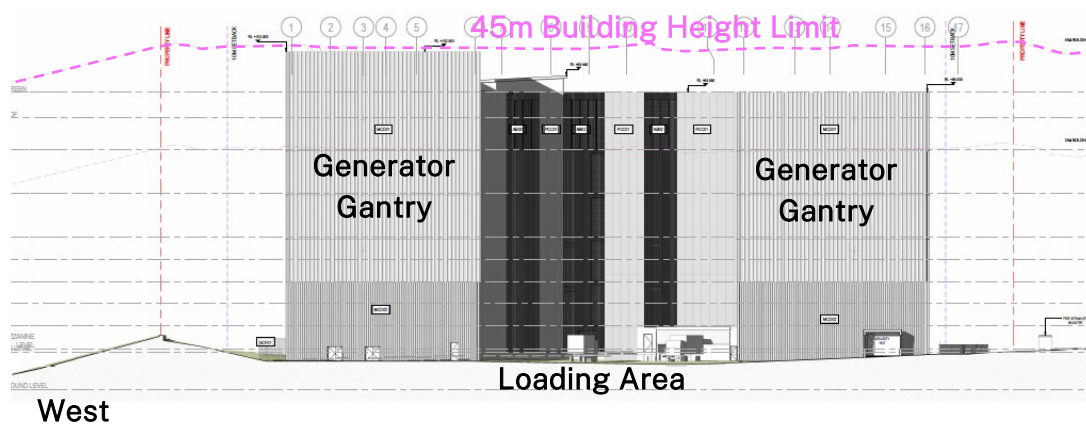
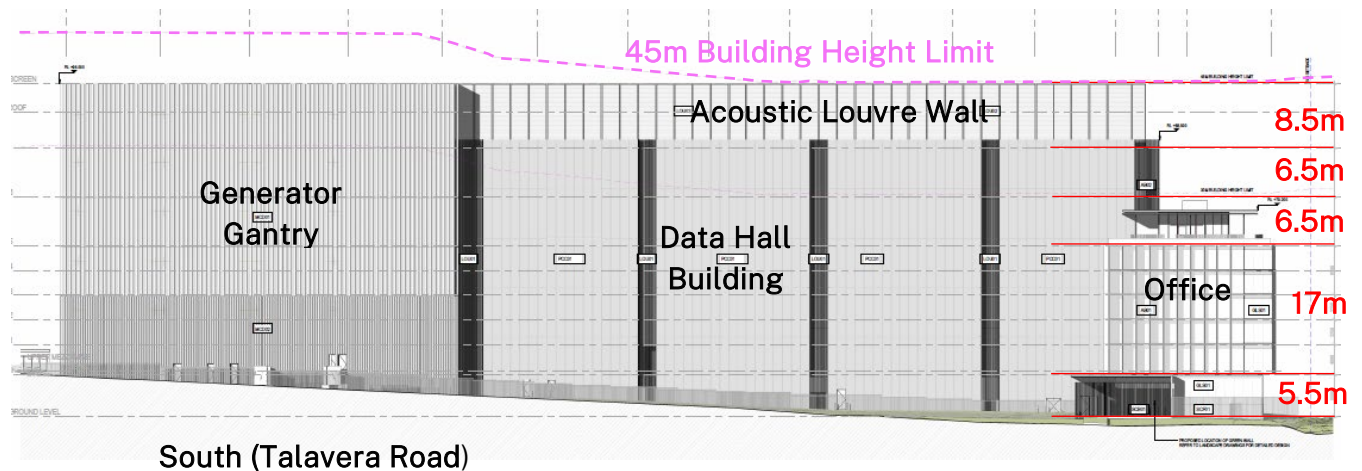
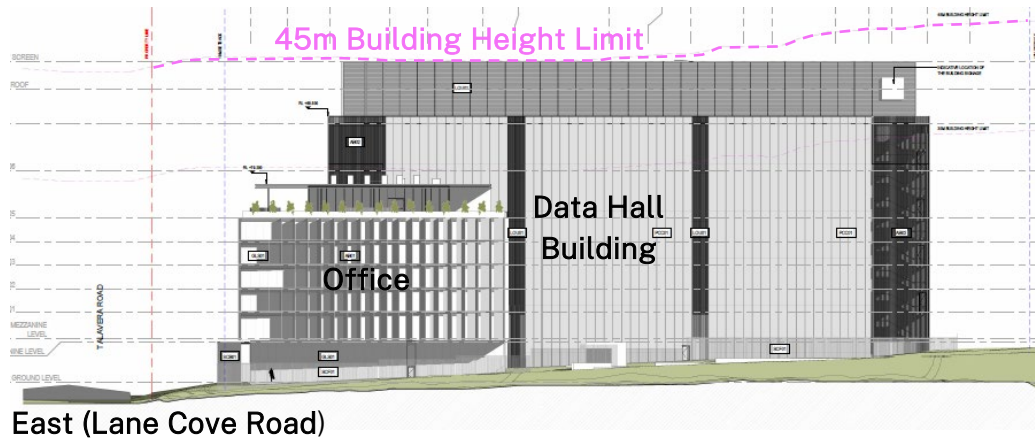
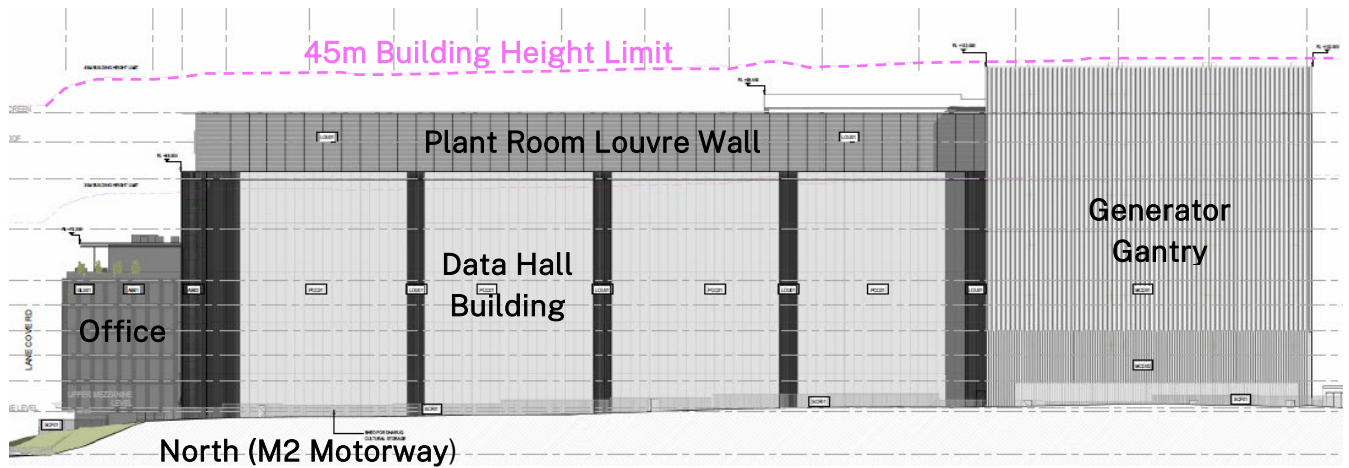


Figure 9 | Elevations



Figure 10 | Artist Impression (View from the North-East)



Figure 11 | Artist Impression (View from the South-East)



Figure 12 | Artist Impression (View from the North-West)



Figure 13 | Artist Impression (View from the South-West)

2.2 Physical Layout and Design

The development comprises a data centre arranged as three articulated building components, an office block, data hall block, and generator block, set within landscaped setbacks along Talavera Road, Lane Cove Road and the M2 Motorway corridor (see **Figure 4**). The building is positioned on a generally flat site, with minor excavation works required to accommodate lower ground plant and servicing infrastructure as shown in **Figure 5**. The maximum building height is 45 m, inclusive of rooftop plant and acoustic screens.

The data hall block contains four levels of data halls, supported by associated plant rooms, switchrooms and technical spaces, with lower ground and ground levels accommodating building services and back-of-house functions (refer to **Figure 5** to **Figure 7**). The office block is located at the south-eastern corner of the site to address both Talavera Road and Lane Cove Road, providing ancillary office, amenities and end-of-trip facilities, including a rooftop terrace. The generator block is located toward the rear of the site and accommodates multi-level back-up power generation infrastructure within a screened and ventilated enclosure. Mechanical plant is located on the roof and within dedicated plant and generator areas (see **Figure 8**).

The building exterior comprises precast concrete panels, aluminium cladding, metal battens, perforated screening and acoustic louvres in a restrained palette of light grey and neutral tones. Façade articulation varies by frontage, with finer-grained detailing and greater transparency along Talavera Road and Lane Cove Road, and service-oriented expression toward the M2 Motorway (refer to elevations in **Figure 9** and artist impressions in **Figure 10** to **Figure 13**).

As shown in **Figure 4**, landscaping is integrated throughout the site, including deep soil zones and perimeter setbacks. It also features a landscaped corner plaza at the Talavera Road and Lane Cove Road intersection.

The site incorporates secure perimeter fencing, CCTV and controlled access points to meet operational security requirements.

Vehicular and service access is provided from Talavera Road, with pedestrian access located adjacent to the office building. On-site parking, bicycle storage and servicing areas are consolidated toward the rear of the site. These areas are designed to provide a degree of operational flexibility, allowing parts of the parking and hardstand areas to be temporarily used for infrequent equipment installation, replacement or maintenance activities requiring mobile crane access.

2.3 Uses and Activities

The primary function of the Project Apollo Data Centre is to facilitate the secure collection, storage, processing, and distribution of electronic data and digital applications. It is anticipated that these

services would be delivered through high-performance IT infrastructure operated by cloud service providers, enterprise clients, or government entities.

The development comprises eight data halls distributed across four levels within the data hall block. Each data hall is designed to be fitted out by future tenant(s) with racking systems to accommodate computer servers, networking equipment and associated hardware. Tenants lease data storage and processing capacity within these systems and remotely manage their digital assets via secure network connections. The internal layout provides flexibility to accommodate different tenancy configurations over time, consistent with the evolving needs of the data centre market.

Ancillary office accommodation and amenities are provided within the office block and across designated levels of the development for on-site operational staff. These spaces support routine activities including systems monitoring, equipment maintenance, security oversight and administrative functions. Access to operational areas is managed via a controlled entry point off Talavera Road and secure internal circulation, reflecting the security-sensitive nature of the use.

2.3.1 Back-Up Power System

Electricity demand for the proposed development would be supplied by a multi-feeder grid connection arranged to provide redundancy, allowing normal operations to continue following the loss of a single feeder without reliance on on-site electricity generation.

To ensure operational continuity during interruptions to grid electricity supply, the facility incorporates a comprehensive back-up power system. This includes diesel-fired back-up generators and an integrated uninterruptible power supply (UPS) system, which provides instantaneous power in the event of a grid failure and bridges the transition period prior to generator start-up. Once operational, the generators are capable of maintaining full critical load until normal electricity supply is restored. The system would require approximately 1,100 tonnes of diesel storage capacity and includes around 210 tonnes of lithium-ion batteries associated with the UPS system.

Routine generator testing of up to 187 hours per year is required to maintain system reliability and compliance with operational standards. The Applicant proposes that testing be undertaken in accordance with the regime summarised in **Table 2**, during defined daytime hours between 7:00 am and 5:00 pm Monday to Friday, to minimise off-site amenity impacts. Generators would be tested individually under artificial load conditions using load banks, rather than exporting electricity to the grid.

Table 2 | Back-up Generator Testing Regime

Test run	Test frequency per year	Generator per test	Load	Maximum number of tests per day	Cumulative test duration per year
Quarterly	3	1 (66 tests)	100%	2 (35 mins/test)	115.5 hours
Annual	1	1 (66 tests)	100%	2 (95 mins/test)	71.5 hours

In addition to data storage and processing activities, the development includes supporting infrastructure and site services typical of a large-scale data centre, including cooling plant, electrical infrastructure, water storage and treatment systems, loading and servicing areas, and on-site security facilities. These uses are ancillary to, and functionally integrated with, the primary data centre use.

2.3.2 Cooling System

Power Usage Effectiveness (PUE) and Water Usage Effectiveness (WUE) are widely accepted industry metrics used to assess data centre efficiency. PUE expresses the ratio of total facility energy consumption to IT equipment energy, while WUE expresses the volume of water consumed per unit of IT energy delivered.

At the building level, large-scale data centres typically reject heat to the atmosphere through either predominantly air-based (dry) or evaporative (wet) systems, regardless of whether heat is captured at the IT rack via air or liquid-based cooling.

Air-based systems are generally associated with higher fan energy use and potentially higher operational noise, whereas evaporative systems can achieve lower PUE outcomes but with higher reliance on operational water consumption.

In the context of the Project Apollo site, the Department notes that the locality includes nearby sensitive receivers and that effective operational noise mitigation is a key design consideration. In this setting, reliance on quieter cooling equipment was necessary to achieve compliance with applicable project noise trigger levels, as pathway noise mitigation measures (e.g. barriers) alone would not be sufficient in an urban setting to mitigate the higher noise emissions typically associated with large-scale air-based cooling systems.

The Applicant has therefore proposed to utilise open-circuit cooling towers as the ultimate heat rejection mechanism, enabling more efficient thermal performance and reduced fan-related noise emissions compared to fully air-based systems, while increasing dependence on make-up water for ongoing operation. The proposed design is associated with a worst-case annualised Power Usage Effectiveness (PUE) of 1.28 and an indicative worst-case Water Usage Effectiveness (WUE) of

approximately 1.9 L/kWh, reflecting a configuration that prioritises energy efficiency with a corresponding increase in water demand.

2.4 Applicant's Justification for the Development

The Applicant has justified the need for the development by identifying the growing demand for secure, high-capacity digital infrastructure to support cloud computing, enterprise services and data-intensive operations across Greater Sydney. The proposal responds to this demand by delivering a purpose-built data centre within the Macquarie Park Corridor, consistent with state and district planning objectives that promote innovation, productivity and the delivery of critical infrastructure.

The site was selected due to its strategic location within land zoned E3 Productivity Support and access to critical enabling infrastructure, including electricity, water and telecommunications services. The Applicant has advised that the site's separation from residential receivers and surrounding commercial and infrastructure uses makes it suitable for data centre development and compatible with the prevailing character of the precinct.

Overall, the proposal represents a significant investment in digital infrastructure, intended to enhance the capacity and resilience of Sydney's digital economy while locating the use within a precinct identified for productivity-focused development.

3 Strategic context

3.1 Key strategic issues

The consistency of the development with key relevant strategies, plans and policies relevant to the assessment of the development are outlined in **Table 3** below.

