

Report to Sydney West Joint Regional Planning Panel

JRPP No:	Item (2016SYW146)
DA No:	JRPP-16-03318
Proposed Development:	Staged construction of a Data Centre
Development Type:	Capital Investment Value > \$20 million
Lodgement Date:	4 July 2016
Land/Address:	Lot 2020, DP 877343, 35 Huntingwood Drive, Huntingwood
Land Zoning:	IN2 Light Industrial under Blacktown Local Environmental Plan 2015
Capital Investment Value:	\$47,529,862
Applicant:	Airtrunk Pty Ltd
Landowner:	AWPT4 Huntingwood Pty Limited
Report Author:	Holly Palmer, Senior Town Planner
Instructing Officers:	Judith Portelli, Manager Development Assessment and Glennys James, Director Design and Development
Date Submitted to JRPP:	17 October 2016
Date Considered by JRPP:	To be considered electronically



Figure 1. Perspective as viewed from Huntingwood Drive (Source: Airtrunk Pty Ltd, 2016)

Assessment Report

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ATTACHMENTS

- Attachment 1 – Proposed conditions of consent
- Attachment 2 – Development application plans
- Attachment 3 – Assessment against Blacktown Development Control Plan 2015

1. Executive summary

- 1.1 Blacktown City Council received a Development Application (DA) from Airtrunk Pty Ltd for the removal of existing structures and 2 trees, and the staged construction, fitout and operation of a Data Centre and associated offices, car parking and loading bays, plant and equipment, including an electrical transformers yard and landscaping at 35 Huntingwood Drive, Huntingwood.
- 1.2 The development is proposed to be constructed in 8 stages and will result in a Data Centre with a total floor area of 28,530 sqm, including the associated office areas. The Data Centre is proposed to operate 24 hours a day, 7 days a week. A total of 50 car spaces will be provided. Access is proposed from Huntingwood Drive only, with no access via the M4 motorway or Healey Circuit.
- 1.3 The proposed development constitutes 'regional development' requiring referral to a Joint Regional Planning Panel (JRPP) for determination as it has a Capital Investment Value of over \$47 million. While Council officers are responsible for the assessment of the DA, the Sydney West JRPP is the consent authority.
- 1.4 The subject site is zoned IN2 Light Industrial under Blacktown Local Environmental Plan (BLEP) 2015. The proposed Data Centre falls within the definition of a '*high technology industry – information technology*' and is permissible in this zone with development consent.
- 1.5 A detailed assessment has been undertaken against the provisions of BLEP 2015 and Blacktown Development Control Plan (BDCP) 2015.
- 1.6 The development complies with the numerical requirements of BLEP 2015 and is consistent with its relevant objectives. It complies with BDCP 2015 with the exception of the provision of car parking. However, on merit the level of parking provided is considered satisfactory.
- 1.7 The DA was referred to the Department of Primary Industries - Water, the Roads and Maritime Services and Endeavour Energy for comment, all of which raised no objection to the proposal subject to conditions of consent.
- 1.8 The DA was notified to adjoining and nearby property owners and occupants between 17 August and 16 September 2016. No submissions were received.
- 1.9 The proposal has been assessed against relevant clauses within the applicable environmental planning instruments. The development is considered to satisfy all relevant clauses. A detailed assessment is at Section 6 of this report.
- 1.10 Overall, the development is considered satisfactory with regard to key issues, including built form, design, stormwater drainage, car parking, accessibility, social and economic impacts, subject to the imposition of suitable conditions of consent to satisfactorily control the development. The proposed development has been assessed against the relevant matters for consideration pursuant to Section 79C of the *Environmental Planning and Assessment Act 1979*, including the suitability of the site and the public interest, and is considered satisfactory.
- 1.11 It is recommended that the proposed development be approved subject to the conditions documented at **Attachment 1** to this report.

2. Location

- 2.1 The site is located within the Huntingwood Industrial Estate as identified by BLEP 2015.
- 2.2 The site is within an existing light industrial area. The location of the site is shown in **Figure 2** below. The land immediately surrounding the site is generally zoned IN2 Light Industrial. A drainage corridor to the east is zoned W1 Natural Waterway.
- 2.3 The site is located at the corner of Huntingwood Drive, being a collector road, and Healey Circuit, being a local road. The site is located opposite light industrial and warehouses uses of varying scale, with existing industrial sites ranging from 4,000 sqm to over 4 ha. The site is approximately 200 m from Eastern Creek Raceway, 1.1 km from Prospect Reservoir and 1.7 km from Eastern Creek.
- 2.4 The existing locality is characterised by established and new industrial development, both within the Huntingwood Industrial Estate and the nearby Huntingwood West, Huntingwood and Raceway Precincts. The area is well serviced by the surrounding regional road network of the Great Western Highway, M4 and M7 motorways.

