Planning Act 2023

Development Application

Application Number: **202443633**

Type of application

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

To ensure officers can provide you with appropriate advice in relation to your development proposal you will need to provide supporting plans and documentation.

Are you applying for a

◯ Development Application

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	99	

Street Address

62 SAWMILL CIRCUIT, HUME

Site Number: 2

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
Town Planner

Salutation
None

First Name
Divyaraga

Surname
Gunasekaran

Postal Address 1
501B/23 Challis Street

Postal Address 2

Postal Address 3

Suburb
Dickson

State/Territory
ACT

Postcode
2602

Country
Australia

Phone Number
0262625091

Fax Number

Mobile Number

Email
admin@canberratownplanning.com.au

Lessee Details

Lessee Number: 1

Is the Lessee a:

○ Registered company

Australian Company Number (ACN)
59125710394

Company Name
CANBERRA DATA CENTRES PTY LTD

Position held / Title
Head of Pre-Construction

Salutation
Mr

First Name
Stuart

Surname
Bell

Postal Address 1
54 Sheppard Street

Postal Address 2

Postal Address 3

Suburb
Hume

State/Territory
ACT

Postcode
2620

Country
Australia

Phone Number
0412358795

Fax Number

Mobile Number
0419097108

Email
stuart.bell@cdc.com

Exclusion of Lessee Details

Any information provided as part of the application (including lessee names and contact details in this application form and in the submitted plans), will be publicly notified. In accordance with publication requirements under the Planning Act 2023, these details may be available for up to 5 years after a decision has been made.

Has the lessee been advised on the access to information requirements under Chapter 14 of the *Planning Act 2023*?

◯ Yes

Zones

Please specify which zone applies to this application.
NOTE: Land use zone information can be found on the Territory Plan map in ACTmapi.

☐ IZ1 General Industrial Zones

Fully Describe Your Proposal

Please fully describe your proposal (this should outline all aspects of the development):

This proposal located on Block 99 Section 7 Hume fronting Sawmill Circuit involves the construction of a new data centre development and associated works involving the construction of an air bridge and electrical supply infrastructure on Block 103 Section 7 Hume.

The proposed data centre comprising of two storeys with a total GFA of 8,281m2 and includes seven data halls with a GFA of 3,652m²; associated plant and equipment; services; loading and storage; facility management space with a GFA of 178m²; connection of an air-bridge on Block 103 to Block 99 as a linkage between the proposed and existing data centre; pedestrian paving; storage and utilities; parking facilities; and associated site servicing and landscaping works.

The application includes a lease variation to consolidate the Block 99 and Block 103 leases and add ‘data centre’ use to the Crown lease purpose clause for Block 99. (Please note that consolidation of blocks is not proposed as part of the development)

Type of Development

Please outline the type of development or works that are proposed (please select all that apply):

☐ New development

☐ Lease Variation – Clause Change

The proposed development or land use is for the following, as per the Territory Plan definitions:

Industrial (non-residential)

☐ Data centre

Note: If not applicable, please indicate by 0

Number of industrial units to be retained:

0

Number of industrial units to be constructed:

1

Total number of industrial units:

1

Proposed Use of the Land

Is the proposed use consistent with the current Crown Lease?

◯ No

Is the block unit titled?

◯ No

Related Applications

Is this application related to any other application(s) or other matter (for example, a pre-application meeting, an environmental impact statement, environmental significance opinion, major or minor plan variation or other DA)?

◯ No

Territory Plan Policies

District policy:

East Canberra District Policy

Zone policy:

Industrial Zones Policy

Other policies:

☐ Lease Variation Policy

Development Height

Does the proposed development include any buildings or structures?

◯ Yes

Storeys

2

Metres

13.1-16m

Gross Shop Floor Area

Does the development proposal increase the floor space of a shop by more than 2000m2 in a Residential Zone, Commercial Zone, Community Facility Zone or a Park and Recreation Zones?

◯ No

Subdivision Design Application

Does the development proposal include subdivision or consolidation?

◯ No

Does the development propose the creation of new public roads?

◯ No

Does the development propose the removal of current public roads?

◯ No

Does the development propose land use zone changes and construction requirements for future development (e.g. greenfield estates)?

◯ No

Note: If yes to any of the above, the application may be considered a significant development.

Unit Title

Do you intend to Unit Title the development in the future?

Note: The information provided in this section is for information and use during development assessment only. It is not an application for unit titling. The unit title process is separate to the DA process. Further information can be found at https://www.planning.act.gov.au/community/buy/leasing-and-titles/unit-titles/guide-to-the-unit-title-application-process.

Note: If yes, you will need to consider if the use is consistent with the Crown lease and your development is for subdivision which requires consideration of the Subdivision Policy in the Territory Plan. Failure to accurately indicate the intention to Unit Title may result in the need for an additional development application.

