



# STATUTORY COMPLIANCE TABLE

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<i>Environmental Planning and Assessment Act 1979</i>			
	<i>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</i>	The proposal involves the development of a data centre. The strategic location of the site near the Eastern Economic Corridor will facilitate social and economic benefits. Potential environmental impacts will be appropriately mitigated or managed to avoid unacceptable impacts on the local community and the environment.	<b>Section 6 – Assessment of Impacts and Section 7 – Justification of the Project</b>
	<i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal has been carefully designed with regards to the principles of ecologically sustainable development (ESD) to reduce energy and water consumption. The proposal addresses the principles of ESD including the precautionary principle, intergenerational equity, conservation of biological and ecological integrity and improved valuation, pricing and incentive mechanisms in accordance with the requirements of the <i>Environmental Planning and Assessment Regulation 2021</i> .	
	<i>To promote the orderly and economic use and development of land</i>	The proposed development is permitted with consent in the E4 General Industrial zone and complies with the objectives of the zone. The proposed built form is compatible with neighbouring development in the locality and has been carefully designed to address the relevant State and local planning controls and avoid any unacceptable impacts.	
	<i>To promote the delivery and maintenance of affordable housing,</i>	Not applicable to this project.	
	<i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	SLR has prepared a BDAR. The assessment concluded that the impact of the proposed development on PCT Sydney Coastal Enriched Sandstone Forest, one (1) ecosystem offset credit is required. Two (2) ecosystem offset credits are required to address the impact of the proposed development on the large-eared pied bat.	
	<i>To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	As outlined in the Aboriginal Cultural Heritage Assessment Report, there are no heritage items within the site. A Potential Archaeological Deposit (PAD)	

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		<p>boundary has been identified in the south of the site; however, the proposed works are outside this boundary.</p> <p>Furthermore, the site is not identified as containing any items of heritage significance under the Lane Cove LEP or the <i>Heritage Act 1977</i>. As such, a State of Heritage impact is not required as the proposed development does not pose any direct or indirect impacts on the heritage significance of the area or any listed heritage items. Therefore, the proposal is not expected to have any impacts from a heritage perspective.</p>	
	<i>To promote good design and amenity of the built environment,</i>	The built form of the proposed development has been designed to ensure it fits its context in terms of bulk and scale. The development is entirely consistent with the character of the surrounding Lane Cove Industrial Area. It will incorporate high-quality materials and finishes. An extensive assessment of environmental impacts (including bulk and scale, overshadowing, visual impact, air quality, noise, traffic, flooding) has been undertaken to ensure any adverse environmental impacts of the proposal on nearby land uses is minimised, and where required, managed through mitigation measures. The proposed built form is of a high design quality, integrated into the site's natural slope.	
	<i>To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The proposed development will comply with the Building Code of Australia (BCA) to ensure the health and safety of workers and visitors to the site. The proposal will be supported by a range of construction and operational plans of management to ensure the protection and safety of its occupants.	
	<i>To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	Whilst the State Significant Development (SSD) application will be assessed and determined by the Minister for Planning or the Independent Planning Commission, the relevant Council and government agencies have been consulted during the process and preparation of the SSDA.	
	<i>To provide increased opportunity for community participation in environmental planning and assessment.</i>	Community consultation and engagement with relevant stakeholder groups has been undertaken throughout the planning and design process. It is anticipated that further engagement and consultation will occur during the assessment of the SSDA.	
<b>Environmental Planning and Assessment Regulation 2021</b>			
Section 4.15	Relevant environmental planning instruments:	See detail below under State Environmental Planning Policies (SEPPs).	

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	<ul style="list-style-type: none"> <li>▪ State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</li> <li>▪ State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)</li> <li>▪ State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)</li> <li>▪ State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)</li> <li>▪ State Environmental Planning Policy (Sustainable Buildings) 2022 (SB SEPP)</li> <li>▪ State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)</li> <li>▪ Lane Cove Local Environmental Plan 2009 (Lane Cove LEP)</li> </ul>		
	Draft environmental planning instruments	There are no draft environmental planning instruments applicable to this development.	<b>N/A</b>
	Environmental Planning and Assessment Regulation 2021 (the EP&A Regulation) Section 192 – Content of environmental impact statement	The EIS provided with this SSDA contains the requisite content required by the Regulations and follows the structure outlined in Section 3 of the <i>State significant development guidelines – preparing an environmental impact statement</i> .	<b>Throughout the EIS</b>
	Section 193 – Principles of ecologically sustainable development.	The proposed development has considered the principles of ESD at each stage of design and development.	<b>Section 6.6 – Ecologically Sustainable Development</b>

