

FORMAL OBJECTION

State Significant Development Application Proposed Data Centre – 12 Mars Road, Lane Cove

Date of Submission	28 April 2026
Submitter	Adjoining Residential Property Owner / Occupant
Location	Directly adjacent to eastern boundary of 12 Mars Road, Lane Cove
Subject Application	Proposed Data Centre, 12 Mars Road, Lane Cove NSW

1. Introduction and Standing

I am writing as the owner and occupant of a residential property directly adjacent to the eastern boundary of 12 Mars Road, Lane Cove. My home sits immediately behind the proposed development site, placing my family among the most directly affected residents of any in this area. I am submitting this objection in my own right and on behalf of my household, which includes a two-year-old child.

I wish to be absolutely clear from the outset: this submission is not a blanket objection to data centres as a technology or an industry. I understand that digital infrastructure is part of modern life and I do not dispute the need for such facilities in appropriate locations. My objection is specifically and firmly directed at this proposal, at this site, at this scale, and in this proximity to sensitive land uses — residential homes, a public school, and a registered childcare service.

The proposed development as currently assessed raises serious, unresolved concerns across noise, air quality, built form, environmental impact, and social amenity. Each of these concerns is discussed in turn below. I respectfully urge the decision-maker to give this submission appropriate weight, given that my property sits at the point of greatest impact.

2. Proximity, Scale, and Land Use Conflict

I purchased and moved to this property specifically for the residential amenity it offered: clean air, a quiet and peaceful green environment, and a safe setting in which to raise a young child. The existing neighbourhood character reflects a sensitive, low-density residential area. The proposed development is fundamentally incompatible with this character.

The Environmental Impact Statement (EIS) itself confirms that the eastern boundary setback is between 6.3 and 10 metres — a distance that would be considered inadequate for any large industrial-scale building, let alone one housing 49 diesel generators and operating around the clock. When translated into real-world terms, residential dwellings sit only approximately 50 metres from the proposed structure. This proximity is entirely out of character with the surrounding land use.

The proposal does not adequately address the interface between an industrial facility and the residential homes, Blackman Park, or the public school that it directly abuts. Distance assessments ought to be measured to the nearest property boundaries, not merely to the

building facades of homes further afield. The fact that this distinction has not been clearly applied raises serious questions about the integrity of the impact assessments provided.

3. Proposed Building Height – An Unacceptable Exceedance

3.1 Height in Excess of Planning Controls

The height limit applicable to this site is 18 metres. The applicant has proposed a building height of 28.3 metres — a variation of approximately 57 percent above the permitted maximum. More alarmingly, a separate appendix to the EIS refers to a maximum height of 33 metres, which would represent an exceedance of 83 percent. This is not a minor, technical departure from planning controls. It is a substantial variation that would produce a building of an entirely different scale to what the planning framework permits.

The applicant has sought a Clause 4.6 variation to justify this exceedance. I strongly oppose this variation. The height limits in planning instruments exist precisely to protect the amenity of neighbouring properties and to maintain appropriate built form in residential areas. Allowing a near-doubling of the permitted height at this specific location would undermine the intent of those controls entirely.

3.2 Visual Impact on Adjacent Properties

The photograph below shows the view from my backyard. The green line marked across the image indicates the approximate roofline of the existing structure on the site. Even at its current scale, the existing building is clearly visible from within my property. If the proposed structure were to be built at 28.3 to 33 metres in height, it would tower over the existing vegetation and dominate the skyline of my backyard entirely.

This is not a theoretical concern. The loss of sunlight, sky outlook, and visual privacy that would result from a building of this height — placed at such close proximity — would fundamentally diminish the amenity of my home. For a property that was chosen specifically for its greenery, open outlook, and natural environment, this represents an irreversible and deeply personal loss.



Figure 1: View from the submitter's rear yard toward the proposed development site. The green line indicates the approximate roofline of the existing structure. Even at current scale it is visible from within the property.

The visual impact assessment within the EIS relies on a limited and selective set of viewpoints that do not adequately represent the experience of residents on immediately adjacent properties. It understates, by a significant margin, the true visual prominence that the proposed structure would have when viewed from homes such as mine.

4. Noise Impacts on Sensitive Receivers

4.1 Inadequacy of the Noise Assessment

I am deeply concerned about the noise assessment provided in support of this application. The EIS acknowledges that residents within the area will be “highly noise affected” during the construction phase. While construction noise is always difficult to mitigate entirely, this admission should be read in the context of my household: we are raising a two-year-old child for whom consistent sleep patterns, daytime rest, and a calm home environment are not simply matters of preference but of health and development.