○ No

Gross Floor Area

A: Existing GFA (m2):

0.0

B: GFA to be demolished (m2):

0.0

C: GFA to be added (m2):

8281.0

D: Total GFA (A-B+C) (m2):

8281

Schedule of Area and Cost of Works

Are you proposing a development with an applicable building class as defined in the Building Code of Australia?

○ Yes

Please outline the total floor area of the building works (measured to the outside of the walls) and the associated cost of works for each applicable building class as defined in the Building Code of Australia.

Cost of works are calculated using the table of rates in the Building (General) (Cost of Building Work) Determination 2020

*Note: A summary of costs from a bill of quantities prepared by a quantity surveyor 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.*

Class 7

☐ Building Class 7b

Building Class 7b Floor area (m2) measured to the outside of the walls:

8281.0

Building Class 7b Cost of Works ($):

42033220.0

Cost of all associated works ($):

5236780.0

TOTAL COST OF WORKS ($):

47270000

City Renewal Precinct

Is the block located in the City Renewal Precinct?
Note: The City Renewal Precinct can be viewed on the Development Map in ACTmapi.

○ No

National Capital Plan

Is the block subject to special requirements of the National Capital Plan?
Note: These details can be found on the National Capital Authority Map in ACTmapi.

○ No

Future Urban Area

Is the block located in a future urban area?
Note: Future urban areas are shown as overlays on the Territory Plan map in ACTmapi.

○ No

Trees

Does the proposal include the removal of any trees?

○ No

Does the site contain any protected trees, or does the proposal relate to any part of a declared site – as defined by the Urban Forest Act 2023?

○ No

Note: Protected trees, declared sites, tree protection zones and other terms are defined in the Urban Forest Act 2023. If works are proposed within a tree protection zone, or any protected trees are proposed for removal a Tree Management Plan may be required.

Public land

Does the proposed development relate to public land (e.g. a reserve or urban open space)?

Note: You can find public land information as an overlay on the Territory Plan map in ACTmapi.

○ No

Native vegetation and threatened habitat

Does the site contain any native vegetation?

Note: Native vegetation includes trees, understorey plants, ground story consisting of any kind of grass or herbaceous vegetation and plants occurring in a wetland or stream (as defined in the Nature Conservation Act 2014)

○ No

Will the proposal impact the habitat of a threatened species, ecological community or other protected matter?

Note: Threatened species, ecological communities and protected matters include species and ecological communities protected under the ACT Nature Conservation Act 2014, or any other matter under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

○ No

Heritage

Does the proposal relate to a place or object registered under the Heritage Act 2004?

Note: Please refer to the ACT heritage register at https://www.environment.act.gov.au/heritage/heritage-register for more details.

○ No

Contamination

Is the site on the ACT Register of Contaminated Sites?

Note: Please refer to the online Register of Contaminated Sites at https://services.accesscanberra.act.gov.au/s/public-registers/generic-register?registerid=register-of-contaminated-sites for more details.

○ No

Hazardous Material

Does the proposal involve the storage of the placard quantity of a Schedule 11 hazardous chemical that is not mentioned in the Planning and Development (Placard Quantity Premises) List 2018 (NI-2018-532 – repealed)?

Note: Schedule 11 hazardous chemicals are outlined in the Work Health and Safety Regulation 2011. They include flammable gases, liquids or solids (e.g. petrol or diesel), and other toxic or unstable substances. Developments that store over the placard quantity will generally be industrial or very specific in nature, such as petrol stations.

○ No

Greenhouse Gas Emissions

Will the development, when operational, produce more than 250 tonnes of carbon dioxide per year?

◯ No

Environmental Impact Statement and Environmental Significance Opinion

Is an environmental impact statement (EIS) required for the development proposed?

◯ No

Is this an application for which an environmental significance opinion (ESO) has been given?

◯ No

Significant Application

Is this a significant development application under section 94 of the Planning Act 2023?

◯ No

Note: A development is a significant development if it requires any of the following:

A subdivision design application (Note: this does not include a development proposal changing a block boundary or subdividing land under the Unit Titles Act 2001)
Consultation with the National Capital Design Review Panel (NCDRP)
An environmental impact statement (EIS).

Territory Priority Project

Is the project for a territory priority project?
Note: A territory priority project is one that is jointly declared by the Chief Minister and Minister prior to the lodgement of a DA.

◯ No

Bushfire Risk Management

Is the site located within a bushfire prone area?
Note: Bushfire prone areas are shown on the Bushfire map in ACTmapi.

◯ No

Is the block identified in the relevant sections in the Territory Plan (see district specifications) as having a Bushfire Attack Level?

◯ No

Parking

Does the development propose changes to existing onsite parking arrangements?