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	Development control plans:	<p>Clause 2.10 of the Planning Systems SEPP states that development control plan (whether made before or after the commencement of this Policy) do not apply to SSD.</p> <p>As such, there is no requirement for assessment of the project against the Lane Cove DCP. For abundance of caution however, consideration has been given to the key provisions in this Table later below under “Development Control Plan”.</p>	
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the development including the environmental impacts on the natural and built environments and social and economic impact on the locality is assessed in detail within the EIS.	<b>Section 6 – Assessment of Impacts</b>
	The suitability of the site for the development	The suitability of the site for the proposed development is demonstrated in the EIS.	<b>Section 7 – Justification of the Project</b>
	Any submissions made	Submissions will be considered following exhibition of the application and will be responded to in accordance with the State Significant Development Guidelines – preparing a Submissions Report.	<b>Section 5 – Engagement</b>
	The public interest	<p>The proposed development is compliant with the relevant planning instruments and controls applying to the site.</p> <p>The proposal will not create any adverse social, economic, or environmental impacts which cannot be mitigated via the proposed mitigation measures in this application.</p> <p>On balance, the benefits of the Project outweigh any adverse impacts and as such, the development is considered to be in the public interest.</p>	<b>Section 7.7 – Public Interest</b>
Schedule 2	Schedule 2 of the Regulations provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS	This EIS has been prepared to address the requirements of Schedule 2 of the Regulations and SEARs.	<b>Appendix A</b>
<b>Biodiversity Conservation Act 2016</b>			
Section 7.14	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to)	The SEARs require the preparation of a BDAR as the proposal seeks to remove vegetation and impact on biodiversity values at the site. The assessment concluded that the impact of the proposed development on PCT Sydney Coastal Enriched Sandstone Forest, one (1) ecosystem offset credit is	<b>Section 6.7 - Biodiversity and Appendix S – Biodiversity</b>

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	further consider under that BC Act the likely impact of the proposed development on biodiversity values.	required. Two (2) ecosystem offset credits are required to address the impact of the proposed development on the large-eared pied bat.	<b>Assessment Report</b>
<b>State Environmental Planning Policies</b>			
<i>State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</i>	Section 2.6 states that development is declared to be state significant development for the purposes of the Act if:  <i>The development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</i>  <i>The development is specified in Schedule 1 or 2</i>	In accordance with Schedule 1 of the Planning Systems SEPP, the proposed development is classified 'state significant development' as the development is for the purposes of a data centre that will be greater than 15 megawatts.	<b>Section 4.1 – Statutory Requirements</b>
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 (R&amp;H SEPP)</i>	Part 3 applies to any proposals which fall under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'.	The identified proposed quantities of dangerous goods do not exceed the RHSEPP thresholds. Additionally, the expected transport movements of dangerous goods would not be considered to exceed the transport thresholds.  Subsequently, Part 3 does not apply to the project.	<b>Section 6.11.3 – Hazards and Risks</b>
	Clause 4.6(1) states that land must not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.	A Preliminary Site Investigation (PSI) has been undertaken for the site. The historical environmental site investigation carried out as part of the PSI identified the potential for contamination on the site due to 2 large underground storage tanks (USTs), several smaller flammable liquid storage depots and asbestos material on the site.  A Detailed Site Investigation (DSI) has been undertaken for the site. The DSI found concentrations of the contaminants of potential concern (CoPC) in soil were below the adopted human health guidelines, with the exception of asbestos AF/FA in soil at one location. However, bonded asbestos was reported to be present in fill across the site. Groundwater was considered to have been reasonably characterised in this assessment and was not considered to be contaminated. Some heavy metals were analysed in groundwater at what were considered to be background concentrations.  A Remedial Action Plan (RAP) has been prepared for the site. It concludes that with the implementation of the mitigation measures that the site can be made suitable for the intended commercial/industrial use and that the risks to the environment can be appropriately protected during remediation works.	<b>Section 6.10 – Contamination and Remediation, Appendix AA – Preliminary Site Investigation, Appendix BB – Detailed Site Investigation and Appendix CC – Remedial Action Plan</b>

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<i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&amp;I SEPP)</i>	Section 2.122 – Traffic generating development Before determining a development application for development to which this section applies, the consent authority must give written notice of the application to TfNSW within 7 days after the application is made.	The site has access to a local road and a site area of 33,559m <sup>2</sup> which is greater than the nominated 20,000m <sup>2</sup> . The proposed development requires referral to TfNSW.	
<i>State Environmental Planning Policy (Industry and Employment) (I&amp;E SEPP)</i>	Clause 3.6 states that a person must not display an advertisement, except with the consent of the consent authority or except as otherwise provided by this Policy.	The proposed signage is compatible with the desired character of the area as a Business Park, as it will identify the data centre and aid in wayfinding. The design of the signage is compatible with the proposed design of the data centre reflected in materials and colour schemes.	<b>Section 6.4 – Traffic, Transport and Accessibility and Appendix O – Transport and Accessibility Impact Assessment</b>
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Schedule 5 (1) Character of the Area  Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is compatible with the desired character of the area as a commercial precinct as it will identify the data centre and aid in wayfinding. The design of the signage is compatible with the proposed design of the data centre reflected in materials and colour schemes.	<b>Section 3.4.3 – Signage and Appendix H – Architectural Design Report</b>
	Schedule 5 (2) Special Areas  Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed building identification and business identification signage does not detract from the amenity or visual quality of the area as it is ancillary to the operation of the data centre. They will also assist in way finding and are located within the site boundary.	<b>Section 3.4.3 – Signage and Appendix H – Architectural Design Report</b>
	Schedule 5 (3) Views and vistas  Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?	The proposed building identification signage is located at the site entrance and the proposed business identification signage will be located on the building façade. They have been designed to not impact views within the site or for surrounding receivers. Given their location below the building height, they will not impact the skyline or reduce the quality of vistas.	<b>Section 3.4.3 – Signage and Appendix H – Architectural Design Report</b>
	Schedule 5 (4) Streetscape, setting or landscape	The proposed business and building identification signage have been designed to be appropriate for the streetscape, setting and landscape and aims to assist with wayfinding. The signage does not protrude above the	<b>Section 3.4.3 – Signage and Appendix H –</b>

