

COUNCIL ASSESSMENT REPORT

SYDNEY CENTRAL CITY PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSCC-667 DA 1382/2025/JP
PROPOSAL	Alterations and Additions to an Existing Data Centre and Subdivision of the Site into Two Lots
ADDRESS	1-9 Brookhollow Avenue Norwest
APPLICANT	Patch Planners Pty Ltd
OWNER	Project Garden 1 Pty Ltd
DA LODGEMENT DATE	25 March 2025
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Clause 2.19 and Schedule 6 of SEPP (Planning Systems) 2021
CIV	\$84,709,798.00 (excluding GST)
CLAUSE 4.6 REQUESTS	Nil
KEY SEPP/LEP	• State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • The Hills Local Environmental Plan 2019 • The Hills Development Control Plan 2012
TOTAL & UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS	Nil
CONSULTANTS	Accessibility – MBC Group Acoustic – Pulse White Noise Acoustics Air Quality – Northstar Air Quality

	Arborist – Arbor Express Architect – Greenbox Architecture BCA – MBC Group Engineer – Taylor Thomson Whitting Pty Ltd Contamination – JBS&G Fire – Core Engineering Group Hazardous Material – Riskcon Engineering Landscape Architect – Clouston Associates Plan of Management – Green Square DC Quantity Surveyor – WTP Australia Pty Ltd Subdivision – Matthew William Cleary Surveyor - Stantec Sustainability – Cundall Town Planner – Patch Planning Traffic – Ason Group Waste - Erilyan
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)	The proposal is not subject to the payment of a Special Infrastructure Contribution under Section 7.24 of the Environmental Planning and Assessment Act 1979.
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	Electronic Determination
PREPARED BY	James Pace – Senior Town Planner
CONFLICT OF INTEREST DECLARATION	None Declared
DATE OF REPORT	29 August 2025

EXECUTIVE SUMMARY

The Development Application seeks consent for alterations and additions to an existing data centre and subdivision of the site into two lots at 1-9 Brookhollow Avenue, Norwest. The proposed development includes an increase in the total power consumption; internal reconfiguration/refurbishment; façade rectifications and external building changes; and the installation of electricity generators, chillers, fuel tanks, water tanks, and fencing.

The proposed development is referred to the Sydney Central City Planning Panel (“the Panel”) as the development is ‘*regionally significant development*’ pursuant to Clause 2.19(1) and Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 as the proposal has an estimated development cost of more than \$30 million.

The proposed development is considered satisfactory in regard to State Environmental Planning Policy (Biodiversity and Conservation) 2021. Chapter 6 is applicable to the development with sufficient information provided to demonstrate impacts to the Hawkesbury-Nepean Catchment will be mitigated.

The proposed development is considered satisfactory in regard to State Environmental Planning Policy (Resilience and Hazards) 2021. Chapter 3 and 4 are applicable to the development. Sufficient information has been provided in regard to the dangerous goods proposed to be onsite and is not considered to be a potentially hazardous or potentially offensive industry. Sufficient information has been provided in regard to site contamination and is considered suitable for continued use as a data centre.

The proposed development is considered satisfactory in regard to State Environmental Planning Policy (Transport and Infrastructure) 2021. Chapter 2, in particular, Sections 2.48, 2.98, and 2.122 are applicable to the development. The development will not result in significant impacts on electricity infrastructure, traffic on surrounding classified roads, or the Sydney Metro corridor.

The proposed development is considered satisfactory in regard to The Hills Local Environmental Plan 2019. The site is zoned SP4 Enterprise in which development for a data centre is permissible subject to consent. The proposed development complies with the relevant development standards including the minimum lot size, maximum height of buildings, and maximum floor space ratio.

The proposed development is considered satisfactory in regard to The Hills Development Control Plan 2012 with the exception of side setback, fencing, and car parking requirements. The DCP requires a minimum side setback of 10m. The development proposes a minimum side setback of 3m to the proposed site boundary following subdivision. The DCP requires no fencing to be in the road setback area other than low ornamental fencing and chain wire fencing is to be black or dark green. The development proposes 2.4m high mesh fencing within the road setbacks and silver chain wire fencing. The DCP requires the provision of 167 car parking spaces for industrial uses. The development proposes the provision of 10 car parking spaces. The Applicant has provided justification for the variations which demonstrate compliance with the objectives of the relevant DCP controls. Therefore, the variations are supported in this instance.

The Development Application was notified over two occasions for 14 days. No submissions were received during the notification periods.

The Development Application is recommended for approval, subject to conditions of consent.

1. THE SITE AND LOCALITY

1.1 The Site

The site known as 1-9 Brookhollow Avenue, Norwest (Lot 2021 DP 831173) is bounded by Norwest Boulevard to the north and Brookhollow Avenue to the south and east. The site has

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an area of 81,870m² with a cross fall of approximately 21m from east to west. The site is zoned SP4 Enterprise. An existing data centre with at grade car parking currently exists on the site.

1.2 The Locality

The surrounding properties to the development comprise of commercial buildings, hotels, and a child care centre within the SP4 Enterprise zone. The site is within 400m of the Norwest Metro Station.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The Development Application seeks consent for alterations and additions to an existing data centre and subdivision of the site into two lots at 1-9 Brookhollow Avenue, Norwest. The Applicant has foreshadowed a new data centre on proposed lot 2 which will be a State Significant Development.

The development includes:

- Subdivision of the site into two lots:
 - Lot 1: 23,030m².
 - Lot 2: 28,840m².
- Removal of existing water tanks and fuel tanks.
- Internal reconfiguration and refurbishment of the facility.
- Façade rectification works and minor external building changes.
- Installation of a generator yard with generators, electrical plant, electrical rooms, and water tanks.
- Installation of a gantry above the generator yard with chillers.
- Installation of a new underground fuel tank and fire hydrant/sprinkler tank.
- Installation of fencing.
- Widening of the driveway two facilitate simultaneous movement of a HRV and B99 vehicle.

The development is proposed to operate 24 hours a day, 7 days a week with a maximum of ten (10) staff at any one time.

Signage is not proposed under the subject Development Application.

2.2 Background

A pre-lodgement meeting was held prior to the lodgement of the Development Application on 12 September 2024.

The Development Application was lodged on 25 March 2025. A chronology of the Development Application since lodgement is outlined in Table 1 below.

Table 1: Chronology of the DA

Date	Event
25 March 2025	Development Application lodged.
28 March 2025	Development Application notified to surrounding properties.
7 April 2025	Site inspection completed.
17 April 2025	Request for Information from Council to the Applicant regarding planning, engineering, traffic, environmental health, tree/landscaping, Endeavour Energy, and Sydney Water matters.
6 June 2025	Additional information provided by the Applicant.
12 June 2025	Request for information from Council to the Applicant regarding planning, engineering, and tree matters.
30 June 2025	Additional information provided by the Applicant.
1 July 2025	Request for information provided by the Applicant regarding planning and engineering matters.
3 July 2025	Additional information provided by the Applicant.
10 July 2025	Additional information provided by the Applicant.
22 July 2025	Request for Information from Council to the Applicant regarding tree matters.
23 July 2025	Request for Information from Council to the Applicant regarding engineering matters.
24 July 2025	Meeting held between Council staff and the Applicant to discuss the outstanding tree and engineering matters.
30 July 2025	Additional information provided.
15 August 2025	Meeting held between Council staff and the Applicant to discuss outstanding engineering matters.
19 August 2025	Additional information provided by the Applicant.

2.3 Site History

The site has been subject to a number of development proposals as outlined in Table 2 below.

Table 2: History of the Site

Date	Description
21 June 1993	Development Application D93/318 for a data centre: Approved.
16 September 1993	Building Application 1676/93 for a data centre: Approved.

30 July 1998	Building Application 2003/98 for a carpark upgrade: Approved.
22 July 1998	Building Application 2005/98 for additions to toilets: Approved.
8 July 2003	Development Application 3688/2003/HA for temporary advertising signage: Approved under Delegations.
4 December 2003	Development Application 544/2004/HC for a masterplan for a commercial office and warehouse complex: Approved by Council's Development Assessment Unit.
23 December 2005	Development Application 719/2006/HA for Stage 2 commercial building and associated car parking: Approved under Delegations.
24 March 2006	Development Application 1198/2006/HD for removal of 3 underground fuel tanks and installation of 2 above ground fuel tanks with associated landscaping: Approved under Delegations.
25 September 2006	Development Application 451/2007/HA for the installation of 2 temporary generators: Approved under Delegations.
1 February 2007	Modification Application 451/2007/HA/A for a Section 96(1A) modification to add a 3 rd aboveground temporary backup generator: Approved under Delegations.
26 March 2008	Development Application 1499/2008/HA for 3 temporary generators off Norwest Boulevard: Withdrawn.
29 April 2008	Building Certificate 231/2008/AE for switch rooms, UPS rooms, and partitions: Approved.
22 October 2008	Modification Application 1198/2006/HD/A for a Section 96 modification for the inclusion of a hardstand area for tanker refuelling and an additional slab: Approved under Delegations.
12 March 2009	Development Application 986/2009/ZA for subdivision creating 2 lots: Approved.
15 May 2009	Complying Development Certificate 198/2009/PCDC for internal modifications to a computer room: Approved.
26 November 2015	Complying Development Certificate 528/2016/PCDA for alterations and additions to the data centre: Approved.
26 July 2019	Complying Development Certificate 135/2020/PCDC for internal alterations: Approved.
13 May 2022	Building Information Certificate 110/2022/AEU for works to level 2 storage cages: Withdrawn.
15 December 2022	Development Application 1871/2022/HA for stormwater infrastructure replacement and soil remediation: Approved under Delegations.
5 April 2024	Prelodgement Planning Proposal 6/2024/PPLP to rezone the site, increase height of building standard, increase FSR

	standard, and an option for a public high school: Ceased at post-scoping feedback stage.
19 February 2025	Planning Proposal 4/2025/PLP to rezone the site, increase FSR standard, increase height of buildings standard to facilitate high-density mixed use residential and commercial development: Withdrawn.

3. STATUTORY CONSIDERATIONS

When determining a Development Application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the Development Application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
- (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,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

3.1 Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this Development Application:

- State Environmental Planning Policy (Planning Systems) 2021.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- State Environmental Planning Policy (Sustainable Buildings) 2022.
- The Hills Local Environmental Plan 2019.

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 3** and considered in more detail below.

Table 3: Summary of Applicable State Environmental Planning Policies

EPI	Matters for Consideration	Comply
Planning Systems SEPP	• Section 2.19 declares the proposal as regionally significant development pursuant to Clause 2 of Schedule 6.	Yes

Biodiversity and Conservation SEPP	- Chapter 2 - Vegetation in non-rural areas - Chapter 6 - Water catchments	Yes Yes
Resilience and Hazards SEPP	- Chapter 3 - Potentially hazardous or potentially offensive development - Chapter 4 - Remediation of land	Yes Yes
Transport and Infrastructure SEPP	Chapter 2 - Infrastructure	Yes
Sustainable Buildings SEPP	Chapter 3 - Standards for non-residential development	Yes
LEP 2019	- Clause 4.1 – Minimum subdivision lot size - Clause 4.3 - Height of buildings - Clause 4.4 – Floor space ratio - Clause 7.2 - Earthworks	Yes Yes Yes Yes

State Environmental Planning Policy (Planning Systems) 2021

SEPP (Planning Systems) 2021 applies to the proposal as it identifies if development is regionally significant development. In this case, pursuant to Clause 2.19(1) of the SEPP, the proposal is a regionally significant development as it satisfies the criteria in Clause 2 of Schedule 6 of the SEPP as the proposal is development with an estimated development cost of more than \$30 million (\$84,709,798.00). Accordingly, the Sydney Central City Planning Panel is the determining authority for the Development Application.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The site is located in the Hawkesbury-Nepean Catchment and is subject to Chapter 6 of SEPP (Biodiversity and Conservation) 2021. Stormwater and Erosion/Sediment Control Plans prepared by TTW have been provided with the Development Application to demonstrate the development will mitigate impacts to the catchment. The Development Application was referred to Council's Engineering Team, and no objection was raised concerning catchment impacts, subject to recommended conditions.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 3 of SEPP (Resilience and Hazards) aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact. Planning Circular PS 21-031 outlines the relevant guidelines in determining if Chapter 3 of the SEPP applies. This includes the Department of Planning's 'Hazardous and Offensive Development Application Guidelines – Applying SEPP 33'. The Applicant has provided a SEPP (Resilience and Hazards) 2021 assessment in relation to Chapter 3 which references the 'Applying SEPP 33' Guidelines. The provided assessment identifies dangerous goods proposed to be onsite and their quantities (e.g. lithium-ion batteries, diesel, and oil). Considering the class of dangerous goods, and the 'Applying SEPP 33' Guidelines (Section 7 – Risk Screening), the development is not

considered to be a potentially hazardous or potentially offensive industry. Therefore, no further consideration of Chapter 3 is required.

Chapter 4 of SEPP (Resilience and Hazards) 2021 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 4.6 requires the consent authority to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is to be carried out. A Detailed Site Investigation Report prepared by JBS&G dated 21/11/2024 has been provided with the Development Application as the site experienced an uncontrolled diesel release which required subsequent remediation. The report concluded *“the site is suitable for ongoing use of the current facility as a DC [data centre] subject to adoption of an appropriate LTEMP [Long Term Environmental Management Plan] to monitor groundwater conditions and notify the presence of residual contamination related to the historical uncontrolled diesel release”*. The Development Application was referred to Council’s Environmental Health Team. No objection was raised concerning site contamination, subject to recommended conditions.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 of SEPP (Transport and Infrastructure) 2021 aims to facilitate the effective infrastructure across the State. The development is in close proximity to electricity infrastructure, a rail corridor, and classified roads. Accordingly, Sections 2.48, 2.98, and 2.122 of the SEPP are applicable.

Section 2.48 requires a consent authority to provide written notice to an electricity supply authority and consider any response to that notice when development is within or immediately adjacent to an easement for electricity purposes. The Development Application was referred to Endeavour Energy with no objections raised, subject to recommended conditions.

Section 2.98 requires a consent authority to provide written notice to a rail authority and take into consideration any response to that notice and any guidelines issued by the Planning Secretary for the purposes of this section and published in the Gazette if development is likely to have an adverse effect on rail safety. The Development Application was referred to Sydney Metro with no objections raised or conditions recommended.

Section 2.122 requires consent authorities to provide written notice to Transport for NSW (TfNSW) when development is considered traffic -generating development under Schedule 3 of the SEPP and take into consideration any response to that notice, the accessibility of the site, and any potential traffic safety, road congestion, or parking implications. The Development Application was referred to TfNSW with no objections raised or conditions recommended.

State Environmental Planning Policy (Sustainable Buildings) 2022

SEPP (Sustainable Buildings) 2021 aims to encourage the design and delivery of sustainable buildings; ensure consistent assessment of the sustainability of buildings; record accurate data about the sustainability of buildings to enable improvements to be monitored; monitor the embodied emissions of materials used in the construction of buildings; minimise the consumption of energy; reduce greenhouse gas emissions; minimise the consumption of mains-supplied potable water; and ensure good thermal performance of buildings.

Chapter 3 of the SEPP is applicable to development that involves the alteration, enlargement, or extension of an existing building if the estimated development cost is \$10 million or more. The Applicant has provided a Statement of Environmental Effects and Sustainability Report which addresses Chapter 3. In addition, the embodied emissions of the development have been quantified.

The Hills Local Environmental Plan 2019

The relevant local environmental plan applying to the site is The Hills Local Environmental Plan 2019 ('the LEP'). The aims of the LEP include:

- *To protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- *To guide the orderly and sustainable development of The Hills, balancing its economic, environmental and social needs,*
- *To provide strategic direction and urban and rural land use management for the benefit of the community,*
- *To provide for the development of communities that are healthy, connected and inclusive and that have services and facilities that meet their needs,*
- *To provide for well planned and liveable neighbourhoods through efficient and safe transport infrastructure, a range of housing options, and a built environment that is compatible with the cultural and natural heritage of The Hills,*
- *To preserve and protect the natural surroundings of The Hills and to identify environmentally significant land for the benefit of future generations,*
- *To contribute to the development of a prosperous local economy through the identification and management of land to promote employment opportunities, rural productivity and tourism.*

The proposal is consistent with the aims as the proposal seeks to upgrade an existing data centre in an orderly manner which is compatible with surrounding developments, contribute to the local economy, and promote employment opportunities.

Zoning and Permissibility

The site is located within the SP4 Enterprise zone pursuant to Clause 2.2 of the LEP (refer to Attachment D).

According to the definitions, the proposal satisfies the definition of a data centre which is a permissible use with consent in the Land Use Table in Clause 2.3.

Data centre means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.

Note – Data centres are a type of **high technology industry** – see the definition of that term in this Dictionary.

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

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology (such as computer software or hardware),
- (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
- (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
- (e) film, television or multi-media technologies, including any post production systems, goods or components,

- (f) telecommunications systems, goods or components,
- (g) sustainable energy technologies,
- (h) any other goods, systems or components intended for use in a science or technology related field,

and includes a data centre, 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**—see the definition of that term in this Dictionary.

The SP4 zone objectives include the following:

- To provide for development and land uses that support enterprise and productivity.
- To encourage economic growth, business investment and employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To provide a range of office and light industrial uses.
- To make provision for high technology industries that use and develop advanced technologies, products and processes.

The proposal is considered to be consistent with these zone objectives in that it will provide a high technology use; provides facilities/services; and encourages economic growth, business investment, and employment opportunities.

General Controls and Development Standards

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

Table 4: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Minimum subdivision Lot size (CI 4.1)	8,000m ²	The existing site is 51,8710m ² and is proposed to be subdivided into two sites as follows: Lot 1 – 23,030m ² . Lot 2 – 28, 840m ² .	Yes
Height of buildings (CI 4.3(2))	RL 116.00	No change is proposed to the existing height of RL 114.50.	Yes
FSR (CI 4.4(2))	1:1	0.36:1 (based on the Lot 1 area).	Yes
Earthworks (CI 7.2)	Development consent is required for earthworks with the matters identified in Clause 7.2(3) to be considered	The development requires earthworks. The matters for consideration have been reviewed and the	Yes

	including the effect on flooding/drainage patterns and soil stability; the future use or redevelopment of the land; the amenity of adjoining properties; the likelihood of disturbing relics; the quality of fill or soil to be excavated; the source of fill material and destination of excavated material; the proximity to and potential for adverse impacts on watercourses, drinking water catchments, or environmentally sensitive measures; and appropriate measures to avoid, minimise, or mitigate the impacts of the development.	development is considered satisfactory.	
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3.2 Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are no proposed instruments which have been the subject of public consultation under the Environmental Planning and Assessment Act 1979 that are relevant to the proposal.

3.3 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

- *The Hills Development Control Plan 2012* ('the DCP')

The relevant sections of the DCP include:

- Part B Section 6 – Business.
- Part B Section 7 – Industry.
- Part C Section 1 – Parking.
- Part C Section 3 – Landscaping.

The proposed development achieves compliance with the relevant requirements of the DCP with exception of those outlined in Table 5 below.

Table 5: Summary of DCP Non-Compliances

DCP Control	DCP Requirement	Proposal	Comply
Part B Section 6 – Business and Part B Section 7 - Industry			
Control 2.5 Setbacks of Part B Section 6 – Business	The setback to side and rear boundaries where the adjoining land use is of an industrial, business or commercial nature shall be a minimum of 10 metres except in the case of car parking where a 5 metre setback applies provided the first 5 metres is landscaped to screen that car parking.	The development proposes a 27.3m setback to the south-western boundary. The development proposes a 3m setback to the new boundary line in the north-east.	No. Refer to the discussion below.
Control 2.13 Fencing of Part B Section 6 – Business and Control 2.10 of Part B Section 7 - Industry	No fencing other than low ornamental type may be erected within the setback area to any road. All chain-wire fencing is to be black or dark green.	2.4m high mesh fencing is proposed within the setback area. <i>A portion of the fence extends to the front boundary along the southern side of the driveway. The plans are marked in red to state this portion of fencing is not approved.</i> Silver chain link fencing is proposed along the south-west of the generator yard.	No. Refer to the discussion below. No. Refer to the discussion below.
Part C Section 1 - Parking			
Control 2.1 General Parking Requirements	Number of required parking spaces and associated conditions must be provided in accordance with Table 1. All car parking spaces must be provided on-site. No rate is specified for a data centre. However, data centres are a type of light industry.	The development proposes 10 formal parking spaces.	No. Refer to the discussion below.

	Therefore, the rate for industry has been used (1 space per 50m² of GFA or 1 space per 2 employees, whichever is greater). The GFA is 8,316m² requiring 167 (166.3) parking spaces. A maximum of 10 staff is proposed which would require 5 parking spaces.		
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3.3.1 Setbacks

Control 2.5 of Part B Section 6 – Business requires developments in sites zoned B7 Business Park (now SP4 Enterprise) in the Norwest Business Park to have minimum 10m side setbacks. The proposed development includes a minimum side setback of 3m to the new boundary line in the north-east.

The objectives of the Control are:

1. *To provide an attractive streetscape and substantial areas for landscaping and screen planting.*
2. *To ensure adequate sight distance is available for vehicles entering and leaving the site.*
3. *To minimise overshadowing of adjoining properties.*
4. *To protect privacy and amenity of adjoining land uses.*
5. *To provide a desirable and aesthetically pleasing working environment.*
6. *To ensure endangered ecological communities are protected.*

The Applicant has provided the following justification for the setback variation:

The proposed development seeks consent for the subdivision of the existing site into two (2) allotments. Subsequently, the resulting setback line from the proposed subdivision and Stage 1 is 3m, which does not comply with the 10m DCP side setback control under control 2.5. The catalyst for the two (2) lot subdivision is to allow for separate power feeders to be provided to the site. However, the combined development across the site continues to present as a unified data centre campus.

As addressed in the submitted SEE, the applicant is in the early stages of preparing a Stage 2 development application for the remainder of the site. This future development will be pursued as a State Significant Development (SSD) and is expected to comprise a second data centre facility (located on the future Lot 2) with a total power capacity exceeding 15MW. The proposed building interface between Stage 1 and Stage 2 Data Centres will exceed 10 metres, thereby ensuring adequate separation between the two (2) building elements.

An indicative site plan has been prepared by Greenbox and is provided in Figure 1 below. Whilst the final layout is yet to be resolved, the indicative plan demonstrates a building

separation greater than 10m can be achieved between Stage 1 and Stage 2 Data Centre building envelopes, ranging between 15.150m – 23.140m.



- Objective 1 – The proposed orientation of buildings and the internal separation across the site will allow for ample opportunities for landscaping, where appropriate, contributing to the overall visual amenity and quality of the development.
- Objective 2 – Vehicular access for both Stage 1 and the future Stage 2 will continue to be provided via Brookhollow Avenue. The proposed variation to the side setback is located internally within the site and, as such, will not affect sight distances for vehicles entering or exiting the building.
- Objective 3 – The proposed variation to the side setback is located at the internal interface between Stage 1 and the future Stage 2 development. Notwithstanding this variation, the overall development will continue to function and present as a cohesive, unified data centre campus, with a 20 -metre setback maintained around the perimeter of the site.

As such, the proposed variation will not result in any significant overshadowing of adjoining properties.

- Objective 4 – The proposed land use is for the development of a data centre, forming part of a broader, unified data centre campus. Privacy and amenity will be maintained across the entire site.
The proposed variation to the internal side setback will not adversely affect the privacy or amenity of neighbouring land uses. Furthermore, substantial existing vegetation will continue to screen both the existing Stage 1 building and the future Stage 2 development from view along Brookhollow Avenue.
- Objective 5 – The proposed development has been designed to optimise the operational needs and requirements of future tenants. The final design outcome will continue to prioritise functionality while delivering an aesthetically pleasing environment.
- Objective 6 – A review of the biodiversity values maps confirms that there are no endangered ecological communities in proximity to the site. Additionally, the arborist

report submitted with the formal DA did not identify any endangered species or habitats on the site.

Accordingly, the proposed development will not compromise any endangered ecological communities in or near the site.

Comment:

The variation is a result of the proposed subdivision of the site into two (2) lots and the retention of the existing data centre on Lot 1 where the alterations and additions are proposed. Despite this, sufficient building separation can be provided to future buildings on Lot 2. As advised by the Applicant, the future development on Lot 2 is intended to be another data centre with consent to be sought through a State Significant Development Application. Despite the proposed subdivision, the two data centres are intended to present as a unified data centre.