Table 3 | Summary of Key Government Strategies, Plans and Policies

Strategy, plan or policy	Comments
The Sydney Plan	The Sydney Plan is a strategic land use plan that sets out how the NSW Government will manage this growth over the next 20 years, focusing on how the NSW Government, councils and the private sector can leverage land use planning to address challenges and make the most of opportunities. The development is consistent with the Plan's Prosperous Priority and both Response 3 (<i>Equitably grow a range of jobs</i>) and Response 4 (<i>Grow housing and jobs in well-located centres</i>), as it would provide knowledge-intensive jobs within Macquarie Park, in a well-located location for the proposed use.
Greater Sydney Region Plan <i>(in effect at the time of lodgement of the application, and has since been superseded by The Sydney Plan)</i>	The development would align with the following Objectives of the Greater Sydney Region Plan (Region Plan): • Objective 3 – The development will provide additional, flexible data storage capacity within the Eastern Economic Corridor, helping the city's infrastructure to adapt and transition in conjunction with future technological changes and megatrends (e.g. autonomous vehicles, artificial intelligence, etc). • Objective 21 – The development will contribute to the growth of Macquarie Park as a competitive technology and innovation precinct by addressing demand for data storage and the provision of information technology (IT) jobs. • Objective 22 – The development will provide new, knowledge-intensive jobs within Macquarie Park, helping to improve access to a wide range of jobs, goods and services to close to residential areas and well serviced by transport such as the Sydney Metro. • Objective 24 – The development will support the vision of the Eastern Economic Corridor through the growth and investment of digital

Strategy, plan or policy	Comments
	infrastructure within Macquarie Park to attract and enable innovation technology businesses.
North District Plan	The development would assist in meeting actions 33, 36 and 39 of the North District Plan (NDP) as it would provide new construction and knowledge-intensive jobs close to transport links and areas of high population growth, and further support Sydney's status as a global city. The development would also assist in meeting actions 46 to 49 of the NDP as it would retain and improve the efficiency of employment-zoned land in the Eastern Economic Corridor, while providing and appropriate buffer to surrounding residential receivers
Ryde Local Strategic Planning Statement 2020	The Ryde Local Strategic Planning Statement (LSPS) identifies the challenges and opportunities for the LGA and sets out planning priorities, objectives and actions to provide for the City of Ryde's needs. The development would be consistent with Planning Priorities EM1 to EM3 of the LSPS, through the provision of a new data centre and up to 20 additional knowledge-intensive operational jobs within the heart of the Macquarie Park business precinct. The development would also align with Planning Priority M2 of the LSPS, as both the initial capital investment associated with the expansion and the ongoing costs associated with regular plant/equipment renewal will help to maintain the economic viability and longevity of the Macquarie Park business precinct.

3.2 NSW Data Centre Policy Framework

On 17 August 2026, the NSW Government released the NSW Data Centre Policy Framework to support responsible investment in data centres that delivers benefits to the people of NSW, while managing impacts on resources and the community.

The *NSW Data Centre Guidelines*, a key component of the framework, set out principles and performance measures relating to energy, water and environmental outcomes. The Guidelines also establish expectations regarding the funding of additional utility infrastructure and promote ongoing engagement with government agencies, infrastructure providers and other stakeholders.

The Department has considered the Guidelines as a relevant consideration under section 4.15 of the EP&A Act.

A number of the recommended conditions of consent relate to matters addressed in the Guidelines and are discussed in **Section 6** of this report. These include:

- requirements relating to renewable energy procurement through Power Purchase Agreements (PPAs)
- installation of equipment and infrastructure capable of being retrofitted to support future improvements in efficiency and performance
- ongoing monitoring, reporting and continual improvement requirements to further improve the development's energy and water performance over time (including its PUE and WUE values), implemented through a Sustainability Management Plan
- conditions to manage potential amenity and environmental impacts, including in relation to noise, air quality and hazards and risk.

4 Statutory context

4.1 Permissibility and Assessment Pathway

Details of the legal pathway under which consent is sought and the permissibility of the project are provided in **Table 4** below.

Table 4 | Permissibility and Assessment Pathway

Consideration	Description
Permissibility	Permissible with consent Data Centres are permissible with consent in the E3 Business Productivity zone of the Ryde Local Environmental Plan 2014.
Assessment pathway	State significant development (SSD) The development is SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) of State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP): • the development on the land concerned is not permissible without development consent, and • the development is specified in clause 25 of Schedule 1 of the Planning Systems SEPP, being a data centre with a total power consumption of more than 15 MW.
Consent authority	Minister for Planning and Public Spaces (Minister) The Minister is the consent authority under section 4.5(a) of the EP&A Act.
Decision Maker	On 18 August 2026, the Minister delegated the functions to determine SSD applications for relevant resource, energy or data centre projects to the Director, Industry Assessments where: • there are less than 15 unique public submissions by way of objection, and • a reportable political disclosure statement has not been made by the Applicant. During the exhibition period, the Department received one objection from City of Ryde Council (Council) and no submissions from the public. No reportable political donations were made by the Applicant in the last two years. Accordingly, the application can be determined by the A/Director, Industry Assessments, under delegation.

4.2 Other Approvals and Authorisations

Should development consent be granted, other approvals may be required in order to carry out the development. Section 4.42 of the EP&A Act lists a number of approvals that cannot be refused if required to carry out the development and must be approved in a manner that is consistent with any SSD consent granted under the EP&A Act.

The Applicant would be required to obtain approval from:

- Council under section 138 of the *Roads Act 1993* to construct a new vehicle footpath crossing and associated gutter crossover
- TfNSW under section 87(4) of the *Roads Act 1993* for the modifications to traffic control signals.

The Department has consulted with and considered the advice of Council and TfNSW in its assessment of the development (see **Section 5**) and has included their recommended conditions in the conditions of consent (see **Appendix D**).

4.3 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application (DA). The Department's consideration of these matters is shown in **Appendix C**.

4.4 Public Exhibition and Notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the DA and any accompanying information of an SSD application are required to be publicly exhibited for at least 28 days. The application was on public exhibition from 21 March 2025 until 17 April 2025. Details of the exhibition process and notifications are provided in **Section 5**.

4.5 Biodiversity Development Assessment Report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the development is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

Two BDAR waivers have been issued for the development. The first BDAR waiver request was submitted to the Department on 24 September 2024. The Environment Agency Head and the Acting Team Leader, Industry Assessments as delegate of the Planning Secretary, determined that the

development is not likely to have any significant impact on biodiversity values. The first BDAR waiver was granted on 24 October 2024. The second BDAR waiver request was submitted to the Department on 27 February 2026 in response to changes described in the **Section 5.4** of this report and the waiver was granted on 10 April 2026.

4.6 Matters of National Environmental Significance

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), assessment and approval are required from the Australian Government if a development is likely to impact on a Matter of National Environmental Significance (MNES), as it is considered to be a 'controlled action'.

The EIS for the development included a preliminary assessment of the MNES in relation to the development and concluded the development would not impact on any of these matters and is therefore not a 'controlled action'. As such, the Applicant determined a referral to the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) was not required.

5 Engagement

As required by the Planning Secretary's Environmental Assessment Requirements (SEARs), the Applicant undertook consultation with relevant local and State authorities as well as the community and affected landowners prior to lodgement of the EIS. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

5.1 Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout preparation of the EIS including:

- a letterbox drop to surrounding residences and businesses with contact details and link to an online survey questionnaire
- engagement with Registered Aboriginal Parties (RAPs)
- meetings held with Council
- email correspondence with government agencies and utility providers.

Following public exhibition of the DA and EIS, further engagement was undertaken with Council through a targeted meeting to discuss feedback and clarify technical matters.

5.2 Consultation by the Department

5.2.1 Public Exhibition of the EIS

After accepting the DA and EIS, the Department:

- publicly exhibited the application from 21 March 2025 until 17 April 2025 on the NSW Planning Portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from relevant government agencies and Council.

5.3 Submissions and Advice

During the public exhibition period, the Department received no submissions from the public, a submission from Council objecting to the development and advice from eight government authorities, utility providers and State-owned corporations.

A summary of the submissions and government advice is provided below. A link to the full copy of the submissions and advice is provided in **Appendix B** of this report.

5.3.1 Government Authority Advice

A summary of the government authority advice is provided in **Table 5** below.

Table 5 | Summary of Government Authority Advice

Agency	Advice summary
Environment Protection Authority (EPA)	The EPA advised that the proposal does not appear to require an Environment Protection Licence under the POEO Act. Notwithstanding this, the EPA raised several matters for consideration by the Department, including greenhouse gas emissions, air quality, noise impacts, operational limits and waste management. The EPA noted that operational greenhouse gas emissions are estimated to exceed 25,000 tonnes CO₂-e per annum and recommended consideration of energy efficiency and renewable energy measures, with any commitments to be secured through conditions. The EPA also identified exceedances of air quality criteria during emergency generator operation, potential cumulative impacts with nearby data centres, and the need to confirm generator testing assumptions. In relation to noise, the EPA raised concerns about unquantified low-frequency and tonal noise risks and recommended conditions to ensure final equipment specifications are consistent with the noise assessment and subject to verification. The EPA further advised that operational limits should be imposed to ensure POEO Act thresholds are not exceeded without an EPL, and highlighted licensing and compliance requirements associated with battery storage and waste transport.
Transport for NSW	TfNSW advised that changes to the traffic control signals at the Talavera Road and site access intersection would be required to accommodate service vehicle access, with approval under section 87(4) of the <i>Roads Act 1993</i> required prior to the issue of a Construction Certificate. TfNSW also raised the need to protect State road assets given proposed excavation works near Lane Cove Road. It further advised that separate approvals would be required for any public utility works within the State road network and that a Road Occupancy Licence would be required for construction activities impacting traffic.
Fire and Rescue NSW (FRNSW)	FRNSW advised that data centres with battery energy storage present special problems for fire-fighting and that suitable additional provisions are likely to be required under the National Construction Code. FRNSW recommended that a Fire Safety Study be prepared

Agency	Advice summary
	in accordance with Hazardous Industry Planning Advisory Paper (HIPAP) No. 2 and submitted to FRNSW prior to construction to guide the final design. It also advised that an Emergency Plan and an Emergency Services Information Package be prepared in accordance with relevant guidelines prior to occupation or commissioning of the development.
Heritage NSW	Heritage NSW noted that consultation with Registered Aboriginal Parties had not been continuous and advised that ongoing consultation must be maintained. Heritage NSW supported the proposed management measures and provided recommended conditions to ensure the protection and management of Aboriginal cultural heritage, including procedures for unexpected finds.
Heritage Council of NSW	Heritage Council of NSW noted that the subject site is not listed on the State Heritage Register, is not in the vicinity of any SHR items, and does not contain any known historical relics. It further advised that local heritage items, if any, should be addressed through consultation with the relevant local council and provided recommended conditions requiring an Unexpected Heritage Finds and Human Remains Procedure to be implemented during construction.
NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW)	DCCEEW noted that the proposed development is no longer consistent with the description relied upon in its previous BDAR waiver determination (data centre with up to 90 MW power consumption), requiring a new BDAR waiver to be submitted or a BDAR prepared prior to determination. In relation to flood risk, DCCEEW confirmed that the site is located outside flood-prone land and is unaffected by mainstream or overland flooding up to and including the Probable Maximum Flood.

5.3.2 State Owned Corporations and Utility Provider Advice

Sydney Water advised that the site is located within the Marsfield Water Supply Zone and that water servicing capacity is subject to ongoing network studies, with potential capacity restrictions or supply conditions to be imposed to maintain system reliability. It noted that this may include future requirements relating to non-potable water availability, which is relevant given the continuous and high-demand water profile of data centre operations. Sydney Water confirmed that the existing wastewater network is expected to have capacity to service the development, subject to detailed design and approval. Recommended conditions include obtaining a Section 73 Compliance Certificate and Building Plan Approval, with additional requirements applying to trade wastewater discharge, backflow prevention and tree planting near assets. Early engagement with Sydney Water was encouraged to manage servicing constraints, approvals and delivery timeframes.

Ausgrid advised that proposed electrical load requirements and any new or modified connections must be discussed directly with Ausgrid, with a connection application lodged as soon as practicable. It also noted that underground cables and a kiosk substation are located in the vicinity of the site and recommended that building works, excavation and driveway design maintain required clearances and separation distances in accordance with Ausgrid standards and relevant Australian Standards.

5.3.3 Key Issues – Council

Council objected to the development during the exhibition period, raising concerns across urban design, landscaping, public domain outcomes, environmental impacts, traffic, stormwater and sustainability.

Council considered the built form to be overly bulky and poorly articulated for a site at the precinct's entry, with extensive blank façades, security fencing and at-grade parking resulting in an uninviting interface with the public domain. It recommended increased setbacks, removal of perimeter fencing, relocation of at-grade parking to a basement location, improved façade articulation, and integration of public art to address visual impacts and reinforce a sense of place.

Council raised concerns in relation to landscaping and arboricultural impacts, noting the removal of a substantial number of mature trees, limited deep soil provision and non-compliance with the required tree replacement ratio. Council recommended retention of existing significant trees where possible, provision of a minimum 4-metre-wide landscaped setback, increased use of larger canopy tree species, and design changes to offset tree loss either through on-site replanting or a funding arrangement to support planting on public land.

With regard to sustainability considerations, Council noted the short supply of energy and water in Macquarie Park and indicated that data centres should, as a minimum, achieve NABERS ratings outlined in the Macquarie Park Design Guide, incorporate rooftop solar panels, and reduce emission generation via green power purchasing.

In relation to stormwater matters, Council requested updated modelling, confirmation of downstream drainage capacity, reduced flood afflux thresholds, detailed on-site detention design, and incorporation of Water Sensitive Urban Design measures.

Traffic and access matters included the need for updated traffic and transport management plans, management of heavy vehicle movements, delivery of active transport upgrades, and conditioning of construction and operational traffic impacts on the surrounding road network.

Council also expressed concerns regarding cumulative environmental health and risk impacts associated with the agglomeration of data centres within the Macquarie Park precinct. Furthermore, Council sought additional information to demonstrate net-zero commitments, sustainable building outcomes, and mitigation of urban heat island effects.

Lastly, Council advised that the proposal relies on the incentive height and floor space ratio provisions under Clause 7.7 of the Ryde LEP 2014 and should not be approved until the Applicant and Council have entered into a Planning Agreement.

5.3.4 Key Issues - Public Submissions

The Department received no submissions during the public exhibition period from special interest groups and individuals.

5.4 Submissions Report and Supplementary Information

Following the public exhibition period, the Department requested the Applicant to prepare a submissions report responding to issues raised in advice received from government agencies, Council and utility providers. In addition, the Department requested the Applicant provide further information to address inconsistencies and information gaps identified in the EIS, particularly in relation to the proposed operating envelope, building frontage design, bulk and scale, sustainability measures, noise impacts, and the proposal's consideration of the Macquarie Park Design Guide. The Applicant provided a Submissions Report to the Department on 15 October 2025 (see **Appendix A**).

The Submissions Report documented further engagement with Council and a series of design refinements made since exhibition, including changes to built form, façade articulation, landscaping, parking layout and rooftop setbacks to address urban design and consistency with the Macquarie Park Design Guide. It was supported by updated technical documentation addressing architectural design, ESD, landscaping, traffic, noise, air quality, stormwater, pedestrian wind comfort, cumulative risk and infrastructure delivery.

The Department published the Submissions Report on the NSW planning portal and forwarded the Submissions Report to relevant government authorities and Council for comment on 15 October 2025.

Except for Council and the EPA, matters raised by other government agencies were sufficiently resolved and, where relevant, can be addressed through recommended conditions of consent. Council maintained its objection, advising that:

- the Submissions Report did not resolve key planning and urban design concerns
- the proposal remains inconsistent with the Macquarie Park Design Guide and precinct vision
- further design revisions and resolution of outstanding matters are required prior to determination.

In relation to EPA's advice, it is noted that the proposed diesel generator testing and maintenance regime was previously assessed as not appearing to exceed the scheduled activity threshold. However, the EPA advised that inclusion of generator ramp-up and cool-down periods, together with scheduled and unscheduled generator operation associated with testing, commissioning and

electrical infrastructure works, would likely result in operation exceeding the 200-hour per year exemption for emergency standby plant under the Clean Air Regulation. On this basis, the EPA advised that the proposal may be required to comply with Group 6 NOx emission limits unless the testing and operation regime is revised to remain within the 200-hour threshold.

The EPA further advised that the Submissions Report did not provide sufficient information to complete its assessment, identifying additional matters requiring resolution prior to determination, including clarity around all circumstances in which back-up diesel generators would operate, cumulative air quality impacts under emergency and routine generator testing scenarios, adequacy of meteorological and background data, lithium-ion battery storage and management, and the absence of a detailed greenhouse gas assessment consistent with the EPA's Guide for Large Emitters. The EPA also identified the need for a detailed air-quality response framework, including a Trigger Action Response Plan, to manage potential impacts during generator operation.

