

## **MODIFIED CONDITIONS**

### **Modification of the Following Conditions:**

#### **1.0 – General Conditions of Consent**

- (1) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. Department of Primary Industries – Water, General Terms of Approval, reference ERM2017/514, dated 25<sup>th</sup> August 2017.
2. Endeavour Energy correspondence dated 4<sup>th</sup> July 2017 and 17 May 2022.
3. New South Wales Rural Fire Service, correspondence dated 23<sup>rd</sup> June 2017 and 23 June 2022.

- (3) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

<b>Plan Reference/ Drawing No.</b>	<b>Name of Plan</b>	<b>Prepared by</b>	<b>Date</b>
DA - 03 Rev B	Site / Ground Level layout plan	GENTON	03/06/2022
DA – 04 Rev A	First floor plan	GENTON	08/04/2022
DA – 05 Rev A	Roof Plan	GENTON	08/04/2022
DA – 06 Rev A	Sections	GENTON	08/04/2022
DA – 07 Rev B	Elevations & External finishes	GENTON	03/06/2022
64.22/087	Landscape Plan	Iscape	March 2022
C-DR-001 Rev 2	General notes	ARUP	08/04/2022
C-DR-200 Rev 2 & C-DR-201 Rev 2	Erosion & sediment control plan – 1 of 2 and 2 of 2.	ARUP	08/04/2022
C-DR-202 Rev 2	Erosion & sediment control details	ARUP	08/04/2022
C-DR-300 Rev 1 & C-DR-301 Rev 2	Stormwater and grading plan sheet 1 of 2 and 2 of 2	ARUP	08/04/2022
C-DR-302 Rev 2	Stormwater and grading details	ARUP	08/04/2022
C-DR-400 Rev 2 & C-DR-401 Rev 2	Catchment plan sheet 1 of 2 and 2 of 2	ARUP	08/04/2022

Document Title	Prepared by	Date
Bushfire Protection Assessment for the construction of the proposed data centre on Lot 4332 in DP 1194022 No. 42B Bluett Drive, Smeaton Grange Report No. B223850-2	Australian Bushfire Protection Planners Pty Ltd	1 April 2022
Geotechnical Interpretive Report, ROO DATA SYD54	ARUP	16 August 2017
Waste Management Plan	Willow Tree Planning	May 2017
Preliminary Hazard Assessment	Riskcon Engineering	11 April 2022
DA Acoustic Assessment	ARUP	7 April 2022

(4) **Modified Documents and Plans** - The development shall be modified as follows:

- a) Rainwater tanks shall be reconfigured to allow for collected and stored rainwater to be utilised for non-potable uses such as the watering of landscaped areas and the flushing of toilets.
- b) The carriage way shall be amended to a minimum of 6.5m in accordance with the requirements of the NSW Rural Fire Service correspondence dated 23 June 2022.

Amended plans or documentation demonstrating compliance shall be provided to the Certifying Authority and Council prior to the issue of a Construction Certificate.

(12) **Generator enclosure** – The generators and individual enclosures shall be designed and installed so that they will:

- 1) Comply with the mitigation measures and criteria outlined in the acoustic assessment report titled RU Data Project Orion Data Centre DA Acoustic Assessment, prepared by ARUP, Ref: AC01 and Dated 7 April 2022; and
- 2) Will incorporate bunding and / or spill containment for the systems and associated refuelling points in accordance with AS1940.

## 2.0 – Prior to the issue of a Construction Certificate

(1) **Acoustic Report** – The development shall be constructed in accordance with the acoustic report titled RU Data Project Orion Data Centre DA Acoustic Assessment, prepared by ARUP, Ref: AC01 and Dated 7 April 2022. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

## 5.0 - Prior to the Issue of an Occupation Certificate

(7) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the PCA confirming the building/s has been constructed in accordance with the approved acoustic report titled RU Data Project Orion Data Centre DA Acoustic Assessment, prepared by ARUP, Ref: AC01 and Dated 7 April 2022.

## 6.0 – Ongoing Use

- (20) **Acoustic Certification** – Within 1 month of the installation and commissioning of each generator, an acoustic report prepared by a suitably acoustic consultant, is to be submitted to the consent authority demonstrating that the noise emitted from the generator and premises complies with the criteria contain in the acoustic report titled RU Data Project Orion Data Centre DA Acoustic Assessment, prepared by ARUP, Ref: AC01 and Dated 7 April 2022. Where the criteria are not met, the acoustic report is to include recommendations of noise control measures that are to be implemented to ensure compliance with the criteria.

### Addition of the Following Conditions:

## 2.0 – Prior to the issue of a Construction Certificate

- (15) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Appendix B of Camden Development Control Plan 2019. Details demonstrating compliance must be provided to the certifier.

The detailed landscape plan must also include:

- a) Minimum of four (4) trees sourced in 45lts container and consisting of *Corymbia maculata*, *Eucalyptus tereticornis* and *Eucalyptus moluccana* must be planted within area shown as existing planting area.
- b) All internal trees must consist of *Corymbia maculata*, *Eucalyptus tereticornis* and *Eucalyptus moluccana* including the substitution of *Tristaniopsis laurina*.
- c) An additional local native tree must be planted within internal landscape area raising the total number of trees to eight (8).

## 6.0 – Ongoing Use

- (22) **Preliminary Hazard Analysis Safeguards** - The quantity of Dangerous goods stored on site must not exceed the quantities identified in the Preliminary Hazard Analysis (PHA) prepared by Riskcon engineering dated 11 April 2022. All the safeguards identified in the PHA must be implemented and maintained at all times.