



New South Wales

State Environmental Planning Policy Amendment (Data Storage) 2019

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ROBERT STOKES, MP
Minister for Planning and Public Spaces

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1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Data Storage) 2019*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5(6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendments

1.1 State Environmental Planning Policy (Infrastructure) 2007

[1] Clause 11 Savings provisions

Insert after clause 11(1)—

- (1A) Division 3 of Part 3, as inserted by *State Environmental Planning Policy Amendment (Data Storage) 2019*, applies to the determination of a development application made under Part 4 of the Act, but not finally determined before the commencement of that Policy.

[2] Part 3, Division 3

Omit the Division. Insert instead—

Division 3 Data storage

27 Development permitted with consent

- (1) Development for the purpose of storage premises used for the storage of data and related information technology hardware may be carried out by any person with consent on land in a prescribed zone.
- (2) In this clause—
prescribed zone means any of the following land use zones or a land use zone that is equivalent to any of those zones—
- (a) B5 Business Development,
 - (b) B6 Enterprise Corridor,
 - (c) B7 Business Park,
 - (d) IN1 General Industrial,
 - (e) IN2 Light Industrial,
 - (f) IN3 Heavy Industrial.

1.2 State Environmental Planning Policy (State and Regional Development) 2011

Schedule 1 State significant development—general

Insert at the end of the Schedule—

25 Data storage

Development for the purpose of storage premises used for the storage of data and related information technology hardware that has a capital investment value of more than \$50 million and includes development that is the subject of the following development applications—

- (a) development application SSD-9741 in respect of the Lane Cove West Data Centre at 1 Sirius Road, Lane Cove West,
- (b) development application SSD-10330 in respect of the Roberts Road Data Centre at 17 Roberts Road, Eastern Creek.