On 24 April 2026, the Applicant provided additional information to address outstanding issues raised by Council and the EPA. While updated technical information and design refinements were provided, the Applicant made no further changes to the landscape and architectural designs and maintained its position on key urban design matters, including retention of perimeter fencing, at-grade parking and the overall built form. In response to EPA advice, the Applicant advised that the generator operating regime has been revised to remain below 200 hours per year and clarified that no allowance has been made for generator operation associated with electrical infrastructure maintenance. The Applicant advised that generator operation would remain within the emergency standby exemption framework.

6 Assessment

The Department has considered the EIS, the issues raised in submissions, the Applicant's Submissions Report and supplementary information in its assessment of the development. The Department considers the key assessment issues are:

- urban design
- operational noise.

A number of other issues have also been considered. These issues include impacts associated with the development and its operation, such as air emissions, hazards and risk, and greenhouse gas emissions, as well as other matters that are considered relatively minor in the context of the overall assessment. These other issues are assessed in **Table 6** and **Section 6.3** below.

6.1 Urban Design

The development comprises a data centre with a maximum building height of up to 45 m. The site occupies a prominent precinct entry point at the corner of Talavera Road, Lane Cove Road and the M2 Motorway, as identified in the Macquarie Park Design Guide. Developments near a precinct entry point are expected to positively contribute to place identity, public domain quality and opportunities for cultural expression.

Throughout the assessment, Council has maintained its objection to the proposal, advising that the Applicant's design responses have not resolved its key planning and urban design concerns. Council considers the proposal's bulk and scale, built form articulation, at-grade car parking, use of perimeter security fencing, extent of landscaping and tree removal, and quality of the public domain interface remain inconsistent with the vision for Macquarie Park.

In response to issues raised, the Applicant made design refinements through the Submissions Report, including design changes to the building's massing and articulation, relocation of parking on the site, increased landscaping and tree retention, and improved integration of "Designing with Country" principles.

The Department has assessed the urban design quality of the proposed development having regard to its built form, architectural expression, public domain interface, landscaping outcomes and integration of cultural values, and against the relevant provisions of the Ryde Local Environmental Plan 2014 (LEP), including Clause 7.7 relating to incentive height and floor space ratio (FSR), as well as Clause 7.3 relating to the Macquarie Park Design Guide. While Clause 6.13 (Design Excellence) of the Ryde LEP does not apply to the subject site, the Department has considered the proposal's urban

design quality having regard to the Macquarie Park Design Guide and relevant urban design excellence principles.

Other urban design matters set out in the Macquarie Park Design Guide, such as urban heat and wind comfort, are addressed in **Appendix C**.

6.1.1 Bulk and Scale

The proposal's maximum building height of 45 m is permissible under the incentive building height (45 m) for the site, and its GFA at a 1.18:1 ratio with the site area remains below the allowable incentive FSR of 1.5:1.

The data centre's apparent massing is an inherent aspect of its function. While the building envelope accommodates essential mechanical and electrical plant and backup power infrastructure, these elements do not contribute to the gross floor area calculated for planning control purposes.

To address the visible massing and respond to issues raised by Council, the Applicant has incorporated design measures to break down perceived bulk.

Firstly, the overall building form has been deliberately divided into a series of distinct volumes that reflect the functional components of the development, comprising the office, data centre building, and generator gantries (see **Figure 14**). These elements are expressed as separate yet integrated masses through stepped façades, vertical recesses and changes in articulation, reducing the visual dominance of the building when viewed from surrounding streets and the M2 Motorway corridor (see **Figure 15**).

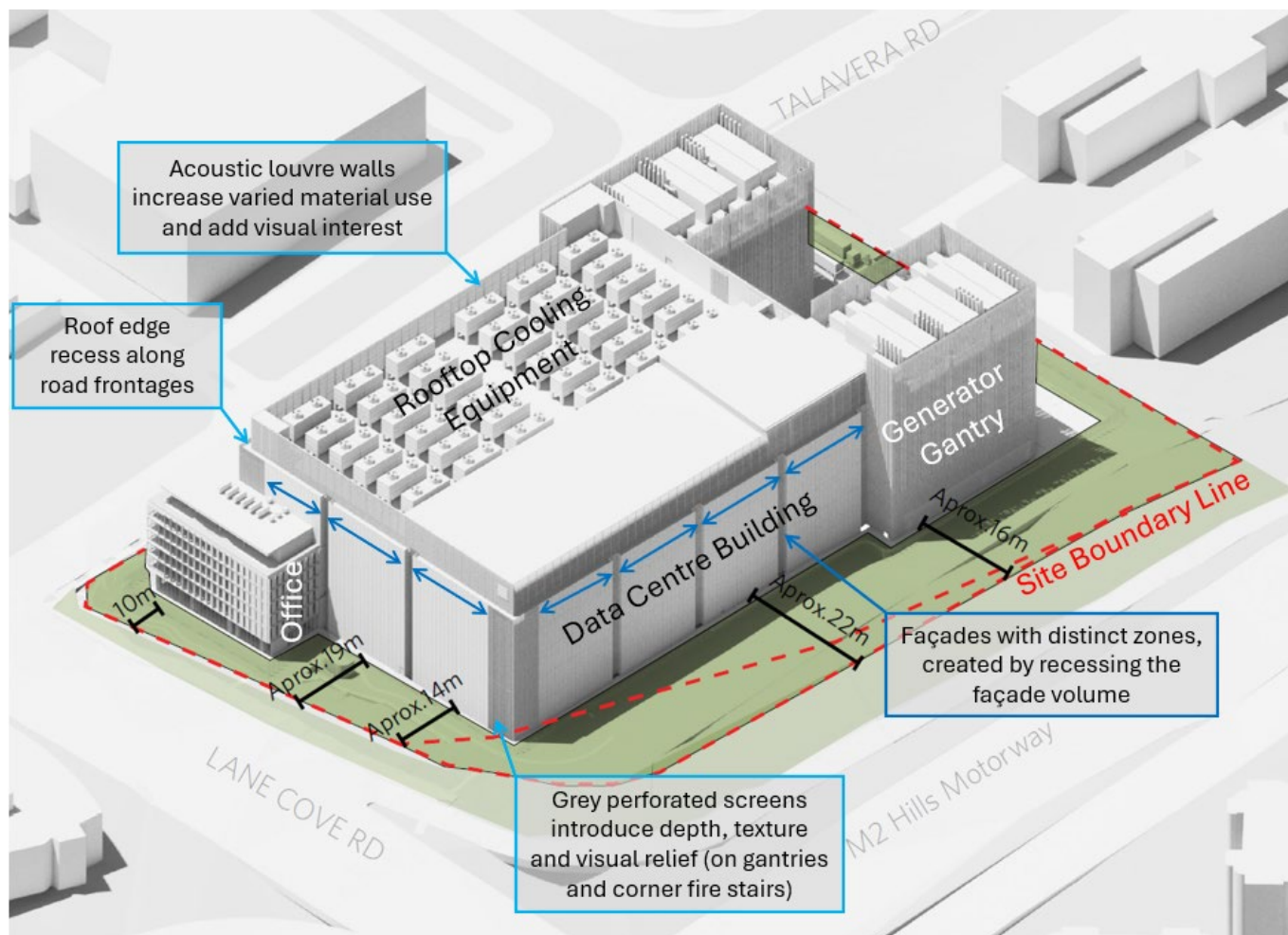


Figure 14 | Massing, Façade Articulation and Building Setback

As can be seen in **Figure 15**, the monotonous external walls in the exhibited scheme have been segmented into smaller components in the revised scheme with recessed areas and varied materials to provide depth, shadow lines and modulation. In addition, the acoustic louvre walls on the uppermost plant level are recessed by approximately 3 m along the Lane Cove Road and Talavera Road frontages allowing the upper area to read as a lightweight and recessive element while mitigating visual and noise impacts.

The Department considers that these design measures allow the larger data hall volume to be visually broken up by the office (visible from Talavera Road), generator gantry structures and recessed acoustic walls, reducing its perceived dominance within the overall building form.



Figure 15 | Comparison of the Exhibited and Revised Schemes
(View from the Existing Residential Tower Adjacent M2)

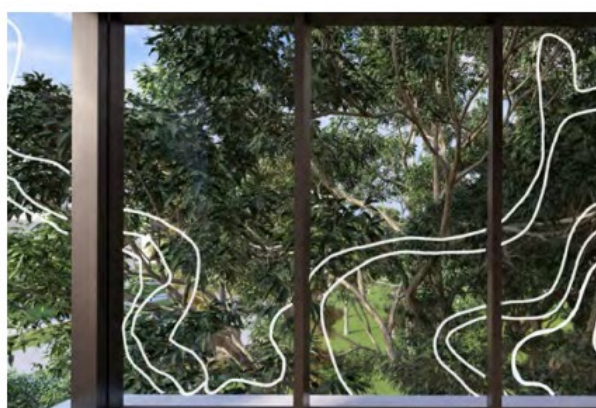
Further, the proposed development includes generous building line setback from Lane Cove Road, Talavera Road and the M2 Motorway corridor (refer to **Figure 14**). These setbacks provide clear spatial separation between the building envelope and adjoining streets and infrastructure corridors.

Collectively, the Department considers the setbacks work to reduce the perceived height and continuity of the building when viewed from the public domain and contribute to the building being read as a series of articulated elements rather than a continuous, visually dominant mass.

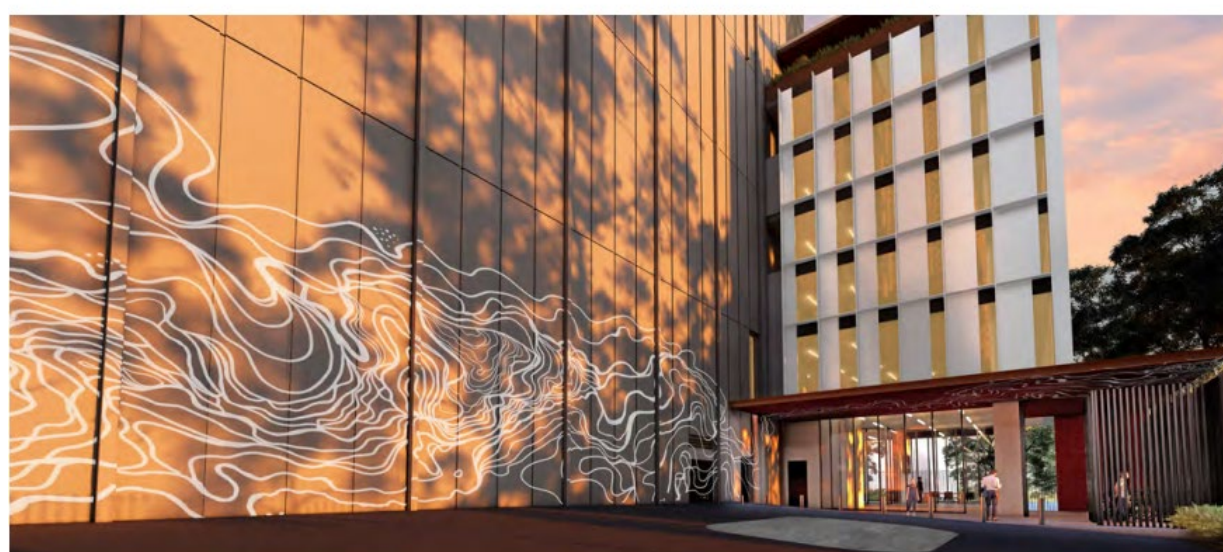
Additionally, the Applicant is committed to install public art on the Talavera Road façade, developed in collaboration with the project's Connecting with Country consultant (see **Figure 16**). This public art (indicatively a large-scale mural or integrated artwork on the southern elevation) will add visual interest and cultural expression to one of the precinct's entry points, addressing the public arts and cultural vision objectives of the Macquarie Park Design Guide.



Artwork by B Hardy



Indicative Artwork By B Hardy



Indicative Artwork at Talavera Rd Façade

Figure 16 | Indicative Public on the Talavera Road Façade (The Contours of Wallumettagal Dharug Country)

Along the M2-facing elevation, the Applicant has not proposed public art as requested by Council. Instead, the Applicant indicated that Connecting with Country principles are expressed through the building's façade design and material palette. This elevation incorporates vertically articulated façade elements and layered screening informed by native tree forms (see **Figure 17**), with variations in profile density and material depth used to introduce texture, shadow and visual relief across the data hall and generator façades. These design treatments are intended to soften the building's

presentation when viewed from the motorway and contribute to a more articulated and visually moderated built form (see **Figure 15**).

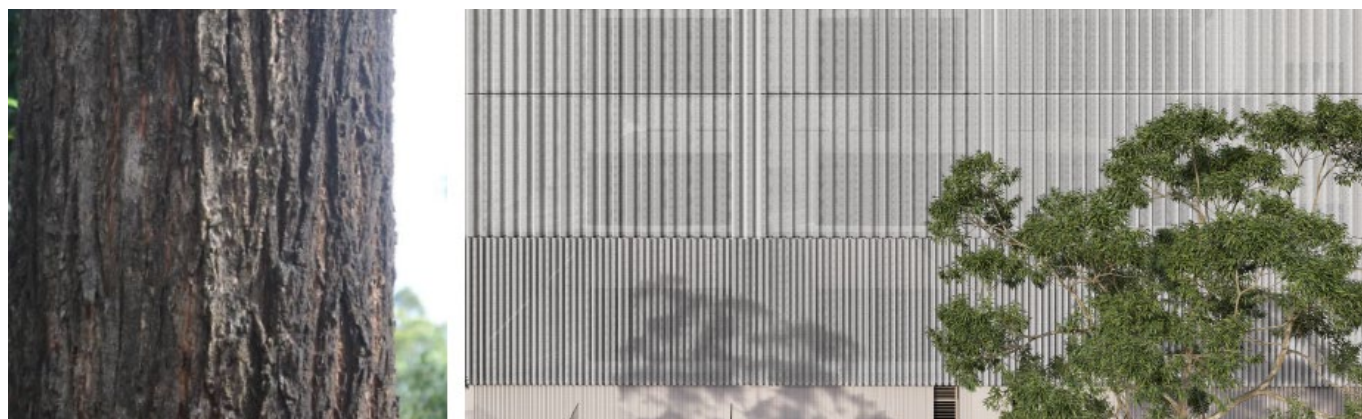


Figure 17 | Designing with Country through Textural Patterning

In the Submissions Report, the updated Visual Impact Assessment finds that the proposed building, as redesigned, would not appear out of place in its local context, as demonstrated in the comparative photomontages in **Figure 15** and **Figure 18**, which illustrate the proposal's scale and form when viewed from key public vantage points, including Lane Cove Road.

Further, the solar access analysis demonstrates that the proposal would not result in unreasonable overshadowing of adjoining properties or public spaces.

Notwithstanding the design refinements made in response to issues raised and the findings of the visual impact and solar access assessments, Council maintains its concern that the building remains excessive in scale and visually dominant, particularly when viewed from the M2 Motorway corridor and Talavera Road. Council emphasises the site's prominent gateway role at the entry to Macquarie Park and is of the view that the proposed articulation and setbacks do not sufficiently mitigate the perceived bulk of the development.

The Department has carefully considered Council's concerns regarding bulk, scale and visual impact. While the development will remain a large building by virtue of its function and strategic location, the Department notes that the revised scheme reflects the typology expected from a data centre. The revised design incorporates a clearer functional massing strategy, additional articulation, increased upper-level setbacks and public art commitments that materially improve the building's urban expression compared to the exhibited scheme. In this context, the Department also notes that the Ryde LEP specifically supports taller buildings along Lane Cove Road to mark key nodes and precinct entry locations.