The existing site contains significant landscaping and screen planting to the site boundaries. To facilitate the development, some trees will require removal, though it is noted they are not identified on the NSW Biodiversity Values Map or Council's Vegetation Classification Mapping as containing critically endangered ecological communities. Replacement landscaping and screen planting, including new trees are proposed. These will ensure the development continues to provide an attractive landscaped streetscape and a desirable/aesthetically pleasing working environment. The existing and proposed plantings will ensure the side setback variation is not significantly prominent when viewed from the streetscapes.

The variation will not result in significant amenity impacts for adjoining properties due to the large site area, setbacks to surrounding properties, and surrounding commercial developments. The existing building height will be maintained which will result in no significant change to solar access impacts on adjoining properties. In addition, the development will not result in significant privacy impacts.

Finally, while not strictly relevant to the side setback variation, the widened driveway crossover maintains adequate site distances for vehicles entering and leaving the site.

The proposed development satisfies the objectives of the control and the variation to the side setback will be indiscernible when viewed from the streetscapes. Therefore, the variation is supported in this instance.

3.3.2 Fencing

Control 2.13 of Part B Section 6 – Business requires fencing in the Norwest Business Park to be a low, ornamental type within the setback area to roads and chain-wire fencing is to be black or dark green in colour. The above controls are reiterated in Control 2.10 of Part B Section 7 – Industrial. The development proposes a 2.4m high anti-cut/anti-climb mesh fence which encroaches into the 20m setback area to Brookhollow Avenue. In addition, chain wire fencing is proposed adjoining the generator yard.

The objectives of Control 2.13 of The Hills DCP 2012 Part B Section 6 – Business are:

- 1. To ensure a high standard of environmental quality of individual developments and of the overall visual amenity and character of the area.*
- 2. To ensure that existing landscaping and vegetation is retained and integrated into the design of the development in accordance with Council's ESD objective 4.*

3. *To ensure that landscaped areas can be appropriately maintained.*
4. *To ensure that existing trees are given every opportunity to be retained and incorporated into the final development in accordance with Council's ESD objective 4.*
5. *To ensure that vegetation removed as a part of the land development process is replaced by suitable endemic species in accordance with Council's ESD objective 4.*
6. *To ensure that fencing does not detract from the overall visual amenity and character of retail and commercial areas.*

The objective of Control 2.10 of The Hills DCP 2012 Part B Section 7 – Industrial is “to ensure that fencing does not detract from the overall visual amenity and character of the area”.

The Applicant has provided the following justification for the variation:

The fence design has been revised in order to accommodate a 2m setback from the Brookhollow Avenue boundary, with integrated landscaping to soften the impact.

In terms of fencing design, the requested low ornamental style fencing by Council is not able to be accommodated as it is not conducive to the proposed development. Due to the nature of the data centre development, a 2.4m, anti-cut, anti-climb weld mesh fence is required to run along the perimeter of proposed Lot 1. This design responds to the specific functions of a data centre and the high level security required to be achieved.

Despite the non-compliance, the proposed design outcome will continue to satisfy the relevant objectives of clause 2.13, Part B, Section 6 of THDCP 2019 as follows:

- *Objective 1 – The proposed fence will be set back 2m from the Brookhollow frontage, with integrated landscaping provided to soften the impact.*
- *Objective 2 – The fencing design has been revised in order to minimise impact on significant trees at the site. A total of 102 trees have been recommended to be removed across the site as a whole. Specifically, a total of 30 trees are required to be removed for the construction of the security fence including 2 low retention value trees, 28 moderate retention value trees.*
In order to offset the proposed tree removal, 102 trees, a ratio of 1:1, are to be replanted across the site, 12 of which will be located along the Brookhollow frontage. Notwithstanding, additional planting will be integrated within the front setback interface with Brookhollow Avenue to soften the appearance of the proposed development.
- *Objective 3 – An indicative landscape maintenance plan has been prepared by Clouston Associate. The maintenance plan outlines the mitigation measures proposed to ensure all landscaped areas are appropriately maintained.*
- *Objective 4 – 31 trees (8.9% of total trees) are required to be removed for the construction of the security fence that is required around the perimeter of the development. This includes 2 low retention value trees, 28 moderate retention value trees and 1 high retention value tree.*
Notwithstanding, additional planting will be integrated within the front setback interface with Brookhollow Avenue to soften the appearance of the proposed development.
- *Objective 5 – A detailed planting plan has been prepared by Clouston Associates. When read in conjunction with the planting schedule, the plan outlines the specific species to be planted and their respective quantities. All plant species have been carefully selected in accordance with the requirements of Part C, Section 3 – Landscaping, Control 3.1 of The Hills Development Control Plan 2012.*
Should Council require amendments to this plan, it is requested that these amendments be provided post-approval in accordance with conditions of consent imposed.

- Objective 6 - *The fence location has been revised in order to accommodate a 2m setback from the Brookhollow Avenue boundary, with integrated landscaping to soften the impact.*

To mitigate the visual impact of the proposed 2.4 metre-high security fence and to enhance the overall aesthetic of the development, a comprehensive landscape plan has been prepared. This plan features a selection of plant species with mature heights ranging from 1.5 metres to 15 metres, carefully arranged within the front setback area. The strategic placement of these plantings will create a layered vegetation screen that softens the appearance of the fence, improves the visual amenity of the streetscape, and promotes a more seamless integration of the development into the surrounding environment.

Comment:

It is noted that 2.4m high security fencing is required due to the nature of the development. This fencing is suitably setback from the site boundaries and screened through existing vegetation to be retained and new landscape plantings. It is noted that a portion of the fence extends to the front boundary adjacent to driveway. Condition 13 is recommended to ensure no fencing is constructed forward of the entry gate. This ensures that the visual impact of the fencing is mitigated and will not detract from the visual amenity and character of the area. Furthermore, the proposed chain-wire fencing is setback behind the 2.4m high security fence and will not be significantly visible from the public domain.

Despite the variations, the development will not detrimentally impact the visual amenity and character of the area. Existing landscaping and vegetation are retained where possible. Where trees are proposed for removal to accommodate the development, a 1:1 replacement is proposed. Finally, the landscaped areas can be suitably maintained.

The development satisfies the objectives of Control 2.13 of Part B Section 6 – Business and Control 2.10 of Part B Section 7 – Industrial. Therefore, the variation to fencing is supported in this instance.

3.3.3 Parking

Control 2.1 of Part C Section 1 – Parking requires car parking to be provided on site in accordance with Table 1. It is noted that a car parking rate is not specified for data centres, however, as they are a form of industry, therefore the industrial car parking rate has been used. Table 1 requires a minimum of 1 car parking space per 50m² of GFA, or 1 car parking space per 2 employees, whichever is greater. The development includes a GFA of 8,316m² requiring 167 (166.3) car parking spaces. When considering the employee rate, the development proposes 10 employees, therefore, 5 car parking spaces would be required. Therefore, the maximum of 10 employees proposed to be onsite at any one time, 5 car parking spaces would be required. Therefore, the development requires 167 car parking spaces in accordance with Table 1. The development provides 10 formal car parking spaces within the existing car parking area.

The objective of the control is *“to provide sufficient parking that is convenient for the use of residents, employees and visitors of the development”*.

The Applicant has provided the following justification for the variation:

Data centres are low-intensity uses with limited staff and minimal traffic generation, differing significantly from traditional industrial developments. The Hills DCP 2012 does not provide a specific rate for data centres, and accordingly, a Parking Study was prepared in line with DCP requirements.

As demonstrated in the Ason Traffic Statement submitted under the original DA as Appendix 12, the proposed development's 14.9MW capacity supports a staff estimate of 10 FTE, which directly informs the proposed provision of 10 parking spaces. This is consistent with comparable data centre approvals across Sydney and aligns with the broader objectives and principles outlined in the DCP.

Patch are of the opinion that the proposed parking is sufficient, justified and appropriate to the operational needs of the site. To further support this position, a Green Travel Plan (Attachment 9) has been prepared by ASON, outlining sustainable transport measures to reduce reliance on private vehicles.

No further consideration is required, as the proposed car parking provision is adequate and appropriately justified.

Comment:

While the car parking rate in Table 1 specifies the greater parking requirement depending on the GFA rate or the employee rate is to be used, it is noted that a maximum of 10 employees are proposed to be onsite at any one time. Therefore, the GFA car parking requirement of 167 car parking spaces is considered excessive and the employee car parking rate more appropriate for this development. This would require the provision of 5 car parking spaces. The development proposes 10 formal car parking spaces within the existing car parking area through line marking (1 car parking space per employee to be onsite). Condition 10 is recommended to restrict staff numbers to 10 Full-Time Equivalent (FTE) to ensure sufficient parking is provided onsite. However, it is noted that the existing site contains large areas of hard paving which could provide additional parking if required. This is considered satisfactory and will ensure sufficient and convenient car parking is provided for employees and any required visitors.

The development satisfies the objective of the control. Therefore, the variation to car parking is supported in this instance.

3.4 Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

3.5 Section 4.15(1)(a)(iv) - Provisions of Regulations

Clause 61 of the Regulation contains matters that must be taken into consideration by a consent authority in determining a Development Application, comprising the following:

- If demolition of a building proposed - provisions of AS 2601.

These provisions have been considered and addressed in the draft conditions (where necessary).

3.6 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.7 Section 4.15(1)(c) - Suitability of the site

The existing site contains a data centre which is proposed to be upgraded. The proposed development is considered satisfactory for the locality, is considerate of the site characteristics and constraints, and has access to sufficient services.

Accordingly, it is considered that the proposed development is suitable for the site and will not adversely impact the locality.

3.8 Section 4.15(1)(d) - Public Submissions

No submissions were received during the notification periods.

3.9 Section 4.15(1)(e) - Public interest

The proposed development will provide an updated data centre and has been designed in accordance with the SEPPs, LEP and DCP controls outlined above. Accordingly, it is considered to be in the public interest.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The Development Application has been referred to various agencies for concurrence and referral as required by the EP&A Act 1979 and outlined below in Table 6. There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

Table 6: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Referral/Consultation Agencies			
Endeavour Energy	Section 2.48 of SEPP (Transport and Infrastructure) 2021.	No objection was raised, subject to recommended conditions.	Yes

Sydney Metro	Section 2.98 of SEPP (Transport and Infrastructure) 2021.	No objection was raised or conditions recommended.	Yes
Transport for NSW	Section 2.122 of SEPP (Transport and Infrastructure) 2021.	No objection was raised or conditions recommended.	Yes
Sydney Water	Section 78 of the Sydney Water Act 1994.	No objection was raised, subject to recommended conditions.	Yes
NSW Police	-	No objection was raised, subject to recommendations.	Yes

4.2 Council Referrals

The Development Application has been referred to various Council officers for technical review as outlined **Table 7**.

Table 7: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	Council's Engineering Team have reviewed the proposed stormwater management, vehicular access, and car park design. No objection was raised, subject to recommended conditions.	Yes
Traffic	Council's Traffic Team have reviewed the traffic impacts. No objection was raised, subject to a recommended condition.	Yes
Landscaping	Council's Landscaping Team have reviewed the proposed tree impacts and landscaping. No objection was raised, subject to recommended conditions.	Yes
Environmental Health	Council's Environmental Health Team have reviewed the proposed acoustic impacts, air quality impacts, and site contamination. No objection was raised, subject to recommended conditions.	Yes
Resource Recovery	Council's Resource Recovery Team have reviewed the proposed waste management. No objection was raised, subject to recommended conditions.	Yes
Fire Safety	Council's Fire Safety Team have reviewed the development under Section 64 of the EP&A Regulation 2021 concerning building upgrades for fire safety. No objection was raised, subject to recommended conditions.	Yes
Forward Planning (Contributions)	Council's Forward Planning (Contributions) Team have reviewed the Cost Summary Report. No	Yes

	objection was raised, subject to a recommended condition.	
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4.3 Community Consultation

The proposal was notified over two occasions for 14 days per notification period in accordance with Section 3.2 of The Hills DCP 2012 Part A Introduction and The Hills Shire Council Community Participation Plan. The notification includes letters sent to 15 adjoining and surrounding properties. No submissions were received during the notification periods.

5. CONCLUSION

This Development Application has been considered in accordance with the requirements of the EP&A Act 1979 and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, it is considered that the Development Application can be supported.

The Development Application has been assessed against the relevant heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979; State Environmental Planning Policy (Planning Systems) 2021; State Environmental Planning Policy (Biodiversity and Conservation) 2021; State Environmental Planning Policy (Resilience and Hazards) 2021; State Environmental Planning Policy (Transport and Infrastructure) 2021; State Environmental Planning Policy (Sustainable Buildings) 2022; The Hills Local Environmental Plan 2019; and The Hills Development Control Plan 2012 and is considered satisfactory.

The Development Application is recommended for approval, subject to conditions (refer to Attachment A).

6. RECOMMENDATION

That Development Application 1382/2025/JP for alterations and additions to an existing data centre and subdivision of the site into two lots at 1-9 Brookhollow Avenue, Norwest be APPROVED pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, subject to the draft conditions of consent attached to this report at Attachment A.

The following attachments are provided:

- Attachment A: Draft Conditions of Development Consent
- Attachment B: Locality Plan
- Attachment C: Aerial Map
- Attachment D: LEP 2019 Zoning Map
- Attachment E: LEP 2019 Minimum Lot Size Map
- Attachment F: LEP 2019 Height of Buildings Map
- Attachment G: LEP 2019 Floor Space Ratio Map
- Attachment H: Site Plan
- Attachment I: Subdivision Plan
- Attachment J: Demolition Floor Plans
- Attachment K: Demolition Elevations
- Attachment L: Proposed Floor Plans

- Attachment M: Proposed Elevations
- Attachment N: Proposed Sections
- Attachment O: Proposed Landscape Plans
- Attachment P: Plan of Management
- Attachment Q – Norwest Association Consents
- Attachment R – Site Photos

ATTACHMENT A – DRAFT CONDITIONS OF DEVELOPMENT CONSENT

ALL DEVELOPMENT TYPES GENERAL CONDITIONS

1.

Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan number	Revision number	Plan title	Drawn by	Date of plan
DA002	6	Locality Context/Site Analysis Plan	AE	29/05/2025
DA010	13	Site Plan	AE	29/05/2025
DA030	4	Fire Compartmentation Diagrams	AE	29/05/2025
DA050	6	Level 1 Demolition Plan	AE	29/05/2025
DA051	6	Level 2 Demolition Plan	AE	29/05/2025
DA052	6	Level 3 Demolition Plan	AE	29/05/2025
DA054	3	Plant Mezzanine Demolition Plan	AE	29/05/2025
DA055	3	Roof Demolition Plan	AE	29/05/2025
DA060	6	Demolition Elevations – East and West	AE	29/05/2025
DA061	6	Demolition Elevations – North and South	AE	29/05/2025
DA100	15	Proposed Level 1 Floor Plan	AE	30/05/2025
DA101	12	Proposed Level 2 Floor Plan	AE	29/05/2025
DA102	10	Proposed Level 3 Floor Plan	AE	29/05/2025
DA104	4	Proposed Mezzanine Floor Plan	AE	29/05/2025
DA105	4	Proposed Roof Plan	AE	29/05/2025
DA150	10	South and East Elevations	AE	29/05/2025
DA151	9	North and West Elevations	AE	29/05/2025
DA200	8	Sections 1 and 2	AE	29/05/2025
DA201	9	Section 3	AE	29/05/2025
DA900	3	Level 1 Scope of Works	AE	29/05/2025
DA910	3	Level 2 Scope of Works	AE	29/05/2025
DA920	3	Level 3 Scope of Works	AE	29/05/2025
DA930	3	Plant Mezzanine Sope of Works	AE	29/05/2025
DA940	3	Roof Scope of Works	AE	29/05/2025
DA950	3	Area Calculations	AE	29/05/2025
-	-	Subdivision Plan	MWC	25/10/2024
S24_02606	G	General Arrangement Plan	Clouston Associates	29/07/2025
S24_02606	G	Detailed Planting Plan	Clouston Associates	29/07/2025
S24_02606	G	Detailed Planting Plan	Clouston Associated	29/07/2025
S24_02606	G	Planting Schedule	Couston Associates	29/07/2025

	S24_02606	G	Planting Palette	Clouston Associates	29/07/2025																			
	S24_02606	G	Landscape Character	Clouston Associates	29/07/2025																			
	S24_02606	G	Landscape Details	Clouston Associates	29/07/2025																			
	S24_02606	G	Landscape Details	Clouston Associates	29/07/2025																			
	S24_02606	G	Landscape Maintenance	Clouston Associates	29/07/2025																			
	S24_02606	G	Landscape Maintenance	Clouston Associates	29/07/2025																			
	00101	B	General Key Plan	JT	30/07/2025																			
	04101	C	Stormwater Management Plan	JT	19/08/2025																			
	01101	A	Site Works, Alignment Control and Grading Plan	JT	30/05/2025																			
	02001	A	Erosion and Sediment Control Details	JT	30/05/2025																			
	02101	A	Erosion and Sediment Control Plan	JT	30/05/2025																			
	03101	A	Earthworks Plan	JT	30/05/2025																			
	<table><tr><th colspan="4">Approved documents</th></tr><tr><th>Document title</th><th>Version number</th><th>Prepared by</th><th>Date of document</th></tr><tr><td>Norwest Association Limited Consent – Alterations/Additions to an Existing Data Centre</td><td>DA 1018 A</td><td>Norwest Association Limited</td><td>19/07/2025</td></tr><tr><td>Norwest Association Limited Consent – Subdivision</td><td>DA 1028</td><td>Norwest Association Limited</td><td>24/06/2025</td></tr><tr><td>Plan of Management</td><td>SYDGPU1</td><td>Green Square DC</td><td>-</td></tr></table>					Approved documents				Document title	Version number	Prepared by	Date of document	Norwest Association Limited Consent – Alterations/Additions to an Existing Data Centre	DA 1018 A	Norwest Association Limited	19/07/2025	Norwest Association Limited Consent – Subdivision	DA 1028	Norwest Association Limited	24/06/2025	Plan of Management	SYDGPU1	Green Square DC
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Plan of Management	SYDGPU1	Green Square DC	-																					
In the event of any inconsistency between the approved plans and documents, the approved plans prevail.																								
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.																								
Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.																								

2.	Construction Certificate
Before building works commence for the approved development, it is necessary to obtain a construction certificate. A construction certificate may be issued by Council or a Registered Certifier. Plans submitted with the construction certificate are to be amended to incorporate the conditions of the development consent.	
Condition reason: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation, and to ensure compliance with the legislative requirements.	

3.	Building Work to be in Accordance with BCA
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	During building work, all building work must be carried out in accordance with the provisions of the Building Code of Australia as referenced by Section 69 of the Environmental Planning and Assessment Regulation 2021.
	Condition reason: To ensure compliance with the legislative requirements.
4.	Maximum Number of Staff The maximum number of staff at the data centre is restricted to ten (10) Full-Time Equivalent (FTE) at any one time. Condition reason: To comply with the maximum number of staff applied for and approved in this consent.
5.	Separate Consent for Signs Separate development consent is required for the erection of any signage structures. Condition reason: To ensure approval is sought for signage.
6.	Compliance with the NSW Police Requirements The following is required or as otherwise agreed by NSW Police or Council in writing: • Surveillance: ○ Vegetation: ▪ All vegetation must be well maintained so that lower tree limbs do not affect sightlines or act as climb points to access the building. ▪ It is recommended 3-5m of cleared space be located either side of pathways and bicycle routes. Thereafter, vegetation can be stepped back in height to maximise sightlines. ▪ A regular maintenance schedule needs to be implemented to ensure that the vegetation does not become overgrown. ○ Lighting and Technical Supervision: ▪ Landscaping must not impinge on sightlines and paths are to be well lit. ▪ Lighting should meet minimum Australian Standards. ▪ Special attention should be made to lighting the entry and exit points. ○ CCTV: ▪ If not currently in use, a CCTV system with continuous recording capabilities to monitor the facility is to be provided, including the entry/exit to the complex. ▪ CCTV footage is effective in criminal matters when the images display shots of an alleged offender from the shoulder upwards. ▪ CCTV cameras need to be able to zoom in on a person of interest without loss of focus and/or quality. ▪ Security on the site or a manager should be trained in how to use the CCTV system. • Territorial Reinforcement: ○ Any public access points must be well marked. ○ A maintenance schedule to remove any graffiti or repair damaged lighting should be implemented. ○ The use of robust materials must be considered as porous substances could inhibit the thorough cleaning of damaged areas leaving a 'ghost' image of the markings that were caused. • Access Control:

- It should be clear that the site isn't open to the public using signage, fencing, and access control systems.
- Warning signs should be strategically posted around the building to warn intruders of what security treatments have been implemented to reduce opportunities for crime (e.g. "Warning, trespassers will be prosecuted" or "Warning, these premises are under electronic surveillance").
- Security/Entry Control System:
 - The site should have adequate security systems preventing public access including security fencing and swipe card access.
 - It is recommended that the site consider onsite security.
- Fire Exits and Stairs:
 - Magnetic door locking systems linked to fire sprinkler alarms are recommended to ensure fire exits are used for emergencies only.
 - All fire doors are recommended to be alarmed so that no unauthorised access is permitted.
 - A magnetic strip is recommended so that the door will shut closed.
 - Signage is recommended on all fire doors to show that doors are alarmed and to only be used in emergencies.
 - Staff working at the facility should be strongly discouraged from placing anything in the fire doors so that they can be easily accessed.
 - The stairways should be checked frequently and items that could be used to hold doors open should be removed.
 - The handles, hinges, latch and striker plate should be checked for foreign objects that may hinder the effectiveness of these mechanisms, allowing the door to remain open or not be locked as it should be.
- Natural Ladders:
 - Any fencing should have vertical palings to stop unauthorised access by persons using horizontally placed palings as a ladder to access the facility.
 - If spacing is left between each paling, it should be at a width that limits physical access.
 - A maintenance schedule should be implemented to ensure that lower tree limbs cannot act as climbing points to access other parts of the building.
- Other Matters:
 - The presence of machinery and tools, as well as building materials will be tempting so ensure that all tools are locked and secured, with regular checks conducted in relation to the security of the site.
 - Any large reels containing electrical cabling or copper material should be secured and hidden when not in use.
 - CCTV with motion activated alerts are recommended so that the presence onsite of any person can be monitored out of hours.
 - Large equipment such as excavators and bob cats are to be tracked.
 - Any smaller tools are to have serial numbers or identifying marks recorded.

	Access points are to have contact details for a site manager clearly visible so if Police or other services need to attend, they can speak to the right person.
	Condition reason: To ensure compliance with the requirements of the NSW Police.
7.	Compliance with Endeavour Energy Requirements Before building work commences, applicants are advised the proposed development shall be in accordance with the requirements/conditions imposed by Endeavour Energy re their Agency Concurrence and Referral reference CNR-80225 dated 27/03/2025, referenced as Attachment A in the relevant documents.
	Condition reason: To ensure compliance with relevant service provider's requirements.
8.	Tree Removal Approval is granted for the removal of trees as detailed in the Arboricultural Impact Assessment prepared by Arbor Express v10 dated 30/7/25. All other trees are to remain and are to be protected during all works. Suitable replacement trees are to be planted upon completion of construction.
	Condition reason: To provide details of trees approved for removal.
9.	Protection of Existing Trees and Native Vegetation Native vegetation (trees and understorey) not identified on the approved plan for removal is to be kept unless prior consent of Council is obtained.
	Condition reason: To ensure retained trees and native vegetation are adequately protected.
10.	Provision of Parking Spaces The development is required to be provided with ten (10) off street car parking spaces. These car parking spaces must be available for off street parking at all times.
	Condition reason: To ensure that the development provides the specified number of parking spaces required.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

11.	Easement Registration Lodgement Prior to the issue of a Construction Certificate, the proposed drainage easements (minimum 2m wide) associated with the existing 525mm and 600mm pipes over the downstream property (Lot 1 DP 270163) must be lodged for registration.
	Condition reason: To ensure the drainage easements will be registered and the site has lawful/legal point of discharge.
12.	Notice of Requirements Before the issue of a construction certificate, submit documentary evidence to the Certifying Authority, including a Notice of Requirements, from Sydney Water Corporation confirming that satisfactory arrangements have been made for the provision of water and sewerage facilities. Following an application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water / sewer extensions can be time consuming and may impact on other services and building, driveway, and landscape design.
	Condition reason: To ensure compliance with Sydney Water requirements.
13.	Design Amendments Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents: Fencing forward of the entry gate is not approved.
	Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.
14.	Section 7.12 Contribution Before the issuing of a Construction Certificate, a contribution of \$943,865.68 must be paid to Council. This amount may be indexed at the time of payment. The contributions levy has been calculated in accordance with the table below:

	Proposed cost of the development	Maximum percentage of the levy
	Up to \$100,000	Nil
	\$100,001 - \$200,000	0.5 %
	More than \$200,000	1%
	Prior to payment, it is advised to phone or email Council to confirm the amount. Payments will be accepted via Debit or Credit Card. Cash payments will not be accepted. This condition has been imposed in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and The Hills Section 7.12 Contributions Plan.	
	Condition reason: To contribute towards public infrastructure for the area.	
15.	Construction Site Management Plan	
	Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the Principal Certifier. The plan must include the following matters: a) The location and materials for protective fencing and hoardings on the perimeter of the site; b) Provisions for public safety; c) Pedestrian and vehicular site access points and construction activity zones; d) Details of construction traffic management including: i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e) Details of bulk earthworks to be carried out; f) The location of site storage areas and sheds; g) The equipment used to carry out works; h) The location of a garbage container with a tight-fitting lid; i) Dust, noise and vibration control measures; j) The location of temporary toilets; k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; iii. An arborist's report approved as part of this consent. A copy of the construction site management plan must be kept on-site at all times while work is being carried out.	
	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.	