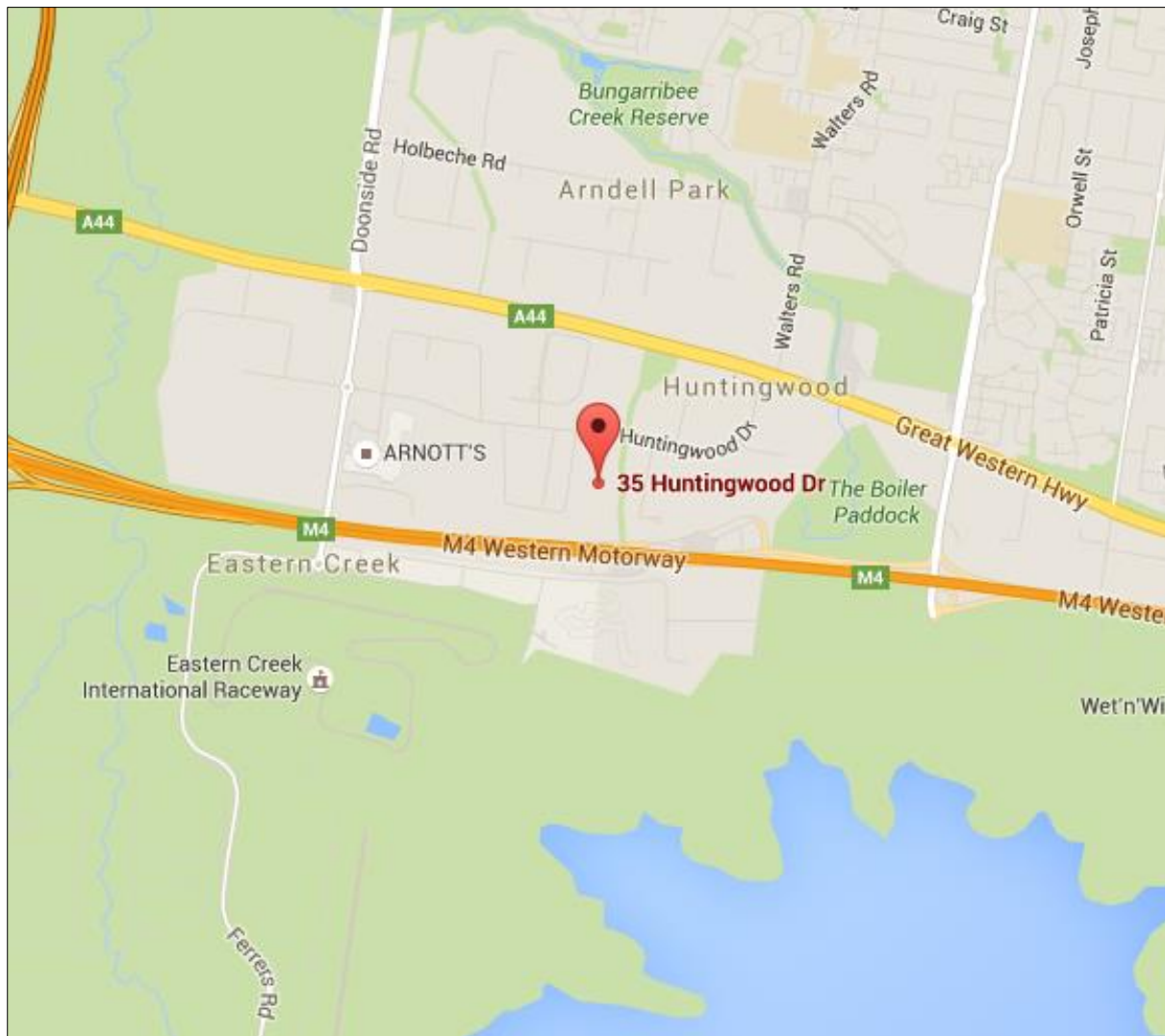


Figure 2. Location context (Source: Google Maps, 2016)

