



# Lane Cove Council

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19 October 2020

Your Ref: SSD9741

Mr Patrick Copas  
A/Senior Environmental Assessment Officer – Industry Assessments  
GPO Box 39  
Sydney NSW 2001

Dear Mr Copas,

**Lane Cove West Data Centre – 1 Sirius Road, Lane Cove West – MOD 2 Building Modifications and Additional Office Space at 2 Apollo Place. Notice of Exhibition (SSD 9741).**

I refer to the email dated 8<sup>th</sup> of October 2020, relating to the above Section 4.55 modification and confirmation to grant Council additional time to provide written comment.

Council does not raise issue in principle for the proposed building works at 2 Apollo Place including:

- building upgrades (internal and external)
- pedestrian and vehicular links to 1 Sirius Road; and
- use of the building as ancillary offices to support the approved use of 1 Sirius Road as a Data Centre.

Council does not raise objection to the proposed works to 1 Sirius Road including modification to roadways to facilitate construction access for crane maneuverability, and increased width of the western generator deck.

Council understands that there may be a longstanding existing use of the building at 2 Apollo Place as commercial offices and does not raise objection for the continuation of these uses as part of an amalgamation with 1 Sirius Road. The proposal would further expand on existing employment opportunities for the Lane Cove West Business Park and would be beneficial to the economy of the state and the local area.

Irrespective of the above, Council requests the Department carefully consider whether the proposal is “substantially the same development” as that approved in the original DA, as required under Section 4.55 of the Act.

Council acknowledges the relevant caselaw *Scrap Realty Pty Limited vs Botany Bay City Council (2008) NSWLEC 333* which permitted the inclusion of additional land to a development consent. Council also understands that the Department has previously considered a number of modifications where new land has been introduced to an existing development consent.

However, the addition of approximately 3053 sqm of land area is substantial. Council considers such amendments to be significant and may warrant a separate development application.

## TREE IMACTS

Council's bushland officer seeks confirmation if any additional trees would be impacted/removed as a result of the s 4.55 proposal.

### Extension of Fire Trail

- Please advise if any trees would be removed as part of the proposed extension of the fire trail. Or would this only result in reconfiguration to the proposed bush regeneration area.
- Request for swept path analysis of fire trail (to ensure the clearances are not any wider than they need to be as it is encroaching towards the bushland).

### Extension of Western Plant Platform

- Please confirm whether any trees would be removed as part of the proposed extension of western plant platform.
- Please confirm whether the 10m bushland buffer area would be encroached upon as part of the proposed extension.

**RECOMMENDATION:** Any additional trees to be removed should be replaced at a minimum ratio of 2:1.

If the Department chooses to support the proposal, Council requests that the following condition be considered to be included in the consent. Please refer to Additional recommended draft Conditions of Consent included in Attachment 1.

Should you wish to discuss the matter further please call me on 9911 3522.

Yours sincerely



Christopher Shortt  
**SENIOR TOWN PLANNER**

ATTACHMENT 1.

CONDITIONS FOR CONSIDERATION:

1. Lot 15 of DP 1179953 (1 Sirius Road) and Lot 7 of DP 241877 (2 Apollo Place) are to be consolidated into a single lot WITHIN 12 MONTHS OF OCCUPATION of 2 Apollo Place.
2. Any proposed increase in Gross Floor Area (GFA) for the site at 2 Apollo Place would result in an update of the Section 7.11 contribution amount in Condition A21 of the original development consent SSD-9741.