



# Response to Submissions Report

Proposed Data Centre at 57 Station Road,  
Seven Hills (SSD- 33781208)

ON BEHALF OF

LEHR CONSULTANTS INTERNATIONAL (AUSTRALIA) PTY LTD

SEPTEMBER 2022

## PROJECT

Station Road Data Centre Expansion

## DATE

19 September 2022

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# 1 Introduction

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This Response to Submissions (RTS) has been prepared for the Department of Planning and Environment (the Department) on behalf of Lehr Consultations International (Australia) Pty Ltd (LCI) in response to the submissions received following the exhibition of State Significant Development (SSD) SSD-33781208 (the project). The project seeks approval for the construction of a two storey 19.2MW data centre to the rear of an existing data centre at 57 Station Road, Seven Hills.

The project was publicly exhibited between 11 July 2022 and 8 August 2022 and received a total of (8) submissions. This constituted two (2) local government submissions (including one (1) objection), four (4) public agency submissions, and two (2) community submissions. In addition to the submissions received, a Request for Information has also been received from DPE requesting additional information and the drafting of this RTS Report.

This RTS Report has been prepared having regard to DPE's *State significant development guidelines – preparing a submissions report (Appendix C)* and is structured as follows:

- **Chapter 1** - Introduction (this chapter): Provides an overview of the project and the assessment carried out to date;
- **Chapter 2** - Analysis of Submissions: Summarises and categorises the submissions received;
- **Chapter 3** - Actions Taken Since Exhibition: Outlines further consultation that has taken place since public exhibition and proposed amendments to the project;
- **Chapter 4** - Response to Submissions: Provides a detailed summary of the response to the issues raised in submissions; and
- **Chapter 5** - Conclusion: Provides an updated justification and evaluation of the project as a whole.

The RTS should be read in conjunction with the following information:

- Appendix 1 – Updated Proposed Mitigations
- Appendix 2 – Preliminary Response Letter to Council
- Appendix 3 – Amended Architectural Plans
- Appendix 4 – Amended Landscape Plans
- Appendix 5 – Conceptual Drawing – Additional Parking Provision
- Appendix 6 – Revised Air Quality Impact Assessment
- Appendix 7 – AQIA accompanying letter
- Appendix 8 – Amended Acoustic Impact Assessment
- Appendix 9 – Final Aboriginal Cultural Heritage Assessment Report
- Appendix 10 – Final Archaeological Report
- Appendix 11 – Engineering Models (MUSIC / DRAINS)
- Appendix 12 – Visual Impact Assessment (High Quality)

- Appendix 13 – Remediation Action Plan
- Appendix 14 – Staged Validation Report (USPT Removal)
- Appendix 15 – Staged Validation Report (Asbestos Removal)

## 2 Analysis of Submissions

### 2.1 Submissions

A total of eight (8) submissions were received throughout the public exhibition period. This consisted of:

- Four (4) State government submissions;
- Two (2) local government submissions; and
- Two (2) community submissions, which were received from the immediate area.

Of the eight submissions, one submission (being from Blacktown City Council) has objected to the proposal whilst the remaining submissions provide comment or request additional information.

A summary of the submissions received is provided in Table 1.

Table 1. Categorisation of Submissions	
Submitter	Key Items Raised
Blacktown City Council	<p><u>Planning</u></p> <ul style="list-style-type: none"> <li>• Provision of additional landscaping within proposed car parking area at a rate of 1 x tree every 10m.</li> <li>• Overall provision of car parking being less than the stipulated rates for industrial development under the Blacktown Development Control Plan 2015, with an additional 60 spaces requested to be provided.</li> <li>• Request for solar panels to be provided.</li> </ul> <p><u>Environmental Health</u></p> <ul style="list-style-type: none"> <li>• Scenarios tested under the Acoustic Assessment Report.</li> <li>• Adequacy of information provided in relation to contamination.</li> <li>• Scenarios tested under the Air Quality Impact Assessment Report.</li> </ul> <p><u>Social Planning</u></p> <ul style="list-style-type: none"> <li>• Need for a Plan of Management to mitigate potential negative impacts.</li> <li>• Request to demonstrate crime prevention measures on plans and other documents.</li> <li>• Request for additional information demonstrating sustainability requirements have been met.</li> </ul>

