Planning and Development Act 2007

Development Application

Application Number: **202038149**

Before Starting

PLEASE NOTE: This wizard will time out if left inactive for a period of more than two hours, after which time you will lose your application and be required to complete a new wizard. It is recommended you **save** this session if it is to be left inactive for an extended period of time.

Please ensure that your screen is set to the highest resolution (e.g. 1280 by 1024 pixels) to ensure all content in the wizard is visible.

Type of Application

The type of application you are applying for is a **New Application**

Are you applying for a:

◯ Development Application

Has a pre-application meeting been held in relation to this proposal?

◯ No

Lease/Site Details

Site Number: 1

If your rural property is identified by a Block/Section/Suburb, please select the "Urban" radio button.

◯ Urban

Suburb	Section	Block Number	Unit Number
HUME	7	103	

Street Address

5 TRALEE STREET, HUME

Applicant Details

What type of applicant are you:

◯ Business

ACN or ABN
66131577261

Company Name
Canberra Town Planning Pty Ltd

Position held / Title
Director

Salutation
None

First Name
Pieter

Surname
Van der Walt

Postal Address 1
5/32 Lonsdale Street

Postal Address 2

Postal Address 3

Suburb
Braddon

State/Territory
ACT

Postcode
2612

Country
Australia

Phone Number
0262625091

Fax Number

Mobile Number

Email
admin@canberratownplanning.com.au

Lessee (Property Owners) Details

Lessee Number: 1

Is the Lessee a:

○ Registered company

Australian Company Number (ACN)
59125710394

Company Name
Canberra Data Centres Proprietary Limited

Position held / Title
Architect

Salutation
Mrs

First Name
Jenny

Surname
Blair

Postal Address 1
PO Box 635

Postal Address 2

Postal Address 3

Suburb
Fyshwick

State/Territory
ACT

Postcode
2609

Country

Phone Number
0417217856

Fax Number

Mobile Number

Email
jblair@cdcdc.com.au

Notice of Decision and Plans

Please specify the delivery method for the return of plans. Unless otherwise specified, your Notice of Decision and/or plans will be returned via email.

☐ Email

Are you applying for an *Estate Development Plan* OR *Home Business*?

○ No

Zone

Please specify which zone applies to this application (please select one zone only). Please click *here* to access ACTMAPi and locate the zone.

☐ IZ1 General industrial zone

If more than one zone is applicable to your application, please specify them below:

Development/Precinct Code

Please specify which development code applies to this application.

☐ Industrial Zones Development Code

Please specify all relevant precinct code/s applied to your proposal

Hume Precinct Code

Fully Describe Your Proposal

Please provide a full description of your proposal (Note: This must accurately describe all aspects of your proposal and include any lease changes being applied for.)

The proposal is for the third and final stage of development of the subject site for a data centre facility, and this application comprising construction of a three-storey Facilities building with a total gross floor area of 2,852m2; construction of a link bridge to existing Building 4 with Building 4 at the upper level; construction of a link bridge to proposed Building 5; associated landscaping and site servicing; generators are proposed to the southern block boundary (Please note the generators are for private use exclusively and not for other uses).

Proposed Use of the Land

Describe the use of the development. **Example:** Office, childcare facility, gymnasium. (Note: Please refer to the Territory Plan definitions for land use definitions. Please also consider what is permitted under any Crown Lease for the site.)

Warehouse; Store; Ancillary Use

Is the proposed use consistent with the current Crown lease?

○ Yes

Assessment Track

Please indicate which assessment track applies to this Development Application: (If you are not sure which assessment track applies, please contact Environment, Planning and Sustainable Development Directorate on (02)62071923)

○ Merit

Has an Environmental Significance Opinion been sought for this proposal?

○ No

For more information about which track your development application will be assessed in, please click *here*. *Please note, the Environment, Planning and Sustainable Development Directorate may refuse to accept a development application made in an incorrect assessment track. If the Environment, Planning and Sustainable Development Directorate assesses an application made in the incorrect assessment track it must refuse the application (S.114 (3)).*

Type of Development

Please indicate which type of development applies to this development application.

☐ Non-Residential (including Commercial and Industrial)

Non-Residential

Please select a Non-Residential sub type:

☐ New building

National Capital Design Review Panel (NCDRP)

Does the proposal include building/s that are five (5) or more storeys?

○ No

Have you consulted with the National Capital Design Review Panel (NCDRP)?