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	<p>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p> <p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p> <p>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</p> <p>Does the proposal screen unsightliness?</p> <p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p> <p>Does the proposal require ongoing vegetation management?</p>	<p>proposed structures in the locality. The signage does not require ongoing vegetation management.</p>	<p><b>Architectural Design Report</b></p>
	<p>Schedule 5 (5) Site and building</p> <p>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</p> <p>Does the proposal respect important features of the site or building, or both?</p> <p>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p>	<p>The proposed business and building identification signage is consistent with signage on surrounding developments in the Lane Cove Business Park.</p>	<p><b>Section 3.4.3 – Signage and Appendix H – Architectural Design Report</b></p>
	<p>Schedule 5 (6) Associated devices and logos with advertisements and advertising structures</p> <p>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</p>	<p>The lighting devices for the proposed signage have been wholly integrated within the signage structure.</p>	<p><b>Section 3.4.3 – Signage and Appendix H – Architectural Design Report</b></p>
	<p>Schedule 5 (7) Illumination</p> <p>Would illumination result in unacceptable glare?</p> <p>Would illumination affect safety for pedestrians, vehicles or aircraft?</p> <p>Would illumination detract from the amenity of any residence or other form of accommodation?</p> <p>Can the intensity of the illumination be adjusted, if necessary?</p> <p>Is the illumination subject to a curfew?</p>	<p>All illumination has been designed to comply with relevant Australian Standard. Therefore, it will not result in any unacceptable glare or affect the safety of pedestrians, vehicles or aircraft.</p> <p>The illumination of the signage can be adjusted if required and it is not subject to a curfew.</p>	<p><b>Section 3.4.3 – Signage and Appendix H – Architectural Design Report</b></p>

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	<p>Schedule 5 (8) Safety</p> <p>Would the proposal reduce the safety for any public road?</p> <p>Would the proposal reduce the safety for pedestrians or bicyclists?</p> <p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p>The signs have been located within the site and will not impact the safety of roads for motorists, pedestrians or cyclists and will not obscure sightlines from public areas.</p>	<p><b>Section 3.4.3 – Signage and Appendix H – Architectural Design Report</b></p>
<p><i>State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)</i></p>	<p>Chapter 3 – The consent authority must consider whether the development has been designed to enable:</p> <ul style="list-style-type: none"> <li>▪ Minimisation of waste from demolition and construction, including by the choice and reuse of building materials</li> <li>▪ Reduction in peak demand for electricity, including through the use of energy efficient technology</li> <li>▪ Reduction in reliance of artificial lighting and mechanical heating and cooling through passive design</li> <li>▪ Generation and storage of renewable energy</li> <li>▪ Metering and monitoring of energy consumption</li> <li>▪ Minimisation of consumption of potable water.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The proposed development will implement the following measures:</li> <li>▪ Commitment to ensuring a suitable standard of energy use for the development equivalent to a 5.5-star NABERS Energy rating</li> <li>▪ Commitment to ensuring a suitable standard of water use for the development to equivalent to a 3-star NABERS Water rating</li> <li>▪ Sub-metering throughout the facility to help monitor and interpret energy consumption in operation and enable optimisation year-on-year.</li> <li>▪ VSD drives will be used on fans and pumps allowing turndown and energy savings at part load.</li> <li>▪ High efficiency electrical drives will be used on the various systems.</li> <li>▪ All lighting to be LED.</li> </ul>	<p><b>Section 6.6 – Ecologically Sustainable Development and Appendix P – ESD Report</b></p>
<p><b>Lane Cove Local Environmental Plan 2009</b></p>			
<p>Zoning and Land Use</p>	<p>The proposed development involves construction of a data centre which is a permissible use with consent in the E4 General Industrial Zone.</p>	<p>The proposal is entirely consistent with the objectives of the zone given:</p> <ul style="list-style-type: none"> <li>▪ The proposed use of the land is for a data centre which is classified as a light industry</li> </ul>	