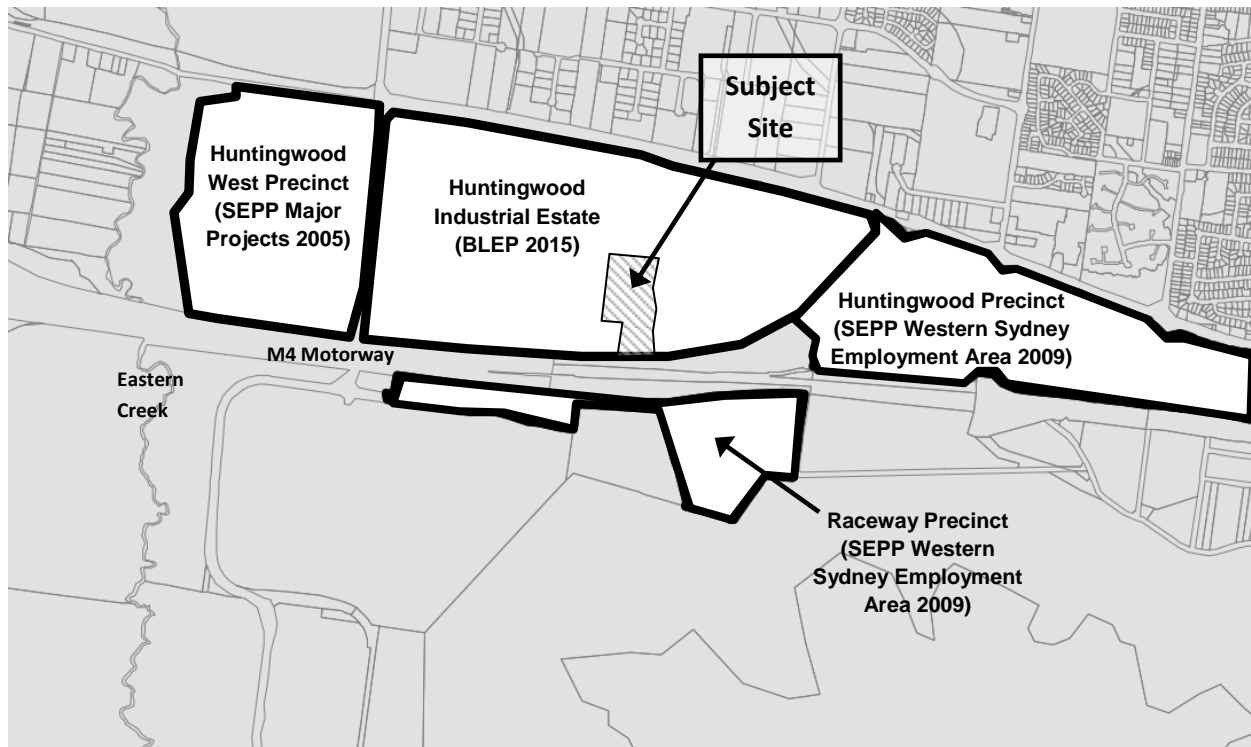


Figure 3. Surrounding industrial estates (Source: Blacktown Council, 2016)

3. Site description

- 3.1 The subject site is known as Lot 2020, DP877343, 35 Huntingwood Drive, Huntingwood.
- 3.2 The site adjoins Huntingwood Drive to the north, Healey Circuit to the west, a drainage corridor to the east and the M4 motorway to the south. Access is proposed via Huntingwood Drive only, with no access from the M4 motorway or Healey Circuit.
- 3.3 The land has an area of 6.374 ha, with frontages of 154.71 m to Huntingwood Drive and 250.71 m to Healey Circuit.
- 3.4 The site was previously occupied by the Costco warehouse facility, which was substantially damaged in 2015 by a hailstorm. The majority of the structures have been removed. The remaining hardstand car parking area is proposed to be demolished under this DA. A number of established trees are also located on the property, the majority of which are to be retained.
- 3.5 The land is within 40 m of a watercourse to the east and is burdened by a 2 m wide drainage easement adjacent to the M4 motorway frontage benefiting the adjoining land to the west.