○ No

From 1 October 2019, a proponent must consult with the NCDRP about a development proposal that is 5 or more storeys. Application will not progress, please contact designreview@act.gov.au

Gross Floor Area (GFA) and Cost of Works

Please ensure that all values contain a decimal point followed by two digits

Gross Floor Area Calculation

A - Gross Floor Area (existing) (m^2)

0.00

B - Gross Floor Area to be demolished (m2)

0.00

C - Gross Floor Area to be added (m^2)

3345.00

D - Total Gross Floor Area of development (A-B+C)(m^2)

3345

E - COST OF WORKS ($)

8806630.00

Other Area Calculation (not already included in the areas provided above)

F - Area of other BCA Class 10 structures included in this application
(e.g. metal carport, pergola, deck, verandah) (m^2)

0.00

G - Parking areas – undercover

0.00

H - COST OF WORKS (F & G) ($)

0.00

Cost of Associated Works

I - Cost of all associated works such as landscaping ($)

47820.00

J - Cost of all public works and/or off site works ($)

0.00

K - TOTAL COST OF WORKS (E+H+I+J)

8854450

Cost of works **MUST be calculated in accordance with the current version of Building (General) (Cost of Building Work) Determination OR a summary of costs from a bill of quantities prepared by a quantity surveyor supplied with application. A summary of costs from a bill of quantities MAY be requested for proposals where cost of work is between $0 and $10 million. A summary of*

costs from a bill of quantities MUST be provided for proposals where cost of work is over $10 million.

Demolition, Trees

Demolition

Is the *Demolition* item relevant to your proposal?

○ No

Trees

Is the Trees item relevant to your proposal?

○ No

Heritage

Heritage

Is the *Heritage* item relevant to your proposal?

○ No

Hazardous Materials, Contamination, Erosion and Sediment Control

Hazardous Material

Is the Hazardous Materials item relevant to your proposal?

○ No

Contamination

Is the Contamination item relevant to your proposal?

○ No

Erosion and Sediment Control (for sites less than 0.3 of a hectare)

Is the Erosion and Sediment Control (for sites less than 0.3 of a hectare) item relevant to your proposal?

○ No

For works such as class 10 structures, additions and alterations, and backyard swimming pools - a note on the plan that "the development will comply with the ACT Environment Protection Authority, Environment Protection Guidelines for Construction and Land Development in the ACT" is required. In circumstances where there is a reasonable risk that soil from the required earth works in the front of the block will impact on the stormwater system because the block slopes towards the street a separate Erosion & Sediment Control Plan will be required

Erosion and Sediment Control (for sites greater than 0.3 of a hectare)

Is the Erosion and Sediment Control (for sites greater than 0.3 of a hectare) item relevant to your proposal?

◯ Yes

Have you provided Entity Endorsement?

◯ No

Have you provided required documentation for *referral* to Entity?

◯ Yes

Waste Management, Noise

Waste Management for waste facilities and management

Is the Waste Management (for waste facilities) item relevant to your proposal?

◯ Yes

Have you provided Entity Endorsement?

◯ No

Have you provided required documentation for *referral* to Entity?

◯ Yes

Waste Management for liquid trade waste

Is the Waste Management (for liquid trade waste) item relevant to your proposal?

◯ No

Noise

Is the Noise Management item relevant to your proposal?

◯ No

Servicing & Site Management, Utilities

Servicing and Site Management

Is the Servicing and Site Management item relevant to your proposal?

◯ Yes

Have you provided Entity Endorsement?

◯ No

Have you provided required documentation for *referral* to Entity?

◯ Yes

Utilities

Is the *Utilities* item relevant to your proposal?

○ Yes

Please tick the relevant entities

☐ Water
☐ Electricity
☐ Sewerage
☐ Gas
☐ Stormwater

Have you provided Entity Endorsement?

○ No

Have you provided required documentation for *referral* to Entity?

○ Yes

Are you relocating or constructing any new services?(If unsure please contact relevant service providers before submitting this application).

○ Yes

Are easements required?(If unsure please contact relevant service providers).

○ No

Subdivision, National Capital Plan, Crime Prevention, Access & Mobility

Subdivision (other than residential zones)

Is the Subdivision (other than residential zones) item relevant to your proposal?

○ No

National Capital Plan

Is the *National Capital Plan* item relevant to your proposal?

○ No

Crime Prevention through Environmental Design

Is the *Crime Prevention* item relevant to your proposal?

○ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

○ Yes

Access and Mobility

Is the *Access and Mobility* item relevant to your proposal?

○ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

◯ Yes

Site Access, Parking, Landscape, Lighting

Site Access

Is the Site Access item relevant to your proposal?

◯ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

◯ Yes

Landscape

Is the *Landscape* item relevant to your proposal?