Table 1. Categorisation of Submissions

Submitter	Key Items Raised
	<p><u>Drainage</u></p> <ul style="list-style-type: none"> <li>Request for MUSIC and DRAINS models to enable further assessment.</li> </ul>
City of Parramatta Council	<ul style="list-style-type: none"> <li>Works should minimise impacts on McCoy Park.</li> <li>A vegetated buffer zone along the McCoy Park boundary is to be contiguous for the entire length for screening and to ensure visual amenity.</li> <li>Non-endemic landscaping species to be replaced.</li> </ul>
DPE (Environment and Health)	<p><u>BDAR Waiver</u></p> <ul style="list-style-type: none"> <li>Request that the applicant clarify the differences between the consent for DA-21-01058 and the subject SSDA to determine the impact at the site's north-eastern corner.</li> </ul> <p><u>Flooding</u></p> <ul style="list-style-type: none"> <li>Request for additional information in relation to the flooding assessment provided including the addition of flood behaviour maps within the study area and impact mapping.</li> </ul>
NSW Environment Protection Agency (EPA)	<ul style="list-style-type: none"> <li>No comment provided by the EPA as: <ul style="list-style-type: none"> <li>The project does not constitute a Scheduled Activity under Schedule 1 of the Protection of the Environment Operations Act 1997 (POEO Act) and so, will not require an Environment Protection Licence under this Act;</li> <li>The project is not being undertaken by or on behalf of a NSW Public Authority, nor are there activities for which the EPA is the appropriate regulatory authority; and</li> <li>The site is not being regulated by the EPA under the Contaminated Land Management Act (1997).</li> </ul> </li> </ul> <p>As such, no further response to the EPA is provided within this RtS Report.</p>
NSW Fire and Rescue (FRNSW)	<ul style="list-style-type: none"> <li>A comprehensive Fire Safety Study (FSS) should be developed.</li> <li>A comprehensive ERP should be developed.</li> <li>An Emergency Services Information Package (ESIP) should be developed.</li> </ul>



Table 1. Categorisation of Submissions	
Submitter	Key Items Raised
Sydney Water	<p><u>Water Servicing</u></p> <ul style="list-style-type: none"> <li>• Advice provided on the availability of potable water via a DN250 CICL watermain on Station Road, and advice regarding waterflow availability.</li> </ul> <p><u>Wastewater Servicing</u></p> <ul style="list-style-type: none"> <li>• Confirmation that a wastewater servicing should be available via a DN225 VC wastewater main, which may require amplifications, adjustments, and/or minor extensions.</li> </ul>
Public Submissions	<ul style="list-style-type: none"> <li>• Potential for the data centre development to increase traffic generation.</li> <li>• Noise and pollution associated with diesel generators.</li> </ul>

## 2.2 Department's Request for Information

This RTS Report has been prepared on the basis of the request received from the Department which requested additional information be provided. A summary of the information requested is provided in Table 2.

Table 2. Summary of information requested from the Department	
Item	Request
Noise and Vibration	<p><u>Operational Scenarios</u></p> <ul style="list-style-type: none"> <li>• An updated report which includes an assessment on the cumulative impact of all generators and emergency back-up equipment during a power outage event.</li> <li>• Justification of the scenarios ('standard' and 'bushfire mode') considered in Section 4.1 of the existing report.</li> </ul> <p><u>Noise Model</u></p> <ul style="list-style-type: none"> <li>• Justification on the use of the selected noise model which used the ISO 9613 algorithm within iNoise V2022.01.</li> <li>• Identification and justification on all user adjusted variables within the noise model.</li> <li>• Update of the report to provide a justification on the exclusion of all intrusive noise characteristics.</li> <li>• Update of the report to consider noise-enhancing weather conditions.</li> </ul>

Table 2. Summary of information requested from the Department

Item	Request
Air Quality	<ul style="list-style-type: none"> <li>• An updated report considering cumulative impacts of the development including the Council-approved development at the front of the site.</li> <li>• Further assessment or justification in relation to the predicted exceedances including consideration of additional site-specific monitoring, revising the proposed generator testing hours, and implementation of pollution reduction controls.</li> </ul>
Urban Design and Visual	<ul style="list-style-type: none"> <li>• More information regarding the generator exhaust stacks which would range in height from 6m to 20m.</li> <li>• Provision of further design treatments to the north-east elevation to soften the appearance of this façade.</li> <li>• Inclusion of an outdoor staff amenity area or confirmation that this has already been included in either the approved or proposed data centres.</li> <li>• Provision of a high-quality version of the Visual Impact Assessment and associated images.</li> </ul>
Architectural Drawings	<ul style="list-style-type: none"> <li>• Replace all reference to “SEARs Application” to “SSD application” or similar.</li> </ul>
Aboriginal Cultural Heritage	<ul style="list-style-type: none"> <li>• Submission of a finalised version of the Aboriginal Cultural Heritage Assessment Report.</li> </ul>
Management and mitigation measures	<ul style="list-style-type: none"> <li>• An updated list of management and mitigation measures to be provided.</li> </ul>

## 3 Actions Taken Since Exhibition

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### 3.1 Further Engagement

Patch has engaged further with Blacktown City Council in the time since their submission objecting to the project was received. This included issuing a letter to Council on 24 August 2022 (Appendix 2) outlining intended responses to the submissions and issuing the stormwater model on 29 August 22 at the request of the Council engineering department.

Following the letter and the stormwater model being received, Council advised that they would be willing to support the proposal subject to the intended responses in the letter being actioned.