BEFORE WORK COMMENCES

16.	Erosion and Sediment Controls in Place
	Before site work commences, the certifying authority must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
17.	Ground Protection within Tree Protection Zone

	Before site works commence, ground protection measures are required where any construction access or works are within the TPZ of any tree (s) identified for retention which include the following: a) Temporary access for machinery, vehicular and foot traffic within the TPZ of trees on the site and/or on adjoining Council site (s). A permeable membrane such as geo-textile fabric beneath a layer of mulch or crushed rock below rumble boards as per Clause 4.5.3 Ground protection AS4970-2009 Protection of trees on development sites. Condition reason: To protect trees.
18.	Engagement of a Project Arborist Before site works commence, a Project Arborist (minimum AQF Level 5) is to be appointed and the following details provided to The Hills Shire Council's Manager – Environment & Health: a) Name: b) Qualification/s: c) Telephone number/s: d) Email: If the Project Arborist is replaced, Council is to be notified in writing of the reason for the change and the details of the new Project Arborist provided within 7 days. Condition reason: To protect vegetation.
19.	Waste Management Plan requirements Before site work commences, a waste management plan for the development must be prepared and provided to Principal Certifying Authority. The plan must be a) in accordance with - the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and - a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and b) include the following information— - the contact details of the person removing waste, - an estimate of the type and quantity of waste, - whether waste is expected to be reused, recycled or sent to landfill, - the address of the disposal location for waste. A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out. Condition reason: To ensure resource recovery is promoted and local amenity protected during construction
20.	Consultation with Service Authorities Before building work commences, applicants are advised to consult with Telstra, NBN Co and Australia Post regarding the installation of telephone conduits, broadband connections and letterboxes as required. Applicants are advised to consult with the relevant electricity authority with respect to electricity supply and connection points to the site, or any other electrical infrastructure located in close proximity to the proposed works. Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment. In the interest of health and safety, applicants are to contact before you dig Australia www.byda.com.au in order to protect damage to third party assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant

	property via contacting the dial before you dig service in advance of any construction or planning activities.
	Condition reason: To ensure compliance with relevant service provider's requirements.
21.	Builder and Principal Certifier Details
	Before building work commences, the builders name, address, telephone and email information must be submitted to the Principal Certifier. Where Council is not the Principal Certifier, Council must be notified of the Principal Certifier in writing two days before building works commence in accordance with the Regulations.
	Condition reason: To ensure compliance with the legislative requirements.
22.	Management of Building Sites
	Before building work commences, suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress or the site is otherwise unoccupied is to be provided.
	The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an after hours contact name and telephone number.
	Condition reason: To protect workers, the public and the environment.

DURING WORKS

23.	Hours of Work
	Site work must only be carried out between the following times – For all works from 7:00am to 5:00pm on Monday to Saturday. No work to be carried out on Sunday or Public Holidays. Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	Condition reason: To protect the amenity of the surrounding area.
24.	Protection of Tree Canopy and Ground Protection within Tree Protection Zone
	During site works, damage to tree canopies (foliage and branches) are to be avoided when operating excavation machineries, cranes, drilling rigs and similar equipment near tree (s). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy and construction activities, the advice of a Project Arborist must be sought. In the event of any tree (s) becoming damaged for any reason during the construction period, a Project Arborist shall be engaged to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the Project Arborist. The removal of a small portion of the crown (foliage and branches) is generally tolerable provided that the extent of pruning required is within 10% of the total foliage volume of the tree and the removal of branches does not create large wounds or disfigure the natural form and habit of the tree. All pruning cuts must be undertaken in accordance with the Australian Standard (AS 2373-2007) Pruning of Amenity Trees. If any construction access or works is required within the TPZ of any tree (s) identified for retention ground protection measures shall be required. Ground protection shall include temporary access for machinery, vehicular and foot traffic within the TPZ of tree (s) on the site and/or on adjoining site (s). The measures may include a permeable membrane such as geo-textile fabric beneath a layer of mulch or crushed rock below rumble bards as per Clause 4.5.3 Ground protection AS4970-2009 Protection of trees on development sites. Ground protection shall be installed before any site works and maintained in good condition for the duration of the construction period. On completion of the works, ground protection shall be removed without damage or disturbance to the underlying soil profile.
	Condition reason: To protect tree canopy.
25.	Waste Management
	While site work is being carried out:

	a) all waste management must be undertaken in accordance with the waste management plan, and b) upon disposal of waste, records of the disposal must be compiled and provided to Principal Certifying Authority detailing the following: - The contact details of the person(s) who removed the waste; - The waste carrier vehicle registration; - The date and time of waste collection; - A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; - The address of the disposal location(s) where the waste was taken; - The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. c) If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.
	Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
26.	Dust Control During site works, dust suppression techniques must be used to minimise nuisance to surrounding properties. In the absence of any alternative measures, the following measures must be taken to control the emission of dust: - Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the demolition and construction work; - All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and - All stockpiles of materials that are likely to generate dust must be kept damp or covered.
	Condition reason: To prevent the movement of dust outside the boundaries of the development.
27.	Surveys by a Registered Surveyor While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier: - All footings / foundations in relation to the site boundaries and any registered and proposed easements; and - At other stages of construction – any marks that are required by the principal certifier.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
28.	Soil Management While site work is being carried out, the certifying authority must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements: - All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the certifying authority - All fill material imported to the site must be: - Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>, or

	ii. a material identified as being subject to a resource recovery exemption by the NSW EPA, or iii. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.
	Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.

ON COMPLETION OF WORKS

29.	Removal of Waste Upon Completion
	After completion of all site work: all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and written evidence of the waste removal must be provided to the satisfaction of the Principal Certifying Authority.
	Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

BEFORE ISSUE OF OCCUPATION/SUBDIVISION CERTIFICATE

30.	Operational Traffic Management Plan
	Prior to the issue of an Occupation Certificate, an Operational Traffic Management Plan must be submitted to and approved by Council's Traffic Team.
	Heavy vehicle access, including 8.8m Medium Rigid Vehicles (MRV) and 12.5m Heavy Rigid Vehicles (HRV), are to be restricted to outside of peak traffic periods (i.e., no access is permitted between 7:00am-9:00am and 4:00pm-6:00pm). The Operational Traffic Management Plan must reflect this requirement.
31.	Registration of Drainage Easements
	Prior to the issue of an Occupation Certificate, two drainage easements (minimum 2m wide) superimposed on the existing 525mm and 600mm diameter pipes must be registered over the downstream property (Lot 1 DP 270163).
	Condition reason: To ensure the drainage easements are registered and the site has lawful/legal point of discharge.
32.	Section 73 Certificate must be Submitted to the Principal Certifier Prior to Issue of Occupation Certificate
	Before the issue of an occupation certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
	Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.
	Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and developing > Developing your land > water Servicing Coordinator or telephone 13 20 92.
	The Section 73 Certificate must be submitted to the Principal Certifier before occupation of the development/release of the plan of subdivision.
	Condition reason: To ensure the development will be satisfactorily serviced by Sydney Water and that the requirements of Sydney Water have been complied with.

OCCUPATION AND ONGOING USE

33.	Plan of Management
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	The data centre must operate in accordance with the approved Plan of Management referenced as 'SYDGPU1 Plan of Management' prepared by Green Square DC. Where there is a conflict between a condition of this consent and the Plan of Management, the condition prevails.
	Condition reason: To ensure the data centre is operated in a manner to mitigate impacts to surrounding properties.
34.	Maintenance of Landscaping Works
	During occupation and ongoing use of the site, the landscaping works, associated plantings and the completed retaining walls are to be maintained in a satisfactory condition throughout the life of the development.
	Condition reason: To ensure landscaping of the site is maintained on a regular basis.

DEMOLITION WORK GENERAL CONDITIONS

35.	Notice of Commencement for Demolition
	At least one week before demolition work commences, written notice must be provided to Council and the occupiers of neighbouring premises of the work commencing. The notice must include: a) Name; b) Address; c) Contact telephone number; d) Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor; e) The contact telephone number of Council; and The contact telephone number of SafeWork NSW (4921 2900).
	Condition reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.

BEFORE WORK COMMENCES

36.	Demolition Works and Asbestos Management
	During works, demolition of any structure is to be done in accordance with the Work Health and Safety Act 2011. Vehicles transporting demolition materials must have covered loads. The demolition and removal of any asbestos materials must: a) Be undertaken by a licensed asbestos removalist b) Be transported to licensed waste facilities c) Be done in accordance with SafeWork NSW, Environmental Protection Authority and Office of Environment and Heritage requirements Not be reused onsite
	Condition reason: To ensure all demolition works and removal and management of asbestos is completed in accordance with the Work Health and Safety Act 2011.
37.	Demolition Management Plan
	Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person. The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, The Hills DCP 2012 and must include the following matters: a) The proposed demolition methods. b) The materials for and location of protective fencing and any hoardings to the perimeter of the site. c) Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones.

	d) Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles. e) Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable) (including in accordance with AS 4970-2009 Protection of trees on development sites and The Hills DCP 2012 Part C Section 3 – Landscaping. f) Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways. g) Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent. h) Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines. i) Details of any bulk earthworks to be carried out. j) Details of re-use and disposal of demolition waste material in accordance with The Hills DCP 2012. k) Location of any reusable demolition waste materials to be stored on-site (pending future use). l) Location and type of temporary toilets onsite. m) A garbage container with a tight-fitting lid. Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site.
38.	Site Preparation Before demolition work commences the following requirements must be in place until the demolition work and demolition waste removal are complete: a) Protective fencing and any hoardings to the perimeter on the site; b) Access to and from the site; c) Construction traffic management measures; d) Protective measures for on-site tree preservation and trees in adjoining public domain; e) Onsite temporary toilets; f) A garbage container with a tight-fitting lid. Condition reason: To protect workers, the public and the environment.
39.	Notification of Asbestos Removal Before commencement of any demolition works involving asbestos containing materials, all adjoining neighbours, Council and SafeWork NSW must be given a minimum five days written notification of the works. Condition reason: To ensure compliance with legislation and ensure public and work safety.
40.	Asbestos Removal Signage Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos. Condition reason: To alert the public to any danger arising from the removal of asbestos.
41.	Disconnection of Services Before Demolition Work Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.

Condition reason: To protect life, infrastructure and services.
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DURING DEMOLITION WORKS

42.	Trenching within Tree Protection Zone Whilst site works are being carried out, any trenching for installation of retaining walls, drainage, sewerage, irrigation or any other services shall not occur within the Tree Protection Zone of trees identified for retention without prior notification to the Certifier or Council (where a certifier is not required) or under supervision of a project arborist. If supervision by a project arborist is selected, certification of supervision must be provided to (the Certifier or Council (where a certifier is not required) within 14 days of completion of trenching works. Condition reason: To protect trees during the carrying out of site work.
43.	Site Maintenance While demolition work is being carried out, the following requirements must be maintained until the demolition work and demolition waste removal are complete: - Protective fencing and any hoardings to the perimeter on the site; - Access to and from the site; - Construction traffic management measures; - Protective measures for on-site tree preservation and trees in adjoining public domain; - Onsite temporary toilets; - A garbage container with a tight-fitting lid. Condition reason: To protect workers, the public and the environment.
44.	Handling of Asbestos During Demolition While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements: - Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material; - Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and - Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA online reporting tool WasteLocate. Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally.

BUILDING WORK GENERAL CONDITIONS

45.	Compliance with Norwest Association Requirements Before the issue of a construction certificate, the development shall comply with the requirements of Norwest Association as outlined within correspondence dated 24/06/2025 and 19/07/2025 and submitted with the Development Application. Condition reason: To ensure compliance with Norwest Association requirements.
46.	Batter to Stabilise Earthworks During building works, battering to stabilise earthworks is to have a maximum gradient of 1:4. Condition reason: To ensure earthworks are appropriately finished to preserve the amenity of the subject site and adjoining properties.
47.	Management of Surface Drainage

	Stormwater, surface water or seepage from the development shall be collected by a subsurface/surface drainage system which is to be connected to a suitable system of disposal. The development, either during construction or upon completion, must not impede or divert natural surface water and the system of drainage must not cause a nuisance to adjoining properties. Condition reason: To ensure the development adequately manages stormwater runoff.
48.	External Finishes During occupation and ongoing use of the development, the external finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent. Condition reason: To ensure quality built form of development.
49.	Road Opening Permit Should the subdivision/ development necessitate the installation or upgrading of utility services or any other works on Council land beyond the immediate road frontage of the development site and these works are not covered by a Construction Certificate issued by Council under this consent then a separate road opening permit must be applied for and the works inspected by Council's Maintenance Services team. The contractor is responsible for instructing sub-contractors or service authority providers of this requirement. Contact Council's Construction Engineer if it is unclear whether a separate road opening permit is required. Condition reason: To protect the roads.
50.	Section 138 Works A S138 Roads Act application, including the payment of application and inspection fees, is required to be lodged with, and approved by The Hills Shire Council (being the Roads Authority under the Roads Act), for provision of the following: Modification to any of the stormwater drainage infrastructure within the road reserve associated with the widening of the driveway. Engineering plans are to be prepared in accordance with the development consent, Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments, Austroad Guidelines and best engineering practice. Before the issue of a construction certificate or a subdivision work certificate, whichever precedes first/earlier, the consent holder must provide a copy of the approved S138 Roads Act to the certifier. Note: Where The Hills Shire Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate. Condition reason: To ensure that council will assess and approve public roads or any other land under the care and control of Council.
51.	Vehicle Crossing Application Before the issue of any construction certificate, the consent holder must lodge a vehicular crossing application with council. Each driveway requires the lodgement of a separate gutter and footpath crossing application, accompanied by the applicable fee as per Council's Schedule of Fees and Charges. Driveways entry points must be located clear of all utility services. It is recommended that discussion be held with the relevant authorities before construction works commence. Council does not accept any responsibility towards these services. The applicant is to arrange with the appropriate service provider for any above ground service riser or access point to be constructed clear of any proposed or existing pedestrian footways, and if possible, located in recessed unobtrusive locations. Should any service provider require and/or insist the applicant/developer build a service riser that would create an obstruction and pose a potential safety hazard, then the applicant/developer should refer the request to Council for negotiation directly with the Service Network Authority. NOTE: The receipt shall be provided to the Certifier as evidence of lodgement.

	Condition reason: To ensure that the site has adequate access, and the vehicular crossing is not clashing with other services.
52.	Vehicular Access and Parking Before the issue of the relevant construction certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction that the formation, surfacing and drainage of all driveways, parking modules, circulation roadways, sight distance and ramps/circular ramps have been designed in accordance with: a) AS/ NZS 2890.1 b) AS/ NZS 2890.6 c) AS 2890.2 d) DCP Part C Section 1 – Parking e) Council's Driveway Specifications Where conflict exists, the Australian Standard must be used. The following must be provided: f) All driveways and car parking areas must be prominently and permanently line marked, signposted, and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled. g) All driveways and car parking areas must be concrete or bitumen. The design must consider the largest design service vehicle expected to enter the site. In rural areas, all driveways and car parking areas must provide for a formed all weather finish. h) All driveways and car parking areas must be graded, collected, and drained by pits and pipes to a suitable point of legal discharge. These requirements shall be reflected on the Construction Certificate plans and supporting documentation before the issue of a construction certificate. Condition reason: To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP.
53.	Protection of Public Infrastructure During works, Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site. Condition reason: To document any damaged to public infrastructure during construction and subsequently any damage is to be made good prior to Occupation Certificate.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

54.	External Lighting Before the issue of a construction certificate, plans detailing external lighting must be prepared by a suitably qualified person. The lighting plan must be consistent with the approved plans and documents, and the following requirements: a) comply with AS 1158: Lighting for Roads and Public Spaces; b) comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting; c) lighting must be placed at all entrances to, and exits from the premises;
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	d) lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas; e) lighting must not interfere with traffic safety; f) lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; g) external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance. h) Relevant council development control plan. The lighting plan must be submitted to the certifier. Note – All above documents refer to the version in effect at the time the consent is granted. Condition reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area.
55.	Utilities and Services Before the issue of the construction certificate, written evidence of the following service provider requirements must be provided to the Principal Certifier: a) a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; b) a response from Sydney Water as to whether the plans accompanying the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met; c) other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them. Condition reason: To ensure relevant utility and service providers' requirements are provided to the certifier.
56.	Engineering Works and Design The design and construction of the engineering works listed below must be provided for in accordance with Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments. Engineering works can be classified as either "subdivision works" or "building works". Works within an existing or proposed public road or works within an existing or proposed public reserve can only be approved, inspected and certified by Council. Depending on the development type and nature and location of the work the required certificate or approval type will differ. The application form covering these certificates or approvals is available on Council's website and the application fees payable are included in Council's Schedule of Fees and Charges. The concept engineering plan prepared by TTW Revision C dated 19/08/2025 for stormwater drainage is for development application purposes only and is not to be used for construction. The design and construction of the engineering works listed below must reflect the concept engineering plan and the conditions of consent. Before the issue of a construction certificate, whichever precedes first/earlier, a suitably qualified civil engineer must review the Engineering design associated with this development and provide written certification on the approved plans to satisfy the certifier that: a) Stormwater drainage pipes Stormwater Management Plan is to be amended to include details (pipe dimensions, invert levels, etc) of all existing stormwater drainage pipelines. b) Stormwater drainage Stormwater runoff from all paved and roof areas to be collected and piped to a formal legal point of stormwater discharge.

	c) Earthworks/ Site Regrading Earthworks and retaining walls are limited to those locations and heights shown on the concept engineering plan prepared by TTW Revision A dated 30/5/2025. Where earthworks are not shown on the approved plan the topsoil within lots must not be disturbed. d) Inter-allotment Stormwater Drainage Piped inter-allotment stormwater drainage catering for the entire area of each lot must be provided. Each lot must be uniformly graded to its lowest point where a grated surface inlet pit must be provided. All collected stormwater is to be piped to a formal legal point of stormwater discharge. e) Water Sensitive Urban Design Elements Water sensitive urban design elements, consisting of rainwater tank, filter baskets (OceanGuards) and precast stormwater filtration units (690mm PSorb Stormfilters), are to be located generally in accordance with the plans and information submitted with the application. Detailed plans for the water sensitive urban design elements must be submitted for approval. The detailed plans must be suitable for construction and include detailed and representative longitudinal and cross sections of the proposed infrastructure. The design must be accompanied, informed and supported by detailed water quality and quantity modelling. The modelling must demonstrate a reduction in annual average pollution export loads from the development site in line with the following environmental targets: • 90% reduction in the annual average load of gross pollutants • 85% reduction in the annual average load of total suspended solids • 65% reduction in the annual average load of total phosphorous • 45% reduction in the annual average load of total nitrogen All model parameters and data outputs are to be provided. Details demonstrating compliance with the above must be submitted to the Certifier satisfaction prior to the issue of the Construction Certificate. Condition reason: To ensure that the engineering design associated with this development have been designed and completed in accordance with Australian standards, Council's relevant DCP and Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments.
57.	Security Bond – Road Pavement and Public Asset Protection A security bond of \$305,547.00 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the rate of \$141.00 per square metre based on the road frontage of the proposed Lot 1 plus an additional 50m on either side on Brookhollow Avenue (197m) multiplied by the width of the road (11m). A single bond payment with the amount specified above shall be lodged with Council, partial bond payments will not be accepted. The square metre rate is based on The Hills Shire Council Fees & Charges 2025-2026 which is applicable at the time this consent was issued. Upon lodgement of the bond the amount will be updated to reflect the current schedule of fees and charges that are available on The Hills Shire Council Website. The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these costs.

	This requirement shall be reflected on the Construction Certificate plans and supporting documentation. The bond must be lodged with Council before the issue of a construction certificate or a subdivision work certificate, whichever precedes first/earlier. Condition reason: To ensure any damage to public infrastructure is rectified.
58.	Erosion and Sediment Control Plan Before the issue of a construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the Principal Certifier: a) Council's relevant development control plan, b) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and c) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
59.	Construction of Waste Storage Area(s) Before the issue of a construction certificate, construction plans are to be submitted to the certifier that demonstrate the waste storage areas are designed and constructed in accordance with the following requirements: a) The area(s) must provide minimum storage facility for required amount of bins for site. b) The layout of the waste storage area(s) must ensure that each bin is easily accessible and manoeuvrable in and out of the areas. All internal walkways must be at least 1.5m wide. c) The walls of the waste storage area(s) must be constructed of brickwork. d) The floor of the waste storage area(s) must be constructed of concrete with a smooth non-slip finish, graded and drained to sewer. The rooms must not contain ramps and must be roofed (if located external to the building). e) All doors of the waste storage area(s), when fully opened, must be flush with the outside wall(s) and must not block or obstruct car park aisles or footways. All doors must be able to be fixed in position when fully opened. f) The waste storage area(s) must be ventilated. Vented waste storage areas must not be connected to the same ventilation system supplying air to the units. g) The waste storage area(s) must be provided with a hose tap (hot and cold mixer), connected to a water supply. If the tap is located inside the waste storage area(s), must not conflict with the space designated for the placement of bins. h) The waste storage area(s) must be provided with internal lighting. The maximum grade acceptable for moving bins for collection purposes is 5%. Condition reason: To ensure all developments with a shared bin system provide adequate storage space for all bins allocated to the site and to promote efficient waste management with bins being out of site from public view or neighbour properties.
60.	Acoustic Requirements Before the issue of a construction certificate, the Certifying Authority must ensure that plans and specifications submitted for the development demonstrate that the recommendations of the Amended Acoustic report prepared by Pulse White Noise Acoustics Pty Ltd., dated 31 May 2025, Version Issue 3, referenced 240528 - SYD1 Norwest – Noise Impact Assessment – R3 – have been incorporated into the design. In particular: 1. Acoustic Screening of Rooftop Mechanical Plant: a. The mechanical equipment must be enclosed with acoustic louvre screens or equivalent screening, designed to achieve the predicted noise attenuation levels identified in the report.

	b. Acoustic Screening: - A continuous acoustic barrier must be installed to the south of the gantry, extending at least 3.0 metres above the top of the chiller units. - The screen must be: - Of solid construction with a minimum density of 10 kg/m² - Free of gaps, perforations, or cut-outs - Lined on the chiller-facing side with acoustic insulation rated at NRC ≥ 0.80 - Located as shown in Figure 11 of the acoustic report. 2. Selection of Compliant Mechanical Equipment: - Mechanical plant equipment must have sound power levels equal to or less than those used in the acoustic modelling. 3. Generator Design: - Generators must be specified as packaged units incorporating: - Air intake attenuators, and - Mufflers or attenuators on exhaust ducts - The selected generator units must comply with the sound power levels in Table 14 of the acoustic report. 4. Retention of Modelled Acoustic Enclosure Design: - The size, location, materials, and configuration of the plant enclosure (including louvre type and barrier height) must remain consistent with the assumptions used in the acoustic assessment. - Any proposed changes to the design must be reviewed by a qualified acoustic consultant to verify continued compliance with noise criteria.
	Condition reason: To protect the acoustic amenity of the local area and of the development.

