



Your ref: SSD-10330
File no: MC-19-00005

31 January 2020

Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 20001

Attention: Mr Patrick Copas

Dear Mr Copas

SSD-10330 - Data Centre at 17 Roberts Road, Eastern Creek

Thank you for your correspondence dated 3 December 2019 inviting us to comment on the Environmental Impact Assessment for a warehouse and distribution centre at 17 Roberts Road, Eastern Creek, which is a State Significant Development proposal under section 4.36 of the *Environmental Planning and Assessment Act 1979* ("the Act").

The applicant's report has been reviewed by our officers and we support the proposal subject to the conditions listed in **Attachment A** to this letter. We request that these conditions be included in the development consent issued for this proposal.

If you would like to discuss this matter further, please contact Bertha Gunawan, Assistant Coordinator Planning Assessment on 9839 6000.

Yours faithfully

Judith Portelli
Manager Development Assessment

Connect - Create - Celebrate

Council Chambers - 62 Flushcombe Road - Blacktown NSW 2148

Telephone: 02 9839 6000 - DX 8117 Blacktown

Email: council@blacktown.nsw.gov.au - Website: www.blacktown.nsw.gov.au

All correspondence to: The Chief Executive Officer - PO Box 63 - Blacktown NSW 2148

Blacktown City Council submission to SEARs request for SSD-10330

1. Biodiversity

Prior to issue of Construction Certificate conditions:

1. The Mitigation and Management Measures (Section 4.6) shall be amended to include identification of responsibility and risk of failure for each mitigation measure and is to be amended to state that an appropriately qualified ecologist is on-site during all native vegetation clearance (not just in the event of injury to fauna).
2. Upon completion of site clearance works, a short report shall be submitted by the ecologist to the consent authority and Council's Natural Areas Team providing details of the works and records of any wildlife spotted, relocated or rescued.

2. Street Tree

Prior to the issue of Construction Certificate conditions:

1. The species along the driveway areas are to be changed to provide a species that will provide a larger tree canopy that the proposed *Pyrus calleryana* 'Capital' will not provide. Native larger canopy trees, are preferred, but exotic large canopy trees can also be used.
2. The larger canopy size is required to help offset the canopy cover lost with tree removal for the development. The attached mark-up (at Attachment B) shows the location where larger canopy trees should be included.
3. The car park tree planting locations are suitable, but the species *Elaeocarpus grandis* is to be changed as it does not perform well in this area and is prone to frost damage.

During construction conditions:

1. Trees to be retained must be protected as per that report and as per AS:4970-2009 Protection of Trees on Development Sites.
2. Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.
3. Prior to commencement of engineering works that may disturb existing vegetation/trees, the trees to be retained are to be identified and marked as per the Arboricultural impact Assessment Report. Proposed roads must be set-out on-site prior to this inspection. Note: Inspection must be carried out by Council's representative or an appropriately accredited private certifier. The applicant's representative must be present during this inspection.
4. There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.
5. Council must be notified a minimum of 24 hours prior to the removal of any branches from existing trees which are to be retained. Subject to Council's direction, this work must be generally undertaken by a qualified Arborist.

6. All trees to be retained on site are to be protected in line with Australian Standard 4970 - Protection of Trees on Development Sites and as per the tree protection measures stated in the Arboricultural Impact Assessment Report.

3. Traffic

Prior to the issue of Construction Certificate condition:

1. Provision is to be made on the plans for adequate sight distance for both pedestrian and vehicular movements at the proposed driveway in accordance with Section 3.2.4 AS 2890.1 and Figure 3.2 of AS 2890.1, to ensure safety of pedestrians on the footpath system and motor vehicles along the new driveway.

4. Environmental Health

Operational conditions:

1. The development shall comply at all times with the recommendations and requirements of the following reports:
 - Noise Impact Assessment, prepared by SLR, dated November 2019
 - Air Quality Assessment, prepared by SLR, dated October 2019
 - Preliminary Site Investigation, prepared by Douglas Partners, dated October 2019.

5. Planning

Operational conditions:

1. The approved 'high technology industry' shall comply with the requirements of the following definition contained within Blacktown Local Environmental Plan 2015:

"High technology industry means a building or place predominantly used to carry out an industrial activity that involves any of the following:

 - i. electronic or micro-electronic systems, goods or components,*
 - ii. information technology (such as computer software or hardware),*
 - iii. instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,*
 - iv. biological, pharmaceutical, medical or paramedical systems, goods or components,*
 - v. film, television or multi-media technologies, including any post production systems, goods or components,*
 - vi. telecommunications systems, goods or components,*
 - vii. sustainable energy technologies,*
 - viii. any other goods, systems or components intended for use in a science or technology related field,*

but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

Note. High technology industries are a type of light industry."

2. The approved office spaces shall be used solely in conjunction with the high technology industry use of the building to which it is attached. The separate use or occupation of the approved office space(s) is not permitted by this consent.
3. The development shall not be used or converted for use for any purpose other than that:
 - a) granted consent by Council's Notice of Determination, or
 - b) which is 'Exempt Development' under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.
4. Any change of use of the development, other than a '*high technology industry*', will require separate development consent to be obtained from Council and will be required to provide the minimum number of car parking spaces as required by the Blacktown Development Control Plan 2015 for that new land use. Should the use of the site change in the future to a different industrial use, then a separate development consent will be required to ensure additional parking provision is accommodated along the north, north-western and south-eastern facades of the building in place of the redundant external plant areas and generators that must be removed.
5. The development shall not include potentially hazardous or offensive storage establishments

landscape masterplan - overall

L01

Eastern Creek Data Centre Stage 2

Proposed street trees within the existing concrete footpath.