It is noted that except for the inclusion of solar panels, which can no longer be facilitated as addressed in 4.2.3 of the RTS Report, all intended responses proposed in the letter to Council have been actioned accordingly. As such, we trust Council are now in a position to withdraw their letter of objection and support the SSDA for approval.

In addition to the above, meetings were held with the Department in relation to the site on 2 September 2022 and 12 September 2022 following exhibition. The meeting held on 2 September involved general discussion on how we intended to respond to the relevant submissions received, whilst the meeting on 12 September was specific to responding to air quality considerations. Feedback received in those meetings has also been incorporated into the RTS report.

## 4 Response to Submissions

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### 4.1 Response to DPE Request for Information

#### 4.1.1 Noise and Vibration

The Department's RFI requested additional information in relation to the acoustic assessment prepared in support of the project. Matters raised in the RFI primarily related to the consideration of cumulative impacts, clarifications regarding operational scenarios, and noise modelling requirements.

In response, the acoustic assessment (Appendix 8) has been updated as follows:

- In response to Query 1 of the correspondence received, PWNA have updated section 4 of the acoustic assessment report to include an assessment of an emergency scenario whereby all generators are running simultaneously (in the event of a critical power failure event). It is noted however that in reality this would be highly unlikely.
- In response to Query 2 of the correspondence received, PWNA have updated section 4 of the acoustic assessment report to include more detail and reasoning behind the modelled scenarios. Specifically, it details that the air handling units (AHUs) are modelled in two different ways; namely, with a bushfire filtration module considered, and with a standard filtration module. It is not decided at this stage which of the two filtration modules will be used for the Air Handling Units for the data center, and as a result, both have been modelled. The modelled scenarios are based directly on documentation provided by LCI regarding realistic worst-case operating scenarios for both filtration module options.
- In response to Query 3 of the correspondence received, PWNA have updated section 4.1 of the acoustic assessment report to include justification for the use of the ISO 9613 algorithm. The approach taken in this assessment has been chosen to optimise the outcome for the most affected sensitive receivers. Noise modelling was completed using iNoise and incorporating the ISO9613 algorithm. A modification was included (available in iNoise but not other software such as SoundPLAN) to use the CONCAWE approach for temperature effects at distances greater than 100m. Class F weather conditions with wind speeds of 2m/s were selected in accordance with the requirements of the NPfl. This approach ensures that a consistently verifiable approach to ground absorption, air absorption and barrier attenuation is provided with the added advantage of the consideration of adverse weather conditions for sensitive receivers at distances greater than 100m.
- In response to Query 4 of the correspondence received, PWNA have updated section 4 of the acoustic assessment report to list all receptor heights, locations of noise sources and height of noise sources.
- In response to Query 5 of the correspondence received, PWNA have updated section 4.4 of the acoustic assessment report to justify why tonality and impulsive noises are not a concern for this project. The primary noise sources modelled for a data centre development (e.g., AHUs) are continuous noise sources.

- In response to Query 6 of the correspondence received, PWNA have updated section 4.4 of the acoustic assessment report to account for noise-enhancing weather conditions. In line with Fact Sheet D of the NPfI, Option 1 has been selected to consider meteorological effects; this represents a conservative assessment methodology.

The updates respond to the relevant matters raised by the Department and demonstrate that the assessment has considered all worst-case noise generating scenarios. The reporting identifies all modelling assumptions made, locations and heights of all relevant noise sources modelled, and provides sufficient justification for the overall modelling approach taken.

#### **4.1.2 Air Quality**

The Department's RFI requested additional information and clarifications in relation to the Air Quality Impact Assessment (AQIA) which supported the EIS. Matters raised by the Department are addressed in the response letter prepared by Benbow provided as Appendix 7 and updated AQIA provided as Appendix 6 of the RTS Report.

#### **4.1.3 Urban Design and Visual**

In the Department's RFI, a number of matters were raised in relation to urban design and visual aspects of the proposal. Specifically, this related to clarifications regarding the generator exhaust stacks, the northeast elevation façade treatment, the provision of outdoor recreational areas at the site, and the resolution of the visual impact assessment.

Following consideration of the commentary provided by the Department, we advise the following:

- In line with the Department's recommendations, the northeast elevation has been updated to expand the array of colours utilised to treat the colorbond façade. This is reflected in the revised architectural drawings provided as Appendix 3 of the RTS report. The updates will achieve a development outcome which achieves greater visual interest than previously when viewed from McCoy Park.
- The architectural drawings have been updated to provide a typical generator elevation (see SSD-arsk0007). The generator stacks have been strategically positioned so that they are scarcely visible from McCoy Park or nearby residential areas and will be of a scale consistent with other vertical elements at the site. As such, the generators will not result in any adverse visual impacts.
- A high-resolution version of the VIA has been provided as Appendix 12 of the RTS Report.
- As shown on the extract from the approved architectural drawings under DA-21-01058, a generous outdoor area for staff recreation is provided at the front of the SYD09.