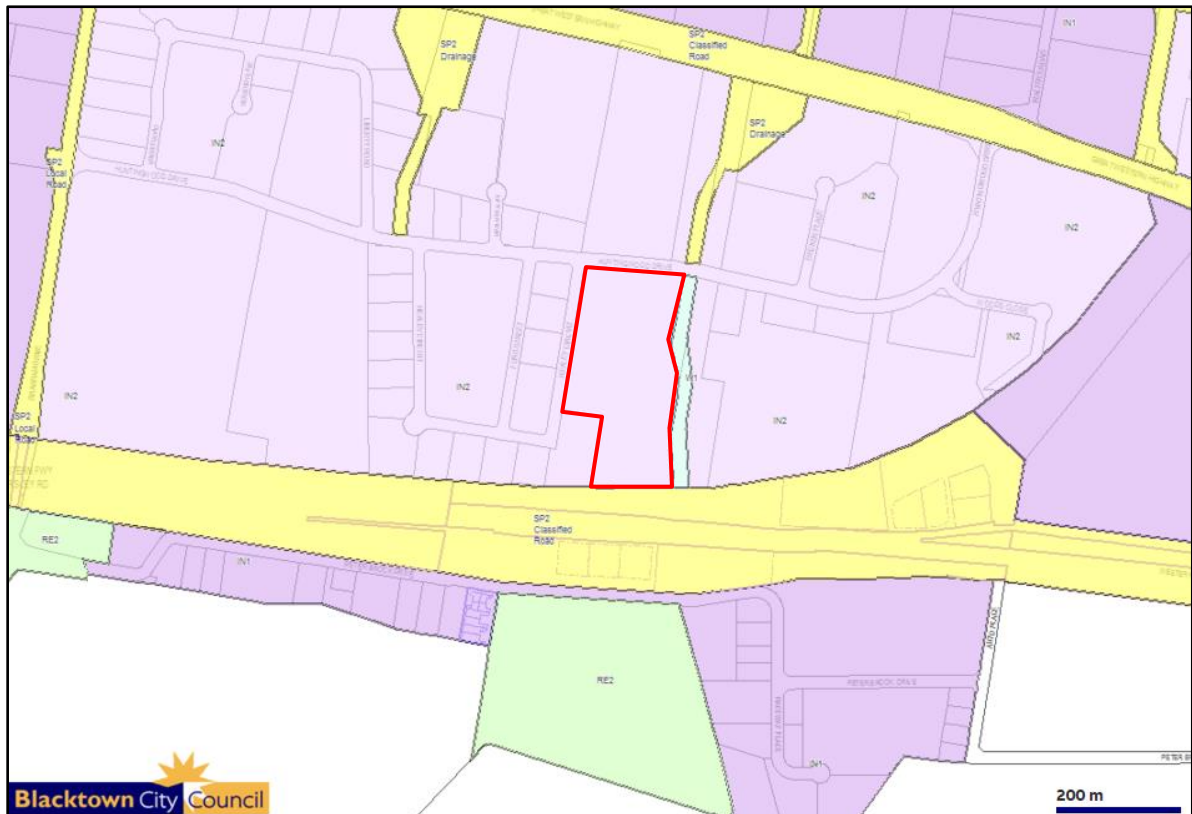


Figure 4. Zoning plan (Source: Blacktown City Council, 2016)



Figure 5. Aerial photo of site and surrounds showing the previous Costco building (Source: Blacktown City Council, 2014)

4. Background

- 4.1 On 27 January 1998, Council approved DA-97-7402 for the construction of a Costco distribution warehouse facility. This existing building was substantially damaged in 2015 by a hailstorm. A Complying Development Certificate for demolition was issued on 15 July 2015.
- 4.2 On 7 April 2016, a Pre Application Meeting for the proposed Data Centre was held with Council officers.
- 4.3 On 27 May 2016, JRPP-15-02130 was approved on this site by the Sydney West Joint Regional Planning Panel for Torrens title subdivision into 2 lots, removal of the existing structures and trees, the staged construction and fitout of 2 x industrial buildings comprising 3 x warehouses with associated offices, occupation as a warehouse or distribution centre / light industrial facility, 8 x illuminated building identification signs, car parking, site works and landscaping. This DA has not been proceeded with.
- 4.4 On 4 July 2016 this subject new DA was lodged with Council.

5. The proposal

- 5.1 The DA seeks approval for the removal of existing structures and 2 trees and the staged construction, fitout and occupation of a Data Centre (defined as a high technology industry for information technology purposes) comprising 8 x 2 storey data halls, associated ground level plant and equipment rooms, rooftop plant and equipment, and 2 x 3 storey 'tech space' areas comprising office facilities and amenities. The proposal also includes a dedicated electrical transformers yard located at the north-western portion of the site, which is to be to Endeavour Energy's specifications.
- 5.2 The Data Centre is proposed to operate 24 hours a day, 7 days a week.
- 5.3 10 to 21 employees are anticipated to be on site at any one time.
- 5.4 A total of 50 car parking spaces (including 2 disabled car parking spaces) are proposed. 38 car parking spaces are located within the front setback area to Huntingwood Drive and 12 car parking spaces are located at the south-eastern corner of the site. There are 2 loading bays which are accessible via an internal ring road. Vehicular access is from Huntingwood Drive.
- 5.5 As demonstrated on the Staging Diagram Plans (Drawing Numbers 0102 and 0103) provided at **Attachment 2**, the development is proposed to be constructed in stages to cater for market demand for the facility as follows:

- | | |
|-----------|--|
| Stage 1A: | Construction of the transformer yard and services, Tech Space 1 (office space), Data Hall 01 and associated plant and equipment rooms, 2 permanent vehicular driveways via Huntingwood Drive, a temporary ring road, 38 parking spaces, fencing and landscaping at the northern portion of the site. |
| Stage 1B: | Construction of Data Hall 02 and associated plant and equipment rooms. |
| Stage 2A: | Construction of Data Hall 03 and associated plant and equipment rooms, and the extension of the temporary ring road. |
| Stage 2B: | Construction of Data Hall 04 and associated plant and equipment rooms. |