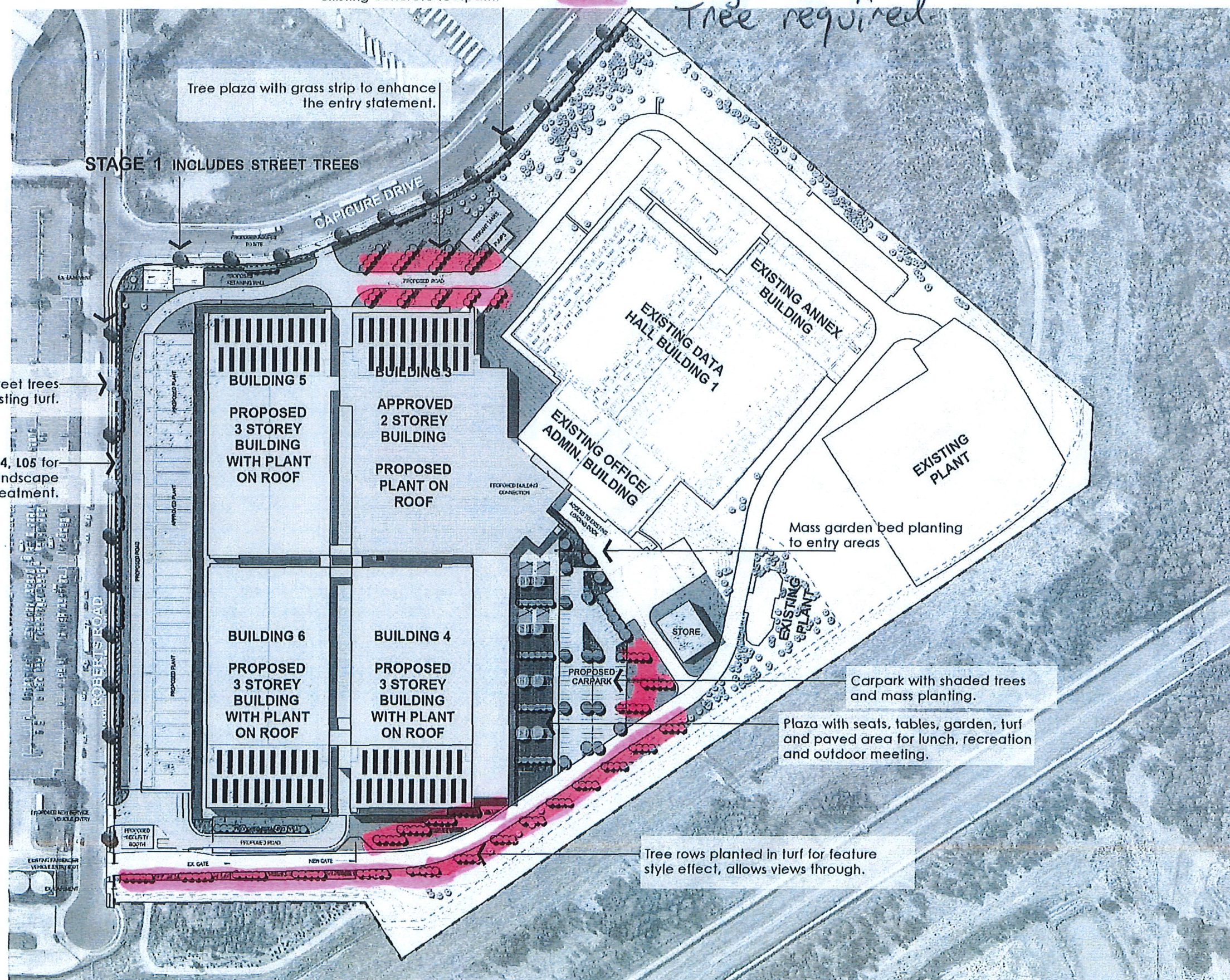
- Larger canopy
Tree required

Tree plaza with grass strip to enhance the entry statement.

STAGE 1 INCLUDES STREET TREES

Proposed street trees within the existing turf.

Refer to L04, L05 for boundary landscape treatment.



LEGEND

- existing tree to be removed
- existing tree to be retained
- proposed street tree (refer to plant palette)
- proposed tree (refer to plant palette)
- garden garden
- feature garden
- turf
- grass seeded area
- proposed building
- under construction
- proposed site works
- site boundary
- existing fence
- proposed wall
- proposed retaining wall

A 02/10/2019 for review
draft 20/09/2019 for review
draft 20/09/2019 for review
REV DATE COMMENTS



SITE:
ROBERTS ROAD, EASTERN
CREEK, NSW 2766

CLIENT:
CANBERRA DATA CENTRES

DRAWN: DATE: 02/10/2019 SCALE: 1:2000 @ A3
JOB NUMBER: 12706 PHASE: DWG 110: REV: 101 A

terras
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