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		<ul style="list-style-type: none"> <li>▪ It will provide key technology industry to support surrounding commercial development, industrial and new and emerging light industries as well as industries involved in research and development.</li> <li>▪ It will provide for a variety of employment generating land uses including ancillary office space and data centre operations.</li> </ul>	
4.3 Height of Buildings	18m	The proposed development will have a maximum building height of 28.3m which exceeds the building height control. A Clause 4.6 variation request to the vary this control has been prepared.	<b>Section 3.4 – Building Design and Appendix OO – Clause 4.6 request</b>
4.4 Floor Space Ratio	1:1	The proposed development will have an FSR of 0.65:1.	<b>Section 3.1 – Project Overview</b>
4.6 Exceptions to Development Standards	<p>(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p> <p>(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—</p> <p>(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and</p> <p>(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.</p>	A written request pursuant to Clause 4.6 of the Lane Cove LEP has been prepared to demonstrate that compliance with the height of building standard (clause 4.3 of the Lane Cove LEP) is unreasonable in the circumstances of the proposed development. It has been demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard.	<b>Appendix OO – Clause 4.6 Variation Request</b>
5.10 Heritage Conservation	<p>Development consent is required to</p> <p><i>(a) demolish or move any of the following or altering the exterior of any of the following</i></p>	The subject site is not listed as a heritage item under Schedule 5 of the Lane Cove LEP. The site is not located within the vicinity of any heritage items or heritage conservation areas.	<b>Section 6.11.7 – Aboriginal Cultural Heritage and Appendix HH</b>

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	<p><i>(including, in the case of a building, making changes to its detail, fabric, finish or appearance)</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p>	<p>An Aboriginal Cultural Assessment Report (<b>ACHAR</b>) has been prepared by Artefact. A Potential Archaeological Deposit (PAD) boundary has been identified in the south of the site; however, the proposed works are outside this boundary.</p>	<p><b>– Aboriginal Cultural Heritage Report (ACHAR)</b></p>
<p>5.21 Flood Planning</p>	<p>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p> <p>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</p> <p>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</p> <p>(b) the intended design and scale of buildings resulting from the development,</p>	<p>The site is not flood affected as shown within the Flood Risk Assessment report.</p>	<p><b>Section 11.1 – Flood Risk and Appendix Z – Flood Impact Risk Assessment.</b></p>

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	<p>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</p> <p>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</p>		
6.1A Earthworks	<p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>	<p>Bulk earthworks will be required to accommodate the proposed development. A cut and fill plan has been provided within the Civil Engineering Plans. Construction works will be appropriately managed by a Construction Environmental Management Plan to minimise adverse impacts to neighbouring sites.</p>	<p><b>Section 3.3.3 – Earthworks and Appendix Y – Civil Engineering Package</b></p>
<p><b>Lane Cove Development Control Plan 2009 (Amended September 2023)</b></p>			
<p><b>Part B – General Controls</b></p>			
<b>Section 6.3</b>	<p>For non-residential development it must be demonstrated that the proposal meets the relevant requirements of the Sustainable Buildings SEPP and Section J of the National Construction Code</p>	<p>The proposed development has been designed to meet the relevant requirements of the Sustainable Buildings SEPP and Section J of the National Construction Code.</p>	<p><b>Section 6.6 – Ecologically Sustainable Development and Appendix P – ESD Report</b></p>
<b>Section 8</b>	<p>Provide adequate lighting of all pedestrian access ways, parking areas and building entries. Such</p>		

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	lighting should be on a timer or movement detector to reduce energy consumption and glare nuisance		
<b>Section 8</b>	Provide security access controls where appropriate	A boom gate, vehicle trap and guard house are located at the vehicle and pedestrian access points to the site to monitor and approve movements into and out from the premises. A 2.4m dark grey palisade fence will also be provided around the building.	<b>Section 3.4.5 – Landscaping and Appendix H – Architectural Design Report</b>
<b>Part E – Industrial Development</b>			
<b>Section E.4</b>	Industrial sites are to be designed to locate offices addressing and activating the street/s where possible. The warehouse/factory functions as well as car parking, manoeuvring areas, loading and unloading facilities are to be located within the site	The office building is located to face Mars Road. The data halls are located well-with the site apart from part of Building A. Car parking and loading dock facilities are located well within the site.	<b>Section 3 – Project Description and Appendix B – Architectural Plans</b>
<b>Section E.4</b>	The total gross floor area used for ancillary office uses shall not exceed 49% for any one development.	The GFA of the proposed development is 33,559m <sup>2</sup> . The proposed office component is 1,686m <sup>2</sup> which is less than 49% of the total GFA of the proposed development.	<b>Appendix B – Architectural Plans</b>
<b>Section E.4</b>	New buildings and the creation of new industrial units in close proximity to residential areas are to be designed to minimise adverse effects on the amenity of residential areas including overshadowing, overlooking, lighting, dust, noise or fumes	The proposed development has been designed to minimise adverse impacts on adjoining residential areas located to the east and north-east of the site. A Quality Impact Assessment, Noise and Vibration Impact Assessment and Visual Impact Assessments have all been prepared as part of the SSDA. These confirm that the proposed development will have a minimal impact on surrounding residential receivers with the implementation of reasonable and feasible mitigation measures identified in the EIS.	<b>Appendix N – Visual Impact Assessment, Appendix T – Air Quality Impact Assessment, Appendix U – Noise and Vibration Impact Assessment and Appendix F – Mitigation Measures</b>
<b>Section E.5</b>	<p>Minimum Building Setbacks</p> <ul style="list-style-type: none"> <li>▪ Front setback: 8m</li> <li>▪ Side and rear (adjoining industrial zone): 0m (where deep soil/landscaping provisions met elsewhere on site; fire regulations are</li> </ul>	<p>The proposed development is setback:</p> <ul style="list-style-type: none"> <li>▪ Front (Mars Road): 8m</li> <li>▪ Side (east): 6.3m to 8m</li> <li>▪ Side (west): 17.6m</li> <li>▪ Southern boundary: 10m to 39.8m</li> </ul>	<b>Section 6.1.5 – Setbacks and Appendix B – Architectural Plans</b>