- Stage 3A: Construction of Data Hall 05 and associated plant and equipment rooms, the extension of the permanent ring road, construction of the remaining 12 car parking spaces at the south-eastern corner of the site and remainder of the landscaping.
- Stage 3B: Construction of Data Hall 06 and associated plant and equipment rooms.
- Stage 4A: Construction of Data Hall 07 and associated plant and equipment rooms and Tech Space 2 (office space).
- Stage 4B: Construction of Data Hall 08 and associated plant and equipment rooms.
- 5.6 Each of the 112 plant and equipment rooms is accompanied by an aboveground containerised (enclosed) back-up generator which includes an aboveground diesel fuel tank. These are intended for emergency use only.
- 5.7 The proposed gross floor area is 28,530 sqm. The majority of the floor area is for the purpose of the Data Halls, with a floor area of 23,080 sqm. The proposed floor space area of the office areas is 5,450 sqm. Only a minor portion of the office areas is allocated for staff purposes, such as the reception offices, Facility Manager offices, security control rooms, 4 meeting rooms and break-out areas. The remainder is for storage and support purposes, such as telecommunication infrastructure.
- 5.8 The proposed building has a 20 m setback to the primary street frontage to Huntingwood Drive. The building's side setback is 64.1 m to Healey Circuit and a minimum of 13.2 m to the drainage corridor to the eastern boundary. The rear setback is a minimum of 36 m to the M4.
- 5.9 The proposed building has a 15.2 m setback to the boundary shared with the adjoining warehouse building to the south-west (at 24 Healey Circuit).
- 5.10 Landscaping is provided throughout the setback areas, including the retention of the existing trees and existing boundary screen planting, with the exception of 2 trees to enable the construction of the second driveway. The existing retaining structures along the eastern and western boundaries of the site are proposed to be retained.
- 5.11 The maximum building height of the development is 18 m, which includes the rooftop plant and equipment and associated screening structures. The finished floor level is RL 63.0.
- 5.12 The proposed building and associated plant and equipment rooms have a width of approximately 93 m and the overall building has a length of approximately 310 m. However, this building is stepped to follow the irregular shape of the lot.
- 5.13 The proposal is for a modular building form which is book ended by the 'Tech' office spaces at the northern and southern ends of the building and creates a modern street presence. The building facades are to be constructed of pre-finished lightweight cladding in a blue and white gloss colour, pre-finished lightweight metal cladding in a horizontal arrangement in varied white, grey and blue tones, and glass with metal louvres over. Metal screens are also proposed to be interspersed throughout the facades and to screen the rooftop plant and equipment, which is in the pattern of a computer circuit board in a blue colour.
- 5.14 The ground level areas of plant and equipment surround the proposed building and feature columns, beams and cross bracing to create visual interest. The overall arrangement of the modular building form, colours, materials and complementary landscaping effectively break up the length of the building and creates a suitable building design.

- 5.15 The proposal includes new mesh security fencing along all boundaries which is 3 m in height.
- 5.16 The proposal is accompanied by a Traffic Report prepared by CBRK and dated April 2016. The report confirms that the anticipated traffic movements from the proposed development are capable of being accommodated within the existing road network. The report identifies that the provision of only 50 spaces will readily cater for the parking demands of employees and visitors, given that only 10 to 21 employees will be on site at any one time. The report identifies that the service vehicles that will attend the site are occasional rigid trucks and semi-trailers delivering data racks, which are capable of being accommodated on site.
- 5.17 A Noise Impact Assessment Report prepared by AECOM was submitted by the Applicant which considers the proposed internal, external and rooftop plant and equipment. The external plant areas accommodate the building services plant including chillers, condensers, pumps and drives, and power plant including power trains, high voltage switch building, transformers, back-up generators and fuel tanks. This report identifies that the primary noise sources include 112 containerised back-up generators, 112 chillers and 4 transformers. The 112 back-up generators are for emergency use only. The Report concludes that the proposal is compliant with regard to the relevant requirements in relation to operational noise and vibration, sleep disturbance and road traffic noise.
- 5.18 A Stormwater Management Plan prepared by AECOM was submitted by the applicant addressing stormwater management, stormwater treatment and erosion and sediment control. This confirms that the development has been designed to satisfactorily deal with the management of stormwater quantity and quality and will not create any adverse flood impacts.
- 5.19 A Threatened Species Assessment Report prepared by Conacher Consulting dated May 2016 was also submitted by the Applicant. This confirms that although there are existing trees on the site, there are no threatened species or endangered ecological communities present on the site and the proposal will not have a significant effect on threatened species or their habitats.
- 5.20 No business identification signage is proposed.
- 5.21 A full assessment of the proposal is provided in Section 9 and a copy of the development plans is included at **Attachment 2**.

6. Planning controls

- 6.1 The planning controls that relate to the proposed development are:

(a) Environmental Planning and Assessment Act 1979

For an assessment against the Section 79C 'Heads of Consideration' please refer to Section 11.