BEFORE WORK COMMENCES

61.	Structural Certificate/Existing Building Before building work commences, a Structural Engineer's Certificate regarding the adequacy of the existing building to support the additions is to be submitted to the PCA. Condition reason: To ensure compliance with the legislative requirements.
62.	Erection of Signage – Supervision of Work Before works commencing on site the Certifier is to ensure a sign is erected in a prominent position displaying the following information: - The name, address and telephone number of the Principal Certifying Authority; - The name and telephone number (including after hours) of the person responsible for carrying out the works; - That unauthorised entry to the work site is prohibited. This signage must be maintained while the work is being carried out and must be removed upon completion.

	Condition reason: To address requirements Environmental Planning and Assessment Regulations 2021.
63.	Traffic Control Plan Before the works commence on site a person with the relevant accreditation must complete and approve/sign a Traffic Control Plan relevant to the site. A copy of the approved plan must be submitted to and approved by Council's Manager- Subdivision and Development Certification before being implemented. A plan that includes full (detour) or partial (temporary traffic signals) width road closure requires separate specific approval from Council. Sufficient time should be allowed for this to occur. Condition reason: To Ensure safe movement of vehicles around/past the site.
64.	Public Infrastructure Inventory Report Before works commencing on site the Principal Contractor must get a public infrastructure inventory report prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. This includes, but is not limited to, the road fronting the site along with any access route used by heavy vehicles. If uncertainty exists with respect to the necessary scope of this report, it must be clarified with Council before works commence. The report must include: a) Planned construction access and delivery routes; and Dated photographic evidence of the condition of all public assets. Condition reason: To document the condition of public infrastructure prior to works commencing.
65.	Mulching within Tree Protection Zone Before any work begins on the site, all areas within the Tree Protection Zone are to be mulched with composted leaf mulch to a depth of 100mm. Condition reason: To protect trees during the carrying out of site work.
66.	Tree Protection Signage Before any work begins on the site, a Tree Protection Zone sign must be attached to the tree protection fencing stating "Tree Protection Zone No Access" (The lettering size on the sign shall comply with AS1319). Access to this area can only be authorised by the project arborist or site manager. Condition reason: To protect trees during the carrying out of site work.
67.	Tree Protection Fencing Before any work begins on the site, Tree Protection Fencing must be in place around trees or groups of trees nominated for retention. In order of precedence the location of fencing shall be: a) In accordance with the Tree Protection Plan contained in the Arboricultural Impact Assessment prepared by Arbor Express v10 dated 30/7/25; or b) As per directed by a AQF Level 5 (or greater) Project Arborist; or c) In accordance with the Tree Protection Zone (TPZ) as calculated under AS4970 (2009) Protection of trees on development sites. Note: Any variations to the Standards shall be documented and certified by the Project Arborist. The erection of a minimum 1.8m chain-wire fence to delineate the TPZ is to stop the following occurring: • Excavation, installation of services or other works within the TPZ; • Stockpiling of materials within TPZ; • Placement of fill within TPZ; • Parking of vehicles within the TPZ; • Compaction of soil within the TPZ; • Cement washout and other chemical or fuel contaminants within TPZ; and

	• Damage to tree crown. Where the provision of the tree protection fencing is impractical due to its proximity to the proposed development footprint, trunk protection shall be erected around nominated trees to avoid accidental damage. The trunk protection shall consist of a layer of carpet underfelt (or similar) wrapped around the trunk, followed by 1.8m metre lengths of softwood timbers (90 x 45mm in section) aligned vertically and spaced evenly around the trunk at 150mm centres (i.e. with a 50mm gap) and secured together with galvanised hoop strap. All areas within the root protection zone shall be mulched with composted leaf mulch to a depth of no less than 100mm as outlined in the mulching condition of this Consent. Documentation relating to the implementation of the subject tree protection measures (including certification of supervision) by a Project Arborist shall be provided to Council as outlined in this Consent and/or upon request by the Consent Authority. Condition reason: To protect trees during the carrying out of site work.
68.	Stabilised Access Point Before building work commences, a stabilised all weather access point is to be provided and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book). Condition reason: To ensure construction sites are managed properly.
69.	Toilet Facilities Before building work commences, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided: a) must be a standard flushing toilet, and b) must be connected: i. to a public sewer, or ii. if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or iii. if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the council. Condition reason: To ensure there are amenities provided to workers on site.

DURING BUILDING WORKS

70.	Landscaping Works During building works, any required landscaping works, associated plantings and the construction of any retaining walls are to be undertaken generally in accordance with the approved plans. Condition reason: To ensure compliance with the approved landscaping plans.
71.	Roof Water Drainage During building works, gutters and downpipes and/or rainwater tank overflows are to be provided and connected to an approved discharge point (ie. kerb, inter-allotment drainage easement or OSD) upon installation of roof coverings. Condition reason: To minimise stormwater impacts on adjoining properties.
72.	Project Arborist During site works, the Project Arborist must be on site to supervise any works within the Tree Protection Zone (TPZ) of trees to be retained.

	Supervision of the works shall be certified by the Project Arborist and a copy of such certification shall be submitted to the Principle Certifying Authority within 14 days of completion of the works. Condition reason: To protect trees during carrying out of site work.
73.	Retention of Trees While works are being carried out, only trees specifically identified for removal on the approved plans may be removed. All other trees (including neighbouring trees and street trees) are to be retained with remedial work to be carried out in accordance with the Arboricultural Impact Assessment prepared by Arbor Express v10 dated 30/7/25. Condition reason: To ensure retained trees are adequately protected during works.
74.	Imported 'Waste Derived' Fill Material During building works only virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); or any other waste-derived material the subject of a resource recovery exemption under clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014 is permitted to be used as fill material. Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Certifier. Condition reason: To ensure that fill is not contaminated.
75.	Notification of New Contamination During building work, ground conditions must be monitored and when new evidence including, but not limited to, imported fill, buried building materials, asbestos, odour and/or staining, works are to immediately cease and Council's Manager- Environment and Health is to be notified. A site contamination investigation is to be carried out in accordance with the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> and submitted to Council's Manager – Environment and Health for review. Approval from Council's Manager – Environment and Health must be obtained in writing prior to works recommencing on site. Condition reason: To ensure controls are in place for contamination management.
76.	Construction Noise During building work, the emission of noise from the construction of the development shall comply with the <i>Interim Construction Noise Guideline published by the Department of Environment and Climate Change (July 2009)</i> . Condition reason: To protect residential amenity.
77.	Location of Works During building works, any of the approved works / dwelling house (inclusive of any services, equipment and/or utilities), footings, walls, roof barges and guttering are to be constructed and contained wholly within the property boundaries. A survey report from a registered land surveyor may be required for confirmation of its location. Condition reason: To ensure no encroachment occurs onto the adjoining property.
78.	Procedure for Critical Stage Inspections While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
79.	Subsoil Drainage During building works, the retaining walls are to be provided with an appropriate system of subsoil drainage which is to drain via gravity to a suitable system of disposal. The system of subsoil drainage is not to cause nuisance or impact on the amenity of the adjoining allotments. Condition reason: To minimise stormwater impacts on adjoining properties.
80.	Implementation of the Site Management Plans While site work is being carried out: a) the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and b) a copy of these plans must be kept on site at all times and made available to council officers upon request.

	Condition reason: To ensure site management measures are implemented during the carrying out of site work.
81.	Contaminated Waste During works, in accordance with the waste management plan, the generation, storage, transport, treatment or disposal of hazardous, industrial or Group A liquid waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997 and the NSW Department of Environment and Climate Change and Water (DECCW) waste tracking requirements. Condition reason: To ensure contaminated waste is safely stored, transported, and lawfully disposed of while protecting the surrounding environment and local amenity.

ON COMPLETION OF WORKS

82.	Repair of Infrastructure After completion of all site work: a) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or b) if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent. Condition reason: To ensure any damage to public infrastructure is rectified.
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BEFORE ISSUE OF OCCUPATION CERTIFICATE/SUBDIVISION CERTIFICATE

83.	Completion of Landscape and Tree Works Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent. Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).
84.	Completion of Engineering Works An Occupation Certificate must not be issued before the completion of all engineering works covered by this consent, in accordance with this consent. Condition reason: To ensure all engineering works are completed before an occupation certificate is issued.
85.	Public Infrastructure Inventory Report - Post Construction Before the release of an Occupation Certificate an updated public infrastructure inventory report must be prepared and submitted to Council. The updated report must identify any damage to public assets and the means of rectification for the approval of Council. Condition reason: To ensure protection and where required suitable remediation of public assets.
86.	Planting Requirements Before the issue of an occupation certificate, the Landscaping shall be certified to be in accordance with the approved plans by the private certifier. All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers are to be planted at 5/m2. Any species that need substituting requires confirmation from Council. Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).
87.	Section 64 - Consent Authority may require upgrade of building

	The following upgrades are to be undertaken with the construction certificate works and are to be completed prior to an occupation certificate being issued: i. A review of the hydrant system is to be undertaken to ensure the location of landing valves and system coverage are sufficient, appropriate to E1P3 of the BCA. ii. All existing external combustible cladding, as defined under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (including any cladding or cladding systems comprising of metal composite panels and any insulated cladding system) must be reviewed by a Registered Certifier – Fire Safety and must be upgraded to comply with C1P1 & C1P2 of the BCA. Condition reason: To ensure the existing building is brought into an appropriate level of conformity with the Building Code of Australia.
88.	Hydrant Infrastructure to be located within allotment – Section 64 Before the issuing of a subdivision certificate, the existing hydrant system serving the building on proposed lot 1 is to be relocated within the confines of the property boundary, including hydrant pipework and hydrant landing valves. The hydrant landing valves are to be sited in locations that will suit the operation needs of FRNSW with respect to protection from radiant heat, appropriate to E1P3 of the Building Code of Australia. A survey report is to be provided to the Principal Certifier which indicates that all hydrant infrastructure is within the confines of the boundary. Condition reason: To ensure the existing hydrant infrastructure serving the existing building on proposed lot 1 is totally within the confines of the boundary and the existing building is brought into an appropriate level of conformity with the Building Code of Australia.
89.	Long Term Environmental Management Plan (LTEMP) Prior to the occupation or use of the site, a Long-Term Environmental Management Plan (LTEMP) must be prepared and implemented in accordance with the purpose and recommendations outlined in the Detailed Site investigation, prepared by JBS&G Pty Ltd, dated 21 November 2024, referenced 163902 Rev A. The LTEMP must: • Comply with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021, where applicable; • Be prepared in accordance with the NSW Environment Protection Authority (EPA) guidelines and expectations for ongoing site management and monitoring of contaminated land; and • Address, at a minimum: ○ Ongoing monitoring of residual light non-aqueous phase liquid (LNAPL) and dissolved phase petroleum hydrocarbon impacts in groundwater; ○ Measures for Monitored Natural Attenuation (MNA) sampling and periodic groundwater gauging; ○ Procedures to confirm plume stability and identify any potential migration or re-mobilisation risks; ○ Reporting requirements and response triggers for identifying unacceptable environmental risks; ○ Notification protocols to relevant authorities should contaminant levels exceed applicable thresholds or site conditions change. ○ The LTEMP must be prepared by a suitably qualified and experienced environmental consultant and submitted to Council for approval prior to implementation. Monitoring and reporting must

	continue for the duration of the site's commercial/industrial use, or as otherwise agreed in writing by Council.
	Condition reason: To protect public health and environment.
90.	Registration of Cool Water and Warm Water Systems Before the issue of an occupation certificate, the Principal Certifier shall be satisfied that the cooling water system and/or the warm water system is: a) Installed in accordance with AS/NZS 3666.1:2011 with a certificate from the installer. b) Is registered with Council.
	Condition reason: To ensure compliance with health standards for infection control.
91.	Acoustic - Compliance Report Before the issue of an Occupation Certificate, the acoustic consultant shall inspect and certify that the required noise attenuation components as recommended the Acoustic report prepared by Pulse White Noise Acoustics Pty Ltd., dated 31 May 2025, Version Issue 3, referenced 240528 – SYD1 Norwest – Noise Impact Assessment – R3 have been installed in accordance with the report and are functioning as intended. The certification must verify and document the following: (i) Generator Acoustic Treatments: - Generators are enclosed in packaged units incorporating: - Air intake attenuators, and - Exhaust mufflers or attenuators - Installed generators comply with the sound power levels listed in Table 14 of the acoustic report. (ii) Mechanical Equipment Compliance: - All air-cooled chillers installed on site meet or exceed the sound power limits listed in Table 13, for day, evening, and night periods. (iii) Acoustic Screening: - A continuous acoustic screen has been installed to the south of the gantry, extending a minimum of 3.0 metres above the top of the chiller units. - The screen is: - Constructed from solid material ($\geq 10 \text{ kg/m}^2$) - Free of gaps or openings along the base - Lined with acoustic insulation ($\text{NRC} \geq 0.80$) on the side facing the chillers - Located in accordance with Figure 11 of the acoustic report. (iv) Design and Layout Conformance: - All final equipment locations, building layouts, and barrier installations reflect the assumptions used in the acoustic modelling and are consistent with the report's findings. The certification must include photographic evidence and/or technical specifications as appropriate to demonstrate compliance.
	Condition reason: To protect the amenity of the locate area.
92.	Preservation of Survey Marks Before the issue of an occupation certificate, documentation must be submitted by a registered surveyor to the Principal Certifier which demonstrates that:

	a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or b) any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.
	Condition reason: To protect the state's survey infrastructure.
93.	Retaining Walls Before a "whole" occupation certificate is issued, all retaining walls shown on the approved plans shall be completed. Condition reason: To ensure the amenity of adjacent properties are protected.
94.	Water Sensitive Urban Design Certification Before the issue of an Occupation Certificate the WSUD elements conditioned earlier in this consent must be constructed and operational. The following documentation must be submitted in order to obtain an Occupation Certificate: a) WAE drawings and any required engineering certifications; b) Records of inspections; c) An approved operations and maintenance plan; and d) A certificate of structural adequacy from a suitably qualified structural engineer verifying that any structural element of the WSUD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime. Where Council is not the PCA a copy of the above documentation must be submitted to Council.. Condition reason: To ensure structure(s) associated with the treatment of stormwater to ensure the quality of water discharge from site is suitable to enter the downstream watercourse

OCCUPATION AND ONGOING USE

95.	Storage of Goods During Ongoing Use During ongoing use of the premises, all goods must be stored wholly within the premises and must not be stored or displayed outside the premises, including any public place, without council's approval. Condition reason: To ensure goods are stored wholly within the premises and protect the amenity of the local area.
96.	Graffiti Removal During ongoing use of the premises, ensure graffiti is removed from the exterior of the building or associated structures, including any fences, site services and retaining/planter bed walls. Condition reason: To protect and preserve the visual amenity of the surrounding public domain.
97.	External Lighting During Ongoing Use During ongoing use of the premises, all lighting must be operated and maintained in accordance with the requirements of this consent. Condition reason: To ensure the safe operation of the premises and protect the amenity of the local area.
98.	Operating Hours During ongoing use of the premises, the data centre is permitted to operate 24 hours a day Monday-Sunday. Condition reason: To protect the amenity of the local area.
99.	Maintenance of Wastewater and Stormwater Treatment Device During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable).

	Condition reason: To protect sewerage and stormwater systems.
100.	Landscaping The landscaping shall be in accordance with the approved plan and shall be maintained at all times in accordance with THDCP 2012 Part C Section 3 – Landscaping and the approved landscape plan. Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plans.
101.	Ongoing Acoustic Compliance – Operational Requirements The operation and ongoing use of the development must comply with all operational noise control measures and performance standards outlined in the acoustic report prepared by Pulse White Noise Acoustics Pty Ltd., dated 31 May 2025, Version Issue 3, referenced 240528 – SYD1 Norwest – Noise Impact Assessment – R3. In particular, the following operational requirements must be adhered to at all times: (i) Generator Operation: ○ Generator testing must only occur during the day period (7:00am – 6:00pm). ○ A maximum of one generator is to be tested at any one time. ○ Generators must remain within acoustically treated enclosures incorporating: ▪ Intake attenuators, and ▪ Exhaust mufflers or attenuators, as specified in the report. (ii) Mechanical Plant: ○ All mechanical plant and equipment, including air-cooled chillers, must continue to operate within the sound power levels specified in Table 13 of the acoustic report, across all time periods (day, evening, night). (iii) Acoustic Infrastructure: ○ The installed acoustic barrier to the south of the gantry must be maintained in good condition and continue to meet the design specifications: ▪ Minimum height of 3.0 metres above chiller units ▪ Constructed from solid, imperforate material ($\geq 10 \text{ kg/m}^2$) ▪ Acoustically lined on the chiller-facing side with insulation having an NRC ≥ 0.80. (iv) No Changes to Equipment or Layout: No changes may be made to the location, type, or acoustic treatment of plant or equipment that would result in increased noise emissions, unless a revised acoustic assessment is submitted and approved by Council or the Certifying Authority. Condition reason: To protect the local amenity.
102.	Waste and Recycling Collection Contract During the occupation and use, a private waste contract is to be in place with a licensed contractor for the removal and lawful disposal of all waste generated on site. Written evidence of a valid and current collection and disposal contract must be held on site at all times and produced in a legible form to an authorised officer of Council who asks to see it. Condition reason: To ensure a private waste contractor is engaged with by commercial premises to lawfully remove all waste generated onsite.
103.	Waste and Recycling Management During the occupation and use, all garbage and recyclable materials must be separated into dedicated waste collection containers and stored in a designated waste storage area(s), which must include provision for the storage of all waste generated on the premises between collections. Arrangements must be in place in all areas of the development for the separation of

	recyclable materials from garbage. All waste storage areas must be screened from view from any adjoining residential property or public places. Waste storage areas(s) must be kept clean and tidy, bins must be washed regularly, and contaminants must be removed from bins prior to any collection. Condition reason: To ensure responsibility is placed upon the site's occupier or resident to management all waste generated on the site without it affected local amenity of neighbouring properties.
104.	Electromagnetic Emissions (EME) – Post-Occupation Monitoring In the event that Council receives a substantiated and justified complaint regarding potential electromagnetic emissions associated with the operation of the development, the consent authority may, by written notice, require the applicant or operator to commission an Electromagnetic Emissions (EME) Assessment. The assessment must be prepared by a suitably qualified and experienced professional and must: (a) Quantify the levels of electromagnetic emissions generated by all relevant infrastructure on the site, including but not limited to generators, switching stations, and any high-voltage electrical equipment; (b) Assess compliance with the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3 kHz to 300 GHz (ARPANSA RPS3); and (c) Identify any exceedances or risks to human health or amenity and recommend mitigation measures, where necessary. Condition reason: To protect the local amenity.
105.	Spill Kits Required During occupation and ongoing use, a sufficient supply of appropriate absorbent materials shall be kept on site to cover any liquid spills. Liquid spills shall be cleaned up using dry methods only. Any contaminated materials are to be disposed of at a licensed waste facility. Condition reason: To protect the environment.
106.	Liquid storage During occupation and ongoing use, all liquids on site are to be stored within bunded areas to prevent water pollution. Storage methods are to comply with <i>Environmental Compliance Report – Liquid Chemical Storage, Handling and Spill Management Part B and Review of best Practice and Regulation dated 2005 by the Department of Environment and Conservation</i>. Condition reason: To protect the environment.
107.	Offensive Noise During occupation and ongoing use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to “offensive noise” as defined under the provisions of the <i>Protection of the Environment Operation Act 1997</i>. Condition reason: To protect the amenity of the local area.

SUBDIVISION WORK BEFORE WORK COMMENCES

108.	Service Authority Consultation – Subdivision Works Before the subdivision works commence documentary evidence must be submitted to the PC confirming that satisfactory arrangements have been made for: • The provision of electrical services for the non-residue lots created by the subdivision. This includes the undergrounding of existing overhead services, except where a specific written exemption has been granted by Council. • The provision of water and sewerage facilities. • The provision of telecommunication services for the non-residue lots created by the subdivision, typically requiring the installation of pits and pipes complying with the standard specifications of NBN Co current at the time of installation. This includes the undergrounding of existing overhead services, except where a specific written exemption has been granted by Council. The Telecommunications Act 19978 (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.
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	Condition reason: To ensure appropriate provisions are made for supply of utility services within the subdivision.
109.	Approved Subdivision Plan Before the issue of any subdivision work certificate, the consent holder must deliver/complete the subdivision component of the development in accordance with the approved plan of subdivision prepared by Matthew William Cleary Drawing 305001644-200-DP01_00 Revision dated 25/10/2024 except were amended by other conditions of consent. These requirements shall be reflected on the Construction Certificate plans and supporting documentation. Condition reason: To ensure the construction plans are consistent with the approved DA plans.

BEFORE ISSUE OF SUBDIVISION CERTIFICATE/OCCUPATION CERTIFICATE

110.	Provision of Electrical Services Before the release of a Subdivision Certificate a notification of arrangement certificate confirming satisfactory arrangements have been made for the provision of electrical services must be submitted to the Principal Certifier. This must include the under-grounding of the existing electrical services fronting the site and removal of all redundant poles and cables, unless otherwise approved by Council in writing. The certificate must refer to this development consent and all of the lots created. Condition reason: To ensure lots created are appropriately serviced by a relevant electrical services provider.
111.	Final Plan and Section 88B Instrument Before the release of the subdivision Certificate the final plan and Section 88B Instrument must provide for the following. Council's standard recitals must be used. a) Easement – Private Stormwater Drainage Inter-allotment drainage easements must be created to ensure each and every lot is provided with a legal point of discharge. Drainage easements must be created over the existing stormwater pipes traversing proposed Lot 1 to benefit proposed Lot 2. Easement widths must comply with Council's Design Guidelines Subdivisions/ Developments. b) Easement – Right of Access A right of access must be created over proposed Lot 1 benefiting Lot 2. Right of Access is to encompass the driveway and car park area within proposed Lot 1, to provide adequate vehicle access to proposed Lot 2 from the existing vehicle access point in Brookhollow Avenue. c) Restriction – Restricted Access Proposed Lot 2 must be burdened with a restriction precluding access to Norwest Boulevard and Brookhollow Avenue using the "restricted access" terms included in the standard recitals. d) Restriction/ Covenant – Water Sensitive Urban Design Proposed Lot 1 must be burdened with a restriction and a positive covenant that refers to the WSUD elements referred to earlier in this consent using the "water sensitive urban design elements" terms included in the standard recitals. Condition reason: To ensure appropriate restrictions, positive covenants and easements are created and legally binding to address where relevant, conditions of consent.
112.	Provision of Telecommunication Services Before the release of a Subdivision Certificate for a fibre-ready facility, written certification from a qualified installer must be submitted to the Principal Certifier confirming that the

	telecommunications infrastructure has been installed in accordance with the following requirements: • The Telecommunications Act 19978 (Cth). • The standard specifications of NBN Co current at the time of installation. • All telecommunications infrastructure must be undergrounded. The Telecommunications Act 19978 (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required. In all other cases (non-fibre ready facilities), either an agreement advice or network infrastructure letter must be issued by Telstra confirming satisfactory arrangements have been made for the provision of telecommunication services. This includes the undergrounding of existing overhead services, except where a specific written exemption has been granted by Council. A copy of the works as executed (WAE) plans for the telecommunications infrastructure must also be submitted. Condition reason: To ensure lots created are appropriately serviced by a relevant telecommunication services provider.
113.	Section 73 Compliance Certificate Before the release of a Subdivision Certificate being issued a Section 73 Compliance Certificate issued under the Sydney Water Act 1994 must be obtained from Sydney Water confirming satisfactory arrangements have been made for the provision of water and sewer services. Application must be made through an authorised Water Servicing Coordinator. The certificate must refer to this development consent and all of the lots created. This Certificate must be submitted to the Principal Certifier. Condition reason: To ensure appropriate water and/ or sewer facilities are provided when covered by land under the Sydney Water Act 1994.
114.	Confirmation of Pipe Locations Before the release of a Subdivision Certificate a letter from a registered surveyor certifying that all pipes and drainage structures are located within the proposed drainage easements must be submitted to the Principal Certifier. Condition reason: To ensure all relevant drainage infrastructure built under the consent is within easements where required.
115.	Subdivision Certificate Prior to the issue of the Subdivision Certificate, the Occupation Certificate for the development must be issued by the Principal Certifier. Condition reason: To ensure all works required by this consent are completed prior to the release of the Subdivision Certificate.

Endeavour Energy Requirements

Development Application and Planning Proposal Review NSW Planning Portal Concurrence and Referral



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
The Hills Shire Council	1382/2025/JP	CNR-80225	James Pace	26/03/2025	16/04/2025	27/03/2025

Address	Land Title
3 BROOKHOLLOW AVENUE NORWEST 2153	Lot 2021 DP 831173

Scope of Development Application or Planning Proposal

Alterations and additions to an existing data centre.