The Department has also considered the findings of the Visual Impact Assessment and the solar access analysis, including the submitted shadow diagrams, which demonstrate that the development, as redesigned, would not result in unreasonable overshadowing of adjoining properties or public spaces and would not appear out of place within its evolving urban context.



Figure 18 | View from the South (Near the Lane Cove Road and Talavera Road Intersection)

The Department considers these refinements represent a notable improvement over the exhibited scheme and that the revised building's form is more in keeping with the Macquarie Park Design Guide objectives of avoiding unrelieved bulky forms and maximising direct solar access to adjoining properties.

On balance, the Department is satisfied that the building's bulk and height is acceptable, having regard to compliance with incentive FSR and height controls, consistency with the building line setback objectives of the Macquarie Park Design Guide, and the extensive architectural articulation now proposed. Therefore, the size and scale of the development would not be out of place within the existing urban character of the locality.

6.1.2 Presentation of At-Grade Parking

As noted in **Section 5**, Council raised concerns regarding the provision of at-grade parking, advising that it is inconsistent with the Macquarie Park Design Guide, which requires parking to be accommodated within basement levels or fully screened by habitable uses, and prohibits off-street surface parking except when provided for accessible parking.

In response, the Applicant advised that the provision of basement parking is not feasible due to site-specific subsurface and operational constraints. The Applicant noted that the development incorporates extensive below-ground infrastructure, including major footings, cable trenches, substations and stormwater detention systems, which significantly limit the available sub-grade envelope for basement parking.

The Applicant further advised that the area accommodating the relocated at-grade parking is for a dual purpose, also to function as essential hardstand and crane set-down space to support the installation, servicing and replacement of large plant and equipment over the operational life of the data centre.

Notwithstanding Council's preference for basement parking, the design has been revised to relocate all general car parking away from the Talavera Road frontage to the rear of the site, adjacent to the loading dock area, with only two accessible parking spaces retained near the Talavera Road entry to provide equitable access to the building lobby.

While the proposal does not provide basement parking as preferred by Council, the Department considers that the relocated parking area is now effectively screened from the public domain by the building footprint and intervening landscaping. The Department also notes that while parking rates are typically applied across the full GFA, the proposed provision reflects the significantly lower operational demand of a data centre, accounting for only the office portion of the GFA. Furthermore, this represents a significant improvement on the exhibited scheme, which proposed surface parking

along the street frontage, and ensures that parked vehicles will no longer dominate or detract from the public domain.

In this context, the Department is satisfied that the revised arrangement achieves the underlying intent of the Macquarie Park Design Guide to avoid visually dominant at-grade parking along key frontages.

6.1.3 Landscaping and Tree Planting

Council raised concerns regarding tree removal, tree canopy coverage and the proposal's consistency with the Macquarie Park Design Guide, particularly the indicative canopy coverage target in Section 6.5.

The proposal would result in a reduction in overall site-wide canopy coverage (21.7%) when compared with existing conditions (25.3%), which represents a departure from the objective of ensuring no net loss of tree canopy coverage within development lots. However, the Department notes that the existing canopy is distributed unevenly, with a number of trees located within the central portions of the site associated with the former warehousing yard and car parking areas.

In response to Council, the Applicant advised that opportunities for additional landscaping and tree canopy have been fully investigated and are constrained by site-specific operational and safety requirements. Areas that might otherwise accommodate further planting are required to function as essential hardstand, including crane set-down and heavy vehicle access necessary for the installation, replacement and maintenance of critical data centre plant and equipment. Remaining perimeter areas are further constrained by level changes, retaining walls, drainage infrastructure and fire services clearances, and are not suitable for tree planting without compromising circulation safety, structural integrity or long-term plant viability.

Notwithstanding the canopy shortfall, the development provides deep soil planting across 23.0% of the site, above the minimum target of 20%. This enables the establishment of medium to large canopy trees with sufficient soil volumes to support long-term growth and canopy performance, consistent with the intent of the Macquarie Park Design Guide.

Having regard to the distribution of existing canopy and the site constraints identified by the Applicant, the Department has considered whether the extent and location of tree retention and removal is reasonable. The Arboricultural Impact Assessment confirms that 77 existing trees, including trees of moderate and higher retention value, will be retained and protected during construction, with tree removal largely confined to areas required for the building footprint, essential servicing infrastructure and secure operational zones.

In assessing the acceptability of this outcome, the Department notes that retention of trees within central areas of the site would unreasonably constrain building layout and operational requirements

while providing limited contribution to streetscape character, pedestrian comfort or public domain outcomes, given these areas are not publicly accessible.

The proposal also includes an enhanced pedestrian public realm along both street frontages, incorporating landscaped setbacks, a publicly accessible meandering pathway, seating nodes and planting (see **Figure 4**). The planting of 175 new trees, including 114 within deep soil zones, will result in a total of 252 trees at maturity, enhancing pedestrian amenity and delivering a softened, engaging streetscape consistent with the Macquarie Park Design Guide.

While the proposal does not meet the indicative canopy benchmark in the Macquarie Park Design Guide, the Department considers the outcome acceptable given canopy is focused within landscaped setbacks and pedestrian interfaces, where it most effectively enhances streetscape quality, pedestrian comfort and public domain outcomes, and is supported by adequate soil volumes for long-term viability.

On balance, having regard to the distribution and function of existing and proposed canopy, the provision of deep soil planting and enhanced pedestrian public realm outcomes, the Department is satisfied that the departure from the canopy coverage objective is acceptable and consistent with the intent of Section 6.5 of the Macquarie Park Design Guide.

6.1.4 Security Fencing

Council raised concerns regarding the extent and visual impact of perimeter palisade security fencing (3m high and finished in a grey tone), particularly its potential to detract from streetscape quality and pedestrian amenity along the site's public frontages.

In response, the Applicant advised that perimeter security fencing is necessary for the safe and secure operation of the facility, with the fencing setback from the street boundary and integrated within landscaped setbacks to minimise its visual prominence (see **Figure 19** and **Figure 20**).

The Department has considered the potential public domain impacts associated with security fencing. In this regard, the fencing is recessed within landscaped setbacks and visually filtered by planting along the site edges. The depth and quality of the landscape treatment ensures that fencing is visually recessive and does not dominate the streetscape or pedestrian environment.

The Department is satisfied that, while security fencing is a necessary operational element, its location, design and integration with the landscaped public realm appropriately mitigate potential visual and amenity impacts and are compatible with the existing characteristics of Macquarie Park and the intended streetscape and pedestrian character envisaged by the Macquarie Park Design Guide.



Figure 19 | Comparison of existing and proposed street view of the South-Eastern Site Boundary fence line from Lane Cove Rd

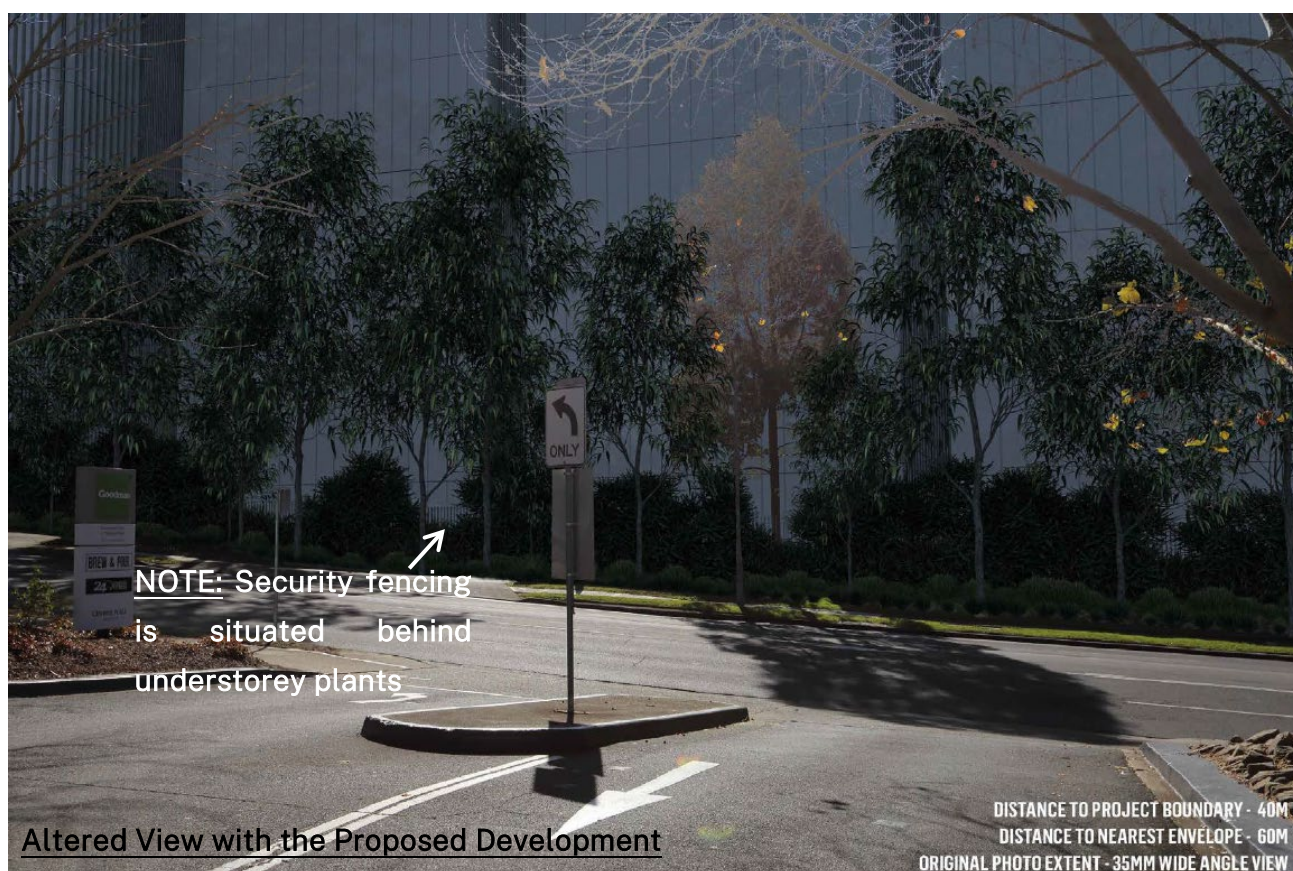


Figure 20 | Comparison of existing and proposed street view of the South-Western Site Boundary fenceline from Talavera Rd

6.1.5 Conclusion

In its assessment of urban design, the Department has had regard to Council's ongoing objections relating to the proposal's bulk and scale, at-grade parking, extent and location of landscaping and tree planting, and the use of perimeter security fencing, particularly in the context of the site's prominent gateway location within the Macquarie Park Precinct. The Department has also undertaken this assessment within the applicable incentive building height and FSR standards under the Ryde LEP.

The Department acknowledges that the proposal is, by its nature, a large-scale development and that certain elements depart from Council's preferred outcomes, including the absence of basement parking, a reduction in existing overall site-wide canopy coverage, and the inclusion of perimeter security fencing. However, the Department notes that the revised scheme incorporates a series of coordinated design responses that collectively improve the development's urban design outcomes when compared with the exhibited scheme.

In particular, the Department places weight on:

- the refined built form and articulation strategy, increased horizontal and vertical setbacks, and public art commitments that reduce the perception of bulk and scale
- the relocation and effective screening of at-grade parking away from public view lines from the key street frontages
- the provision of deep soil planting and concentrated canopy outcomes within landscaped setbacks, street frontages and pedestrian interfaces
- the integration of security fencing within generous landscaped buffers such that it is visually recessive and does not dominate the public domain.

The Department has assessed these matters recognising that while individual components may not achieve Council's preferred benchmarks in isolation, their combined effect delivers a materially improved streetscape presentation, pedestrian environment and public domain interface. In this context, the Department is satisfied that the proposal achieves the underlying intent of the Macquarie Park Design Guide, particularly in relation to gateway presentation, avoidance of unrelieved bulky forms, prioritisation of pedestrian amenity, and delivery of landscape-led mitigation at sensitive interfaces.

In reaching this conclusion, the Department has relied on the revised architectural design, landscaping strategy, public realm treatments, tree retention outcomes, public art commitments and the integrated treatment of security fencing described above. To ensure these outcomes are delivered and maintained, conditions of consent are recommended requiring the Applicant to carry out the development in accordance with the architectural and landscape plans, implement a detailed

landscape management plan, implement tree protection measures during construction, and deliver the proposed public art consistent with the endorsed design intent. In formulating these recommended conditions, the Department has also had regard to advice received from Council, where relevant.

On balance, having regard to the applicable incentive provision, the Macquarie Park Design Guide, the revised architectural and landscape outcomes, and the evolving character of the precinct, the Department's assessment concludes that the urban design of the development is acceptable, subject to the recommended conditions of consent.

6.2 Operational Noise

The proposed data centre would operate on a continuous 24-hour basis and has the potential to affect the acoustic amenity of nearby sensitive receivers, including existing residential apartments at Fontenoy Road, hotels and future noise-sensitive developments at key sites within the Macquarie Park Transport Oriented Development Precinct.

To minimise operational noise impacts, the proposal incorporates a coordinated suite of mitigation measures addressing noise at source, along the transmission path and through site layout and building design. These include selection of lower-noise mechanical plant, acoustic treatment and screening of rooftop cooling towers, use of surrounding built form and rooftop structures to provide acoustic shielding (particularly to the north-west), installation of an acoustically-rated louvre wall along the southern roof edge, specification of generator enclosures with attenuated intake, discharge and exhaust systems.

Cooling towers represent the dominant operational noise source and have been modelled under conservative worst-case design scenarios, including full plant operation and noise-enhancing meteorological conditions. Back-up generator testing has been limited to weekday daytime hours, with testing undertaken sequentially rather than concurrently.

Further, in response to the EPA's query, the Applicant confirmed that no provision is required for the use of the back-up generators during scheduled or unscheduled electrical infrastructure maintenance activities, and that generator operation would be limited to unplanned grid outage events and defined generator tests. Accordingly, these scenarios do not form part of the assessed proposal.

With the proposed mitigation in place, the operational noise assessment predicts compliance with the relevant project noise trigger levels at all surrounding receivers during day, evening and night-time periods. This includes compliance with the Applicant's nominated project-specific urban amenity noise levels of 58 dB(A) $L_{Aeq,15min}$ (day), 48 dB(A) $L_{Aeq,15min}$ (evening) and 43 dB(A) $L_{Aeq,15min}$ (night) at elevated residential receivers along Fontenoy Road and at future noise-sensitive development at Key

Site 4 (35 Waterloo Road), noting that the project-specific amenity levels for hotel receivers are set 5 dB above those for residential receivers. These amenity noise levels incorporate a +3 dB adjustment to account for conversion to a 15-minute assessment period, reflecting the Applicant's assumption that operational noise would not occur at a constant level over each assessment period during the day, evening and night.

The Applicant has also assessed low frequency and tonal noise in accordance with Fact Sheet C of the Noise Policy for Industry to account for the presence of annoying noise characteristics. The Applicant's assessment indicates that low frequency and tonal noise modifying factors are not applicable at residential receivers. At hotel receivers, minor exceedances of the low frequency thresholds are predicted, and a 2 dB correction has been added to the evening and night-time noise levels. While compliance is predicted against the project-specific amenity levels, the Applicant has committed to further review equipment selection and engineering measures during detailed design to minimise potential tonal and low frequency noise impacts.