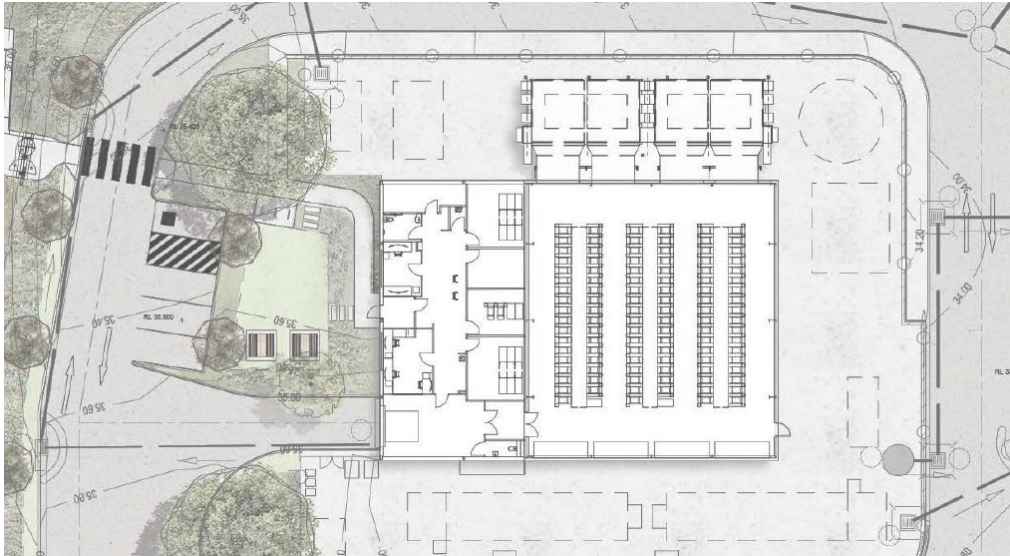


Figure 1: Plan extract showing area of outdoor open space.  
Source: Studio IZ

#### 4.1.4 Architectural Drawings

As requested by the Department, all references to “SEARS Application” in the architectural drawings have been replaced with “SSD Application”. See revised architectural drawings at Appendix 3 of the RTS Report.

#### 4.1.5 Aboriginal Cultural Heritage

As requested by DPE, a final ACHAR is submitted as Appendix 9 of the RTS Report. In addition, the final Archaeological Report is also provided as Appendix 10.

The findings of these reports remain unchanged from when initially submitted.

#### 4.1.6 Management and Mitigation Measures

The list of management and mitigation measures provided in Appendix 4 of the EIS has been updated to include the additional mitigation measures resulting from report updates undertaken to address submissions and the RFI received. The revised mitigation measures are provided as Appendix 1 of the RTS report.

## 4.2 Response to Blacktown City Council Submission

### 4.2.1 Landscaping

Council requested that a tree be provided for every 10m of carparking within the development to comply with the provisions of Section 4.2 of the Blacktown Development Control Plan (BDCP) 2015.

In response, the landscaping design has been amended to provide for five (5) new trees in the car parking area which is approximately 60m in length. Whilst it is acknowledged that strict compliance with the BDCP 2015 control is still not achieved, the solution is considered acceptable as:

- The design comprises extensive landscaping within the rear setback and side setback fronting McCoy Park, as well as landscaping approved in the front setback under DA-21-01058. This includes large trees which will contribute to increased canopy coverage and a reduction in urban heat generation.
- The SYD09 development approval assessed by Council provides a high-quality integrated landscape design in line with Council controls.
- The landscape design results in an outcome which achieves the objectives of the BDCP 2015 notwithstanding the non-compliance and represents an acceptable alternative solution.
- The ability to provide trees in line with the DCP control is constrained by the need to also provide services in this location. This is not considered in Council's response.
- Planting arrangements such as low hedges and shrubs, low height ground cover and tall trees with bare trunks, promote natural surveillance, as opposed to medium height vegetation with thick foliage.
- With the introduction of new planting, the departure from the DCP control will ultimately be minor, with 5 trees provided when 6 trees are otherwise required. Furthermore, it is noted that DCPs technically do not apply to SSDAs.