Endeavour Energy's G/Net master facility model indicates:

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
Low voltage	☐	☐	☐	☐
High voltage	☐	☐	☐	☐
Transmission voltage	☐	☐	☐	☐
Pole / tower	☐	☐	☐	☐
Underground Cables				
Low voltage	☒	☐	☐	☐
High voltage	☒	☒	☒	☐
Transmission voltage	☐	☐	☐	☐
Streetlight / pillar	☒	☐	☐	☐
Substation				
Pole mounted	☐	☐	☐	☐
Padmount	☐	☒	☐	☐
Indoor	☐	☐	☒	☐
Zone	☐	☐	☐	☐
Transmission	☐	☐	☐	☐
Switch	☐	☒	☐	☐
Other:	☐	☐	☐	☐

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c. and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

** Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

***Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.

POWER
together

11 Set ID: 21879967

Endeavour Energy

ABN 11 247 365 823

T 133 718

Level 40-42, 8 Parramatta Square,

10 Darcy Street Parramatta NSW 2150

PO Box 811, Seven Hills NSW 1730

endeavourenergy.com.au

Relevant / applicable clause numbers from Endeavour Energy's Standard Conditions for Development Applications and Planning Proposals indicated by ☒ .

Cond- ition	Advice	Clause No.	Issue	Detail
☐	☐	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
☐	☐	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
☒	☐	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
☐	☐	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
☒	☐	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
☐	☐	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
☐	☐	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle/plant operation, excessive/ unsecured loads, vibration, dust or moisture penetration.
☐	☒	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
☐	☒	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
☐	☐	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
☐	☒	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
☒	☐	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
☒	☐	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
☐	☒	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
☒	☐	15	Easement Subdivision	The incorporation of easements into to multiple / privately owned lots is generally not supported.
☐	☒	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
☐	☐	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
☐	☐	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
☐	☐	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
☐	☐	20	Look up and Live	Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
☐	☐	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
☒	☐	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
☐	☒	23	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.

Set ID: 21879967

Condition	Advice	Clause No.	Issue	Detail
☒	☐	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
☒	☐	25	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
☐	☒	26	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
☐	☒	27	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
☐	☐	28	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
☐	☐	29	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
☐	☐	30	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
☐	☐	31	Service Conductors	Low voltage service conductors and customer connection points must comply with the current 'Service and Installation Rules of NSW'.
☐	☐	32	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
☐	☐	33	Street Infrastructure	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
☐	☒	34	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
☐	☐	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
☐	☐	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
☒	☐	37	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Decision				Approve (with conditions)

Environmental Services Team

P 133 718

E Property.Development@endeavourenergy.com.au



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past and present.

Reason(s) for Conditions or Objection (If applicable)

- The Statement of Environmental Effects mentions but does not appear to address in detail the easements / electricity distribution infrastructure on the site.
- Electricity distribution infrastructure on private property over which there is no easement are regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW) and may be managed as if an easement is in place.

Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Table 1 – 'Minimum easement widths', requires a minimum easement width of 3 metres (assumed to have no concrete protection unless proven otherwise) for low voltage up to 22,000 volt / 22 kilovolt (kV) high voltage underground cable ie. 1.5 metres to both sides of the centre line of the conductor / cable ducts.

Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Section 5.3.5 'Indoor substations' includes the following requirements.

5.3.5 Indoor substations

The boundaries of an easement for indoor substation must be defined by the internal face of the walls, ceiling, floor, and cable trenches of the substation room.

An easement for the cables that enter and exit the substation room will also be required if they are not installed within public roads and/or existing Endeavour Energy easements.

A right of access may also be required to give Endeavour Energy employees, vehicles, and equipment unrestricted access to the indoor substation at all times.

As part of the application for connection of load / subdivision the applicant may need to create easements over the existing electricity distribution infrastructure on the site. Please also refer to the attached copy of Endeavour Energy's Land Interest Guidelines for Network Connection Works, Version 5, December 2022.

- All encroachments, activities and / or works (including subdivision and even if not part of the Development Application) whether temporary or permanent within or affecting an easement, restriction, right of access or protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project) need to be referred to Endeavour Energy's Easements Officers for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities.

For further information please refer to the attached copies of Endeavour Energy's:

- General Restrictions for Underground Cables.
- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.

- For the proposed subdivision if reasonably possible the easements should not be subdivided and be entirely retained within a single lot. Where the foregoing cannot be reasonably achieved, in subdividing an easement consideration must be given to minimising the impact on the easement rights and ensure contiguous / ready access to the electricity infrastructure located within the easement.
- Although Council may be able to appropriately condition the foregoing matters, as they may substantially impact the proposed development, Endeavour Energy's recommendation is for the applicant to seek advice on / address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

To resolve these matters the applicant will need to make direct contact with Endeavour Energy's Easements Officers and Customer Network Solutions Branch (who do not have access to the NSW Planning Portal) via the contact details provided below. Subject to the satisfactory resolution of the foregoing, Endeavour Energy will have no objection to the Development Application. The resolution can rest on the relevant correspondence between the parties which can be uploaded by the applicant to the Portal and no further referral from Council to Endeavour Energy via the Portal is required.

- No easement is considered to be redundant or obsolete until it is released. Even if there is no 'Inservice' electricity distribution infrastructure, Endeavour Energy may continue to manage the easement as if network assets are in place.

- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- An extension or augmentation of the existing electricity distribution network may be required. Whilst there are distribution substations in the area which are likely to have some spare capacity, it is not unlimited and unlikely to be sufficient to provide for the additional load from the proposed development.

Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.

- Any required distribution substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling not located within a public road / reserve) with an appropriate form of property tenure as detailed in the attached copy of Endeavour Energy's 'Land Interest Guidelines for Network Connection'.

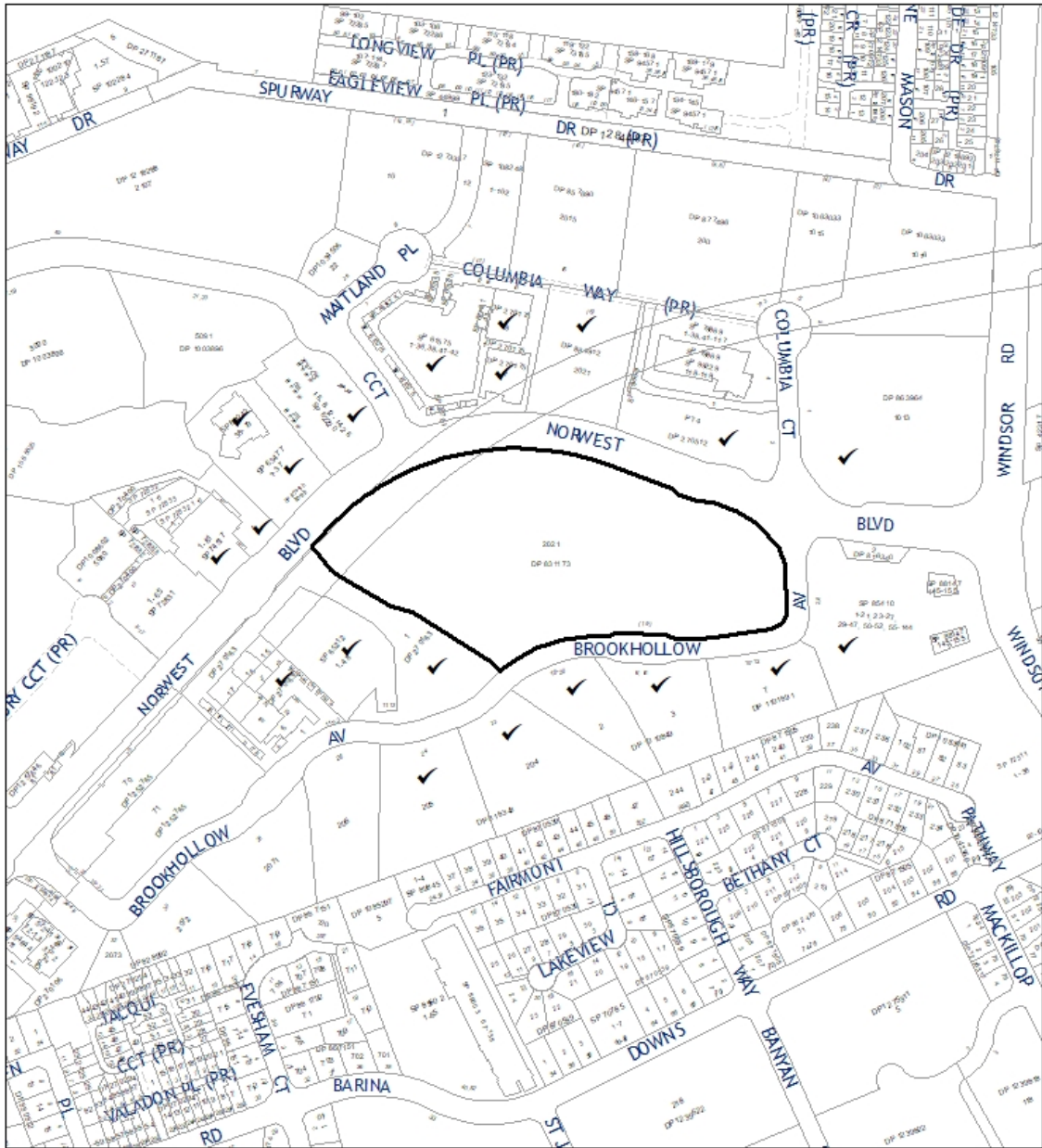
Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc. If the substation does not comply with Endeavour Energy's standards, the applicant must request a dispensation.

For further information please also refer to the attached copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

- The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations'.
- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

No planting of trees is allowed in the easement for a padmount substation. Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

ATTACHMENT B - LOCALITY PLAN



SUBJECT SITE



PROPERTIES NOTIFIED

THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

THE HILLS SHIRE COUNCIL DOES NOT GIVE ANY GUARANTEES CONCERNING THE ACCURACY, COMPLETENESS OR CURRENCY OF THE TEXTUAL INFORMATION HELD IN OR GENERATED FROM ITS DATABASE

BASE CADASTRE COPYRIGHT LAND & PROPERTY INFORMATION NSW (LPI). CADASTRE UPDATE INCLUDING COUNCIL GENERATED DATA IS SUBJECT TO THSC COPYRIGHT.

ATTACHMENT C – AERIAL MAP



SUBJECT SITE

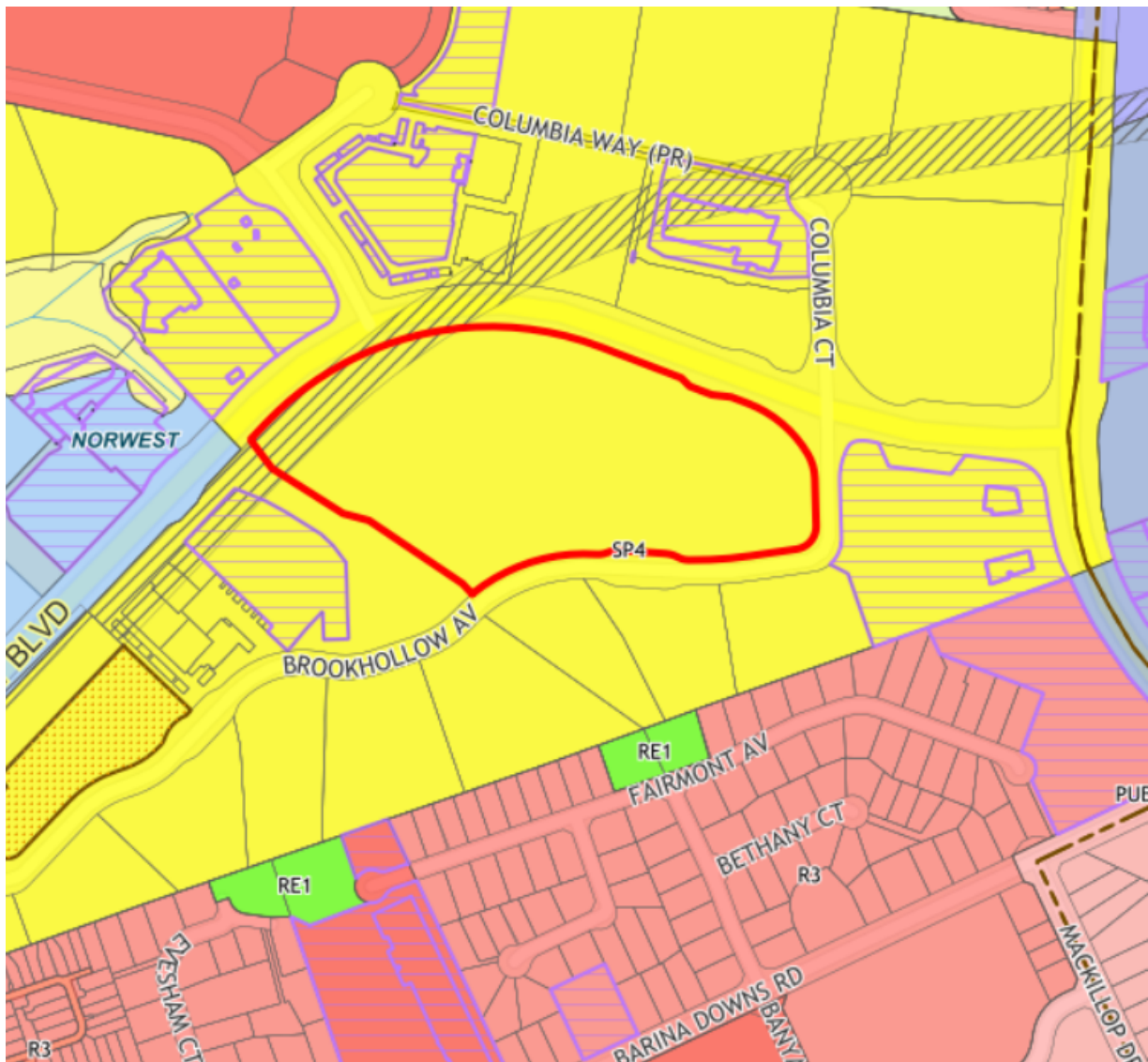
THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

THE HILLS SHIRE COUNCIL DOES NOT GIVE ANY GUARANTEES CONCERNING THE ACCURACY, COMPLETENESS OR CURRENCY OF THE TEXTUAL INFORMATION HELD IN OR GENERATED FROM ITS DATABASE

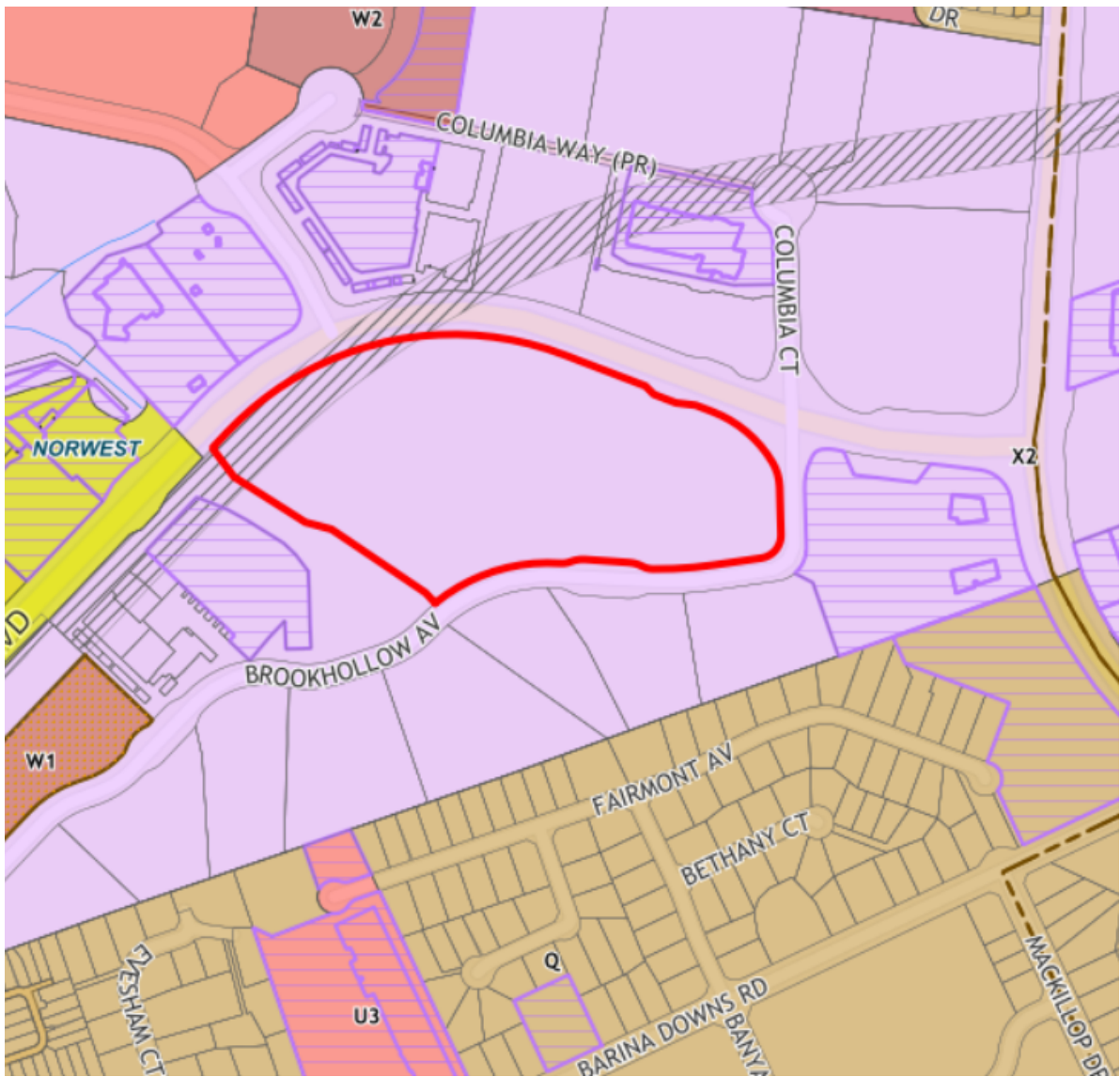
BASE CADASTRE COPYRIGHT LAND & PROPERTY INFORMATION NSW (LPI). CADASTRE UPDATE INCLUDING COUNCIL GENERATED DATA IS SUBJECT TO THSC COPYRIGHT.