◯ Yes

How many car parking spaces are currently provided?

0

How many existing car parking spaces are proposed to be retained?

0

How many new car parking spaces are proposed to be provided?

7

Total amount of car parking spaces proposed:

7

Does the development propose changes to existing offsite parking arrangements?

◯ No

Are electric vehicle charging points proposed as part of the development?

◯ No

Driveways

Does the development proposal include the construction or modification of driveway/s?

◯ No

Waste Management

Are post-occupancy waste management facilities, including waste storage enclosures, proposed as part of the application?

◯ Yes

Erosion and sediment controls

Is the site greater than 0.3 hectares?

◯ Yes

Note: For development sites greater than 0.3 hectare, an Erosion and Sediment Control Plan must be prepared in accordance with the ACT EPA Environment Protection Guidelines for Construction and Land Development in the ACT.

Note: 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.

Servicing and Utilities

Are utility connections and/or services proposed to be installed as part of this application?

○ Yes

Please outline all that apply:

☐ Water
☐ Electricity
☐ Stormwater
☐ Sewerage

Are utility connections and/or services proposed to be relocated as part of this application?

○ No

Note: In accordance with the Climate Change and Greenhouse Gas Reduction Regulation 2010 (the CCGGR Regulation), a new connection to the gas network will not be available unless an exemption from the CCGGR Regulation is granted. An exemption must be granted prior to seeking Building Approval.

For more information about the Regulation and exemptions from the CCGGR Regulation, please visit the Everyday Climate Choices website: https://www.climatechoices.act.gov.au/policy-programs/preventing-new-gas-network-connections.

Are easements proposed to be established or altered?
Note: Easements on leased land can be viewed on the basic map in ACTmapi.
Note: If yes, a lease variation may be required.

○ No

Entity consultation

Has an entity provided written agreement to the proposed development?
Note: If yes, written agreement from entities is required to be provided with the application.

○ No

Development Undertaken Without Approval

Is this application for development undertaken without approval (i.e. retrospective approval

for existing works)?

Note: If yes, an unapproved existing development plan prepared and signed by a registered surveyor showing the location and dimensions of the unapproved development, including height, width, and length dimensions and setbacks to block boundaries is required to be provided with the application.

○ No

Survey Requirements

Has the required survey information been provided?
Note: A guideline may require certain survey information to be submitted in certain circumstances.

○ Yes

Loose fill asbestos

Is this a surrendered residential block?
Note: These are Mr Fluffy loose-fill asbestos affected residential premises, as outlined on the register at https://www.loosefillasbestos.act.gov.au/affected-properties/register.

○ No

Exclusion from Public Inspection

Are you requesting an exclusion from public inspection for any or part of the application?
Any information provided as part of the application (including lessee names and contact details in this application form and in the submitted plans), will be publicly notified. In accordance with publication requirements under the Planning Act 2023, these details may be available for up to 5 years after a decision has been made.

○ No

Conflicts of Interest

Does the applicant or lessee have any association with a delegate of the territory planning authority or an entity likely to be consulted during the assessment process?

○ No

Applicant/Lessee Declarations

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 Territory Plan Policies. This information outlines how the application

meets mandatory requirements of the Territory Plan, and any other requirements of the Planning Act 2023);
I/we have provided all relevant documentation in accordance with the minimum documentation requirements for lodgement of a Development Application (DA). Please note, if your application does not contain all the required documentation that your application is likely to experience delays and fees may apply;
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 territory planning authority;
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 that mandatory documentation requirements, such as a finalised environmental impact statement (EIS), environmental significance opinion (ESO), has not been submitted 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 through this electronic lodgement process, including the details in this application form, will be considered to be the relevant documentation associated with this application. All development application documentation will be made available for inspection on the territory planning authority's website (including up to 5 years after a decision is made) 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 territory planning authority will not provide written advice of this decision.
I/we also understand that the territory planning authority is able to still consider the application and make a decision after the expiration of the prescribed period;
I/we hereby authorise the territory planning authority, 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 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 where required;
I/we declare that all the information given on this form and its attachments is true and complete;

If lodging on behalf of a lessee:

I/we declare that I am the lessee for the block or the appointed applicant whose signature appears in the letter of authorisation to act on behalf of the lessee. I, as the lessee or appointed applicant, am authorised to pay all application fees, bond and securities, liaise with the territory planning authority when required, alter and amend or provide further information as necessary and receive any communications relating to this development application;

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

I/we declare that 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 form as the Applicant, and by submitting this application form, I understand that this replaces my requirement to sign a hard copy of this application.

I accept the above declarations

◯ Accept

Acceptance date

13 Dec 2024

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 Act 2023. If all or some of the personal information is not collected EPSDD cannot process your application.

The Planning Act 2023 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, Transport Canberra and City 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.