Figure 21 presents the heat rejection operational noise contours for the worst-case design scenario under high wet-bulb temperature conditions during both the day and night periods. **Figure 21** shows that residential receivers to the north-west and south-west would experience comparable operational noise levels at the most affected locations (generally the upper levels/penthouse), despite 1–15 Fontenoy Road being located closer to the site (approximately 110 m) than 35 Waterloo Road (approximately 230 m). The comparable noise levels are attributed to the rooftop plant room acting as a more effective acoustic barrier than the thinner louvre wall.

During routine generator testing, operational noise levels are predicted to increase to up to 56 dB(A) $L_{Aeq,15min}$ at 1–15 Fontenoy Road and 48 dB(A) $L_{Aeq,15min}$ at 35 Waterloo Road, which would remain compliant with the nominated daytime project-specific urban amenity noise level of 58 dB(A) $L_{Aeq,15min}$.

During emergency outage scenario, where all back-up generators operate concurrently, the operational noise assessment predicts noise levels of up to 71 dB(A) at the most-affected apartment building along Fontenoy Road, representing exceedances of the project-specific urban amenity noise levels by more than 10 dB across all time periods. The Applicant notes that such scenarios are not representative of typical operational conditions, would occur infrequently and for limited durations, and has therefore not sought to demonstrate compliance with the project noise trigger levels for this emergency outage scenario.

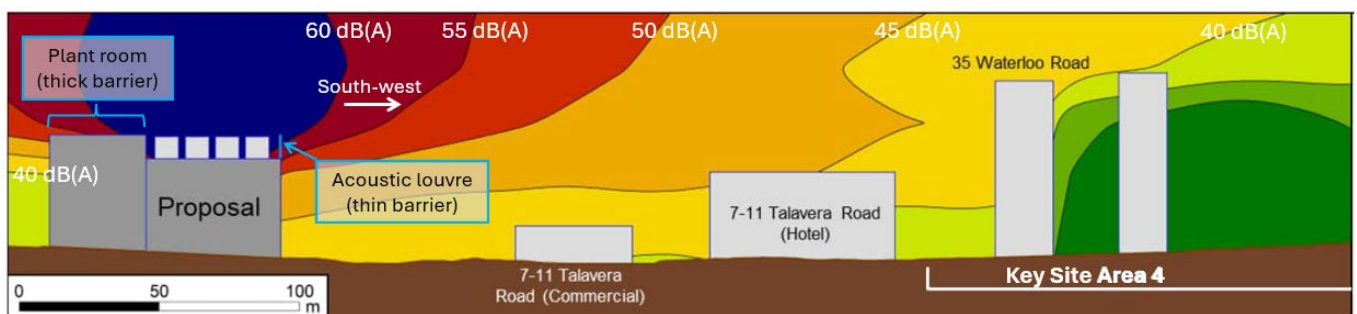
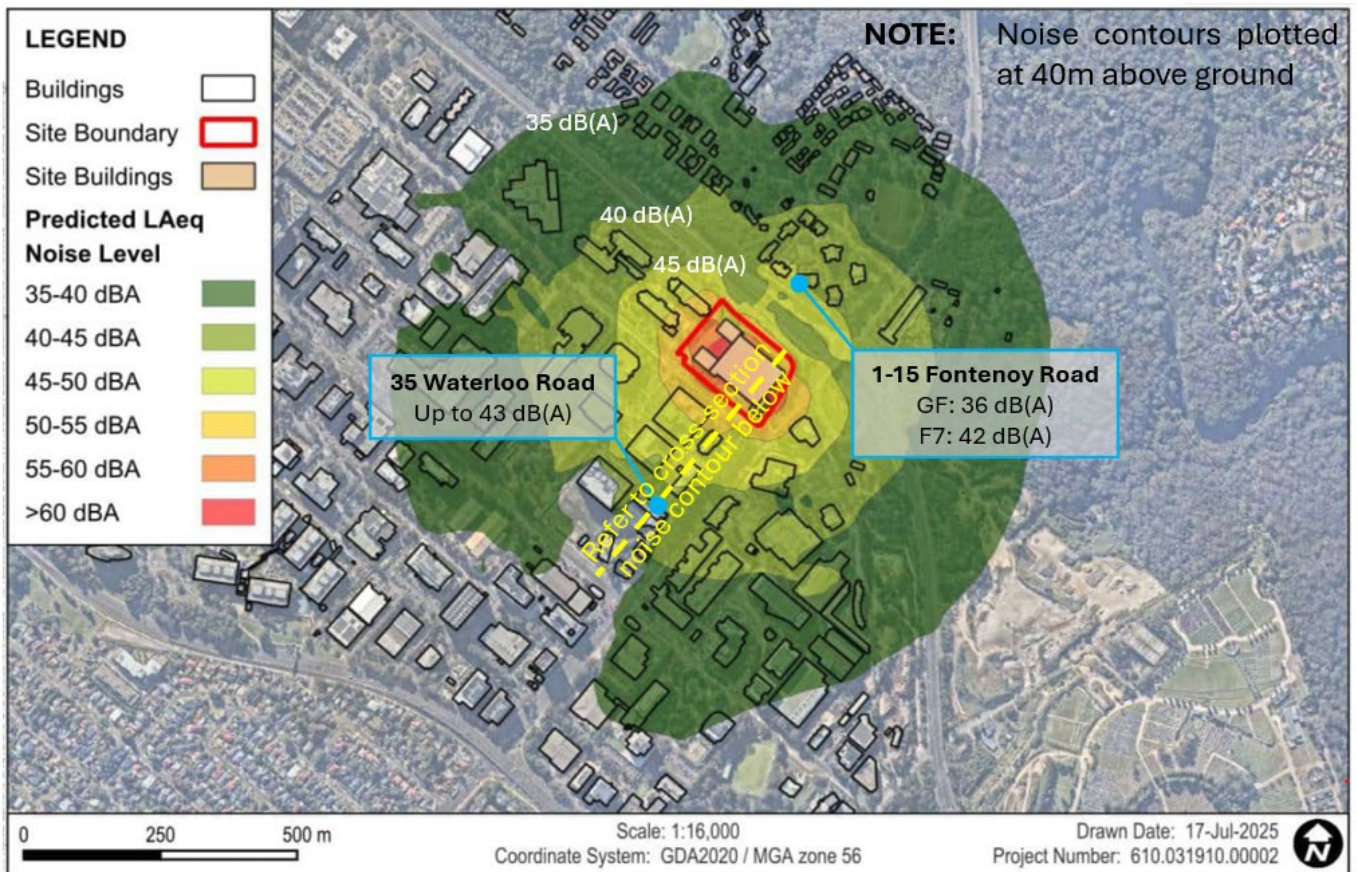


Figure 21 | Heat Rejection Operational Noise Contours (Day/Night Worst-Case Design Scenario)

The Department has reviewed the operational noise assessment and is satisfied that the Applicant has undertaken a robust and conservative assessment of operational noise impacts, including consideration of cumulative industrial noise, sleep disturbance, and potential annoying noise characteristics such as tonality and low-frequency noise. The Department notes that no residual exceedances are predicted under normal operating scenarios.

While it may not be reasonable or practicable to strictly limit noise emissions during unplanned emergency outage events, the Department notes that operation of the back-up generators beyond the proposed operating envelope could result in unacceptable noise impacts.

The Department has therefore recommended conditions of consent to limit the operation of the back-up generators in line with the proposed operating envelope, including restrictions on total

operating hours, limits on non-emergency use, and annual reporting requirements for generator operation and fuel consumption. These conditions are intended to prevent unassessed impacts in relation to noise, air quality and greenhouse gas emissions (refer to **Table 6** for other issues).

Further, to maintain consistency with the worst-case assessment assumptions, the Department recommends that operational noise limits be set at the Applicant’s predicted noise levels. This approach provides a precautionary control by limiting operational headroom and reducing the risk of cumulative noise impacts arising from surrounding industrial and data centre developments.

The Department also considers it necessary to require post-construction operational noise monitoring. Monitoring would be undertaken at locations adjacent to the rooftop noise barriers and at representative elevated receiver locations to verify the operational performance of the development, including that noise emissions remain consistent with the predicted levels and do not exhibit adverse tonal or low-frequency characteristics, particularly given that future tenants are not yet known and rooftop plant and equipment may be subject to change over time. Separate to this, ongoing monitoring would also support the timely investigation of any noise complaints associated with cumulative data centre noise impacts in the locality.

On this basis, the Department’s assessment concludes that operational noise impacts associated with the development can be managed appropriately, subject to the implementation of the recommended mitigation measures and conditions of consent.

6.3 Other issues

The Department’s consideration of other issues is summarised in **Table 6** below.

Table 6 | Assessment of other issues

Findings and conclusions	Recommended conditions
Operational Air Quality	
- The operation of the proposed back-up generators, with emission release heights of up to 45 m above ground, has the potential to result in short-term air quality impacts on sensitive receivers within the Macquarie Park precinct during emergency power outage events and routine testing. - The EPA noted in its advice that emergency operation scenarios may result in short-term exceedances of air quality criteria and that cumulative impacts with nearby data centre developments required careful consideration.	Require the Applicant to: - install and operate equipment in line with best practice - prepare and implement a site-specific AQMP

Findings and conclusions	Recommended conditions
• The EPA also advised that generator start-up and cool-down periods should be included when calculating total annual operating hours for emergency standby plant. • In response, the Applicant revised the generator testing regime and updated the Air Quality Impact Assessment (AQIA) to explicitly include start-up and cool-down periods, confirming that cumulative annual generator operation would remain below the applicable regulatory threshold. • The Applicant also updated the AQIA to address cumulative impacts and incorporated a Trigger Action Response Plan to manage air quality risks during emergency and routine generator testing, including defined trigger criteria, response actions and communication protocols. • The AQIA indicates that, under routine generator testing scenarios, predicted pollutant concentrations at surrounding sensitive receivers would remain below the relevant air quality criteria, having regard to background concentrations. On this basis, the Department is satisfied that routine testing of the back-up generators would not give rise to unacceptable operational air quality impacts. • By contrast, there could be potential for elevated concentrations under worst-case conditions, but the Department considers the likelihood of a prolonged outage to be extremely low, given the reliability of the local electricity network. • To manage residual risks, the Department recommends conditions requiring a site-specific Air Quality Management Plan (AQMP). This should include pollutant monitoring during outages, a Power Outage Notification Protocol, emissions controls, and performance verification against EPA guidelines. • In line with the recommendations made above under the Department's assessment of operational noise, the Applicant would also be required to report any generator use during normal operation to the Planning Secretary, enabling review and adjustment of mitigation measures if necessary. • Subject to strict operational limits and implementation of management measures, the Department considers that operational air quality impacts can be appropriately managed.	• prepare a Back-up Generator Notification Report should the back-up generators be used during a power outage event.

Findings and conclusions	Recommended conditions
Electricity and Water Use Efficiency	
- For a given IT load, the mechanical system by which heat is ultimately rejected to the atmosphere is a primary determinant of both non-IT electricity consumption and operational water demand. - The Applicant has committed to a worst-case annualised PUE of 1.28, consistent with a five-star NABERS Energy rating, alongside an indicative worst-case WUE of approximately 1.9 L/kWh, reflecting the use of evaporative cooling towers operated with efficiency controls. Further, the Applicant has committed to managing operational water efficiency through cooling tower controls, including operation at no less than six (6) cycles of concentration, to minimise make-up water demand and blowdown losses. - The Department considers the indicative worst-case annualised PUE and WUE outcomes to represent acceptable efficiency performance for a data centre that relies on evaporative cooling. - The operation of the development would also be supported by high-efficiency mechanical and electrical plant, elevated data hall operating temperatures, variable speed drives, and a centralised Building Management System (BMS). The BMS would enable real-time monitoring and optimisation of major energy-consuming infrastructure, including cooling and ancillary services. - Notwithstanding the above, the Department notes that the estimated electricity and water demand is based on conservative assumptions reflecting evaporative cooling towers operating under a worst-case IT and data hall configuration. The ultimate tenant mix, rack level cooling approach and data hall operating parameters have not been finalised at this stage. - The Applicant acknowledges that, subject to future tenant requirements, alternative or supplementary cooling approaches may be adopted, including direct-to-chip liquid cooling or increased supply-air temperatures. The Department understands these approaches have the potential to materially reduce both electricity and water consumption relative to the worst-case assumptions assessed under this application. - To support transparency and continuous improvement in operational performance, the Department considers it reasonable to require ongoing reporting of electricity and water efficiency outcomes, including PUE and WUE, once the development is operational. This is to be implemented through a Sustainability Management Plan. The Department considers that annual	Require the Applicant to prepare and implement a Sustainability Management Plan for the life of the development.

Findings and conclusions	Recommended conditions
reporting will enable monitoring of performance trends over time and the identification of measures implemented, or proposed to be implemented, to progressively improve the environmental performance of the development, to the extent reasonably practicable within the approved operating envelope. • Subject to these conditions, the Department's assessment concludes that the operational efficiency of the development is acceptable.	
Electricity and Water Servicing	
• The Applicant indicated in its Infrastructure Delivery, Management and Staging Plan that Ausgrid advised new 33 kV feeders have been allocated to support the development's final day electricity demand of up to 135 MVA, confirming the assessed worst case electricity demand can be accommodated within the planned network augmentation framework. • Ausgrid did not raise any issues with the proposed electricity demand in principle, noting in its EIS advice that it had reviewed the proposal and that detailed connection arrangements would be subject to separate design development and utility approval processes. • In relation to water servicing, based on the Applicant's worst case operational assumptions, the proposed cooling system would result in an estimated annual operational water consumption of approximately 1,500,000 kL. • In this regard, Sydney Water advised it is undertaking studies to assess capacity and future infrastructure requirements within the relevant Marsfield Water Supply Zone, which may include the availability and requirements for non-potable water for data centre use, with detailed servicing requirements to be determined at the Section 73 Compliance Certificate stage. • The Applicant indicated it is in active discussions with Sydney Water, has received the Notice of Requirements, and is currently reviewing a planning agreement to carry out a servicing optioneering study. • In this context, the Department is satisfied with Sydney Water's servicing approval framework and has recommended a condition of consent requiring the Applicant to obtain a Section 73 Compliance Certificate for water and wastewater servicing prior to the commencement of operation. • Additionally, conditions requiring the Applicant to implement feasible measures to reduce potable water consumption and periodically review alternative water servicing arrangements in consultation with Sydney Water	Require the Applicant to prepare and implement a Sustainability Management Plan for the life of the development.

Findings and conclusions	Recommended conditions
have also been recommended. These conditions would form part of the Sustainability Management Plan. - The Department considers the above approach to represent a reasonable and proportionate response to the scale and operational characteristics of the development, while ensuring that servicing arrangements are confirmed through the relevant statutory approval processes. - Subject to the implementation of the recommended conditions and the confirmation of detailed servicing requirements through the relevant utility approval processes, the Department is satisfied that appropriate water and electricity servicing arrangements can be provided for the development.	
Greenhouse Gas Emissions	
- Greenhouse gas emissions warrant careful consideration for data centre developments due to their high and continuous electricity demand, which can result in substantial operational emissions. - The Applicant has committed to a high-efficiency design with a maximum annualised PUE of 1.28, which is indicative of a five-star NABERS Energy rating. - Once fully operational, the development is projected to generate up to approximately 300,000 tonnes of CO₂-e per year, predominantly from electricity consumption associated with non-IT and tenant contributions. - In the absence of active mitigation measures, emissions would remain largely location-based (i.e. grid average) and would only decline progressively over time in line with forecast grid decarbonisation toward net zero by 2050. - Scope 1 emissions would continue to occur from the combustion of diesel fuel associated with the operation of the back-up generators. While these generators are capable of operating on biodiesel, the Applicant indicated that the availability of a suitable supply in Sydney remains uncertain at this time. - The EPA recommended that high energy users consider the principles of the NSW Large Emitters Guide and reduce their emissions as much as practicable, such as entering into green power purchase agreements (PPAs). Council similarly noted that green PPAs can assist in reducing emissions associated with the operation of the development.	Require the Applicant to: - prepare and implement a Sustainability Management Plan for the life of the development - demonstrate the development's operational electricity demand is matched with NSW-based renewable supply at all times - provide evidence that PPA and firming agreements have been processed and/or entered into for NSW-based renewable supply.