ATTACHMENT D – LEP 2019 ZONING MAP



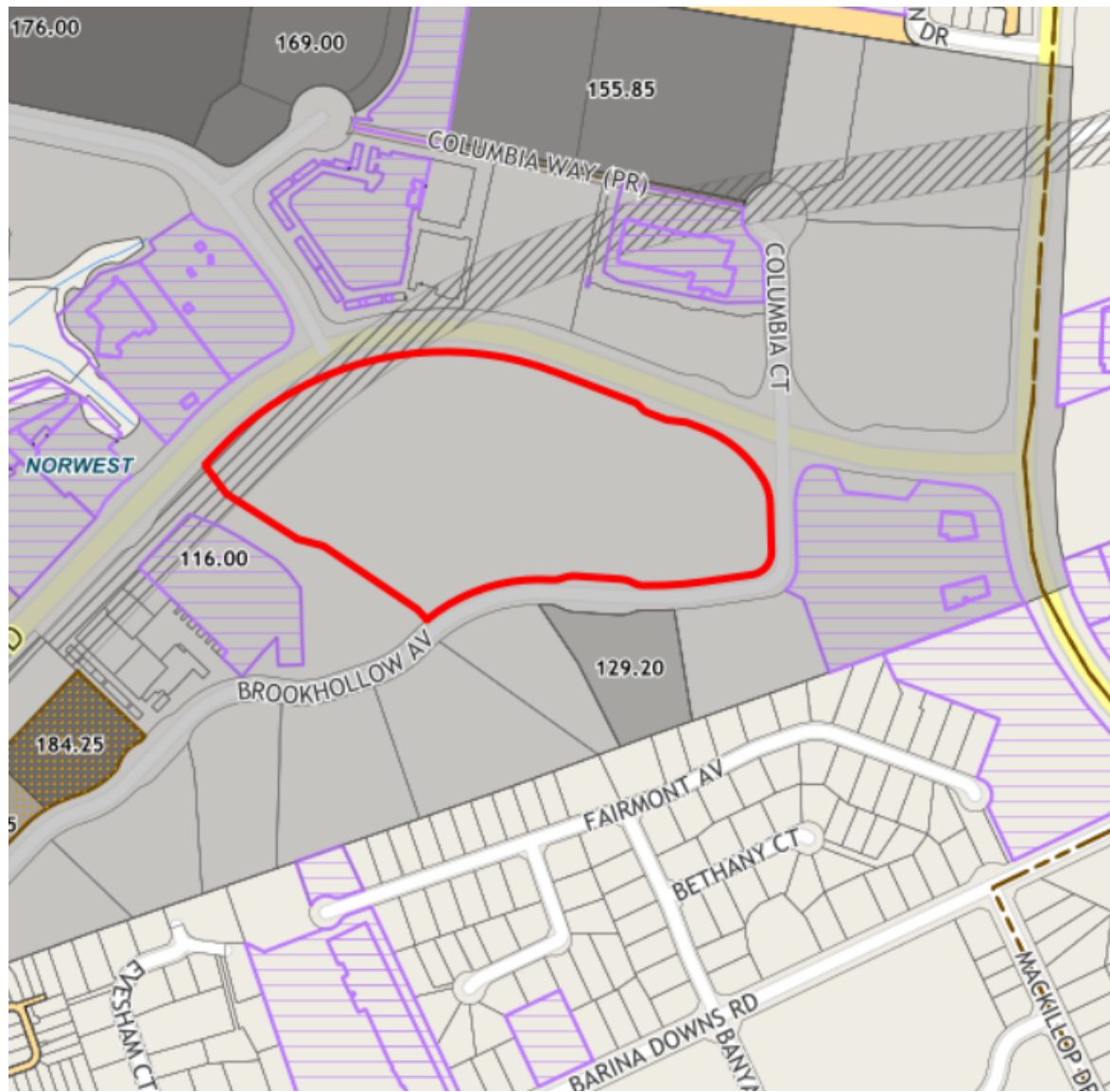
 SP4 ENTERPRISE

ATTACHMENT E – LEP 2019 MINIMUM LOT SIZE MAP



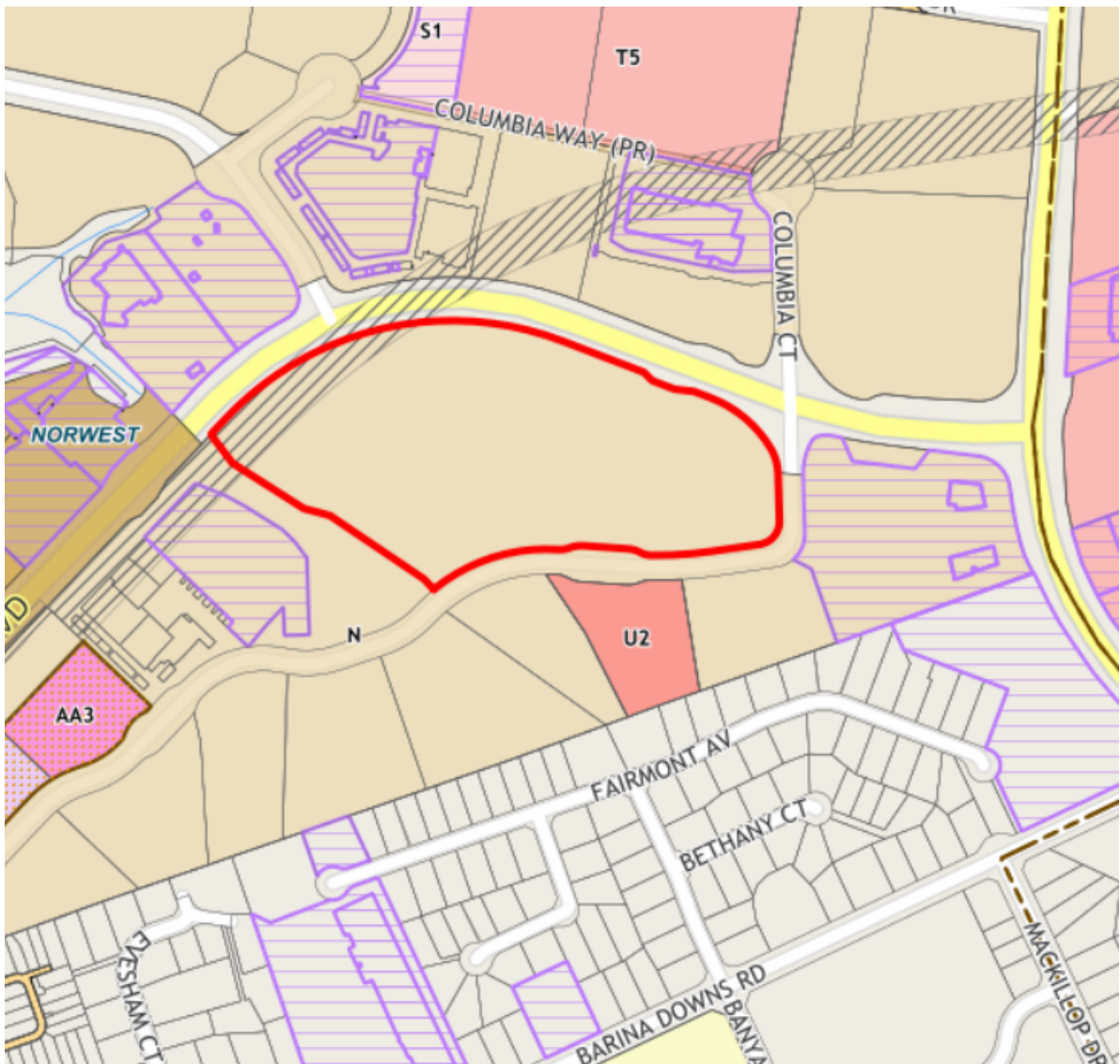
■ X2 8000 sq m

ATTACHMENT F – LEP 2019 HEIGHT OF BUILDINGS MAP

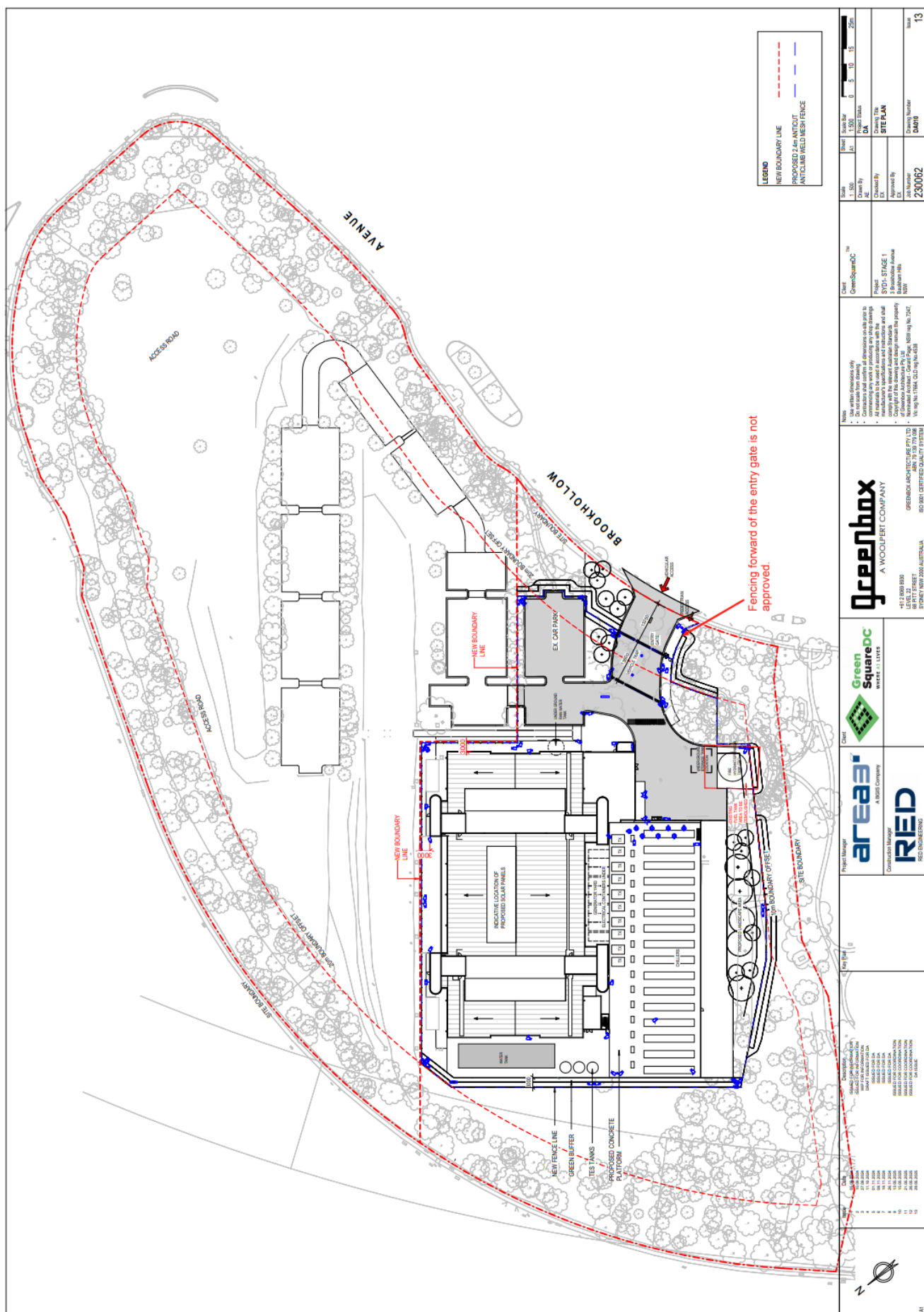


116

ATTACHMENT G – LEP 2019 FLOOR SPACE RATIO MAP



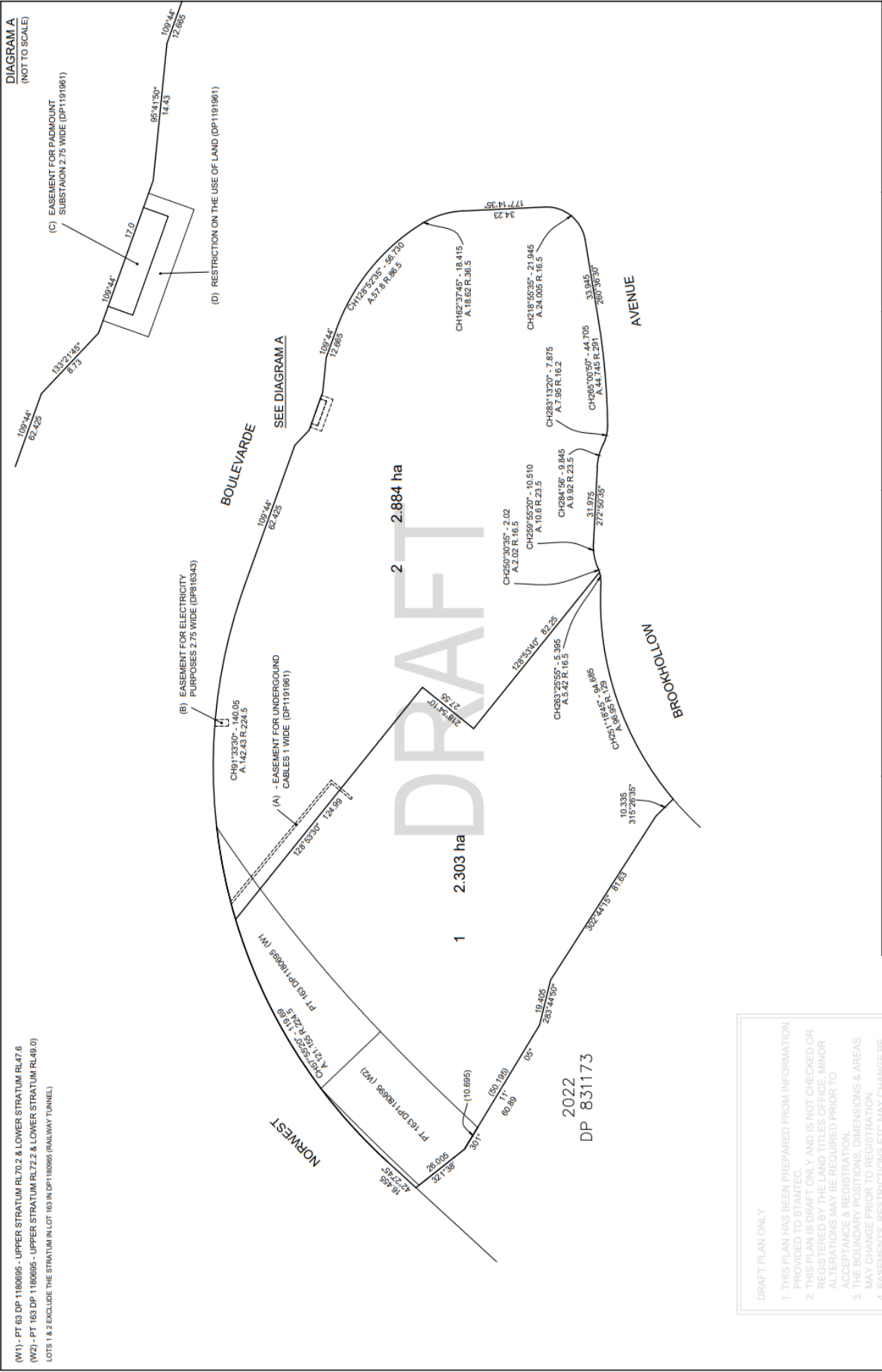
■ N 1.0



PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 1 sheets



DRAFT PLAN ONLY

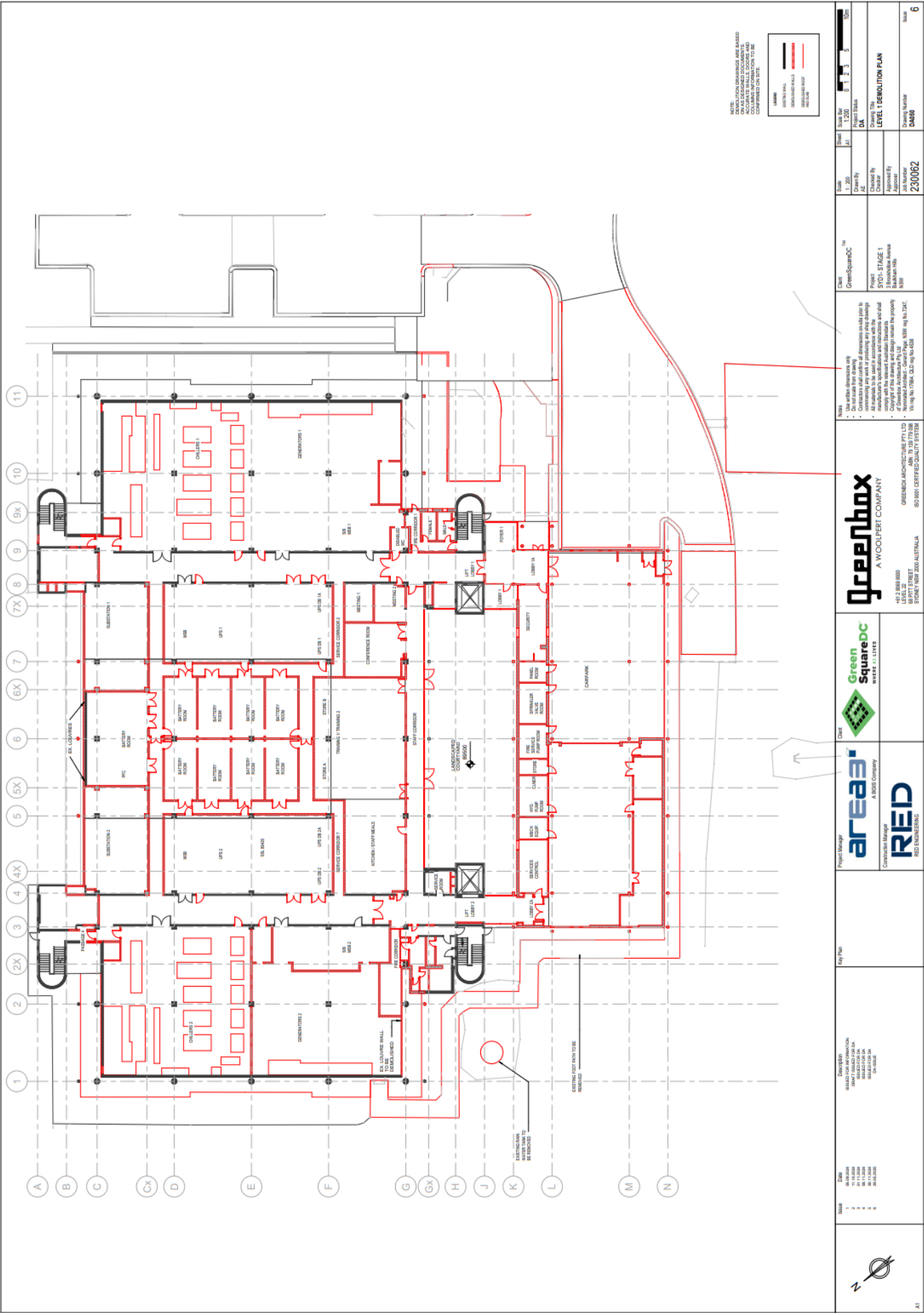
1. THIS PLAN HAS BEEN PREPARED FROM INFORMATION PROVIDED TO STANTEC.

2. THIS PLAN IS DRAFT ONLY AND IS NOT CHECKED OR REGISTERED BY THE LAND TITLES OFFICE. MINOR ALTERATIONS MAY BE REQUIRED PRIOR TO ACCEPTANCE & REGISTRATION.

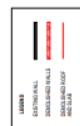
3. THE BOUNDARY POSITIONS, DIMENSIONS & AREAS MAY CHANGE PRIOR TO REGISTRATION.

4. EASEMENTS, RESTRICTIONS ETC MAY CHANGE BE ADDED PRIOR TO REGISTRATION.

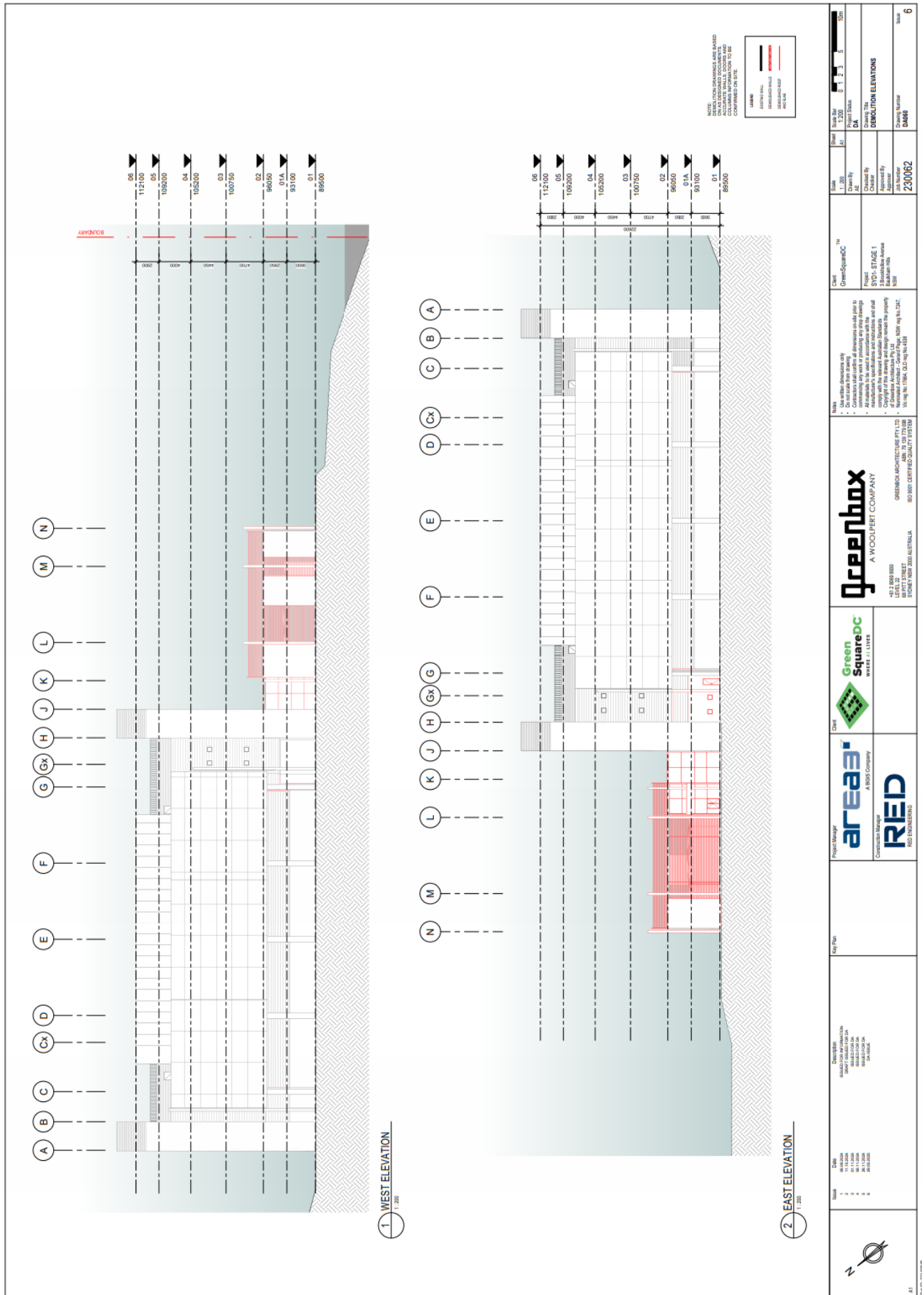
Surveyor: MATTHEW WILLIAM CLEARY Date of Survey: - Surveyor's Ref: 305001644-200-DP01_00	PLAN OF SUBDIVISION OF LOT 2021 IN DP831173	L.O.A.: THE HILL SHIRE COUNCIL Locality: BAULKHAM HILLS Subdivision No: Lengths are in metres. Reduction Ratio 1: 1000	Registered- DRAFT 25/10/2024
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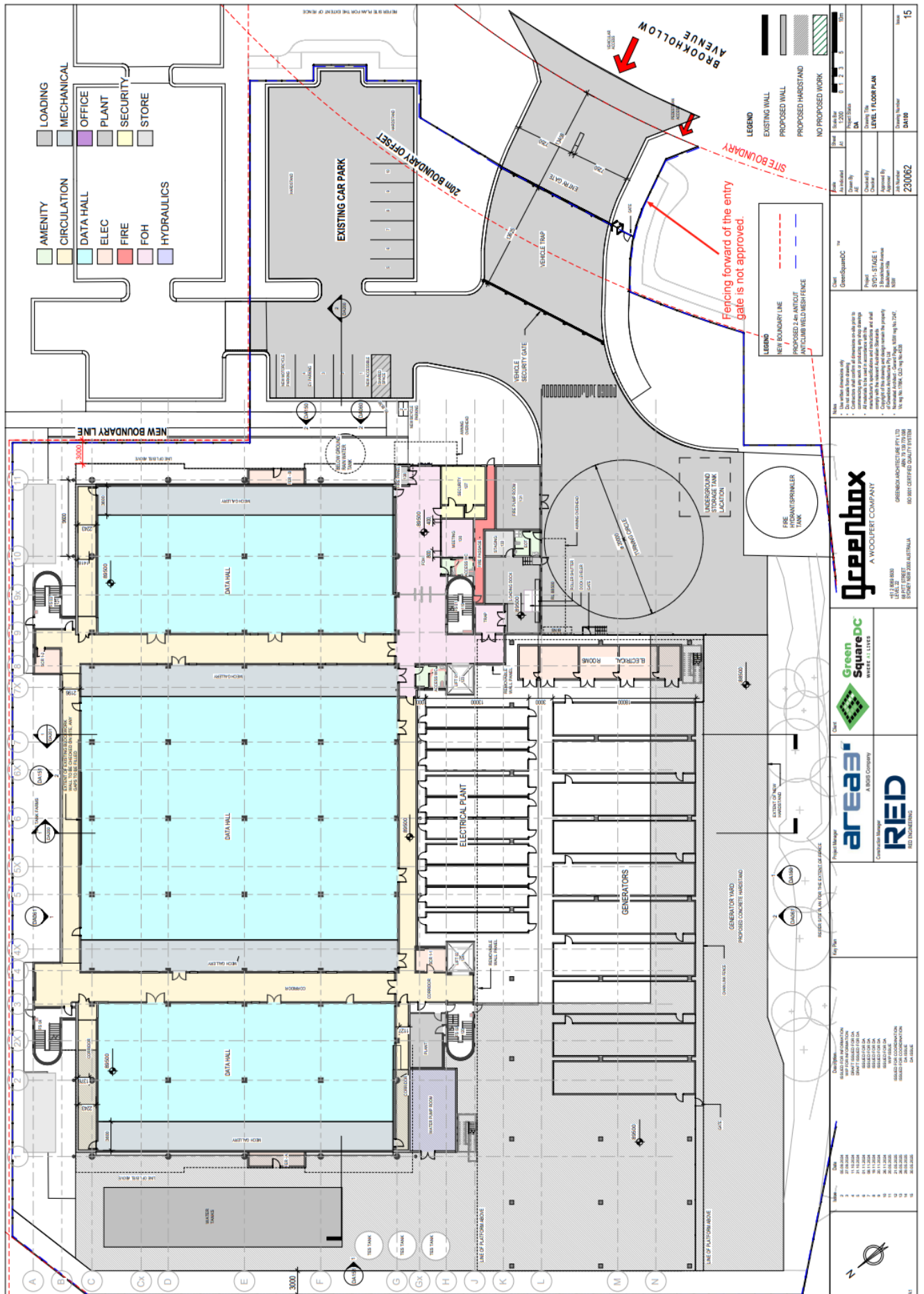
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	1	11/05/2016	Issue for construction	1	Green Square	• Dimensions are for demolition only	Green Square QC	1:200	L. 200	South East	1
	2	11/05/2016	Issue for construction	2	Green Square	• Dimensions are for demolition only	Green Square QC	1:200	L. 200	South East	2
	3	11/05/2016	Issue for construction	3	Green Square	• Dimensions are for demolition only	Green Square QC	1:200	L. 200	South East	3
	Issue	Date	Description	App/Plan	Client	Notes	Client's QC	Scale	Drawn	Scale Bar	Issue
	4	11/05/2016	Issue for construction	4	Green Square	• Dimensions are for demolition only	Green Square QC	1:200	L. 200	South East	4
	5	11/05/2016	Issue for construction	5	Green Square	• Dimensions are for demolition only	Green Square QC	1:200	L. 200	South East	5
	6	11/05/2016	Issue for construction	6	Green Square	• Dimensions are for demolition only	Green Square QC	1:200	L. 200	South East	6