(b) State Environmental Planning Policy (State and Regional Development) 2011

The Joint Regional Planning Panel (JRPP) is the consent authority for all development with a Capital Investment Value (CIV) of over \$20 million. The DA has a CIV of \$47,529,862. While we are responsible for the assessment of the DA, determination of the application is to be made by the Sydney West JRPP.

(c) State Environmental Planning Policy (Infrastructure) 2007

SEPP (Infrastructure) 2007 ensures that the RMS is made aware of and allowed to comment on development nominated as 'traffic generating development' listed

under Schedule 3 of the SEPP. The proposed development has a total building floor area of 28,530 sqm and therefore triggers the threshold for referral to the RMS. The RMS raised no objection subject to a condition, as detailed in Section 7.1 below.

(d) Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River (SREP 20)

i. Clause 4 – Application of general planning considerations, specific planning policies and recommended strategies

A consent authority must take into consideration the general planning considerations set out in clause 5 of SREP 20 and the specific planning policies and recommended strategies in clause 6 of SREP 20. The planning policies and recommended strategies under SREP 20 are considered to be met through the development controls of BLEP 2015. The development complies with the development standards and controls established within BLEP 2015, to enable the orderly development of the site. Therefore, the proposal is considered to satisfy Clause 4 of SREP 20.

(e) State Environmental Planning Policy No. 33 - Hazardous and Offensive Development

i. Clause 13 – Matters for consideration by consent authorities

In determining whether the proposed development constitutes ‘potentially hazardous development’ in accordance with State Environmental Planning Policy (SEPP) No. 33 – Hazardous and Offensive Development, an assessment against the Department of Planning’s *Applying SEPP 33 Guidelines* has been undertaken.

The Applicant has indicated that aboveground diesel fuel tanks are proposed to support the external plant and equipment rooms, and in doing so have been co-located with this infrastructure. The Applicant has confirmed that the quantity and chemical make-up of the fuel being stored on the site will not result in the site being identified as a potentially hazardous industry under the provisions of State Environmental Planning Policy No 33 - Hazardous and Offensive Development.

Pursuant to SEPP 33 the proposal is not considered to involve the storage of dangerous good in excess of the thresholds, and therefore the proposal is not deemed to be a ‘potentially hazardous development.’

The proposal is considered to be capable of being conducted in a manner that is consistent with the aims, objectives and provisions of SEPP 33 and is supported.

(f) State Environmental Planning Policy No. 55 – Remediation of Land

i. Clause 7 - Contamination and remediation to be considered in determining development application

SEPP 55 aims to ‘provide a State wide planning approach to the remediation of contaminated land’. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable, or can be remediated to be made suitable, for the proposed development, prior to granting development consent.

As the site is an existing warehouse distribution facility, a detailed assessment has not been submitted. It is noted that in early 2015 the site experienced a hailstorm which severely damaged the existing building. This damage did not give rise to contamination from the previous warehouse use.

Given that the proposed use seeks to continue the existing light industrial warehouse use of the land, further investigation of the land is considered unnecessary. Therefore, the site is considered satisfactory with respect to site contamination.

(g) Blacktown Local Environmental Plan 2015 (BLEP)

The land is zoned IN2 Light Industrial under Blacktown Local Environmental Plan 2015 (BLEP 2015). The proposed Data Centre falls within the definition of a 'high technology industry – information technology' which is permissible within the zone with consent. The development complies with the minimum lot size development standard of 4,000 sqm and satisfies the requirements of Clause 7.3 Riparian land and watercourses.

(h) Blacktown Development Control Plan 2015 (BDCP)

The BDCP applies to the site. Section 9 addresses the proposal's compliance with the BDCP. The development complies with the development controls, in particular Part E – Development within Industrial Zones.

- 6.2 Council's assessing officers consider the development to satisfy relevant clauses within applicable environmental planning instruments.

7. External referrals

- 7.1 The DA was referred to the following external authorities:

Authority	Comments
Roads and Maritime Services (RMS)	<p>RMS has reviewed the DA and does not raise any objections subject to the following comments for Council's consideration:</p> <p><i>"The generally southern boundary of the subject property abuts the M4 Motorway. Access across the M4 Motorway boundary is denied. All buildings and structures, together with any improvements integral to the future use of the site, are to be wholly within the freehold property (unlimited in height or depth), along the M4 Motorway boundary."</i></p> <p>A suitable condition has been imposed (Condition 2.7).</p>
Department of Primary Industries – Water	<p>DPI – Water has reviewed the proposal due to its proximity to a water causeway and advised that a Controlled Activity Approval was not required and no further assessment is necessary.</p>
Endeavour Energy	<p>Endeavour Energy has reviewed the proposal and advises that, despite there being no easement over the site benefitting Endeavour Energy, there is significant low and high voltage electricity infrastructure on and at the frontage of the site. As this electricity infrastructure was on the site before 26 May 2006, and is not supported by a registered easement, it is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the Electricity Supply Act 1995 (NSW). This means that the owner or occupier of the land cannot take any action in relation to the presence in, on or over the land of electricity works. That is, they cannot remove the existing electricity infrastructure.</p>

Authority	Comments
	Endeavour Energy does not raise any objections to the proposal subject to recommendations and comments, which are included in conditions of consent (Condition 2.8).