◯ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

◯ Yes

Lighting

Is the *Lighting* item relevant to your proposal?

◯ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

◯ Yes

Signs, Water Sensitive Urban Design

Signs

Is the *Signs* item relevant to your proposal?

◯ No

Water Sensitive Urban Design (Mains Water Consumption)

Is the Water Sensitive Urban Design (Mains Water Consumption) item relevant to your proposal?

◯ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

◯ Yes

Water Sensitive Urban Design (Stormwater Quality)

Is the Water Sensitive Urban Design (Stormwater Quality) item relevant to your proposal?

○ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

○ Yes

Water Sensitive Urban Design

Water Sensitive Urban Design (Stormwater Quantity)

Is the Water Sensitive Urban Design (Stormwater Quantity) item relevant to your application?

○ Yes

Have you provided documentation that demonstrates how your proposal complies with the requirements of the *Territory Plan*?

○ Yes

Driveways (For works on verge only)

PLEASE NOTE: For proposals that include construction or modification of a driveway this application **MUST** be signed by the land custodian (Government Land Custodian - Asset Acceptance) as the works will be undertaken on unleased land **EXCEPT FOR DUAL OCCUPANCY DEVELOPMENT PROPOSALS.** For more information on driveways, garages and carports, please click here.

Does your proposal include construction or modification of driveway/s?

○ No

Survey Requirements - S.139(2)(l) - P & D Act 2007

If this application is for approval of a development that requires construction work to be carried out on land that has previously been developed and is not leased for rural purposes, a survey certificate for the land where the development is to be carried out (prepared and signed by a registered surveyor) must accompany this application unless exempt by Regulation 25 of the *Planning and Development Regulations 2008*

Do you have a *survey certificate* with this application?

○ Yes

Development Undertaken Without Approval - S.205 - P & D Act 2007

Is this application for development undertaken without approval?

○ No

If YES - Under Section 139(2)(m) of the Planning and Development Act 2007,plans of the

development signed by a registered surveyor confirming the location and dimensions of the development ***must*** *be submitted with this application. The plans need to confirm the height, width and length dimensions of the development and the setback dimensions of the development from the block boundaries. The information may be provided on one plan or on a series of plans provided each plan is signed by a registered surveyor. Note: For all unapproved development involving construction the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features must comply with utility standards, access provisions and asset clearance zones. For more information on development exempt from approval, please click here. For more information on development applications for developments undertaken without approval, please refer to S205 under the Planning and Development Act 2007*

Exclusion from Public Inspection

In accordance with the requirements of Sections 28 and 30 of the *Planning and Development Act 2007*, the Environment, Planning and Sustainable Development Directorate must make the details and associated documents relevant to a development application available for public inspection.

If you wish to apply to have all or part of this development application excluded from public inspection, you must meet the requirements of Section 411(5) or 412(1) of the Planning and Development Act 2007

Are you requesting an exclusion from *Public Inspection*?

◯ No

Conflict of Interest Declaration

Does the applicant or the lessee have any association with the Environment, Planning and Sustainable Development Directorate staff?

◯ No

NOTE: There are penalties for deliberately giving false and misleading information. The Planning and Land Authority or Minister may revoke an approval if satisfied that the approval was obtained by fraud or misrepresentation

Applicant/Lessee Declaration

I/we hereby apply for approval to carry out the development described on the land specified in this application;

I/we declare that this application is accompanied by all of the required information or documents that address the relevant rules and/or relevant criteria for it to be considered for approval;

I/we understand that the information submitted with this application form will undergo a documentation check prior to the payment of fees and formal lodgement of the application. Further information may be required prior to the acceptance of the development application by the

Directorate;

I/we have provided all relevant documentation in accordance with the *minimum documentation requirements for lodgement of a Development Application (DA).* Please note, a fee may be charged if your application does not contain all the required documentation;

I/we understand that this application will be considered lodged once the relevant application fees have been paid;

I/we understand that if during the assessment of this application it is found to have been submitted in the incorrect assessment track the application will be refused and I/we will not be entitled to a refund or transfer of fees;

I/we understand that the documentation provided on CD/DVD or via the electronic lodgement process will be considered to be the relevant documentation associated with this application. All development application documentation will be made available for *public inspection* including via the Internet unless exclusion has been approved;

If the time for deciding the application (prescribed period) has ended and a decision has not been reached I/we understand that the application will be deemed refused and the Environment, Planning and Sustainable Development Directorate will not provide written advice of this decision. I/we also understand that the Environment, Planning and Sustainable Development Directorate is able to still consider the application and make a decision after the expiration of the prescribed period;