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	<p>met and merit impacts deemed acceptable in relation to adjoining properties)</p> <ul style="list-style-type: none"> <li>▪ Side and rear (adjoining non-industrial uses): 4m</li> </ul> <p>Landscaping strip (which forms part of building setback):</p> <ul style="list-style-type: none"> <li>▪ Front: 3m</li> <li>▪ Side and rear (adjoining non-industrial): 2m</li> </ul>	<p>An 8m landscaping strip is provided at the front of the site. A 4m – 10m landscaped strip is provided at on the western side of the site. A 10m – 39.8m landscaped setback is provided at the rear of the site.</p>	
<b>Section E.5</b>	<p>All front setbacks are to be landscaped to provide a high quality street presence. Front setback areas must not be used for storage or display of goods or excessive signage, loading/unloading or large areas of car parking.</p>	<p>The front setback facing Mars Road will be landscaped and include vegetative screening and shrub and ground cover planting. It will not be used for the storage or display of goods or loading/unloading.</p>	<b>Section 6.1 – Built Form and Urban Design and Appendix B – Architectural Plans</b>
<b>Section E.6</b>	<p>Excavation for major development is to be contained within the footprint of the development and hard surfaces</p>	<p>All excavation will be contained within the site footprint.</p>	<b>Appendix Y – Civil Engineering Package</b>
<b>Section E.7</b>	<p>Through careful site arrangements new building works should:</p> <ul style="list-style-type: none"> <li>▪ Address the street with any non-industrial aspects (i.e. office section) of the development.</li> <li>▪ Avoid long blank walls of warehouse units facing the street or public domain and long unbroken roof lines. If unavoidable, use of single material and colour should be avoided.</li> <li>▪ Rear boundary walls are to be treated aesthetically.</li> <li>▪ Provide regular articulation to the façade or division of massing</li> </ul>	<p>The site has been designed to provide the office component to face Mars Road. The building mass has been broken down into smaller elements to reduce its overall bulk and visual impact. The smaller building blocks have been designed to follow the natural slope of the site.</p> <p>The building’s façades have been carefully assessed and designed to create a hierarchy of visibility across the site. The key elevations — including the office frontage addressing Mars Road and prominent portions of the eastern façade overlooking the parklands and neighbouring buildings — have been given particular design emphasis. These highly visible façades extend beyond purely functional requirements, incorporating architectural articulation and material expression that respond to the broader context. Their design has been informed through consultation with the Connection with Country team at TIKAEQ, ensuring that cultural narratives and environmental sensitivities are meaningfully embedded in the built form.</p> <p>The overall building composition is organised through a predominantly horizontal functional stratification. The data halls and technical spaces form the dominant massing element, establishing the primary architectural expression. Above, the rooftop plant and generator spaces are consolidated</p>	<b>Appendix H – Architectural Design Report</b>