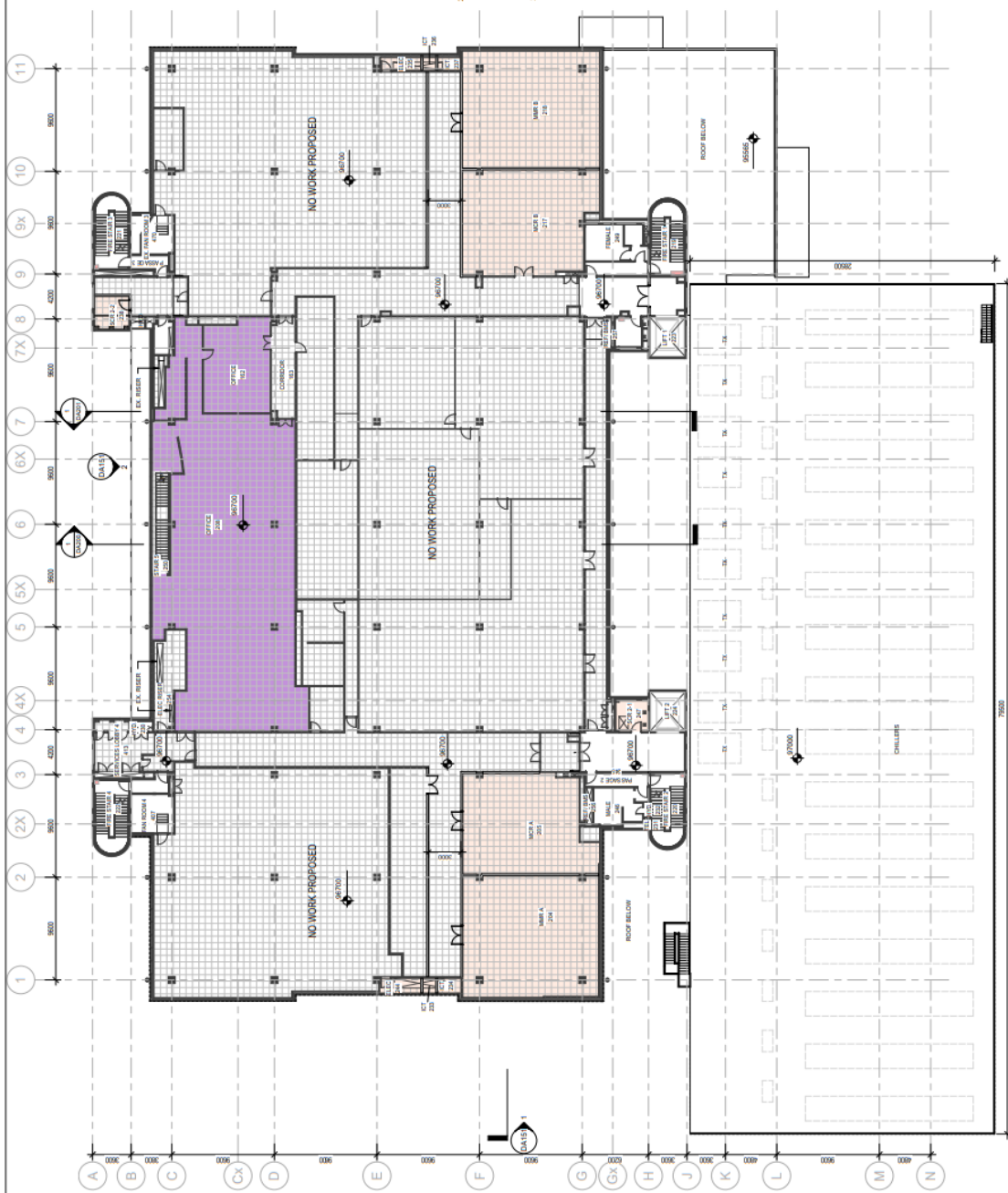


ATTACHMENT K – DEMOLITION ELEVATIONS



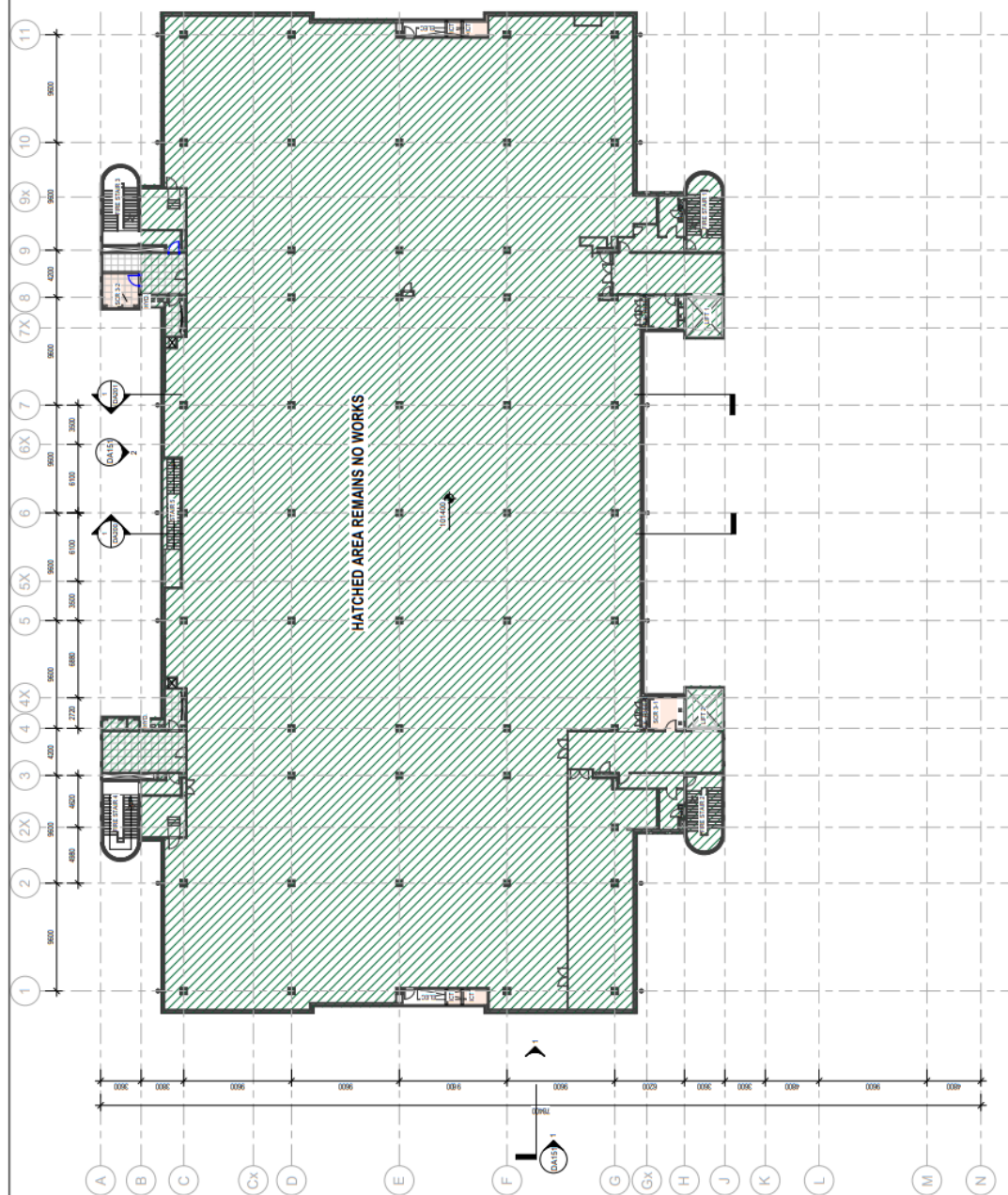
ATTACHMENT L – PROPOSED FLOOR PLANS





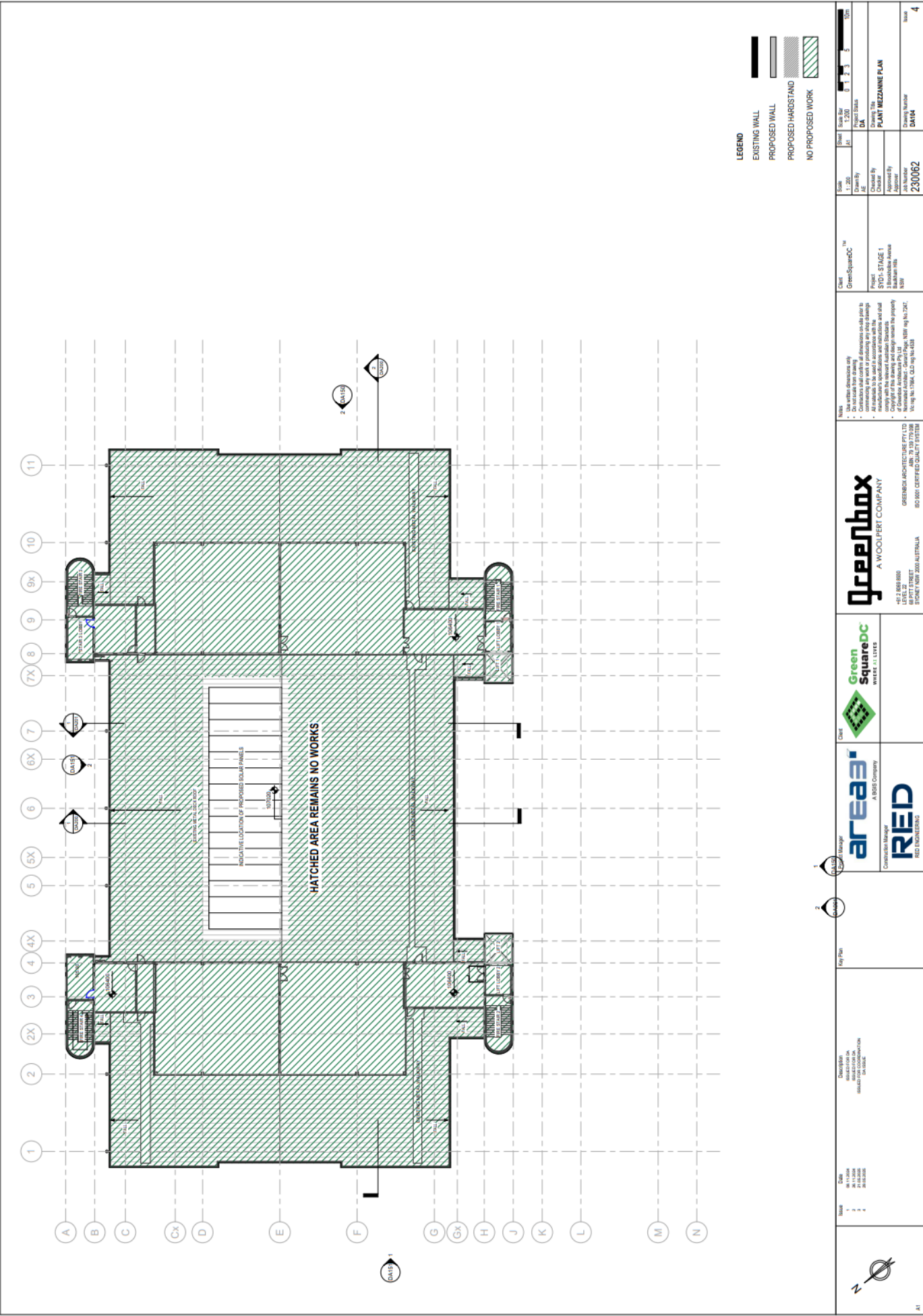
LEGEND
EXISTING
PROPOSED
PROPOSED
NO PROP

[illegible]

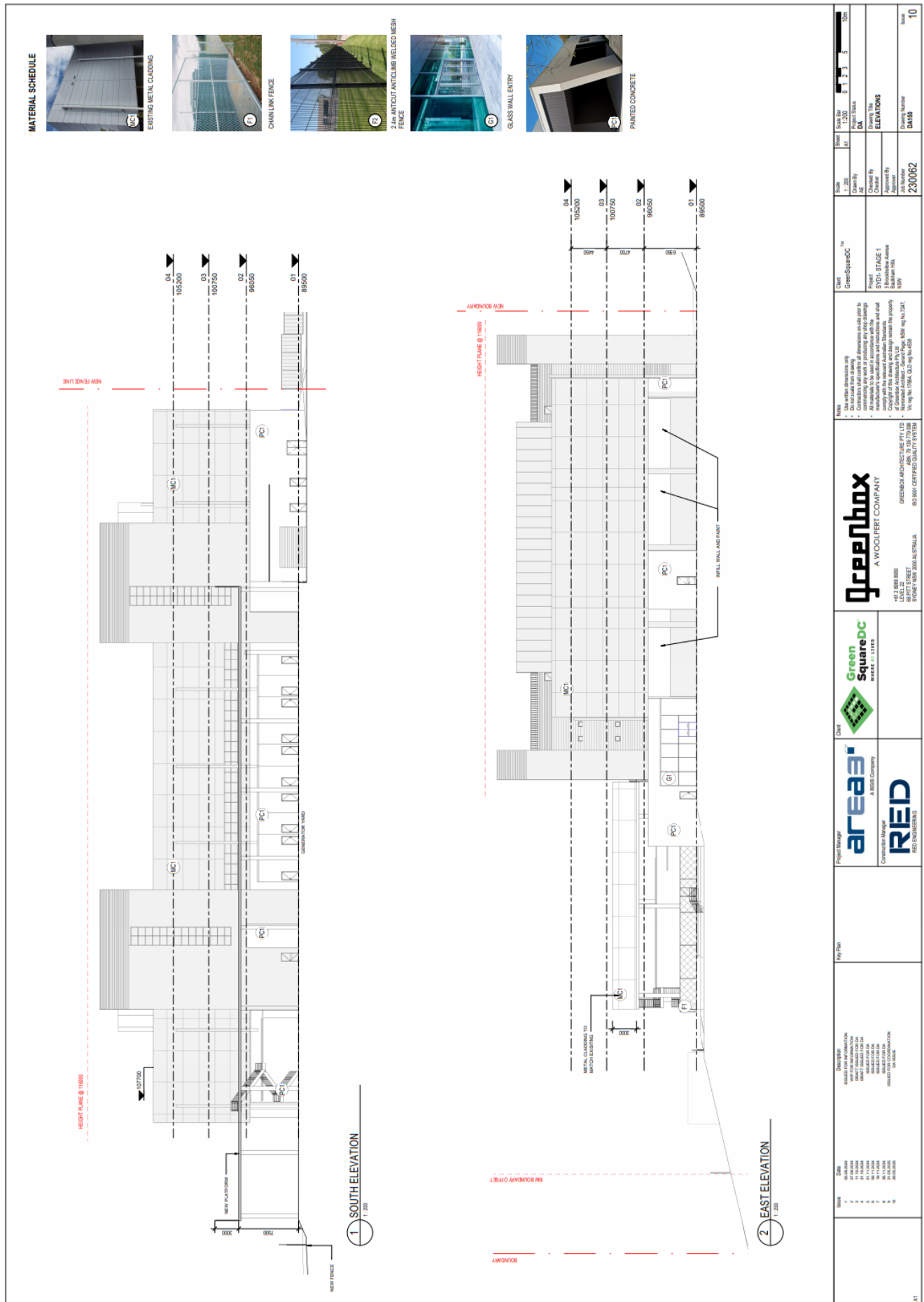


LEGEND

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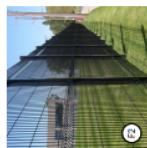


ATTACHMENT M – PROPOSED ELEVATIONS





CHAIN LINK FENCE



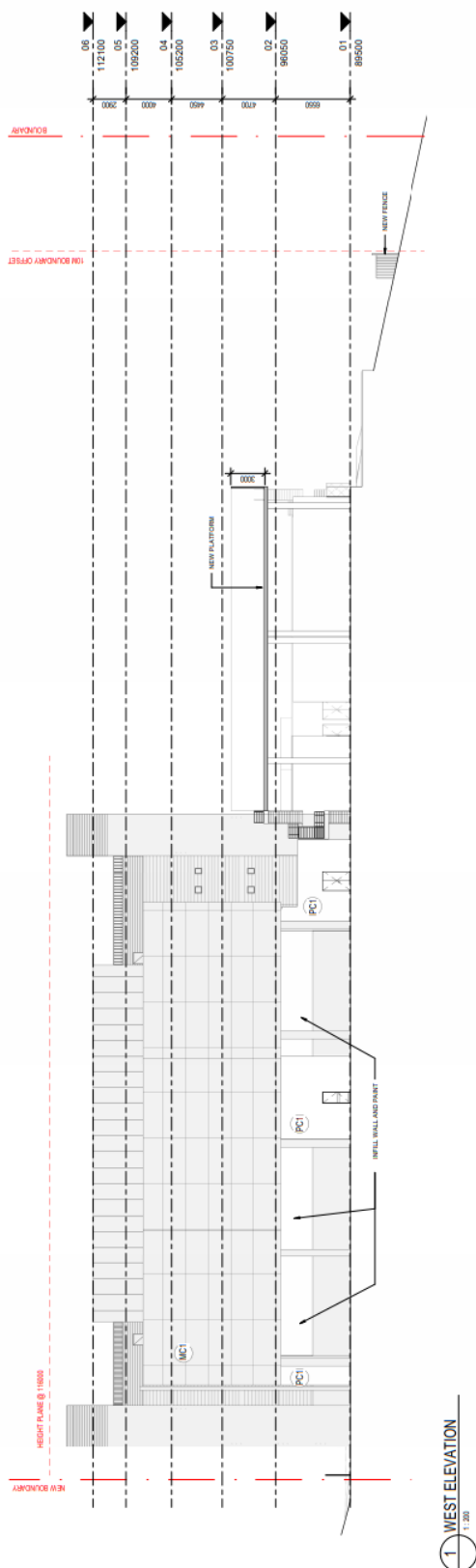
2.4m ANTICUT ANTICLIMB WELDED MESH
FENCE