Findings and conclusions	Recommended conditions
• In response, the Applicant advised that it has been purchasing 100% renewable electricity for electricity under their operational control. • The Department notes that, based on the Applicant's commitments, with the implementation of active mitigation measures, including PPAs, the development could achieve a materially lower emissions profile, with net zero targeted earlier than reliance on grid decarbonisation alone. • However, the Department considers that emissions outcomes remain materially dependent on the successful securing and performance of renewable energy procurement. In the absence of such arrangements, the development would be subject to higher location-based emissions for an extended period. • To further minimise greenhouse gas emissions to the greatest practicable extent, the Department recommends conditions requiring that, prior to the commencement of operation of the development, the Applicant offset all GHG emissions associated with operational electricity demand for the data centre with firmed renewable energy supply at all times including the entering into of PPA(s) and firming agreements for NSW based supply, supported by ongoing emissions reporting and periodic auditing. • The Applicant will also be required to provide evidence that PPA and firming agreement processes have commenced within six months of construction and continued updates on the status of any PPA and firming agreement until finalised. • The Department considers that with the implementation of a Sustainability Management Plan to manage and minimise the emissions from the operation of the development, the GHG emissions would not contribute to climate change impacts at the local level. • Therefore, the Department has recommended conditions of consent requiring the Applicant to prepare and implement a Sustainability Management Plan for the life of the development and to offset all GHG emissions with NSW-based renewable supply at all times via a PPA and firming agreement to manage and reduce the lifetime GHG emissions of the development. • Subject to the implementation of these conditions, the Department is satisfied that the greenhouse gas impacts can be adequately minimised and managed.	

Findings and conclusions	Recommended conditions
Hazards and Risk	
• The development includes approximately 210,432 kg of lithium-ion batteries and storage of up to 1.25 ML of diesel fuel as part of its back-up power system. • The EIS included a Hazards and Risk Report which included a preliminary risk screening in accordance with the Department's Applying SEPP 33 guidelines. • The report noted the quantities of dangerous goods stored would be below the SEPP 33 screening thresholds and therefore the development would not be considered 'potentially hazardous' under State Environmental Planning Policy (Hazards and Resilience) 2021 (Hazards and Resilience SEPP). • The Department has reviewed the hazards report and is satisfied the risk screening was appropriate and that adequate information has been provided regarding compliance with the Australian Standards for storing and handling flammable and combustible liquids. • With regard to the back-up power system more broadly, the Department notes the storage and handling of lithium-ion batteries and diesel presents special hazards which much be addressed in the detailed design of the development. • In its advice, FRNSW recommended the Applicant prepare a Fire Safety Study (FSS) prior to construction and an ERP and Emergency Services Information Package (ESIP) for operation. The FSS will help verify the final design of all fire safety systems complies with the relevant Australian Standards and all associated requirements for data centres. • The Department considers the hazards and risks associated with the development have been adequately considered and concurs with the advice provided by FRNSW. The Department has recommended conditions requiring the preparation of a FSS, ERP and ESIP for the development. • The Department's assessment concludes the development is consistent with the aims of the Resilience and Hazards SEPP and would not be considered a 'potentially hazardous' industry.	Require the Applicant to: • prepare a FSS prior to construction • prepare an Emergency Plan and ESIP prior to operation • store chemicals, fuels and oils in accordance with the relevant standards • ensure the storage and transport of dangerous goods on site does not exceed the threshold quantities in <i>Applying SEPP 33</i>.
Construction Noise and Vibration	
• The construction of the development over a period of up to 24 months has the potential to cause noise and vibration impacts at surrounding sensitive receivers.	Require the Applicant to: • undertake works during the standard

Findings and conclusions	Recommended conditions
• Construction would be carried out during the recommended standard working hours, consistent with best practice noise management principle identified in the EPA Interim Construction Noise Guideline. • The Applicant indicated noise management is required as it predicted construction noise at all surrounding receivers with direct line-of-sight to the site would marginally exceed the relevant management levels during vegetation clearing, demolition and hard rock excavation. • The Applicant predicted construction noise has the potential to reach the highly affected noise management level of 75 dB(A) at residences when noise intensive activities such as rock breaking occur during demolition (up to 3 months) and excavation (up to 6 months). • Furthermore, exceedance of the relevant noise management levels is predicted across all stages of construction at the nearby childcare centre at 24 Talavera Road and surrounding commercial buildings. • Regarding vibration impacts, the Applicant predicted that while vibration may be perceived at times when vibratory rollers or rock breakers are in use, all residential and childcare buildings are sufficiently distant from the site to avoid cosmetic damage. • To manage construction noise and vibration impacts, the Applicant has indicated its commitment to implement all reasonable and feasible measures such as implementing respite periods and carrying out vibration survey to aid the development of site-specific vibration mitigation strategies. • The Department considers construction noise would be largely minimised by undertaking works during standard working hours only. The Department is therefore satisfied that high noise intensity works (building demolition and hard rock excavation) that would occur temporarily or near surrounding receivers can be managed by implementing feasible and reasonable work practices and provision of respite periods. • The Department has recommended the Applicant implement all practicable measures, established in consultation with the affected neighbours, to reduce noise as part of a Construction Noise and Vibration Management Plan. • This plan will need to include a complaints management system, summarise the outcome of consultation with the surrounding community, detail all feasible and reasonable work practices and physical barriers to reduce noise,	construction hours specified in the EPA Interim Construction Noise Guideline. • implement feasible and reasonable measures to minimise construction noise. • prepare a construction noise and vibration management plan prior to construction

Findings and conclusions	Recommended conditions
and identify a specific set of strategies to manage any residual high noise impact works. The Department's assessment concludes the potential noise and vibration impacts during construction of the development can be managed, subject to recommended conditions.	
Construction Air Quality	
- The development has the potential to generate air quality impacts, primarily in the form of fugitive emissions of suspended particulate matter and nuisance dust, to nearby sensitive receptors during construction, over a period of up to 24 months. - The updated AQIA found that, subject to the implementation of standard construction mitigation measures as part of a Construction Environmental Management Plan (CEMP), the development would have minimal dust soiling impacts to surrounding receivers. Without mitigation, the dust soiling impacts would increase to a high risk profile. - Typical mitigation measures would include the use of dust suppression methods (e.g. watering), stockpile management (e.g. cover stockpiles to prevent wind erosion) and implementation of trackout measures (e.g. wheel washing system) for trucks accessing the site. - The Department has reviewed the amended AQIA and is satisfied air emissions associated with the construction of the development would be minimal, subject to the preparation and implementation of a CEMP detailing these construction mitigation measures. - The Department has recommended conditions of consent requiring the Applicant to prepare and implement a CEMP for the duration of construction and to take all reasonable steps to minimise dust generation. - The Department's assessment concludes the construction of the development would not result in adverse air quality impacts, subject to the recommended conditions of consent.	Require the Applicant to: - prepare and implement a CEMP for the duration of construction - take all reasonable steps to minimise dust emissions during construction.
Access Arrangements	
The development would remove two of the three existing driveways from Talavera Road and retain and upgrade the driveway at the northern leg of the	Require the Applicant to obtain approvals from

Findings and conclusions	Recommended conditions
signalised intersection (TCS 3719), which would serve as sole access for both light vehicles and service vehicles associated with the proposal. • The access arrangement includes controlled entry and exit via separate car and truck trap facilities, supported by internal circulation that manages vehicle movements within the site and prevents queuing onto the public road network. • Swept path analysis provided in the EIS demonstrates that the access and internal layout are capable of accommodating vehicles up to a 20-metre articulated vehicle, which are expected to access the site infrequently and outside network peak periods. • TfNSW advised that minor modification to the northern leg of the signalised intersection would be required, with approval required under section 87(4) of the <i>Roads Act 1993</i> for any associated traffic signal and road works. TfNSW also advised that the Applicant would be required to enter into a Works Authorisation Deed with TfNSW prior to the commencement of works, and to obtain a Road Occupancy Licence for any works that may affect traffic operations on the state road network. • Council raised no objections to the proposed access arrangements and provided advice on standard conditions relating to vehicle footpath crossings, gutter crossover and kerb reinstatement. Approval under section 138 of the <i>Roads Act 1993</i> would be required from Council for these works. • The Department has reviewed the proposed access arrangements and is satisfied that the development would be serviced by a safe and consolidated access that would not adversely impact the operation or safety of the surrounding road network. In this context, the proposed data centre is a relatively low traffic-generating land use compared to the existing use of the site, further limiting potential network impacts. • The Department therefore considers the proposed access arrangements acceptable, subject to conditions requiring that all necessary approvals from TfNSW and Council be obtained.	Council and TfNSW under the Roads Act
Parking	
• The development provides 58 on-site parking spaces commensurate with the anticipated operational demands of the data centre, having regard to the low staffing levels and limited visitor activity associated with this land use.	Require the Applicant to: • ensure parking is constructed in

Findings and conclusions	Recommended conditions
• Council and TfNSW did not raise any concerns regarding the adequacy or operation of the proposed parking provision, subject to the implementation of a Green Travel Plan. • The Department notes that the site is within walking distance of existing public transport services, including bus services operating along Talavera Road and in the surrounding area. This level of accessibility provides opportunities for staff and visitors to access the site without reliance on private vehicles. • The Department is satisfied that the number, location and configuration of parking spaces are appropriate for the nature and scale of the development. • Matters relating to travel demand management and the Green Travel Plan can be appropriately addressed through conditions of consent. • The Department's assessment concludes that the number, location, and configuration of parking spaces are appropriate for the nature and scale of the development and that the proposed parking arrangements are acceptable.	accordance with relevant Australian Standards • implement a green travel plan to reduce reliance on single-occupancy cars
Construction Traffic	
• Construction traffic is anticipated to generate up to 27 vehicle movements per hour during the AM peak, 24 vehicle movements per hour during the PM peak, and approximately 211 vehicle movements per day, comprising light vehicles associated with construction staff and intermittent heavy vehicle movements for deliveries, plant and equipment. • The Applicant advised that a limited amount of on-site parking would be provided for key contractors and staff during construction, with the number and location of spaces varying across construction stages to accommodate loading, turning and hardstand requirements. Where on-site parking is constrained, construction worker parking would be managed through a Construction Traffic Management Plan (CTMP) to prevent vehicles parking or queuing on surrounding public roads. • The Applicant's assessment concluded that construction traffic would not result in material impacts on congestion or network performance, noting that construction traffic volumes are temporary in nature and would not exceed the site's existing peak hour traffic volumes of 46 and 36 vehicle movements per hour in the AM and PM periods, respectively. Construction activities would	Require the Applicant to prepare and implement a CTMP for the duration of construction

Findings and conclusions	Recommended conditions
also generally occur outside network peak periods and be managed through a CTMP, including delivery scheduling and queuing controls. • Council reviewed the construction traffic arrangements and advised that construction traffic impacts could be appropriately managed through conditions of consent, including the preparation and implementation of a finalised CTMP prior to commencement of works. • The Department considers that the predicted construction traffic volumes are modest relative to the capacity of the surrounding road network and, when combined with public transport accessibility and the requirement for a comprehensive CTMP, provide an appropriate framework for managing construction traffic and parking impacts. • Accordingly, the Department recommends that a detailed CTMP be prepared prior to the commencement of construction works, in consultation with Council, to manage construction vehicle access, parking, delivery scheduling and safety impacts on the surrounding road network. • The Department's assessment concludes that construction traffic impacts would be temporary and manageable, subject to the recommended conditions of consent.	
Stormwater Management and Flood Risk	
• The redevelopment of the site has the potential to alter stormwater runoff characteristics through changes to site coverage and surface permeability, including increased impervious areas and modified drainage arrangements. • The development proposes to discharge stormwater to the existing Council stormwater drainage network located within Talavera Road, along the site's southern frontage. Discharge would occur via Council kerb inlet pits that connect to the downstream pit and pipe system. The downstream network has been modelled using the DRAINS software to confirm that it has sufficient capacity to accommodate the site's controlled, post-development discharge. • New, on-site stormwater infrastructure is proposed to support the operation of the data centre, including a site-wide pit and pipe network, landscaped swales and on-site stormwater detention (OSD) with a total storage volume of approximately 760 m³. The system has been designed to manage storms up to the 1% Annual Exceedance Probability (AEP) event and to limit post-development discharge rates in accordance with City of Ryde DCP	Require the Applicant to prepare a detailed stormwater system design in consultation with Council

Findings and conclusions	Recommended conditions
requirements. Defined overland flow paths are provided to safely convey runoff to Talavera Road in the unlikely event of internal drainage surcharge or blockage. - Stormwater quality would be managed through a treatment train designed to achieve the pollutant reduction targets of the Macquarie Park Design Guide, which exceed the minimum requirements of the City of Ryde DCP. The treatment train includes proprietary filtration devices, pit inserts and landscaped treatment elements, with modelling demonstrating that the required reductions in gross pollutants, total suspended solids, phosphorus and nitrogen would be achieved prior to discharge to the Council system. - Council reviewed the Applicant's stormwater documentation, including the detailed civil design and modelling, and advised that stormwater impacts could be appropriately managed, subject to conditions requiring detailed design of the stormwater drainage and treatment system to comply with Council standards. - In relation to flooding, the Flood Impact Assessment concludes that the site is located outside the extent of flood prone land and is unaffected by mainstream and overland flooding in all assessed events, up to and including the Probable Maximum Flood (PMF). The assessment confirms that the proposal would not result in redistribution of flood flows or adverse flood impacts on surrounding land. CPHR similarly raised no concerns in relation to flood risk, noting that the site is not affected by flooding. - The Department considers that the proposed stormwater management system provides an appropriate and robust framework to manage changes in runoff quantity and quality arising from the development, and that the site is not subject to flood risk. - The Department's assessment concludes that the development would not result in unacceptable stormwater or flooding impacts, subject to the recommended conditions of consent.	
Cultural Heritage	
The site is located within an established industrial precinct and has been subject to extensive historical disturbance associated with previous industrial development, earthworks and services installation.	Require the Applicant to prepare and implement an unexpected finds protocol

Findings and conclusions	Recommended conditions
• The application was accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR), which concluded there are no AHIMS-listed Aboriginal sites within the site and that no Aboriginal objects, areas of archaeological potential or site-specific Aboriginal cultural values were identified. • While the broader Lane Cove River corridor was acknowledged as culturally significant, no Aboriginal heritage values were identified as being directly associated with the site. • In relation to non-Aboriginal heritage, the site does not contain any listed heritage items or known historical archaeological remains and has a longstanding industrial land use history. • Heritage NSW reviewed the ACHAR and raised no concerns, advising that no further Aboriginal cultural heritage assessment is required, subject to standard conditions requiring ongoing consultation with Registered Aboriginal Parties and implementation of an unexpected finds procedure. • The Department is satisfied the Applicant's assessment has been prepared in accordance with relevant guidelines and appropriate management and mitigation strategies have been identified to manage residual risks. In this regard, the Department has recommended conditions requiring the Applicant to implement an unexpected finds protocol in the event any new item or object is identified during bulk earthworks. • The Department's assessment concludes that the development is unlikely to result in impacts on Aboriginal or non-Aboriginal cultural heritage and that any residual risk can be appropriately managed through the recommended conditions of consent.	
Contributions	
• Council's Section 7.11 Local Infrastructure Contributions Plan 2020 applies to the SSD application which provides a contribution formula the Applicant is required to pay to Council. • As per Council's advice, the SSD application is subject to a developer contribution of approximately \$ 437,586.24, which: ○ is based on 3,465m² of office premises GFA and 25,553m² of light industry GFA ○ includes a credit for existing development on the site comprising 8,483m² of office GFA and 4,259m² of light industry GFA.	Require the Applicant to pay all relevant development contributions, prior to the issue of a CC.