I/we hereby authorise the Environment, Planning and Sustainable Development Directorate its servants and agents to erect sign/s on the subject property(s) as required;

I/we hereby authorise ACT Government officers to access the subject property(s) for the purpose of evaluating the proposal(including the inspection of driveways and trees);

I/we (lessee) appoint the applicant whose signature appears in the attached *letter of appointment* to act on my/our behalf in relation to this Development Application. This authorises the applicant to pay all application fees, bonds and securities, liaise with the Environment, Planning and Sustainable Development Directorate when required, alter, amend or provide further information as necessary and receive any communications relating to this Development Application;

I understand that costs associated with the relocation of any engineering services (light poles, storm water, sumps etc) will be at my expense and that I will indemnify the ACT Government, its servants and agents against any claims arising during the relocation of these services;

I understand that construction of any driveway associated with this application may not commence until the contractor has received endorsement by the relevant government entity;

I understand that a Certificate of Design Acceptance and a Road Opening Permit and Temporary Management Plan must be obtained from the relevant government agencies prior to the start of construction works;

I/we declare that all the information given on this form and its attachments is true and complete;

If lodging on behalf of a company, organisation or Government agency: -

I/we declare I/we have the appropriate delegation or authority to sign on behalf of the company, organisation or Government agency.

I declare that I am the person shown in this eDA form as the Applicant, and by clicking the ACCEPT button below I understand that this replaces my requirement to sign a hard copy of this application.

I accept the above declarations

○ Accept

Acceptance date

03 Feb 2021

Before Submitting

You have almost completed the first stage of your Development Application/Pre-Application request. **PLEASE ENSURE YOUR WIZARD SESSION IS SAVED BEFORE PROCEEDING**. This will enable you to resume your session in the event of a system outage or other interuption.

When you click on Finish below, you will be navigated to a new page which will enable you to upload any associated plans/documents prior to submitting to EPSDD for review.

Development applications (DAs) can be delayed unnecessarily because EPSDD does not have all the information it needs to undertake an assessment and make a decision.
To avoid delays ensure all required sections of the wizard are answered correctly and all required documentation is uploaded. In particular:
1. A signed appointment letter from all lessee's must be provided if works are to performed on the verge, a signed endorsement letter must be provided by the relevant Government Custodian;
2. Public register plans for residential applications are included;
3. You MUST include a statement against the criteria for development applications that will be assessed in the Merit track;
4. If the application is for a single unit on a unit titled block body corporate authorisation is required if there is works on a common property
If you are still not sure how to proceed or want to ensure you have everything you need for your application, you can call the Land, Planning and Building Services Shopfront on 6207 1923 and ask to speak with a technical officer.

Privacy Notice

The personal information on this form is provided to the Environment, Planning and Sustainable Development Directorate (EPSDD) to enable the processing of your application. The collection of personal information is authorised by the Planning and Development Act 2007. If all or some of the personal information is not collected EPSDD cannot process your application. The Planning

and Development Act 2007 requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet. The personal information you provide may be disclosed to Australian Bureau of Statistics, ACT Revenue Office, the Registrar General's Office, ACTEW Corporation, ActewAGL, Territory and Municipal Services Directorate and other Government agencies with a direct interest in the development assessment process. The information may also be disclosed where authorised by law or court order, or where the Directorate reasonably believes that the use or disclosure of the information is reasonably necessary for enforcement-related activities conducted by, or on behalf of, an enforcement body. EPSDD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPSDD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPSDD Information Privacy Policy can be found at www.environment.act.gov.au

Does the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC) affect your proposal?

The EPBC came into operation on 16 July 2000. It establishes an environmental assessment and approval system that is separate and distinct from the ACT system. It does not affect the validity of ACT development assessment and approval processes, but may affect the assessment track. The ACT cannot provide preliminary advice on whether a proposal falls within the definition of a controlled action, or requires referral to the Commonwealth. You should consult with the Commonwealth to determine if your proposal is a controlled action before seeking any approvals under the Planning and Development Act 2007. For information about the EPBC, including the referral process and when a referral should be made, contact: the Department of Sustainability, Environment, Water, Population and Communities, GPO Box 787, CANBERRA ACT 2601 Telephone: 62741111

Contact Details: Environment, Planning and Sustainable Development Directorate, Land, Planning and Building Services Shopfront, GPO Box 158, Canberra City 2601, 8 Darling Street, Mitchell ACT 2911 Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays) Phone: (02) 6207 1923 Email: epdcustomerservices@act.gov.au Website: www.environment.act.gov.au