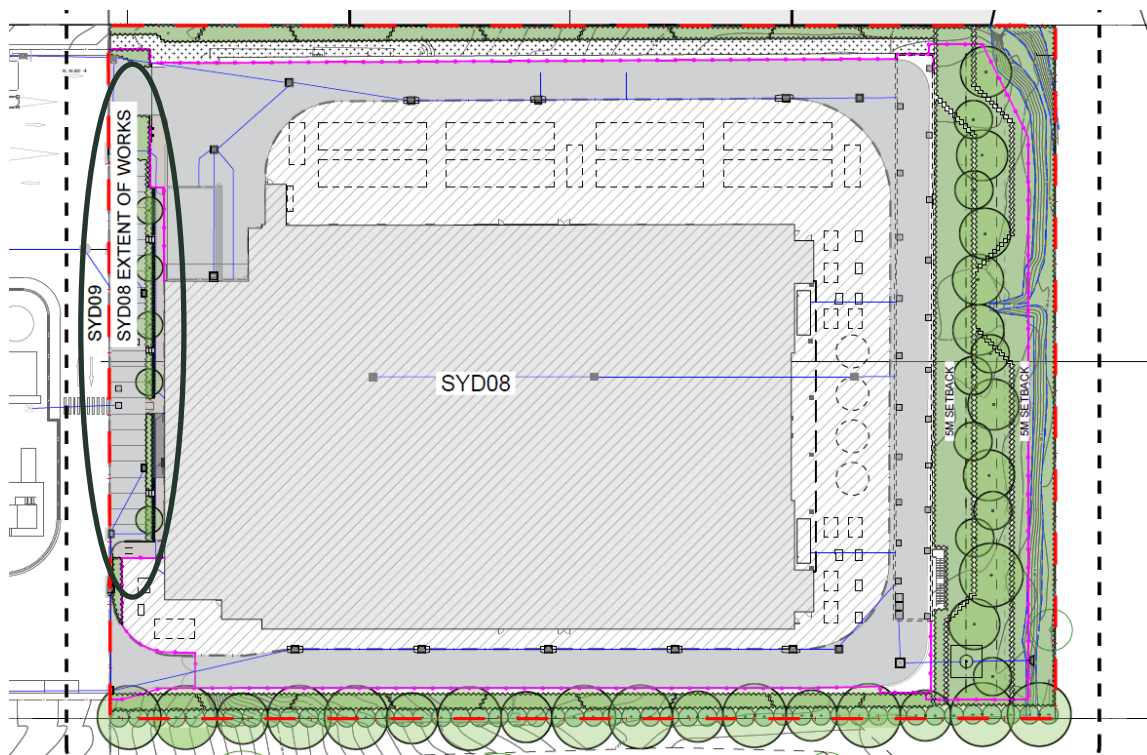


Figure 2: Site plan showing inclusion of planting along the perimeter of the carpark  
Source: Studio IZ

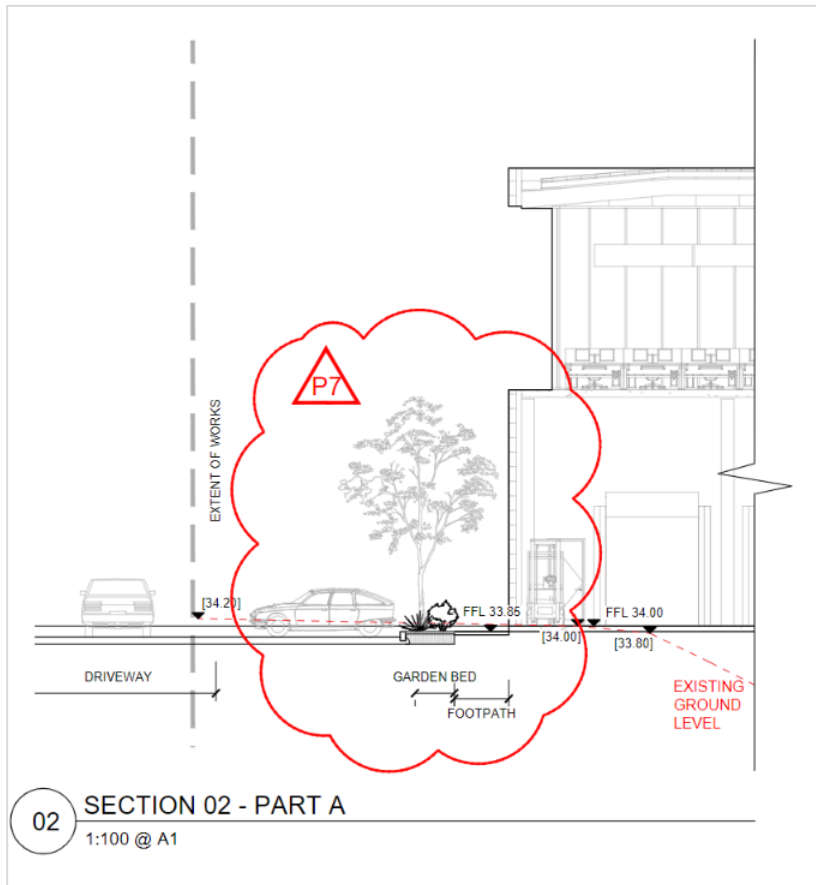


Figure 3: Section showing additional landscaping in car parking area  
Source: Studio IZ

#### 4.2.2 Car Parking Provision

Council's submission raises concern with the proposed provision of an additional 15 car parking spaces, resulting in the whole site being serviced by a total of 31 car parking spaces. Council requested that the development comply with the car parking rates for industrial and office developments under BDCP 2015, requiring the provision of a total of 85 car parking spaces overall.