Findings and conclusions	Recommended conditions
• The Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 also requires that a Housing and Productivity Contribution (HPC) be paid for the development to help fund the delivery of state infrastructure. • The Department has subsequently recommended a condition requiring the Applicant pay a Section 7.11 development contribution and a HPC prior to the issue of a Construction Certificate (CC).	

7 Evaluation

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ESD.

The development involves the construction and operation of a data centre with an operational capacity of up to 135 MW, intended to respond to demand for digital infrastructure within Greater Sydney.

The Department has considered the development on its merits, taking into consideration strategic plans that guide development in the area, the EPIs that apply to the development, advice received from the relevant public authorities, including Council.

Council has consistently objected to the proposal during the assessment process and advises that the Applicant's design response has not resolved its principal planning and urban design concerns. These concerns relate to the proposal's bulk and scale, built form articulation, landscaping outcomes and tree retention, public domain interface, at-grade parking provision, and the use of perimeter security fencing. Council considers these aspects to be contrary to the desired future character and vision for Macquarie Park.

Over the course of the assessment, the Applicant revised the proposal to:

- refine building massing and articulation, including stepped façades, recesses and increased horizontal and vertical setbacks, to reduce the perceived bulk and scale
- relocate general at-grade parking away from the Talavera Road frontage and screen it behind the building footprint and landscaping
- increase deep soil planting and concentrate landscaping and tree canopy within landscaped street setbacks and pedestrian interfaces
- integrate perimeter security fencing within landscaped buffers and setback locations to minimise its visual prominence in the public domain.

The Department is satisfied these design refinements have resulted in an improved urban design outcome when compared with the exhibited scheme, particularly in relation to Council's grounds for objection.

However, the Department notes that while these refinements to visual presentation and public domain outcomes assist in moderating the perception of the development at a prominent precinct entry point, they do not alter the fundamental scale, capacity or intensity of the development. The proposal continues to operate as a data centre with an operational capacity of up to 135 MW.

As such, the core functional requirements of the data centre remain unchanged, including the provision of large-scale cooling infrastructure and an extensive back-up power system. These elements are inherent to the proposed use at this scale and underpin many of the environmental and amenity impacts assessed as part of the application.

Accordingly, the acceptability of the proposal turns not only on urban design considerations, but on whether the impacts arising from the retained operational scale, including noise, air quality, greenhouse gas emissions, water consumption and the operation of the back-up power system, can be appropriately managed through design measures, operational commitments and enforceable conditions of consent.

The Department's assessment has placed emphasis on defining and constraining an appropriate operational envelope for the development. This includes limits on the operation of the back-up power system, compliance-based noise and air quality criteria supported by commissioning and post-construction verification, restrictions on non-emergency generator use, and requirements for ongoing monitoring and reporting, together with commitments relating to energy and water efficiency, greenhouse gas mitigation and transparency in operational performance over time.

Collectively, these measures are intended to ensure the environmental and amenity impacts associated with the retained functional scale of the data centre are avoided or minimised to the greatest extent reasonably practicable, such that the development can operate in a manner compatible with its surroundings and consistent with the principles of ecologically sustainable development.

On balance and having regard to the Applicant's commitments and the recommended conditions of consent, the Department is satisfied that the residual environmental and amenity impacts associated with the development can be adequately mitigated and managed without giving rise to unacceptable impacts on surrounding land uses.

Overall, the Department's assessment has concluded the development would:

- provide additional data centre capacity within Greater Sydney in an established commercial enterprise area
- provide for an increase in productivity and employment within the Ryde LGA by investing \$1,365,463,075 and provide up to 400 full-time equivalent construction and 60 operational jobs
- be consistent with NSW Government policies including, the Sydney Plan, the Greater Sydney Region Plan, North District Plan and Ryde Local Strategic Planning Statement, which aim to increase productivity and local knowledge intensive jobs within the Macquarie Park precinct.

The Department considers these benefits can be realised without any significant amenity or environmental impacts and therefore, considers the development is in the public interest and could be approved, subject to conditions.

8 Recommendation

For the purpose of section 4.38 of the EP&A Act, it is recommended that the **A/Director, Industry Assessments**, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of Project Apollo Data Centre (SSD-74069708), subject to the conditions in the attached development consent
- signs the attached development consent (see **Appendix D**).

Recommended by:



31 August 2026

Patrick Copas

Principal Planning Officer

Industry Assessments

9 Determination

The recommendation is **adopted** by:



Joanna Bakopanos

2 September 2026

A/Director

Industry Assessments

Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
Applicant	Goodman Property Services (Aust) Pty Limited
Council	City of Ryde
CPHR	Conservation Programs, Heritage and Regulation of the NSW Department of Climate Change, Energy, the Environment and Water
DCCEEW	NSW Government Department of Climate Change, Energy, the Environment and Water
Department	Department of Planning, Housing and Infrastructure
EIS	Environmental impact statement
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
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental planning instrument
ESD	Ecologically sustainable development
FRNSW	Fire and Rescue NSW
Heritage NSW	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
LEP	Local environmental plan
Minister	Minister for Planning and Public Spaces

Abbreviation	Definition
MPDG	Macquarie Park Design Guide
Planning Secretary	Secretary of the Department of Planning, Housing and Infrastructure
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
PUE	Power Usage Effectiveness (dimensionless)
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SSD	State significant development
TfNSW	Transport for NSW
WUE	Water Usage Effectiveness (L/kWh)

Appendices

Appendix A – List of referenced documents

This appendix should list, with links, all the key documents relied on by the Department in its assessment including the EIS, submissions report, and the Department has relied upon the following key documents during its assessment of the development:

Environmental Impact Statement

- Project Apollo Data Centre, Environmental Impact Statement, SSD-74069708, 4-10 Talavera Road, Macquarie Park, prepared by Urbis Pty Ltd dated March 2025

Submissions

- All submissions received from relevant public authorities and the general public

Submissions Report

- Response to Submissions – SSD-74069708, 4-10 Talavera Road, Macquarie Park, prepared by Urbis Pty Ltd dated September 2025

Additional Information

- Project Apollo - RTS 2 Register, prepared by Goodman Property Services (Aust) Pty Limited dated 27 February 2026
- GHG Assessment Report Project Apollo Data Centre, prepared by HDR Inc. dated 24 April 2026

Appendix B – Submissions and government agency advice

All submissions and government agency advice can be found here:

<https://www.planningportal.nsw.gov.au/major-projects/projects/project-apollo-data-centre-macquarie-park>

Appendix C – Statutory considerations

Table 7 | Mandatory Matters for Consideration

Matter for Consideration	Department's Assessment
Environmental planning instruments, proposed instruments and development control plans	The Department's consideration of the relevant EPIs (including draft instruments subject to public consultation under the EP&A Act) is provided in Appendix C .
Planning agreements	The Applicant has offered to enter into a Planning Agreement (PA) with Council regarding incentive height and FSR provisions of the Ryde Local Environmental Plan 2014. Council agreed to terms of a draft PA on 25 June 2026 and the PA was exhibited by Council on 1 July 2026. The PA does not affect the application of section 7.11 of the EP&A Act and, accordingly, development contributions required under Council's Section 7.11 Contributions Plan remain applicable.
EP&A Regulation	The Department has assessed the development in accordance with all relevant matters prescribed by the EP&A Regulation, the findings of which are contained in this report.
Likely impacts	The Department has considered the likely impacts of the development in detail in Section 6 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
Suitability of the site	The site is suitable for the development as it involves the construction and operation of a data centre on E3 Business Productivity zoned land, nearby other data centre developments. The development is permissible with consent.
Public submissions	All matters raised in submissions have been summarised in Section 5 of this report and given due consideration as part of the assessment of the development in Section 6 of this report.

Matter for Consideration	Department's Assessment
Public interest	The development would generate up to 400 jobs during construction, 60 jobs during operation and direct \$1.365 billion in capital investment in the City of Ryde local government area. The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers to the development is in the public interest.

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 8** below.

Table 8 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The development would: • ensure the proper management and development of E3 Productivity Support zoned land • promote social and economic welfare by creating approximately 400 construction jobs and 60 operational jobs • appropriately manage and mitigate the consumption of water and energy for the operation of the development.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The development presents a design targeting a PUE of 1.28, to minimise electricity use. It also incorporates environmentally sustainable measures including procuring high-efficiency cooling systems, energy-efficient IT equipment, rainwater capture and water reuse.

Object	Consideration
(c) to promote the orderly and economic use and development of land,	The development would meet the objectives of the zone by supporting and protecting existing industrial land. The development promotes the orderly and economic use of land as it is providing digital infrastructure that is in high demand on a site that is suitable for the proposed use.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The Applicant has received a BDAR waiver on the basis that the proposal will not impact any threatened species of animals, plants or ecological communities.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The development is not anticipated to result in any significant impacts upon built and cultural heritage, including Aboriginal cultural heritage Section 6.4.
(g) to promote good design and amenity of the built environment,	The development provides good design and amenity of the built environment, acceptable within the E3 Productivity Support zone. It achieves design excellence through high-quality architectural detailing and façade recesses, varied articulation and changes in materiality.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has recommended a number of conditions of consent to ensure the construction and operation of the development is undertaken in accordance with the Building Code of Australia and relevant legislation, guidelines, policies and procedures
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department referred the development to the relevant State agencies and Council during the exhibition period and invited them to comment. The Department has given due consideration to their advice in its assessment of the SSD application (see sections 5 and 6).

Object	Consideration
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the DA and EIS as outlined in Section 5.2 of this report, which included notifying Council and adjoining landowners, as well as displaying the SSD application on the NSW planning portal.

EP&A Regulation

Part 4, Division 1 of the EP&A Regulation requires the consent authority to consider additional matters for certain developments as part of the matters for consideration under section 4.15 of the EP&A Act.

For the purposes of this development, the Department has considered section 61(1) of the EP&A Regulation and recommended a condition requiring that all demolition works be carried out in accordance with the Australian Standard AS 2601-2001: The Demolition of Structures.

Environmental Planning Instruments (EPIs)

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The Planning Systems SEPP identifies certain classes of development as SSD. The proposal is SSD pursuant to section 4.36 of Environmental Planning and Assessment Act 1979 (EP&A Act) because it involves the construction and operation of a data centre with a total power consumption of more than 15 megawatts, which meets the criteria in Clause 25 of Schedule 1 in the Planning Systems SEPP.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)

Chapter 2 of the T&I SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to certain types of infrastructure development, and providing for consultation with relevant public authorities about certain types of development during the assessment process.

Vehicular access to the site is proposed via the existing signalised intersection on Talavera Road. Talavera Road is a classified road for the purposes of the *Roads Act 1993*. Clauses 2.119 and 2.122 of the T&I SEPP therefore apply to the development.

The Department consulted with TfNSW as part of its assessment of the application. TfNSW's comments are detailed in **Section 5**. TfNSW did not raise any concerns regarding the potential traffic, access or safety impacts of the development, noting that the proposal is a low traffic-generating land use. TfNSW advised that minor intersection works would be subject to separate approvals under the

Roads Act 1993, including the requirement for a Works Authorisation Deed and Road Occupancy Licences, which are addressed through recommended conditions of consent.

Having regard to TfNSW's advice, the low nature, volume and frequency of vehicle movements associated with the development, and the design of the proposed access arrangements, the Department is satisfied that the safety, efficiency and ongoing operation of the classified road and surrounding transport network would not be adversely affected. The Department also notes that the data centre is not a land use sensitive to traffic noise or vehicle emissions. Accordingly, the Department is satisfied that the requirements of clauses 2.119 and 2.122 of the T&I SEPP are met.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

Chapter 3 – Hazards and risk

Chapter 3 of the Resilience and Hazards SEPP aims to identify developments with the potential for significant off-site impacts, in terms of risk and/or offence. A development is defined as potentially hazardous and/or potentially offensive if, without mitigating measures in place, the development would have significant risk and/or adverse impact on off-site receptors.

The development would involve the on-site storage of up to 1,166,000 litres of diesel (approximately 986 tonnes) and 210 tonnes of lithium-ion batteries as part of its back-up power system. These quantities would be below the screening thresholds outlined in *Applying SEPP 33* (DoP, 2011) and therefore the development would not be considered 'potentially hazardous' under the Resilience and Hazards SEPP.

However, the Department notes the significant storage and handling of these materials present special hazards which are to be addressed in the design stage of the development. Therefore, the Department has recommended conditions of consent requiring the Applicant to prepare a FSS, an Emergency Plan and an ESIP for the development, and to ensure all dangerous goods stored or transported to and from the development remain below the screening thresholds outlined in *Applying SEPP 33*.

Chapter 4 – Remediation of contaminated land

Chapter 4 of the Resilience and Hazards SEPP aims to provide a State-wide approach to the remediation of contaminated land.

The site has a history of agricultural use prior to the 1930s, followed by industrial development from the mid-1960s, with warehousing and associated activities occupying the site since that time. A Preliminary Site Investigation identified the potential presence of identified the potential presence of decommissioned underground storage tanks (USTs) and uncontrolled fill as potential sources of contamination, including asbestos, heavy metals, total recoverable hydrocarbons, polycyclic aromatic hydrocarbons, phenols and organochlorine pesticides. To address these risks, a Detailed Site

Investigation was undertaken, including ground penetrating radar surveys and borehole sampling The Detailed Site Investigation found no evidence of remaining USTs, and all soil sampling results were below relevant assessment criteria. The investigations concluded that the site is suitable for the proposed development and that a Remedial Action Plan is not required, subject to standard construction environmental management measures and an Unexpected Finds Protocol being implemented.

The Department is satisfied, having considered whether the land is contaminated, that the land is suitable in its current state for the proposed development, as site investigations demonstrate that contamination does not pose an unacceptable risk and no remediation or containment measures.

State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)

The Sustainable Buildings SEPP encourages the design and construction of more sustainable buildings across NSW. The Department’s assessment of the development against the relevant provisions of the Sustainable Buildings SEPP is provided in **Table 9** below.

The Department is satisfied the development achieves the standards for non-residential development outlined in the Sustainable Buildings SEPP.

Table 9 | Compliance with relevant provisions of Sustainable Buildings SEPP

Clause	Consideration
3.2 Development consent for non-residential development	
(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following – (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials	The Department is satisfied the development’s Waste Management Plan (Appendix FF.2 of the EIS) includes suitable measures to minimise the generation of waste during demolition and construction.

Clause	Consideration
(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,	The Department is satisfied the development incorporates measures to reduce peak electricity demand, including an energy-efficient data centre design targeting a maximum annualised PUE of 1.28. High-efficiency cooling systems, variable speed drives and an adaptive building management system would enable real-time monitoring and optimisation of electrical loads.
(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,	The Department is satisfied the development reduces reliance on artificial lighting and mechanical conditioning through passive design measures, including high-performance glazing, insulation and external shading that reduce thermal loads and maximise daylight to office areas, complemented by high-efficiency cooling system design.
(d) the generation and storage of renewable energy	The Department is satisfied the development has included suitable provision for the generation and storage of renewable energy, through the photovoltaic (PV) electricity generation systems, with space allocated for future installation of energy storage systems (such as batteries).
(e) the metering and monitoring of energy consumption,	The Department is satisfied the development includes robust metering and monitoring of energy consumption through comprehensive sub-metering of major end uses integrated with a building management system. These measures support ongoing performance monitoring, optimisation of energy efficiency, and future verification against NABERS energy performance benchmarks.