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<b>Section E.7</b>	<p>New buildings are to be designed to:</p> <ul style="list-style-type: none"> <li>▪ Express the structure of the building through creative architecture and minimise use of reflective glass or large blocks of one material.</li> <li>▪ Visually reinforce entrances, office components and stair wells of units to create rhythm on long facades and a reduction of perceived scale. Strongly express structural bays and bracing.</li> <li>▪ Provide variation of unit design within industrial unit developments.</li> <li>▪ Introduce solid surfaces, with a mix of materials; incorporate horizontal and vertical modulation including windows in appropriate proportions and configurations.</li> <li>▪ Address all streets to which it presents</li> </ul>	<p>within a screened “crown,” designed to discreetly conceal services from key view corridors along Mars Road, the adjacent parklands, and neighbouring properties across the valley. In contrast, the office building introduces a more articulated and human-scaled frontage to Mars Road, creating a welcoming and active public interface, bringing texture, rhythm, and connection to the public realm</p>	
<b>Section E.7</b>	<p>All rooftop or exposed structures including lift motor rooms, plant rooms, etc., together with air conditioning, ventilation and exhaust systems, are to be integrated with the building design in order to ensure interesting and high quality appearance</p>	<p>Screening will be provided to visually screen rooftop plant and equipment.</p>	<b>Appendix B – Architectural Plans</b>
<b>Section E.8</b>	<p>Parking is to be integrated into the site planning and must be visually mitigated by minimum 3m landscape strip along the frontage and other high quality landscaping</p>	<p>Car parking is located within an undercroft below the office building at the front of the site.</p>	<b>Section 3.6.2 – Parking</b>
<b>Section E.8</b>	<p>Separation is to be provided between service areas (i.e. loading and unloading areas) and parking. Service areas to be located and designed to facilitate convenient and safe usage</p>	<p>Vehicular access to the site will be provided via separate driveways on Mars Road for staff vehicles, trucks and service vehicles. This includes two heavy vehicle access points on the eastern and western ends of the Mars Road frontage, as well as a light vehicle access point in between. The eastern</p>	<b>Section 3.6 – Transport and Parking</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		access point is the main service vehicle access point, whereas the western access is to act as a service laneway only	
<b>Section E.8</b>	Access/Driveways - Vehicular movements to and from the site should be designed to reduce potential conflict with street traffic and pedestrians	Separate vehicle and pedestrian access is provided at the site. Pedestrian access will be provided to the site via Mars Road via an access point located adjacent to the vehicle entry/exit driveway.	<b>Section 3.6 – Transport and Parking</b>
<b>Section E.8</b>	All vehicles should enter and leave the site in a forward direction.	Vehicles will enter and exit the site in a forward direction.	<b>Appendix O – Transport and Accessibility Impact Assessment</b>
<b>Section E.8</b>	Preferably, off-street parking is to be provided behind or at the side of buildings and away from street frontages	Parking is provided within an undercroft below the office building at the front of the site.	<b>Section 3.6 – Transport and Parking</b>
<b>Section E.8</b>	Loading docks should be positioned so they do not interfere with visitor and employee parking spaces and to ensure delivery vehicles do not stand on any public road, footway, laneway or service road	The loading dock is separate to the visitor and employee parking spaces.	<b>Section 3.6 – Transport and Parking</b>
<b>Section E.9</b>	Min. landscaped area: 20% of site  Additionally, min.10% of the site shall be provided as landscaped area or planting on structures. The minimum width for inclusion is 1m.	The project achieves a deep soil area of 8,417.5m <sup>2</sup> (25.1% of the site) which exceeds the minimum requirement of 20% in the Lane Cove DCP. This includes a landscaped buffer strip between the driveway and side boundary which will contain a mix of screen and groundcover planting	<b>Section 3.4.5 – Landscaping</b>
<b>Section E.10</b>	All fencing along street frontage is required to be permeable metal palisade or picket finished in a suitable colour - dark colours are preferable. Maximum height allowed is 1.2 metres on street frontages	The fencing around the site will be a 2.4m dark grey palisade fence this includes along Mars Road. Data centres are mission-critical facilities and require a high	<b>Appendix B – Architectural Plans</b>
<b>Part H – Bushland Protection</b>			
<b>Section H.6.1</b>	If land within the bushland area is identified as 'Environmental Protection' on the Environmental Protection Map, then any development on that land must comply with Clause 6.4 of the LEP.	The site is not located on land identified as 'Environmental Protection' and thus no development is proposed on this land.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	Notwithstanding this, development adjacent to bushland must also comply with this DCP.		