Council's submission acknowledges that the predicted staff numbers for the data centre would not demand this number of spaces, however they are of the opinion that there is the potential for the building to change use in the future.

As outlined within the EIS, data centres are far less intensive than typical industries and also warrant a lower car parking demand. On this basis, compliance with Council's car parking requirements should not be enforced and an alternative approach (such as the first principles approach proposed for the subject development) should instead be accepted.

In relation to the concern that the development could change use at any time to a more traditional and intensive type of industry, it should be recognised that this is an extremely unlikely scenario. As identified in the cost estimate report accompanying the EIS, the development is anticipated to have a total cost of \$167,632,802, which is substantially more than traditional light industrial development of a similar size and scale. On this basis, a change of use is simply not commercially viable, especially whilst demand for cloud data storage services continues to grow globally.



Notwithstanding the above, the applicant agreed with Council following the receipt of its submission that an acceptable outcome would be to demonstrate the site's potential to provide for additional parking should a future change of use occur. As such, DEM have prepared a concept plan (Appendix 5) which identifies that the rear portion of the site could provide 86 car parking spaces by utilising areas currently dedicated to plant equipment.

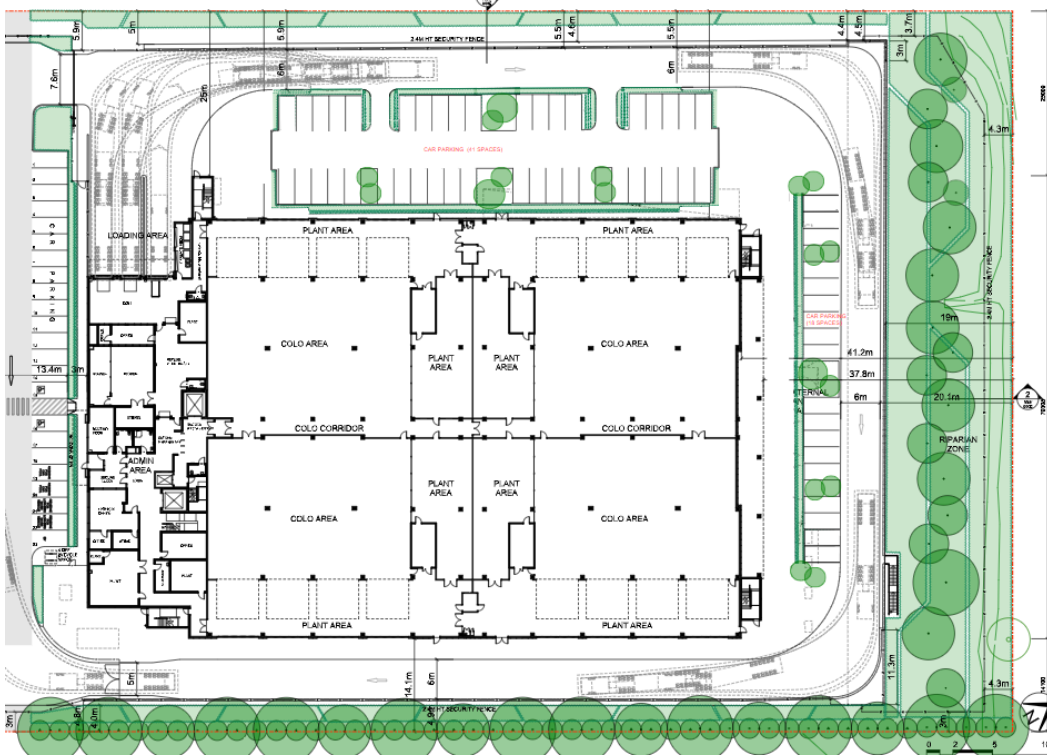


Figure 4: Concept plan demonstrating potential for additional parking to be provided  
Source: DEM Architects

#### 4.2.3 Provision of Solar Panels

In Council's objection letter, the planning team requested that solar panels be provided on the rooftop of the data centre. Whilst this was originally our intended response, following further investigations being undertaken this is no longer able to be facilitated for the following reasons:

- For both admin and colocation hall rooftops, lightweight insulated roof panels and waterproof membranes are intended for the design. Based on this, the logic is to have no equipment on the roof and to only provide access for general inspection and maintenance of hot air discharges. The mounting of solar panels will present a waterproofing risk to the mission critical Colo space below.
- The design of the mechanical relief system is to discharge at the roof level. These discharge temperatures from the vents are elevated above the ambient temperature. On an outside ambient day of 22°C, the discharge will be +15°C, equating to a high of above 30 degrees across the roof.