8. Internal referrals

8.1 The DA was referred to internal sections of Council as summarised below:

Section	Comments
Engineering	Council's Engineering Section has reviewed the DA and no objection is raised subject to conditions (Conditions 2.4, 6 and 9).
Drainage – Asset Design	Council's Asset Design Section has reviewed the DA and no objection is raised subject to conditions (Conditions 3.4, 6.2 and 9.8).
Building	Council's Building Section has reviewed the DA and no objection is raised subject to conditions (Conditions 5, 7 and 8).
Traffic Management Section (TMS)	Council's Traffic Management Section has reviewed the DA and no objection is raised subject to an appropriate condition being imposed to ensure that sufficient area is retained for potential future car parking provision to satisfy Council's DCP parking requirement in the event of a change of use. (Condition 4.2.2).
Environmental Health	Council's Environmental Health Unit has reviewed the DA and no objection is raised subject to conditions (Conditions 10 and 13).
Civil and Open Space Infrastructure	Council's Civil and Open Space Infrastructure Section has reviewed the DA and no objection is raised subject to conditions in relation to the planting and maintenance of street trees (Conditions 2.6 and 11.10).

9. Key issues

9.1 An assessment of the key issues relating to the proposed development is presented below:

(a) Blacktown Development Control Plan 2015

The provisions of Blacktown Development Control Plan (BDCP) 2015, in particular Part E – *Development in the Industrial Areas* are relevant to the proposal. The proposal complies with BDCP 2015 with the exception of car parking provision, which is discussed in (b) below. A detailed assessment against BDCP 2015 is provided at **Attachment 3**.

(b) The applicant is seeking to provide car parking subject to a merit assessment

BDCP 2015 provides car parking rates for industrial developments at the rate of 1 space per 75 sqm of gross floor area (GFA) and 1 space per 40 sqm GFA for the office component. However the land uses which are specified for this car parking rate include light industry, general industry, heavy industry and warehouse or distribution centre.

BDCP 2015 does not provide a specific parking rate for the proposed land use, being a *'high technology industry – information technology.'* BDCP 2015 includes a note which states that *"car parking requirements for development types not contained in this Table or regulated in other Planning Instruments will be assessed on merit and may require the submission of a traffic study."* This approach was applied in the assessment of the parking demand for this proposal.

It is noted that when calculating gross floor area in BLEP 2015, areas to be excluded from this definition include *'plant rooms'* or *'other areas used exclusively for mechanical services.'*

The proposal comprises 5,450 sqm of total office space. However, in light of the above definition which excludes certain areas of plant room and services, the office area for the direct purpose of accommodating staff is 2,690 sqm. Based on the BDCP 2015 requirement for 1 space per 40 sqm of office space, the parking requirement is 67 car parking spaces. The proposal does not satisfy this requirement as it provides only 50 car parking spaces.

Despite this and as raised above, this parking rate is not applicable for this form of land use, as the operation of the proposed Data Centre is considered to significantly differ from the land uses which incur the above car parking rate, in particular as a Data Centre generates a very low demand for truck/delivery vehicles and employees. Therefore, the assessment of parking demand generated by this proposal is made on a merit basis.

The Applicant has provided the following explanation of the floor area and justification for the provision of parking:

"As detailed in the Urbis letter dated 15 September 2016, the proposal seeks to provide 50 parking spaces on site having considered the known usage of the site by Airtrunk. Whilst 28,530 sqm is proposed by the application, a total of 23,080 sqm of this will be used for the sole purpose of a data hall which cannot be regularly accessed by staff or site visitors and exists for the sole purpose of the storage of equipment associated with the essential operations of the site.

It is not expected that the remaining elements of the building will be used by greater than 21 employees or customers at any one time... The office space has been designed to provide for significant storage space within the office facilities which is an essential element of the operation of the site.

A total of four (4) meeting rooms are proposed by the application. These meeting rooms have been proposed so that the space can accommodate multiple meetings on the site in the unexpected event that multiple staff members have to host multiple meetings on the site at any one time. These meeting facilities will include video call facilities as required by a facility such as that proposed. The Meet Me Rooms identified on plan are for telecommunication infrastructure and are not meeting rooms. It is also noted that the rooms indicated on plan as 'tenant areas' are intended to be used as storage areas and will not be used for the purpose of office space.

