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By Electronic Mail
16 December 2021

Dear Mr. Williams,

**EPA Advice on Environmental Impact Statement
Proposed Kemps Creek Data Centre - Application SSD-10101987
707 - 769 Mamre Road, Kemps Creek.**

Thank you for the request on 17 November 2021 for advice from the Public Authority Consultation (PAE31984963), regarding an Environmental Impact Statement (EIS) for the proposed Kemps Creek Data Centre (Application SSD-10101987) at 707 - 769 Mamre Road, Kemps Creek.

The EPA has reviewed as part of providing this advice, the following documents:

- *Kemps Creek Data Centre, Environmental Impact Statement, SSD10101987 (Final version)* – Willow Tree Planning – 6th of September 2021
- *Architectural Plans, Kemps Creek Data Centre* – Greenbox Architecture PTY LTD – 3rd of September 2020 (Appendix of Request for SEAR's)
- *Air Quality Impact Assessment, Kemps Creek Data Centre (revision 3)* – Arup Australia Pty Ltd – 23rd of July 2021 (Appendix 13 of EIS)
- *Noise Impact Assessment, Kemps Creek Data Centre (revision 3)* – Arup Australia Pty Ltd - 23rd of July 2021 (Appendix 14 of EIS)
- *SEPP 33 Report, Kemps Creek Data Centre (revision 2)* – Arup Australia Pty Ltd - 16th of April 2021 (Appendix 21 of EIS)

The EPA understands the proposal is for:

- Construction and operation (24/7 basis) of a Data Centre building. The Data Centre would comprise two (2) two-storey buildings (21.31 m), comprising a total of 60,943m² Gross Floor Area (GFA).

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- Utility and backup provisions include one (1) electrical substation, provisions for 63 diesel fuel storage tanks, 62 emergency backup generators and additional plant and equipment (on the roof level).
- Ancillary office space comprising 6,255m² of GFA.
- 24,186.34m² of landscaping across the Site.
- 120 car parking spaces (including six (6) accessible spaces).
- Associated internal access roads, hardstand and driveways.

Based on the information provided in the EIS and associated documents, the EPA is able to determine that the proposal will not require an environment protection licence under the *Protection of the Environment Operations Act 1997* (the Act). However, the EPA requires the Applicant to provide additional information to enable the EPA to adequately fully assess the Proposal and any potential environmental impacts. The required additional information is detailed below.

The EPA has the following additional comments and recommendations:

1. Matters to be addressed prior to determination

a) More specific information regarding the maximum operating time in an emergency

- In section 6.8.2 “Operational Noise” of the EIS, it is stated, ‘If power failure was to occur, the duration of an outage would be expected to be hours rather than days.’
- The EPA requests the Applicant provide a more specific statement that outlines the maximum operating time in an emergency situation so that the EPA can be confident that the proposal does not exceed its predicted noise levels. I refer to chapter 5, part 5.5, section 139 – “Operation of plant” in the *Protection of the Environment Operations Act 1997*.

b) Justification for conducting maintenance testing in the evening (after 5pm)

- In section 6.8.2 “Operational Noise”, it is stated, ‘...that maintenance testing of emergency plant is anticipated to occur during the daytime period (from 7am and 6pm) Monday to Saturday; or 8am to 6pm on Sundays and Public Holidays).’
- The EPA requests the Applicant include a justification for conducting maintenance testing after 5pm given the findings of the Noise Impact Assessment (NIA) so that the EPA can be confident there won’t be any adverse impacts to noise levels in the evening given the potential for electricity generators to produce significant noise.

c) Further information on the location and design of chemical bunding and containments

- In section 5.2 – “Back-up generators of diesel storage” in the SEPP 33 Report provides an indicative render of the diesel generator and belly tank located outside each of the data halls.
- The EPA requests the Applicant include a more detailed description and/or diagram outlining the location and design of chemical bunding and containments so the EPA can be satisfied than any risk of chemical migration both onsite and offsite can be sufficiently mitigated.

If you have any questions about this request, please contact William Marshall on (02) 9860 1455 or by email at RegOps.MetroRegulation@epa.nsw.gov.au (Attn: William Marshall).

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Ruth Oowler'.

RUTH OWLER
A/Unit Head - Regulatory Operations
Environment Protection Authority