The optimal temperature for solar panels is typically 25°C. When above this temperature a derating is applied which decreases the PV yield. Our calculations based on high level investigation lean towards a derating of circa 40% on a 22 degree ambient day. As such, the site does not lend itself to having an effective PV system on the rooftop.

- A PV system on the roof of the admin building would be ineffective as it is on the southern end of the building and would therefore be overshadowed by the broader development.

In addition to the above, while solar panels are unable to be catered for at the site, it is noted that the data centre operator adopts many other sustainability initiatives which are summarised in 6.11 of the EIS. This includes a Gold LEED rating, which is the 2<sup>nd</sup> highest rating that can be achieved under this benchmark. Furthermore, we also note that the operator is already procuring approximately 35% of its energy for their data centres from renewable sources, with the goal of being carbon negative by 2030.

#### **4.2.4 Acoustic Assessment**

Council's submission raised concern that the acoustic assessment did not consider the worst case/emergency scenario or cumulative impact which are addressed in 4.1.1 of the RTS Report above and in the revised acoustic impact assessment provided as Appendix 8 of the RTS report.

#### **4.2.5 Contamination**

Patch has been provided with additional advice regarding the remediation of the site.

Following the demolition of the existing structures on the site, which occurred in early 2022, testing identified fragments of asbestos containing material in the form of fibre cement sheeting as well as an underground petroleum storage tank (USPT). In response, a Remediation Action Plan (RAP) was prepared to detail the works required to remediate the site to make it suitable for the proposed use. This RAP has been submitted alongside this Rts Report as Appendix 13.

Removal of the USPT and areas of asbestos were undertaken in mid-2022 on the SYD09 site (the location of the Council approved data centre). Staged Validation Reports have been prepared for the SYD09 site by SWE, confirming that removal of the USPT and asbestos material have been completed and undertaken in accordance with the RAP. These are included as Appendix 14 and Appendix 15 of the RTS report respectively.

Remediation works are underway on the SYD08 site (the site which is subject to this SSDA) and will be completed in accordance with the RAP.

#### **4.2.6 Air Quality Impact Assessment**

Council requested additional information regarding cumulative impacts associated with the running of all generators at the site simultaneously at full capacity which is now provided in the response letter prepared by Benbow in Appendix 7 and updated AQIA provided in Appendix 8 of the RTS Report.

#### 4.2.7 Plan of Management

Council's objection requests the preparation of a Plan of Management (PoM) to mitigate potential negative impacts during the construction and future operational stages of the proposal.

As noted in our letter to Council dated 23 August 22, we have no objection to the preparation of a PoM, however it is requested that this form two separate plans and two separate conditions of consent, with completion of Construction PoM required prior to the issue of a Construction Certificate and Operational PoM prior to Occupation Certificate.

#### 4.2.8 Crime Prevention Measures

Council requested additional information related to crime prevention measures, which should be identified on plans and other relevant documents.

In response, Patch advised that the operator is committed to ensuring that all of their centres are built and maintained to withstand everything from criminal actions and corporate espionage to terrorist threats and natural disasters. Where not considered sensitive information, specific details of crime prevention and security measures can be included in the PoM. These measures will be determined by HB 167:2006 Security Risk Management and ISO31000: 2018 Risk Management.

#### 4.2.9 Sustainability Requirements

Council's submission requests information related to:

- How the development meets sustainability requirements for an SSDA;
- How the design will contribute towards wider State/local government emissions or carbon budget targets set for Blacktown City; and
- Information regarding the provision of solar panels and EV charging capability.

Patch notes that the information requested by Council is largely discussed within the ESD Report which accompanied the EIS, prepared by LCI. The ESD Report described how the project had been designed against Leadership in Energy and Environmental Design (LEED) category ratings and would implement measures to reduce greenhouse gas emissions, energy, and water usage.

The proposed development is estimated to emit approximately 98.5kT of Co2-e per year which is approximately 0.072% of the NSW annual greenhouse gas emissions in 2019 according to the State and Territory Greenhouse Gas Inventories. Due to the measures outlined within the ESD Report, the project is expected to emit approximately 72.6% less greenhouse gas compared to a building that would use conventional industry equipment. The project team is otherwise not aware of specific carbon budget / targets applying to the Blacktown LGA, and these have not been provided by Council upon request.

The development will also include one parking space with EV charging capability in the area shown on the Architectural Plans (Appendix 3).

#### 4.2.10 Engineering Information

Provision of MUSIC and DRAINS models has been provided alongside this RTS as requested by Council. This information was also shared directly with Council on 29 August 2022.

In response, Council confirmed on 7 September 2022 that the submitted information was acceptable and that there were no further comments relating to this item.