More significantly, the operational noise modelling has been based on indicative equipment specifications that have not been finalised. The EIS itself concedes that final plant and equipment will only be confirmed at the detailed design stage. Claims that there will be “no sleep disturbance” therefore carry no weight when the very machinery that will be generating that noise has not yet been confirmed. This is a fundamental deficiency in the assessment.

4.2 Generator Noise and Low-Frequency Impacts

The proposal includes 49 diesel generators. The acoustic impact of nearly fifty large diesel generators operating simultaneously — which could occur in an emergency situation — has not been adequately assessed under realistic operating conditions. Low-frequency noise, which is particularly difficult to attenuate through standard building construction and which has well-documented health impacts, is not robustly addressed in the EIS.

The noise modelling appears to rely on a selective set of receiver locations that may not include the closest homes. For a facility of this scale, in such close proximity to a residential neighbourhood, a childcare centre (Mind Champs Lane Cove), and a public school, the noise assessment must be demonstrably conservative and must be based on worst-case, finalised operational scenarios. It is not.

4.3 Proximity to Children and Educational Facilities

I wish to draw particular attention to the proximity of the proposed facility to sensitive receivers who cannot advocate for themselves. My own two-year-old child lives in the directly adjacent property. Mind Champs Lane Cove, a childcare service, operates within the immediate area. A public school is also located in close proximity to the site. These are not peripheral concerns — they are central to any assessment of whether this facility is appropriately located.

Children are accepted in planning and public health literature as sensitive receivers who warrant heightened protection from noise and air quality impacts. The EIS does not adequately address the unique vulnerability of these receivers. I call upon the decision-maker to require a supplementary noise assessment that specifically addresses impacts on the nearest homes, the childcare facility, and the school under worst-case and cumulative operational conditions.

5. Air Quality and Generator Emissions

The proposal involves 49 diesel generators that will be subject to regular test runs of approximately 155 hours per year, as well as unrestricted emergency operation. The EIS itself concedes that nitrogen dioxide (NO₂) levels at the one-hour threshold are exceeded at multiple receptor locations under emergency operating conditions. This is a confirmed exceedance of accepted air quality criteria — not a projected risk, but a stated outcome of the applicant's own modelling.

The cumulative impact of multiple data centre facilities operating simultaneously in this part of Lane Cove has not been fully modelled. The EIS acknowledges this limitation. In a realistic scenario — where multiple nearby data centres and all their generators are operating concurrently — the combined air quality impact on this neighbourhood could be substantially worse than the EIS represents. I do not accept that a summary conclusion of “acceptable air quality impacts” is warranted when such scenarios have not been assessed.

I am raising a two-year-old child in a home directly adjacent to this site. The prospect of persistent diesel particulate matter, NO_x emissions, and associated pollutants — both during the construction phase and as a permanent operational reality — is a serious health concern that I do not take lightly and that the decision-maker should not dismiss. Air quality monitoring requirements at this site should be ongoing, mandatory, and independently verified, not left to the discretion of the proponent.

6. Environmental Impact – Loss of Trees and Habitat

One of the principal reasons my family chose this neighbourhood was the quality of its natural environment. The mature tree canopy, native vegetation, and greenery that characterise this part of Lane Cove create a living environment of real value — not merely aesthetic value, but ecological, psychological, and health value. The proposed development would remove approximately 90 trees and directly impact approximately 0.8 hectares of native vegetation, including identified habitat areas.

This is a significant and irreversible loss. No mitigation measure or compensatory planting programme can replicate the ecological function, shade, noise attenuation, and visual amenity that mature native trees provide. The removal of this vegetation will directly worsen conditions for local wildlife and for residents who rely on the green buffer it currently provides.

The EIS acknowledges that indirect impacts on wildlife are anticipated through noise, light spill, and dust pathways. These are accepted as real impacts, yet the cumulative environmental effects of this development — in combination with other known or anticipated developments in the area — have not been assessed in any meaningful way. I call upon the decision-maker to require a comprehensive cumulative environmental impact assessment before any determination is made.

7. Property Value Impacts and Compensation

The EIS asserts that there will be no adverse social or economic impacts on the surrounding community. I dispute this finding. The proximity of a large-scale industrial data centre facility — with its associated noise, generator emissions, building bulk, construction disruption, and loss of natural amenity — is, in my experience as a property owner in this neighbourhood, directly and negatively correlated with residential property values.