Due to the specialised nature of the proposed development, it is considered exceptionally unlikely that a tenant other than the proponent will be capable of accommodating the development as proposed. In this regard any requirement to provide provisional parking areas to accommodate future development is not considered appropriate in this instance."

This application proposes 50 car parking spaces and 2 loading docks, which is sufficient to cater for the day to day needs of a Data Centre.

Council's TMS has reviewed the proposal and considers the proposed car parking to be satisfactory, subject to the imposition of a condition of consent requiring sufficient area within the site to be retained for future car parking provision to satisfy Council's BDCP 2015 car parking requirement (**Condition 12.2.4**). That is, should the use of the site be altered in the future from a Data Centre with up to 21 employees to an alternate industrial use, the site is to be capable of being re-purposed to accommodate the increased car parking demand, subject to separate development consent. These additional car parking spaces can be provided along the perimeter of the internal ring road, part of the grassed area at the western setback to Healey Circuit, or in place of the plant and equipment rooms.

The provision of 50 on-site car parking spaces has been assessed on merit and is considered to suit the parking demand generated by this specific type of land use.

Subject to this condition, no objection is raised to the departure from this control in this instance.

(c) Noise and vibration impacts

This proposal is accompanied by a Noise Impact Assessment Report prepared by AECOM which considers the proposed internal, external and rooftop plant and equipment. The external plant areas accommodate the building services plant, including chillers, condensers, pumps and drives, and power plant including power trains, notional high voltage switch building, transformers, generators and fuel tanks. This report identifies that the primary noise sources include 112 containerised (enclosed) back-up generators, 112 chillers and 4 transformers. The 112 containerised back-up generators are for emergency use only. The report concludes that the proposal is compliant with regard to the relevant requirements in relation to operational noise and vibration, sleep disturbance and road traffic noise.

Council's Environmental Health Unit has undertaken an assessment of the potential noise and vibration impacts generated by this staged development and no objection is raised, subject to conditions to satisfactorily control the potential noise and vibration impacts (**Conditions 10 and 13**).

10. Public comment

10.1 The DA was notified to adjoining and nearby property owners and occupants for a period of 30 days from 3 November to 3 December 2015. An advertisement was also placed in the local newspaper and a notification sign erected on site.

10.2 No submissions to the proposal have been received.

11. Section 79C consideration

11.1 Consideration of the matters prescribed by Section 79C of the *Environmental Planning and Assessment Act 1979* is summarised below:

Heads of Consideration	Comment	Complies
a. the provisions of: (i) any environmental	<ul style="list-style-type: none"> The provisions of the relevant EPIs relating to the proposed development are 	Yes

<p><i>planning instrument (EPI)</i></p> <p><i>(iii) any development control plan</i></p> <p><i>(iii) any planning agreement</i></p> <p><i>(iv) the regulations</i></p>	<p>summarised under Section 6 of this report.</p> <ul style="list-style-type: none"> The proposal is considered to be consistent with SEPP Infrastructure, SEPP 33 Hazardous and Offensive Development, SEPP 55 Remediation of Land and BLEP 2015. The proposal is permissible within the IN2 Light Industrial zone and satisfies the zone objectives outlined under BLEP 2015. The proposal is consistent with Blacktown DCP 2015, including a merit assessment of the provision of car parking. The proposed development is consistent with the desired future character of the area. A detailed assessment of the DA is provided at Section 9 of this report and Attachment 3. 	
<p><i>b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i></p>	<ul style="list-style-type: none"> An assessment of the key issues is provided in Section 9 of this Report and it is considered that the likely impacts of the development have been satisfactorily addressed. 	Yes
<p><i>c. the suitability of the site for the development</i></p>	<ul style="list-style-type: none"> The subject site is zoned IN2 Light Industrial and permits a Data Centre (which falls within the definition of a '<i>high technology industry – information technology</i>') with consent. The site and surrounding buildings are subject to industrial uses and the proposal is consistent with this land use. The site is therefore considered suitable for the proposed development. 	Yes
<p><i>d. any submissions made in accordance with this Act or the regulations</i></p>	<ul style="list-style-type: none"> No submissions were received as part of the public notification process. 	Yes
<p><i>e. the public interest</i></p>	<ul style="list-style-type: none"> No adverse matters relating to the public interest arise from the proposal and the provision of a new Data Centre is considered to be in the public interest. 	Yes

12. Recommendation

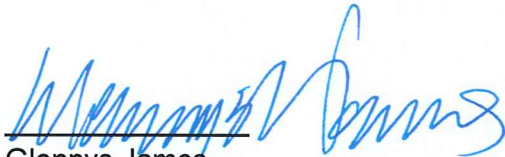
12.1 The DA be approved by the Sydney West Joint Regional Planning Panel subject to the conditions held at **Attachment 1**.



Holly Palmer
Senior Town Planner



Judith Portelli
Manager Development Assessment



Glennys James
Director Design and Development