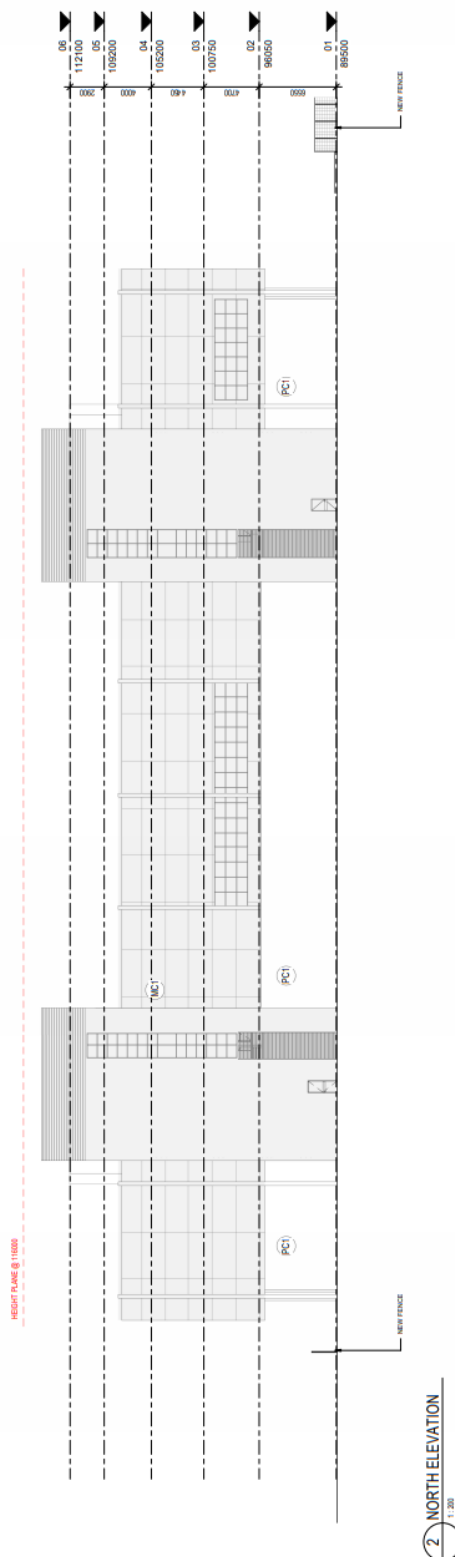
GLASS WALL ENTRY



PAINTED CONCRETE



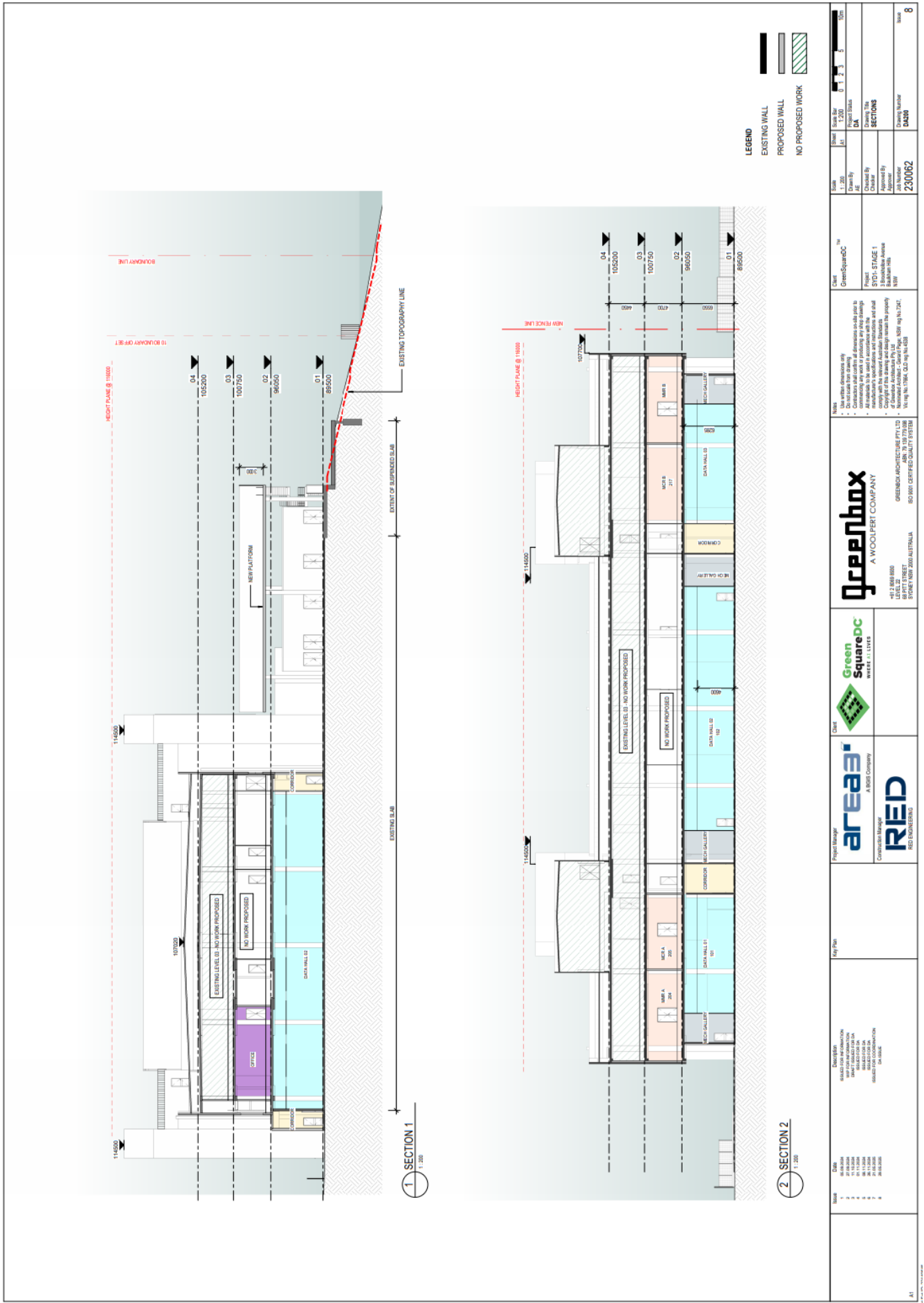
1 WEST ELEVATION



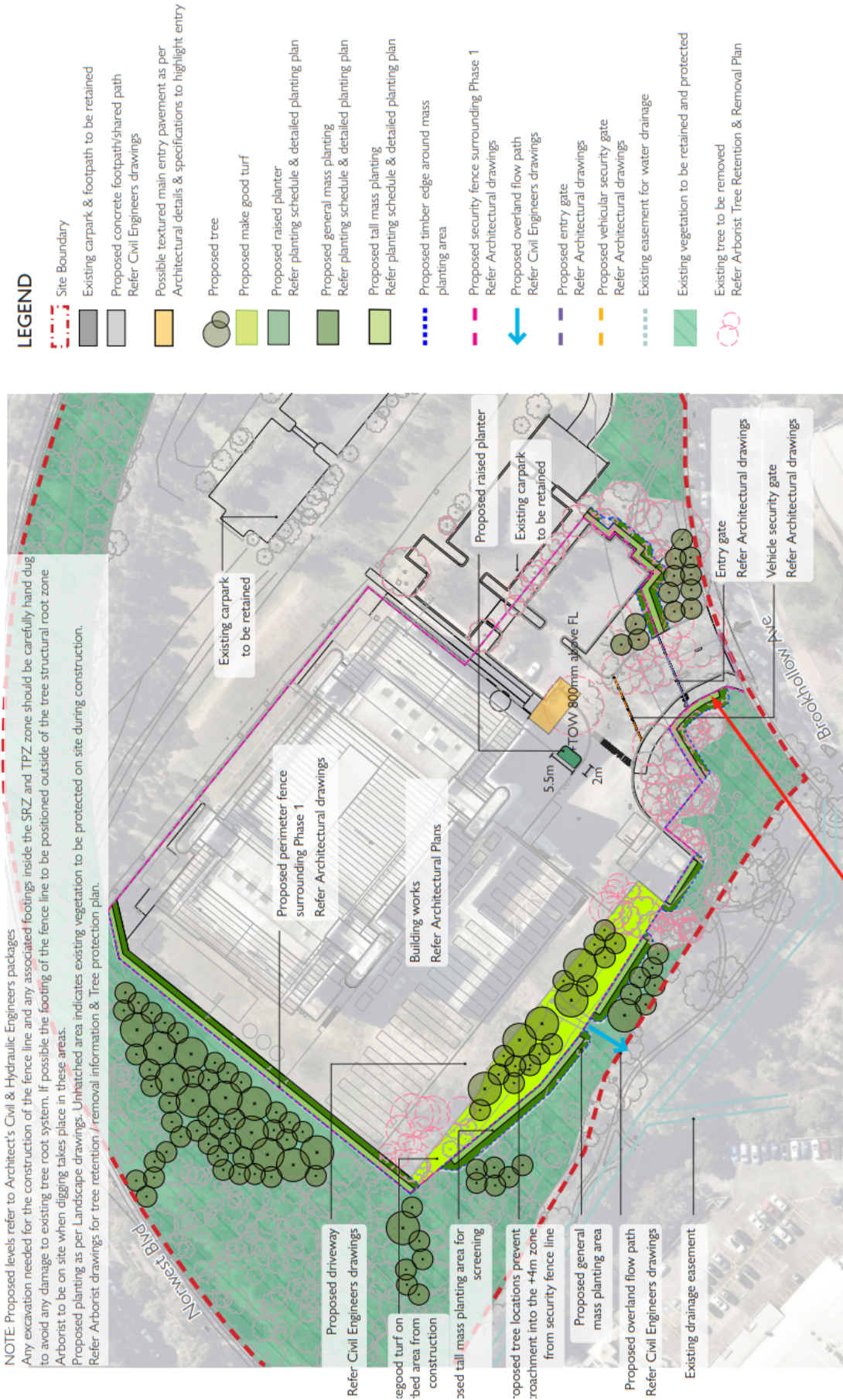
2 NORTH ELEVATION

Issue 10/01/2008 11/01/2008 12/01/2008 01/02/2009 02/02/2009 03/02/2009 04/02/2009 05/02/2009 06/02/2009 07/02/2009 08/02/2009 09/02/2009 10/02/2009 11/02/2009 12/02/2009 01/03/2009 02/03/2009 03/03/2009 04/03/2009 05/03/2009 06/03/2009 07/03/2009 08/03/2009 09/03/2009 10/03/2009 11/03/2009 12/03/2009 01/04/2009 02/04/2009 03/04/2009 04/04/2009 05/04/2009 06/04/2009 07/04/2009 08/04/2009 09/04/2009 10/04/2009 11/04/2009 12/04/2009 01/05/2009 02/05/2009 03/05/2009 04/05/2009 05/05/2009 06/05/2009 07/05/2009 08/05/2009 09/05/2009 10/05/2009 11/05/2009 12/05/2009 01/06/2009 02/06/2009 03/06/2009 04/06/2009 05/06/2009 06/06/2009 07/06/2009 08/06/2009 09/06/2009 10/06/2009 11/06/2009 12/06/2009 01/07/2009 02/07/2009 03/07/2009 04/07/2009 05/07/2009 06/07/2009 07/07/2009 08/07/2009 09/07/2009 10/07/2009 11/07/2009 12/07/2009 01/08/2009 02/08/2009 03/08/2009 04/08/2009 05/08/2009 06/08/2009 07/08/2009 08/08/2009 09/08/2009 10/08/2009 11/08/2009 12/08/2009 01/09/2009 02/09/2009 03/09/2009 04/09/2009 05/09/2009 06/09/2009 07/09/2009 08/09/2009 09/09/2009 10/09/2009 11/09/2009 12/09/2009 01/10/2009 02/10/2009 03/10/2009 04/10/2009 05/10/2009 06/10/2009 07/10/2009 08/10/2009 09/10/2009 10/10/2009 11/10/2009 12/10/2009 01/11/2009 02/11/2009 03/11/2009 04/11/2009 05/11/2009 06/11/2009 07/11/2009 08/11/2009 09/11/2009 10/11/2009 11/11/2009 12/11/2009 01/12/2009 02/12/2009 03/12/2009 04/12/2009 05/12/2009 06/12/2009 07/12/2009 08/12/2009 09/12/2009 10/12/2009 11/12/2009 12/12/2009 01/01/2010 02/01/2010 03/01/2010 04/01/2010 05/01/2010 06/01/2010 07/01/2010 08/01/2010 09/01/2010 10/01/2010 11/01/2010 12/01/2010 01/02/2010 02/02/2010 03/02/2010 04/02/2010 05/02/2010 06/02/2010 07/02/2010 08/02/2010 09/02/2010 10/02/2010 11/02/2010 12/02/2010 01/03/2010 02/03/2010 03/03/2010 04/03/2010 05/03/2010 06/03/2010 07/03/2010 08/03/2010 09/03/2010 10/03/2010 11/03/2010 12/03/2010 01/04/2010 02/04/2010 03/04/2010 04/04/2010 05/04/2010 06/04/2010 07/04/2010 08/04/2010 09/04/2010 10/04/2010 11/04/2010 12/04/2010 01/05/2010 02/05/2010 03/05/2010 04/05/2010 05/05/2010 06/05/2010 07/05/2010 08/05/2010 09/05/2010 10/05/2010 11/05/2010 12/05/2010 01/06/2010 02/06/2010 03/06/2010 04/06/2010 05/06/2010 06/06/2010 07/06/2010 08/06/2010 09/06/2010 10/06/2010 11/06/2010 12/06/2010 01/07/2010 02/07/2010 03/07/2010 04/07/2010 05/07/2010 06/07/2010 07/07/2010 08/07/2010 09/07/2010 10/07/2010 11/07/2010 12/07/2010 01/08/2010 02/08/2010 03/08/2010 04/08/2010 05/08/2010 06/08/2010 07/08/2010 08/08/2010 09/08/2010 10/08/2010 11/08/2010 12/08/2010 01/09/2010 02/09/2010 03/09/2010 04/09/2010 05/09/2010 06/09/2010 07/09/2010 08/09/2010 09/09/2010 10/09/2010 11/09/2010 12/09/2010 01/10/2010 02/10/2010 03/10/2010 04/10/2010 05/10/2010 06/10/2010 07/10/2010 08/10/2010 09/10/2010 10/10/2010 11/10/2010 12/10/2
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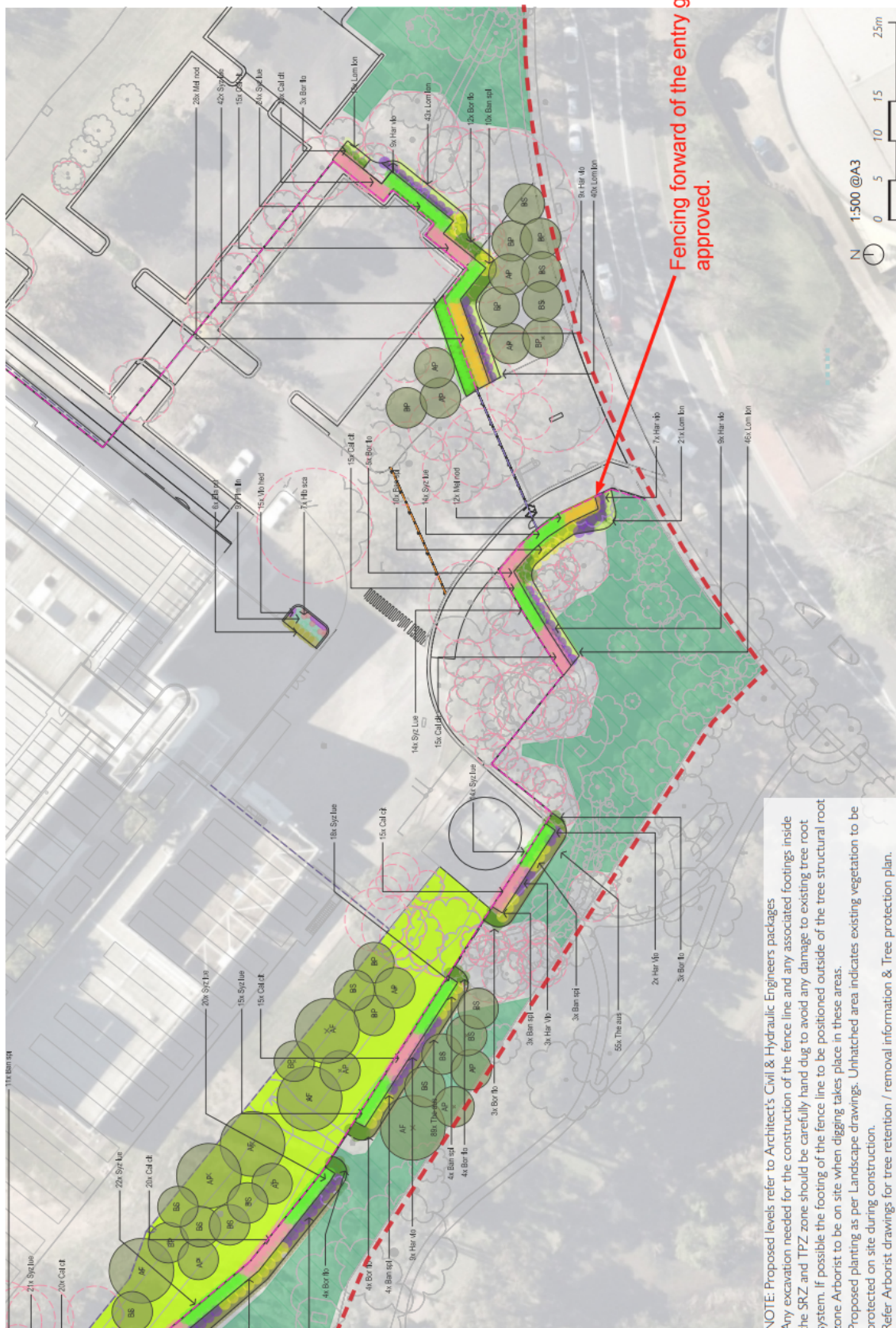
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Version: 6, Version Date: 29/08/2025

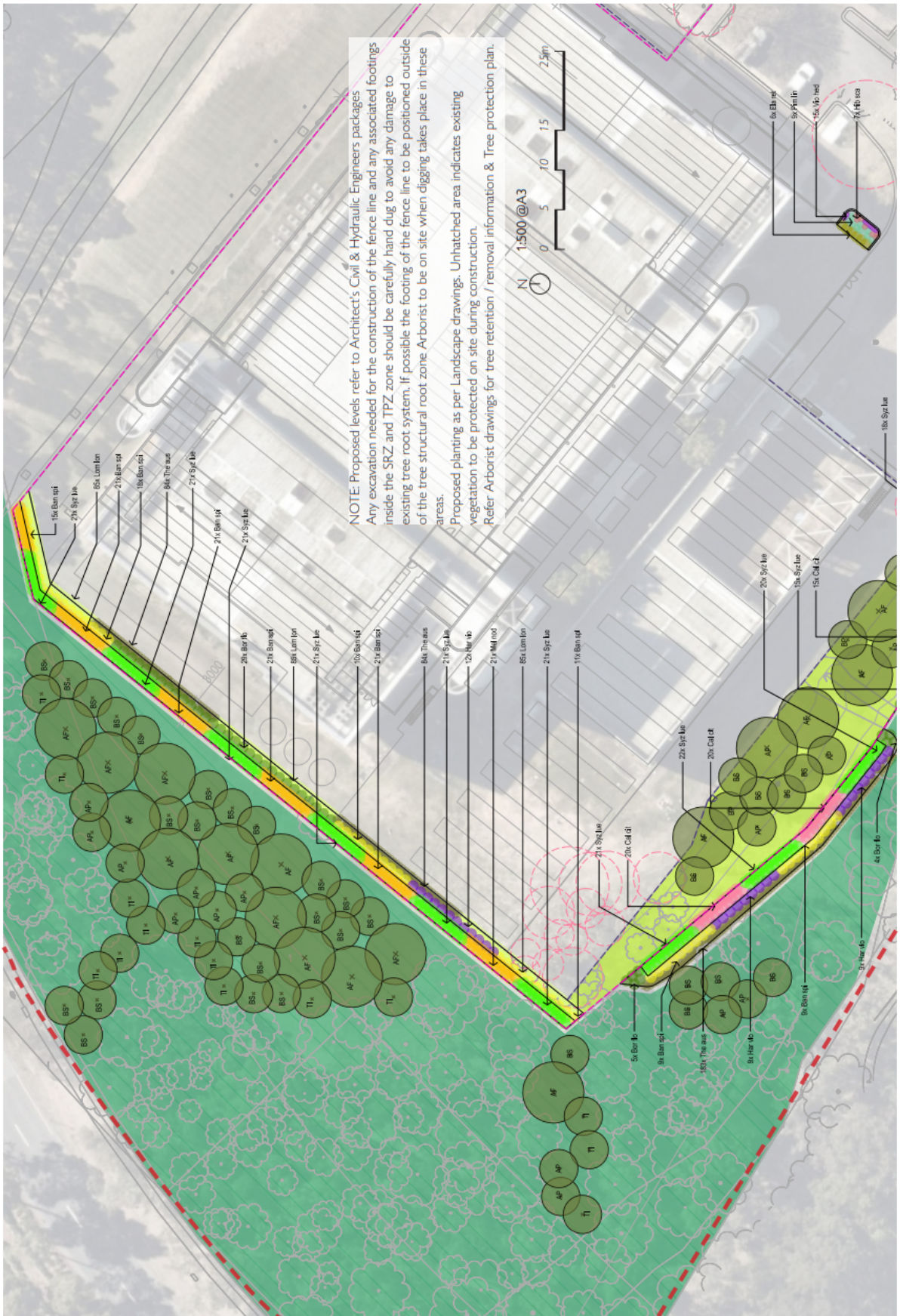


ATTACHMENT O – PROPOSED LANDSCAPE PLANS



Fencing forward of the entry gate is not approved.





Planting Mix 1 - Raised Planter						
CODE	Botanical Name	Common Name	Mature Height (m)	Pot Sizes	Indicative Densities (p/m2)	Grand Totals
Shrubs						
Ela ret	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	15	75Lt	as per plan	6
Pim lin	<i>Pinella linifolia</i>	Rice flower	1.5	200mm	as per plan	9
Grass & Groundcovers						
Hib sca	<i>Hibbertia scandens</i>	Golden Guinea Flower	3	150mm	as per plan	7
Vio hed	<i>Viola hederacea</i>	Native Violet	0.1 - 0.15	150mm	as per plan	15

Trees						
TREES	Botanical Name	Common Name	Mature Height (m)	Pot Sizes	Indicative Densities (p/m2)	Grand Totals
AP	<i>Acacia parramattensis</i>	Parramatta Green Wattle	15	75Lt	as per plan	20
AF	<i>Angaphora floribunda</i>	Thin-Leaved Stringbark	30	75Lt	as per plan	18
BS	<i>Banksia serrata</i>	Old man Banksia	10	75Lt	as per plan	41
BP	<i>Brachychiton populneus</i>	Kurrajong	8	75Lt	as per plan	9
TL	<i>Tristaniaopsis laurina</i>	Watergum	8	75Lt	as per plan	14

NOTE: All planting species proposed were selected from Control 3.1 of The Hills DCP 2012 Part C Section 3- Landscaping.

Planting Mix 2 - General Mass Planting						
CODE	Botanical Name	Common Name	Mature Height (m)	Pot Sizes	Indicative Densities (p/m2)	Grand Totals
Shrubs						
Bor flo	<i>Boronia floribunda</i>	Pink Boronia	1.5	200mm	as per plan	72
Ban spi	<i>Banksia spinulosa</i>	Hair-pin Banksia	3	200mm	as per plan	91
Grass & Groundcovers						
The aus	<i>Themeda australis</i>	Kangaroo Grass	0.3-0.7	150mm	as per plan	495
Har vio	<i>Hardenbergia violacea</i>	Purple Coral Pea	1 - 1.5	150mm	as per plan	71
Lom log	<i>Lomandra longifolia</i>	Mat rush	1.2	150mm	as per plan	405

Planting Mix 3 - Tall Mass Planting						
CODE	Botanical Name	Common Name	Mature Height (m)	Pot Sizes	Indicative Densities (p/m2)	Grand Totals
Shrubs						
Cal cit	<i>Callistemon citrinus</i>	Crimson bottlebrush	8	200mm	as per plan	135
Mel nod	<i>Melaleuca nodosa</i>	Ball honeymyrtle	1-4	200mm	as per plan	150
Syz lue	<i>Syzygium luehmannii</i>	Riberry Lilly Pilly	3-4	200mm	as per plan	288

Turf Make Good		
Sir Walter Buffalo Grass	as per plan	830sqm



SYDGPU1 Plan of Management

Project Overview: SYDGPU1 is a 14.9MW AI-enabled, next-generation data centre located at 3 Brookhollow Avenue, Norwest Business Park, Sydney, NSW. The project is an adaptive reuse of a legacy IBM data centre, aimed at rapid deployment of sovereign-scale infrastructure. This facility is designed with a strong sustainability mandate and incorporates GreenSquareDC's Five Pillars to Sustainability™. A Development Application (DA 1382/2025/JIP) has been submitted. The facility will operate 24/7 in compliance with all DA conditions.

1. Property and Project Description:

- **Location:** 3 Brookhollow Avenue, Norwest, NSW 2153.
 - **Zoning:** SP4 Enterprise under The Hills Local Environmental Plan 2019.
-

2. Operational Management:

- **Operating Hours:** 24/7 continuous operation.
 - **Staffing:** Core facility support team of up to 10 FTE.
 - **Security:** 24/7 site surveillance, gated entry, access-controlled zones.
-

4. Health and Safety Management:

- **WHS Management:** Governed by BGIS WHS Management Plan aligned with ISO 45001.
 - **EMP:** Long-term Environmental Management Plan (EMP) to be implemented.
-

5. Utilities and Services:

- **Power:**
 - 14.9MW connection.
 - N+1 electrical redundancy with liquid-cooled GPU stack power delivery.
 - **Hydraulics:**
 - Fire Hydrant system upgraded (refer Fire Hydrant SS and Council Acceptance docs).
 - No on-site sewer discharge; pump-out services under review.
-

6. Electricity Supply and Back-Up Power Generation

The proposal comprises the following back up power infrastructure:

- 11 no standby generators
 - 8 no. IT generators; and
 - 3 no. mechanical

The generators will be located at ground floor for operational phases.

Maintenance testing of emergency plant is anticipated to occur as follows:

- **Testing Frequency:** Generators will be tested periodically (one at a time)
- **Preferred Testing Hours:**
 - Monday to Saturday: 7.00am – 6.00pm
 - Sundays and Public Holidays: 8.00am – 6.00pm
 - No testing during sensitive night periods to avoid sleep disturbance
- **Duration:**
 - Each generator will undergo a test of approximately 1 hour, ensuring compliance with operational and noise guidelines.
 - Testing will not exceed 200 hours per year for all generators, to remain within NSW POEO exemptions.

7. Documentation and Reporting:

- **Documentation Controls:**
 - All site documentation governed under BGIS Document Control.
 - Plan of Management will be publicly accessible.
 - **Regular Meetings:** Internal ops and regular governance meetings.
-

ATTACHMENT Q – NORWEST ASSOCIATION CONSENTS

NORWEST ASSOCIATION LIMITED CONDITIONS OF DEVELOPMENT CONSENT



Application No: DA 1018 A

Site: 3 Brookhollow Ave, Norwest
Lot 2021 DP 831173

Project: Alterations and Additions to Existing Data Centre
Stage 1 Development

Applicant: Patch Planning

Approval Date: 19 July 2025

Norwest Association Lim
ACN 003 443 883

Suite 402, 5 Celebration Dr
Norwest Business Park
Bella Vista NSW 2153

Telephone (02) 8824 9821
Facsimile (02) 8824 8497

- The development is approved in accordance with the details submitted with the application dated 17 February 2025, Statement of Environmental Effects dated November 2024, Traffic Impact Assessment dated November 2024, Landscape Development Application dated November 2024, supporting reports and drawings including as follows:

Drawing Number	Title	Date	Revision
DA001	Cover Sheet	26/11/2024	8
DA002	Locality/Context/Site Analysis Plan	26/11/2024	6
DA003	Staging Plan	26/11/2024	2
DA010	Amended Site Plan	19/11/2024	13
DA030	Fire Compartmentation Diagrams	26/11/2024	4
DA050	Level 1 Demolition Plan	26/11/2024	6
DA051	Level 2 Demolition Plan	26/11/2024	6
DA052	Level 3 Demolition Plan	26/11/2024	6
DA054	Plant Mezzanine Demolition Plan	26/11/2024	3
DA055	Roof Demolition Plan	26/11/2024	3
DA060	Demolition Elevations	26/11/2024	6
DA061	Demolition Elevations	26/11/2024	6
DA100	Level 1 Floor Plan	26/11/2024	14
DA101	Level 2 Floor Plan	26/11/2024	12
DA102	Level 3 Floor Plan	26/11/2024	10
DA104	Plant Mezzanine Plan	26/11/2024	4
DA105	Roof Plan	26/11/2024	4
DA150	Elevations	26/11/2024	10
DA151	Elevations	26/11/2024	9
DA200	Sections	26/11/2024	8
DA201	Sections	26/11/2024	9
Landscape			
	General Arrangement Plan		
	Landscape Plan		
	Planting Schedule		
	Planting Palette		
	Typical Landscape Details		
	Indicative Landscape Maintenance		

2. 10 existing car parking spaces and 1 accessible space are to be retained in the existing carparking area. Motorcycle, bicycle parking and end of trip facilities are to be provided as outlined in the Transport Statement dated November 2024 to the satisfaction of The Hills Shire Council.
3. Hours of operation as set out the Norwest Business Park Master Scheme are 24 hours, 7 days per week.
4. All landscaping and planting are to be carried out in accordance with the Landscape Development Application Report dated November 2024 and tree management as recommended in the Arboricultural Impact Assessment dated October 2024.
5. A landscape bond for the amount of \$10,000.00 is to be submitted to Norwest Association Limited prior to the issue of a Construction Certificate to ensure that the approved landscaping is completed and maintained for a period of not less than 3 years from the date of occupation.
6. On completion of landscaping, the Applicant is to provide certification by a suitable qualified landscape architect that the landscaping installed fully satisfied the design intent and complies with the approved landscape plans.
7. Compliance with the stormwater design and stormwater quality measures identified in the Civil DA Report dated November 2024 and Stormwater Concept Layout Plan dated November 2024 to ensure compliance with the relevant regulations and requirements of Council.
8. Compliance with the findings of the Detailed Site Investigation and adoption of a Long-Term Environmental Management Plan (LTEMP) to monitor groundwater conditions and notify the presence of residual contamination related to the historical uncontrolled diesel release.
9. All demolition, construction and ongoing waste to be removed in accordance with the Construction, Demolition and Ongoing Waste Management Plan dated November 2024 and to the requirements of Council.
10. Noise mitigation and vibration impact measures are to be implemented to ensure minimal impact on adjoining properties and compliance with relevant criteria and the requirements of Council as recommended in the Stage 1 Noise Impact Assessment dated November 2024.
11. A separate Development Application is to be submitted for approval by Norwest Association Limited for any proposed external signage and lighting which are to be fully integrated with the landscaping.
12. All external materials, finishes and fencing are to be in accordance with the details submitted with the Application.
13. All roof top plant and solar panels are to be screened from public view.
14. The security boundary fence to Brookhollow Avenue is to be relocated 2m inside the property boundary with suitable landscaping provided between the fence and site boundary.


ALAN ZAMMIT AM
Chair
Norwest Association Limited

**NORWEST ASSOCIATION LIMITED
CONDITIONS OF DEVELOPMENT CONSENT**



Application No: DA 1028

Site: 3 Brookhollow Ave, Norwest
Lot 2021 DP 831173

Project: Subdivision - Stage 1 Development

Applicant: Patch Planning

Approval Date: 24 June, 2025

Norwest Association Limited
ACN 003 443 883

Suite 402, 5 Celebration Drive
Norwest Business Park
Bella Vista NSW 2153

Telephone (02) 8824 9821
Facsimile (02) 8824 8497

1. The development is approved in accordance with the details submitted with the application dated 13 June 2025, Formal Response to Council prepared by Patch Planning dated 23 May 2025 and drawing as follows:

Drawing Number	Title	Date	Revision
A1	Indicative Site Subdivision Plan	23/05/2025	

2. Compliance with all applicable conditions as set in NAL approval DA 1018 dated 10 March 2025, not impacted by this approval.


ALAN ZAMMIT AM
Chair
Norwest Association Limited

ATTACHMENT R – SITE PHOTOS