Properties that are immediately adjacent to the proposed development — those closest in proximity and most directly affected by the changes in built form, noise environment, and air quality — face a disproportionate impact. I submit that if this development is to proceed in any form, those residents who are directly adjacent and bear the greatest burden of impact should be afforded a formal compensation mechanism. This is a reasonable and proportionate response to the fact that the applicant stands to benefit commercially from a development that imposes real and lasting costs on its nearest neighbours.

I request that the decision-maker require the applicant to formally address this issue — including commissioning an independent assessment of property value impacts on directly adjacent residential properties — as a condition of any approval.

8. Unresolved Infrastructure and Critical Servicing Questions

The EIS does not confirm that Ausgrid has the capacity to supply the significant power load that a large data centre of this scale would require. Confirmation of water servicing from Sydney Water is similarly unresolved. The EIS effectively concedes that these critical infrastructure questions will be resolved post-approval — an approach that is fundamentally at odds with the precautionary principle that should govern State Significant Development assessments.

Infrastructure feasibility is not a detail to be confirmed later. It is a foundation upon which the entire viability and impact assessment of this project depends. I urge the decision-maker not to approve a facility of this scale without clear, documented confirmation from service authorities that adequate infrastructure capacity exists.

9. Inadequate Community Consultation

The engagement report appended to the EIS indicates that only 49 people were consulted during the development of the proposal. This number is entirely inadequate for a State Significant Development of this scale, located in a densely populated residential area. Furthermore, the community consultation process was conducted during a holiday period, reducing the opportunity for affected residents to meaningfully engage.

The EIS itself acknowledges that 79 percent of those consulted identified no social benefit from the development, yet the EIS concludes with a finding of positive social outcomes. This inconsistency is difficult to reconcile and suggests that the social impact assessment has not been conducted objectively. I call upon the decision-maker to treat this finding with appropriate scepticism and to require an expanded, properly conducted community engagement process before any determination.

10. NSW Parliamentary Inquiry into Data Centres

I note that there is currently a live NSW Parliamentary Inquiry into data centres that is directly relevant to the policy and planning framework within which this application falls. It would be premature for a decision of this significance — on a development of this scale, in such close proximity to sensitive residential and community land uses — to be made in advance of the outcomes and recommendations of that Inquiry.

I respectfully request that consideration be given to deferring any determination on this application until the Parliamentary Inquiry has concluded and its findings have been appropriately incorporated into the relevant planning framework.

11. Conclusion and Requests

This submission is made in good faith and in the genuine hope that the decision-maker will approach this application with the seriousness and care that its scale and proximity to sensitive land uses demands. I am not opposed to data centres as a technology or an economic use. I am opposed to this specific development as proposed, at this location, for the reasons I have outlined above.

In summary, I respectfully request that the decision-maker:

- Refuse the application as currently submitted, on the grounds that the Environmental Impact Statement does not adequately demonstrate that impacts on adjoining residents, sensitive receivers, and the natural environment are acceptable;
- In the alternative, require the applicant to provide a substantially revised and comprehensive EIS that addresses all of the concerns raised in this submission, including worst-case and cumulative noise, air quality, and environmental impact scenarios;
- Reject the proposed Clause 4.6 variation to the building height development standard, which would permit a structure of up to 33 metres — 83 percent above the permitted limit — in a setting that is directly adjacent to residential properties;
- Require confirmation of adequate infrastructure capacity from Ausgrid and Sydney Water as a precondition of any approval;

- Require an independent assessment of property value impacts on directly adjacent residential properties, with a mechanism for appropriate compensation to those most severely affected;
- Require an expanded and properly timed community consultation process that genuinely engages the affected residential community;
- Defer determination of this application pending the conclusion of the NSW Parliamentary Inquiry into data centres.

I am available to provide further information, attend any community information sessions, or appear at any public hearing that may be convened in relation to this application. I thank the decision-maker for the time taken to consider this submission.

Submitted by:

Adjoining property owner / occupant

Property directly adjacent to eastern boundary, 12 Mars Road, Lane Cove

28 April 2026

Note on Attached Photograph

The photograph provided as a supporting attachment to this submission shows the view from the submitter's rear yard, looking toward the proposed development site. A green line has been marked on the photograph to indicate the approximate height of the existing structure currently on the site. As the photograph illustrates, the existing building is already clearly visible from within the adjoining residential property. A new structure of 28.3 metres to 33 metres in height — as proposed — would far exceed the visible roofline shown in the photograph, and would dominate the outlook, sunlight, and skyline experienced from within the property.