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SSD-9741-MOD-1

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Dear Patrick

Advice on Lane Cove West Data Centre (SSD-9741-MOD-1)

I refer to the Department of Planning and Environment's (DPE) email on 21 February 2020 requesting the NSW Environment Protection Authority's (EPA) advice on a modification application for the Lane Cove West Data Centre (SSD-9741-MOD-1). The EPA has previously provided advice on SSD-9741-MOD-1 in letters dated 18 December 2019 (ref: DOC19/1078759), 10 February 2020 (ref: DOC20/102480) and 5 March 2020 (ref: DOC20/142139-1).

Proposed modification

The EPA understands that the application seeks to modify the existing consent for SSD-9741, which includes:

- Amendments to the size and quantity of back-up generators; and
- Increase in the volume of diesel fuel stored at the site.

Specifically, the EPA understands that the modification seeks to increase the number of generators at the approved data centre at 1 Sirius Road, Lane Cove West (the Premises) from 80 to 116 generators and increase diesel storage from approximately 450 tonnes to 1,651 tonnes, with the diesel to be stored internally within the proposed building on Level 1.

Based on information provided in the *Modification Application Letter*¹ (Mod Letter), and associated attachments and subsequent correspondence, the EPA is satisfied that previous requests for information have been addressed. Further information is provided below.

¹ Section 4.55(1A) Modification Application (SSD 9741 Mod 1) for Proposed Amendments to Data Centre by Willowtree Planning Pty Ltd

Licencing Requirements

Chemical Storage

Under Clause 9 in Schedule 1 of the *Protection of the Environment Operations Act 1997* (the POEO Act), an Environment Protection Licence (EPL) for chemical storage and petroleum product storage is required if there is the capacity to store more than 2,000 tonnes of diesel at the Premises. The proponent has confirmed that the chemical storage capacity will not exceed the Clause 9 trigger in Schedule 1 of the POEO Act for chemical storage, petroleum and petroleum product storage.

Electricity Generation

The EPA understands that the proposal includes the installation of 116 diesel powered generators for emergency power purposes. Clause 17 in Schedule 1 of the POEO Act states that electricity generation is a scheduled activity if it:

- Uses an internal combustion engine;
- Is situated in the metropolitan area (which includes Lane Cove);
- Has the capacity to burn more than 3 megajoules of fuel per second; and
- Has the capacity to generate more than 30 megawatts of electrical power.

The clause does not apply to the generation of electricity by means of plant (that is emergency stand-by plant) that is operating for less than 200 hours per year. The proponent has confirmed that 'Testing would be undertaken during Monday to Friday during daylight hours only, for which the test duration would be for a maximum of 20 minutes of each generator tested (noting two (2) generators per day).' This will equate to approximately 175 hours a year of testing and does not trigger Clause 17 in Schedule 1 of the POEO Act.

Recommended conditions

Based on the information provided, the proposal does not require an EPL under the POEO Act. The EPA recommends that conditions are included in the planning consent to ensure that the Premises is not carrying out a scheduled activity. Conditions could include:

- the Premises will not store, or have the capacity to store, more than 2,000 tonnes of chemicals, petroleum and petroleum product;
- Testing of diesel generators may only be conducted between 7 am to 6 pm, Monday to Friday (no testing on weekends); and
- Testing of diesel generators is not to exceed 200 (cumulative) hours a year.

Noise Monitoring

Based on the information provided, the proposal does not require an environment protection licence under the POEO Act. Furthermore, the proposal is not being undertaken by or on behalf of an NSW Public Authority nor are the activities other activities for which the EPA is the appropriate regulatory authority. Noting this, the EPA provides the following comments in relation to limitations in conducting background noise monitoring due to decreased traffic volumes associated with the current COVID-19 impacts.

The initial EPA advice did not specifically require additional monitoring to be carried out. The EPA were seeking more information to confirm that the background levels used in the assessment were reasonably representative of the long term background level. Instead of doing additional monitoring, which may not be able to be carried out for some time, the proponent could propose a different approach.

Examples include using a conservative background level from the existing data, using other relevant measured data to support the existing data, or use their knowledge of the conditions on site to provide further context around their existing data. The EPA would not support using generic background noise levels.

The proposed modification application and associated documentation does not contain any further information that would constitute a scheduled activity under Schedule 1 of the POEO Act. As such, the EPA has no further interest in this proposal.

If you have any questions regarding any matters of this letter, please contact Anthony Knox on (02) 8837 6046.

Yours sincerely



31 March 2020

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Environment Protection Authority