Clause	Consideration
(f) the minimisation of the consumption of potable water.	The Department acknowledges that heat rejection using open-circuit cooling towers results in substantial operational water demand for a data centre facility. However, the Department is satisfied potable water consumption is minimised through controlled cooling tower operation, including a minimum of six cycles of concentration to reduce make-up water requirements. Final water servicing arrangements are to be confirmed with Sydney Water and may include non-potable or recycled water supply options.
(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified	The DA was supported by a form quantifying the embodied emissions attributable to the development.

State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP)

Chapter 3 of the I&E SEPP aims to ensure that outdoor signage is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, that is of a high-quality design and finish.

The development has provided signage zones on the development as follows:

- building identification signage (5650mm x 800mm x 300mm), located at the site access along Talavera Road (south elevation)
- business identification signage (3000mm x 3000mm), located at eastern elevation

The Department is satisfied the proposed signage meets the requirements of the I&E SEPP.

Ryde Local Environmental Plan 2014

The Ryde LEP 2014 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the City of Ryde LGA. It also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The development is located on land zoned as E3 – Productivity Support under the Ryde LEP 2014. As discussed in **Section 4** of this report, the use of the site as a data storage premises is permissible with

consent. The Department is satisfied the development is consistent with the aims of the Ryde LEP 2014 and the objectives of the E3 Productivity Support zone.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the LEP and those matters raised by Council in its assessment of the development.

Clause 6.7 of the Ryde LEP 2014 provides that consent must not be granted for development on the ground floor of a building within the E3 zone if the development would result in any part of the ground floor not being used for business or employment purposes. The Department notes that the proposal comprises a data centre, which is an employment-generating business use permissible within the E3 zone. The ground floor of the building accommodates data halls, plant and equipment rooms, lobbies, building services, circulation spaces and ancillary office and staff facilities that are integral to the operation of the data centre. These spaces collectively support the primary business function of the development and enable its ongoing employment use.

While at-grade car parking and operational hardstand areas are provided on the site, these areas are external to the building footprint and do not form part of the ground floor of the building for the purposes of Clause 6.7. The Department is therefore satisfied that the proposed development does not result in any part of the ground floor of the building being used for non-business or non-employment purposes and is consistent with the requirements of Clause 6.7 of the Ryde LEP 2014.

In addition, Part 7 of the Ryde LEP 2014 relates to development within the Macquarie Park Transport Oriented Development Precinct. Section 7.3 requires the consent authority to be satisfied that the development is consistent with the Macquarie Park Design Guide (MPDG). The Department is satisfied that the development is consistent with the MPDG and has provided its consideration against the relevant sections of the MPDG in **Table 10** below. Certain provisions, such as new public open space and through-site links are not applicable due to site constraints and the data centre typology. The data centre proposal demonstrates consistency with the Design Guide’s objectives through appropriately landscaped setbacks, integration with existing and planned streets, improved urban amenity, reduced car dependence, and meaningful planting and public art opportunities. As such, the development achieves the intended outcomes for bulk, scale, streetscape, and connectivity outlined in the MPDG.

Table 10 | Consideration against Section 7.3 of the Ryde LEP 2014

Objective Summary	Consideration
2.4 Structure Plan	The Structure Plan identifies Waterloo Road as the primary east-west corridor and central organising spine for pedestrian movement, landscape and public

Objective Summary	Consideration
Establish a clear, Country-informed spatial framework that coordinates land use, density, streets, movement networks and open space to deliver a legible, walkable and adaptable precinct with strong transit integration, green connections and identifiable neighbourhood structure.	transport within Macquarie Park. The site is not located within the Waterloo Road Corridor, nor within an identified activity hub or public open space precinct. Accordingly, the proposal does not trigger requirements for mixed-use activation, new streets, public open space or related linkages. The Department is satisfied that the development is consistent with the Structure Plan's intent to maintain the commercial employment function of this part of the precinct and does not prejudice the future delivery of Structure Plan outcomes elsewhere within Macquarie Park.
3.1 Designing with Country Embed Aboriginal knowledge, custodianship and cultural values into planning and design to ensure development respects, reveals and supports the ongoing cultural, ecological and social health of Wallumattagal Country.	The Department is satisfied that the development addresses the objectives of Designing with Country through a range of consultation-informed architectural and landscape responses. Key elements include the retention and framing of the Grandmother Tree as a living expression of Country, facade materiality and textural patterning informed by the bark and grain of on-site gum trees, and the integration of an Indigenous cultural shed and place-keeping space within the landscape. These elements operate alongside indigenous planting, water-sensitive design and pedestrian circulation to reflect broader principles of walking on Country, connection, landform and environmental systems, rather than representing an exhaustive or symbolic interpretation.
3.2 Woven Ways Recognise and express historic and underlying creek systems that inform urban structure, movement, landscape design, water management and cultural storytelling across the precinct.	The site is not located on an identified Woven Way and contains no existing or mapped watercourses. Accordingly, provisions relating to creek restoration or re-wilding are not applicable. The development nonetheless incorporates landscape-led setbacks and pedestrian-oriented design that respond to broader principles of movement, landscape and connection to Country. These measures are appropriate to the site's context and do not prejudice

Objective Summary	Consideration
	the future delivery of Woven Ways elsewhere within the Macquarie Park precinct.
3.3 Waterloo Road Corridor Convert Waterloo Road into a continuous, green, people-focused corridor that prioritises pedestrian comfort, landscape character and connectivity between open spaces and neighbourhoods.	The Department notes the Applicant's assessment identifies this section as not applicable, as the site is not located within or adjacent to the Waterloo Road Corridor.
4.1 Street Network Deliver a low-speed street network that prioritises walking, cycling and public transport, improves pedestrian permeability, supports active street edges, and reduces reliance on private vehicles.	The Department is satisfied that the proposal appropriately responds to the Street Network objectives of the Macquarie Park Design Guide. The development utilises the existing street network, with vehicular access limited to a single, signalised access on Talavera Road, and does not prejudice future road delivery. Pedestrian connections, parking restraint, end-of-trip facilities and a Green Travel Plan collectively support reduced reliance on private vehicles.
4.2 Through-site Links Increase pedestrian permeability across large sites by requiring safe, legible, publicly accessible connections that operate at all times and extend the public realm.	The Department notes that this objective is not applicable, as the site is not mapped or required to provide a through-site link under the Design Guide.
4.3 Open Space Network Provide an integrated and accessible network of public open spaces that supports recreation, ecological function, pedestrian movement, water management and connection to Country	The Department notes that the site is not identified as part of the public open space network under the Macquarie Park Design Guide, and the objectives of Section 4.3 primarily relate to the delivery of precinct-scale public open space. Accordingly, these objectives are not directly applicable to the proposal. Notwithstanding this, the development provides a landscaped corner setback at Talavera Road and Lane Cove Road which contributes to local visual amenity and the public realm.
5.1 Site Planning	The Department is satisfied that the proposal responds appropriately to the relevant site planning

Objective Summary	Consideration
Ensure development is structured around streets and public spaces, prioritises pedestrian amenity, accommodates servicing and access functions appropriately, and avoids inward-looking or car-centric site layouts.	objectives. The development is organised around Talavera Road and the surrounding street network, with the building, setbacks and landscaping forming the primary interface with the public domain. While at-grade car parking is proposed, it is contained within the site and is visually unobtrusive, being partially screened by the building itself and surrounding vegetation, so that parking and servicing do not dominate the streetscape. Landscaping and the retention of mature trees along Talavera Road and the M2 Motorway further contribute to local amenity and a building-focused street presence.
5.2 Building Line Setbacks Use building setbacks to define high-quality streets and open spaces, protect public domain amenity, support tree canopy growth, maintain appropriate building separation, and optimise solar access and wind conditions.	The Department is satisfied that the proposal addresses the relevant building line setback objectives. The building setbacks reinforce the landscaped character of Talavera Road and Lane Cove Road, contributing positively to the established streetscape and identity of the precinct. Green setbacks with mature planting are retained and reinforced, supporting visual relief within the streetscape. Appropriate setbacks and building separation protect residential amenity and privacy. The configuration of setbacks, building scale and façade modulation also supports acceptable wind conditions and solar access at street level, contributing to a comfortable and functional public domain without adverse amenity impacts.
5.3 Building Envelopes Regulate building height, scale and massing to limit perceived bulk, maintain appropriate separation, protect amenity and deliver a coherent, human-scaled skyline.	The Department is satisfied that the proposed building envelope responds to the relevant objectives by shaping a large data centre floorplate into a legible composition of office, data hall and generator elements, with the office positioned to the Talavera Road/Lane Cove Road corner to strengthen the street interface and contribute to a more people-focused experience at ground level. The envelope is further moderated through stepped massing, façade recesses and a recessed upper plant level, creating a

Objective Summary	Consideration
	more permeable and interesting skyline and reducing apparent bulk when viewed from the public domain and the M2 corridor. Setbacks and modulation retain sky views and provide adequate space around the building, and the submitted shadow diagrams indicates no unreasonable overshadowing of adjoining properties or public spaces.
5.4 Building Frontages Require building interfaces to positively address streets and public spaces through active edges, visual interest, passive surveillance and appropriate concealment of servicing functions.	While opportunities for retail activation are limited by the data centre use, the Department is satisfied that the development addresses the street through a visible main entry, street-facing office areas and landscaped setbacks that support pedestrian movement and natural surveillance. The building presents well-designed and articulated frontages to Talavera Road and Lane Cove Road, contributing to the commercial character of the precinct while minimising visual and environmental impacts on surrounding sensitive areas. Variations in building form, material and setback provide visual interest and help create a more human-scaled streetscape along all public frontages.
6.1 Climate Risk and Resilience Incorporate design responses that reduce exposure to climate-related hazards, manage flooding and heat, and support long-term adaptability and resilience.	The Department is satisfied that the proposal demonstrates an appropriate response to objectives related to climate risk and resilience. The development has been designed to manage future climate pressures through robust building design, infrastructure capacity and operational controls, including resilience to heat, wind and extreme rainfall events. The site is located outside flood-prone land and is unaffected by flooding up to and including the probable maximum flood, and the proposed stormwater management system provides a reliable framework to manage changes in runoff quantity and quality.

Objective Summary	Consideration
	Urban heat is mitigated through deep soil zones, landscaping, tree canopy planting and the use of high-albedo materials. Heat rejection from the facility would be managed via rooftop evaporative cooling towers, which reduce exhaust air temperatures prior to discharge, and are setback and elevated away from nearby habitable rooms and communal open spaces to minimise localised thermal impacts. Efficient water use is supported through cooling system controls, including optimised recirculation cycles and monitoring via a centralised Building Management System, with detailed water servicing arrangements and long-term supply considerations to be confirmed through Sydney Water's statutory approval processes.
6.2 Greenhouse Gas Emissions and Energy Reduce operational greenhouse gas emissions through all-electric, energy-efficient design that support a transition toward net-zero outcomes.	The development appropriately addresses greenhouse gas emissions and energy objectives through an operating model that is capable of being fully electric, high-efficiency building services and reliance on renewable electricity procurement. Fossil fuel use is limited to emergency back-up power only and excluded from normal energy supply and demand management. The proposal is designed to be demand-responsive and smart-grid ready (i.e. controlled via the BMS), with emissions outcomes governed through mitigation planning, monitoring, reporting and independent verification to support delivery of ongoing sustainability objectives.
6.3 Circular Economy, Materials and Waste Management Minimise lifecycle environmental impacts by reducing material consumption, enabling reuse and adaptability, and diverting construction and operational waste from landfill	The Department is satisfied the assessment identifies appropriate construction and operational waste management measures, including dedicated plans for waste management, along with waste stream segregation. The building is also designed to support adaptive reuse into the future due to its construction and floorplate reconfiguration and flexible adaption.

Objective Summary	Consideration
6.4 Water Quality, Flooding and Stormwater Manage water resources to minimise potable water demand, mitigate flood risk, treat stormwater and protect downstream waterways through integrated WSUD.	The Department is satisfied the proposed stormwater management system provides an appropriate and robust framework to manage changes in runoff quantity and quality arising from the development, and the site is not subject to flood risk.
6.5 Canopy Coverage and Biodiversity Enhance urban canopy, habitat connectivity and ecological function to improve microclimate, biodiversity outcomes and human wellbeing.	Notwithstanding a reduction in overall site-wide canopy coverage, the Department considers that the proposal responds to these objectives by prioritising meaningful canopy outcomes within landscaped setbacks and pedestrian interfaces, supported by deep soil zones capable of sustaining medium to large canopy trees at maturity. The proposal retains a substantial proportion of existing trees, delivers extensive native planting, and consolidates vegetation into coherent landscape areas that enhance habitat connectivity and streetscape amenity. The Department is satisfied that these outcomes are appropriate and meet the intent of Section 6.5 of the Macquarie Park Design Guide.
6.6 Smart Places Enable data-enabled, flexible development that supports innovation, efficient infrastructure management and future technological change.	The Department is satisfied the proposal adequately meets the Smart Places objective for buildings by incorporating smart technologies that support performance, sustainability, resilience and resource management. These include a building management system, smart energy and water metering, and sub-metering to enable monitoring, optimisation and adaptive operation over the life of the data centre.
7 Public Art and Culture Integrate public art and cultural expression to strengthen place identity, reflect Country and enrich the experience of public spaces.	The Department is satisfied that the proposal has appropriately addressed public art and cultural objectives through site-specific, high-visibility public art and culturally activated public domain spaces. Artwork by a Dharug artist, together with retention of the Grandmother Tree and provision of a Cultural Keeping Place, embeds Wallumattagal Dharug narratives and supports ongoing cultural practice. Integrated within the Talavera Road corner and

Objective Summary	Consideration
	landscape design, these elements strengthen place identity, promote First Nations visibility and contribute positively to Macquarie Park’s evolving cultural character.

Clause 7.4 of the Ryde LEP 2014 requires the consent authority to be satisfied that development will not reduce the development potential of neighbouring land having regard to its size, shape, or location. The Department is satisfied that the proposal would not introduce physical, environmental, or operational constraints that would limit the reasonable redevelopment or consolidation of adjoining sites. The built form, setbacks, and servicing arrangements are compatible with surrounding land, and technical assessments, including operational noise, demonstrate that impacts at neighbouring land would remain within acceptable standards. Accordingly, the development would not preclude or unreasonably constrain the future development of neighbouring sites for their permissible or anticipated uses.

Clause 7.7 of the Ryde LEP 2014 seeks to encourage additional development intensity within the Macquarie Park Transport Oriented Development Precinct where it is coordinated with an adequate access network and recreation areas. The Department notes that the site is not identified as a Key Site and that the proposal relies on the applicable incentive height and floor space ratio controls. In this context, the development incorporates on-site landscaped and passive recreational spaces that contribute to amenity and are appropriately configured having regard to the nature of the use, and is supported by an active transport network that maintains connectivity within the Precinct. The Department also notes that the Applicant has committed to entering into a Planning Agreement with Council, which would provide a contribution toward local infrastructure (but not for the purposes of Section 7.11 of the EP&A Act), including funding for open space and road network improvements.

On balance, the Department is satisfied the development makes adequate provision for recreation areas and an access network consistent with the intent of Clause 7.7.

Appendix D – Recommended instrument of consent

The recommended instrument of consent for the development may be viewed on the NSW planning portal at: <https://www.planningportal.nsw.gov.au/major-projects/projects/project-apollo-data-centre-macquarie-park>