<b>Section H.6.2.2</b>	Appropriate measures must be taken so that any construction in the buffer area does not impact upon the bushland.	Appropriate mitigation measures will be implemented during construction of the proposed development to not impact the bushland to the east and south of the site.	<b>Appendix F – Mitigation Measures</b>
<b>Section H.6.2.2</b>	The size of the buffer area will be a minimum depth of 10 metres. This area may change if the establishment of any works defined under provisions b - f of Section 6.2.2 cannot be achieved.	The buffer area to the east and south of the site is a minimum of 10m.	<b>Appendix B – Architectural Plans, Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Section 7.2.1</b>	The placement, orientation and design of proposed structures, as well as alterations and additions to existing structures, shall have regard to the existing level of views of the bushland from adjoining and nearby properties and the impact on those views should be minimised.	The proposed development has been designed to minimise the impact of the proposed development on surrounding views of the bushland from adjoining properties. A Visual Impact Assessment has been prepared that confirms the proposed development will have a negligible impact on views of the bushland from adjoining properties.	<b>Section 6.2 – Visual Impact and Appendix N – Visual Impact Assessment</b>
<b>Section 7.10</b>	Proposed new buildings and structures are to be designed and orientated in order that a reasonable level of sun access is maintained to the adjoining bushland throughout the year, in order to ensure that the viability of the bushland is not threatened or adversely affected.	<p>The proposed development has been designed to minimise the overshadowing impact to the neighbouring bushland. Whilst the overshadowing study does indicate that overshadowing will mainly occur to the bushland to the east and south during the winter solstice some overshadowing will also occur at the summer solstice.</p> <p>The bushland to the south and east of the site is zoned C2 Environmental Conservation and includes various shade resistant plant species. Ecological advice has confirmed that the additional shading to the neighbouring bushland will not affect the health and ongoing viability of the plant species. Further, the incremental additional shadowing will not generate negative impacts to local fauna</p>	<b>Section 6.1.7 – Overshadowing and Appendix B – Architectural Plans</b>
<b>Part J – Landscaping and Tree Preservation</b>			
<b>Section J.2</b>	<p>Min. landscape % of site area (all on deep soil): 20%</p> <ul style="list-style-type: none"> <li>▪ Min. dimensions of deep soil areas: 3m x 3m</li> </ul>	The proposed development will provide 8,391m <sup>2</sup> (25.1%) of the site area as deep soil zone.	<b>Section 6.4 Trees and Landscaping, Appendix J – Landscape Plans and Appendix K – Landscape Report</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>▪ Max. allowable % landscape of site on structures counted toward 'landscaped area': 10%</li> </ul>		
<b>Section J.3</b>	All new developments shall attain no net canopy loss, where practicable	The overall existing canopy for the site is 25%. The current design removes 9.4% of existing canopy and proposes an additional 9.6% with new trees. This achieves a total canopy cover of 25.1% (8,424m <sup>2</sup> ).	<b>Section 6.4 Trees and Landscaping, Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Section J.3</b>	<p>The minimum extent of canopy cover provided is to be the greater of: i. the existing condition; or ii. the relevant requirements scheduled in Table 1.2.</p> <p>Table 1.2 identifies a tree canopy target of 35% of site area for industrial development.</p> <p>A minimum tree planting rate of at least two medium trees or one large tree is required for every 400m<sup>2</sup> of site area.</p>	The overall existing canopy for the site is 25%. The current design removes 9.4% of existing canopy and proposes an additional 9.6% with new trees. This achieves a total canopy cover of 25.1% (8,424m <sup>2</sup> ).	<b>Section 6.4 Trees and Landscaping, Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Section J.3</b>	<p>Deep soil must be provided for an area and minimum dimension no less than the relevant requirements given in Table 1.1 being 3m x 3m.</p> <p>Connected deep soil zones should be prioritised to ensure healthy root communities, drainage networks and an ecologically rich microbial ecosystem.</p>	The proposed development will provide 8,391m <sup>2</sup> (25.1%) of the site area as deep soil zone.	<b>Section 6.4 Trees and Landscaping, Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Section J.3</b>	A site plan indicating the proportion of the site covered by tree canopy and deep soil is required to be submitted with the Development Application.	A tree canopy cover plan and deep soil landscaped plan is provided as part of the SSDA.	<b>Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Section J.3</b>	Where tree removal is permitted, those trees removed must be replaced at a minimum 1:1 ratio. A greater than 1:1 replanting ratio may be required to achieve canopy target outcomes	There are 90 trees which are being removed on site, and 101 new trees have been proposed. Of these 90 trees, 5 are classified as dead and 14 are noted as poor or fair condition in the arborist report, meaning 71 trees are of good condition. Our replacement strategy of these trees is in exceedance of a 1:1 ratio.	<b>Appendix J – Landscape Plans and Appendix K – Landscape Report</b>