### 4.3 Response to City of Parramatta Council Submission

The City of Parramatta Council's submission raised the following:

1. The addition should minimise impacts on McCoy Park and the wider Toongabbie Creek riparian corridor.
2. A vegetated buffer zone along the McCoy Park boundary is to be contiguous for the entire length to ensure adequate screening and minimise impacts on visual amenity.
3. Non-endemic and potentially invasive species should be replaced, being *Grevillea Robusta*, with a similar endemic species to provide better habitat outcomes.

With respect to Items 1 & 2, these are considered to have already been satisfactorily addressed in the original proposal. Impacts to McCoy Park and the wider Toongabbie Creek riparian corridor are minimised through a comprehensive landscaping strategy and stormwater quality measures. This includes trees with mature heights in excess of 20m along the side and rear boundaries.

With respect to Item 3, a revised Landscape Plan has been prepared (Appendix 4) and supplements *Grevillea Robusta* with *Tristaniopsis laurina* 'Luscious' (Luscious Water Gum).

### 4.4 Response to the Department (Environment and Health) Submission

The Environment and Health Group of the Department provided comments related to the below:

- The request to waive the need for a BDAR, with additional information requested to confirm the extent of cut/fill proposed in the site's north eastern corner and what impact these works might have on remaining trees; and
- The request for the flood assessment for the development to be updated to include the fully developed site including the previous approved development (DA-21-01058), flood behaviour maps, and flood impact mapping.

With respect to the request for additional information related to the BDAR waiver, the project engineers, ACOR, have confirmed that no civil works are proposed beyond the retaining walls of the subject data centre development which have been approved under DA-21-01058. It is also noted that this is shown in the relevant engineering documentation provided. As such, there will be no impact to vegetation along the north eastern corner of the site as a result of this DA and a BDAR is warranted in the circumstances.

With respect to commentary on the flood assessment, reference is made to the Flood Impact Assessment submitted alongside the project's EIS which is considered to provide an appropriate level of assessment. Under the subject SSDA, no civil works extend beyond the retaining wall which was approved under the local approval (DA-21-01058). Under that approval, Council has already approved a flood impact assessment for the retaining wall construction and re-grading works for flood storage to the northern setback.

## 4.5 Response to NSW Fire and Rescue Submission

The submission prepared by FRNSW identified a number of additional documents to be prepared including a Fire Safety Study (FSS), an ERP, and an Emergency Services Information Package.

There is no objection raised regarding the preparation of this information, however it is requested that the provision of these documents be imposed as conditions of consent as would be standard procedure.

## 4.6 Response to Sydney Water Submission

Sydney Water's submission provides information and advice regarding water and wastewater servicing for the development.

The Applicant has reviewed the advice provided by Sydney Water and confirms there are no issues at this stage with respect to the information and requirements outlined.

## 4.7 Response to Public Submissions

Two (2) public submissions were received during the exhibition period. These raise concerns with:

- A potential increase in traffic;
- Potential noise impacts; and
- Potential environmental pollution impacts.

With respect to the potential traffic impacts, reference is made to the Traffic Impact Assessment prepared by TTPP and submitted alongside the EIS. The results of TTPP's assessment indicated that at its peak, the site would only generate an estimated 18 total trips which is comparable with the former timber yard. Further, Level of Service (LoS) modelling undertaken by TTPP indicated that most intersections would continue to operate with a 'very good' level of LoS following the opening of the proposed development. The results indicate that the traffic arising from the development would not cause any noticeable impacts to key nearby intersections.

In relation to noise and environmental pollution impacts, it is noted that these have been assessed in detail through the provision of both an acoustic impact assessment and air quality impact assessment. Both reports demonstrate that the proposal will have an acceptable impact and not adversely affect the surrounding community.

## 5 Conclusion

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This RTS report is prepared in response to the 8 submissions which were received throughout the public exhibition period in relation to 57 Station Road, Seven Hills. The submissions consisted of 4 State government submissions, 2 local government submissions (including 1 objection from Blacktown City Council), and 2 community submissions.

As detailed in the RTS report, since submissions were received, the applicant has:

- Actively undertaken further engagement with both Blacktown City Council and the Department in order to discuss key matters regarding the project and ensure that they were adequately addressed in the subsequent RTS report;
- Amended the design in response to matters raised by authorities in relation to the treatment of the façade and landscaping provided at the site;
- Provided additional information to respond to matters raised by the Department, Blacktown Council, and the public in relation to air quality, noise impacts, visual impacts and contamination;
- Provided the final ACHAR and Archaeological reports which were previously submitted as drafts with the original application; and
- Addressed all other matters raised through the exhibition period in the submissions.

Based on the RTS report provided, the applicant has adequately demonstrated that the proposed development will not result in any significant adverse impacts. Furthermore, adequate mitigation measures are proposed to ensure that any potential impacts are appropriately limited during both construction and operational stages.

In addition, it is considered that the RTS report sufficiently responds to the main concerns raised by Council in their objection letter. Subsequently, withdrawal of the objection is appropriate so that the SSDA can be assessed by the Minister's delegate.



# PATCH

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