

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	16 November 2020
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Kathie Collins and Chris Quilkey
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 9 November 2020.

MATTER DETERMINED

PPSSCC-35 - SPP-19-00009 – Blacktown - 90 Peter Brock Drive, Eastern Creek, Partial demolition of the existing data centre and construction of an 8 story extension with associated works (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979 for the reasons outlined in the Council Assessment Report.

The decision was **unanimous**.

CONDITIONS

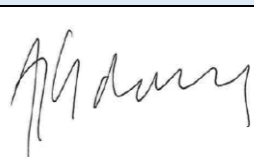
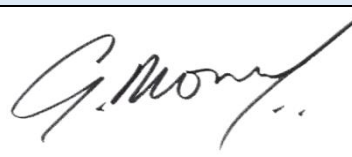
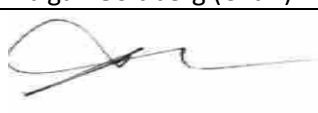
The development application was approved as a deferred commencement consent subject to the conditions listed in Council's attachment 8.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during the public exhibition. The Panel notes that issues of concern in written submissions included:

- Parking concerns;
- Overshadowing impacts onto neighboring solar panels.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Gabrielle Morrish
 David Ryan	 Kathie Collins

 Chris Quilkey	
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SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-35 - SPP-19-00009 – Blacktown
2	PROPOSED DEVELOPMENT	Partial demolition of the existing data centre and construction of an 8 story extension with associated works
3	STREET ADDRESS	90 Peter Brock Drive, Eastern Creek
4	APPLICANT/OWNER	Chris Heffernan – DCI Data Centre's/Ninezero DC Sub TCI Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value (CIV) over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - Blacktown Local Strategic Planning Statement 2020. - State Environmental Planning Policy (State and Regional Development) 2011 - State Environmental Planning Policy (Western Sydney Employment Area) 2009 - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy No. 55 – Remediation of Land - Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River - Draft environmental planning instruments: Nil - Development control plans: - Raceway Precinct Employment Lands Precinct Plan - Planning agreements: Nil - Provisions of the Environmental Planning and Assessment Regulation 2000: Nil - Coastal zone management plan: [Nil] - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - External referrals to NSW Environment Protection Authority, Waste and Resource Recovery section, Sydney Water - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report: 3 November 2020 - Written submissions during public exhibition: 3

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspections individually, Chris Quilkey declaring that he conducted site inspection on 11 November 2020.
9	COUNCIL RECOMMENDATION	Approval subject to conditions listed in attachment 8
10	DRAFT CONDITIONS	Submitted with Council Assessment Report - Attachment 8