<b>Statutory Reference</b>	<b>Relevant Considerations</b>	<b>Relevance</b>	<b>Section in EIS</b>
<b>Section J.3</b>	At a minimum, the replacement trees must replenish the canopy lost to accommodate the development as well as subsequent canopy loss during the construction process	The overall existing canopy for the site is 25%. The current design removes 9.4% of existing canopy and proposes an additional 9.6% with new trees. This achieves a total canopy cover of 25.1% (8,424m <sup>2</sup> ).	<b>Section 6.4 Trees and Landscaping, Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Section J.3</b>	Proposed landscape plans are required to demonstrate that the proposal will increase canopy cover to reach the proposed canopy targets set in Table 1. 3 (11.5%) within 5 -10 years of implementation.	The proposed development achieves a total canopy cover of 25.1% (8,424m <sup>2</sup> ).	<b>Section 6.4 Trees and Landscaping, Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Section J.5</b>	Council encourages the use of locally indigenous plant species in preference to exotic species, the innovative use of locally indigenous plant species, and diversity in planting schemes to avoid monoculture planting	The plant species list includes a range of locally indigenous plant species.	<b>Appendix J – Landscape Plans and Appendix K – Landscape Report</b>
<b>Part N – Signage and Advertising</b>			
<b>Section N.2</b>	Signage in the Lane Cove West Business Park should be consistent with the evolving business park style and scale of development and should be consistent with the scale of the development to which it relates. Minimal signage is necessary for business parks, as signs serve as directional assistance and convey the location of tenancies for users with direct dealings with the relevant business	The proposed development includes two signs: <ul style="list-style-type: none"> <li>▪ building identification signage located at the site entrance. It will be 5600mm x 800mm x 300mm. It will be made of aluminium and backlit LED lighting with the Goodman logo and building name.</li> <li>▪ business identification signage located on the eastern façade of the building. It will be 3000mm x 3000mm.</li> </ul>	<b>Section 3.4.2 – Signage and Appendix B – Architectural Plans</b>
<b>Section N.3</b>	Signage above ground floor level is appropriate for industrial zones where it is business identification signage, with a maximum of one sign per building permitted above ground floor level	One business identification sign located on the eastern façade of the building is provided as part of the proposed development.	<b>Section 3.4.2 – Signage and Appendix B – Architectural Plans</b>
<b>Section N.3</b>	Pylon/plinth signs are a useful form of business and building identification in business parks. One pylon/plinth signs per tenancy is permitted in the Lane Cove West Business Park.	A pylon sign is located at the site entrance.	<b>Section 3.4.2 – Signage and Appendix B – Architectural Plans</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	It is encouraged that the pylon sign reflect the scale of the building to which it relates and therefore the maximum permitted height is 8m.		
<b>Part Q – Waste Management and Minimisation</b>			
<b>Section Q.4</b>	<p>Plans submitted with the development application must show:</p> <ul style="list-style-type: none"> <li>▪ The location of designated waste and recycling storage room(s) or areas sized to meet the waste and recycling needs of all tenants and allowing for the source separation of wastes.</li> <li>▪ The designated collection point for the collection of wastes and recyclables</li> <li>▪ The on-site path of travel for collection vehicles</li> </ul>	A Waste Management Plan has been provided as part of the SSDA package that identified location of waste rooms, collection points and on-site path of travel for collection of vehicles.	<b>Appendix B – Architectural Plans and Appendix DD – Waste Management Plan</b>
<b>Section Q.4</b>	Developments must include a designated waste/recycling storage area or room(s) (designed in accordance with Appendix G Commercial/Industrial Waste & Recycling Storage Areas), as well as designated storage areas for any industrial waste stream	A designated waste/recycling storage room is provided.	<b>Appendix B – Architectural Plans and Appendix DD – Waste Management Plan</b>
<b>Part R – Traffic, Transport and Parking</b>			
<b>Section R.2</b>	<p>The parking requirements specified in Table 1 are neither maximum nor minimum rates but are the rates to be satisfied in any application. Where applicants propose a deviation from the car parking rates, they must provide a justification of the variation supported by relevant data.</p> <p>N.B. parking rates are:</p> <ul style="list-style-type: none"> <li>▪ 1 per 60m<sup>2</sup> of ancillary office</li> <li>▪ 1 per 77m<sup>2</sup> of light industrial area</li> </ul>	<p>The Lane Cove DCP doesn't provide parking rates for data centres. Therefore, a first principles assessment has been undertaken based on the expected operational characteristics of the proposed data centre development.</p> <p>The proposed development will provide 24 parking spaces (including 1 accessible space).</p>	<b>Section 6.3 – Traffic, Transport and Accessibility and Appendix O – Traffic Impact Assessment</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>▪ Plus 1 disabled space per 50 car spaces (min. 1 disabled spaced)</li> </ul>		
<b>Section R.2</b>	<p>Developers shall provide 1 motorcycle parking space per 15 car spaces for all types of development.</p> <p>Motorcycle parking spaces are to have an area of 1.2m x 3m.</p>	The proposed development will provide 2 motorcycle spaces.	<b>Section 6.3 – Traffic, Transport and Accessibility and Appendix O – Traffic Impact Assessment</b>
<b>Section R.2</b>	1 x bicycle space to be provided per 20 staff	The proposed development will provide 12 bicycle parking spaces.	<b>Section 6.3 – Traffic, Transport and Accessibility and Appendix O – Traffic Impact Assessment</b>
<b>Section R.2</b>	All parking areas for delivery and service vehicles must be designed in accordance with the relevant Australian Standards	The proposed parking areas for delivery and service vehicles have been designed in accordance with established Australian Standards.	<b>Section 6.3 – Traffic, Transport and Accessibility and Appendix O – Traffic Impact Assessment</b>
<b>Section R.2</b>	All parking areas, including access ramps and driveways, must be designed in accordance with the relevant Australian Standards.	The proposed parking areas including access ramps and driveways have been designed in accordance with the relevant Australian Standards.	<b>Section 6.3 – Traffic, Transport and Accessibility and Appendix O – Traffic Impact Assessment</b>
<b>Section R.4</b>	Provide adequate end of trip facilities where more than five bicycle lockers are provided in commercial and industrial development.	The proposed development provides 7 lockers, 2 showers and 2 change rooms.	<b>Section 6.3 – Traffic, Transport and Accessibility and Appendix O – Traffic Impact Assessment</b>
<b>Part S – Environmental Sustainability</b>			

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<b>Section R.6</b>	Waste collection arrangements must be clearly explained and swept paths of Council's waste collection vehicle must be shown for all internal manoeuvres.	Waste collection contractors will collect waste from the site.	<b>Appendix DD – Waste Management Plan</b>
<b>Section S.2</b>	<p>All new developments are to use only electricity for all energy requirements associated with normal operations.</p> <p>Where it is demonstrated that the intended use of the building requires a process or equipment that is not able to be served by electricity, fossil fuels (such as wood and gas) may be provided to serve that service only. Evidence shall be provided with the application of market testing and equipment supplier advice to confirm that an electrically powered alternative is not technically possible</p>	No gas supply is required for the proposed development.	<b>Section 6.11.10 – Infrastructure Requirements and Appendix KK – Infrastructure Requirements Report</b>