



Patrick Copas
Principal Planning Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

14 April 2026

**Subject: Environmental Impact Statement – Mamre Road Data Centre Campus
(SSD - 92743706) (Penrith)**

Dear Patrick,

Thank you for your referral received 5 March 2026, requesting advice from the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy, the Environment and Water on the above State significant development (SSD) project.

CPHR has reviewed the *Environmental Impact Statement* (EIS) (Willowtree Planning, 2 February 2026), and accompanying technical reports and provides its comments and recommendations at Attachment A. CPHR's advice is summarised below:

Biodiversity

Revise the Biodiversity Development Assessment Report (BDAR) to:

- confirm the development footprint extent of the Bakers Lane upgrades and Southern Link Road and advise whether this roadworks would form part of the SSD
- provide further justification:
 - regarding detectability during flora surveys
 - on surveys undertaken for forest owls and Cumberland Plain Land Snail (*Meridolum corneovirens*)
- confirm presence of Little Eagle (*Hieraaetus morphnoides*) and include information on whether breeding nests were present
- confirm the presence and number of hollow-bearing trees
- include the relevant information sourced from the *Updated ISPT Summit Kemps Creek BDAR* (Cumberland Ecology, 11 April 2025).

Flooding

Revise the Flood Impact and Risk Assessment to include:

- climate change for base case near-term and the future term scenario
- flood impacts mapping for the full range of flooding and flood hazard maps for the probable maximum flood
- mitigation for any increase in flood levels that exceed 0.1m in the 1% Annual Exceedance Probability.

Waterway Health

- provide MUSIC modelling
- include detailed information and timing of each construction phase in the Civil Plans, Water and Stormwater Management Plan and Erosion and Sediment Control Plan (ESCP)
- the ESCP be prepared in accordance with the [Technical guidance for achieving Wianamatta-South Creek stormwater management targets](#).

Should you have any queries regarding this matter, please contact the Central Metropolitan Planning team at rog.gsrplanning@environment.nsw.gov.au.

Yours sincerely,



Susan Harrison

**Senior Team Leader, Central Metropolitan
Conservation Planning and Assessment
Conservation Programs, Heritage and Regulation Group**

CPHR comments on the Environmental Impact Statement – Mamre Road Data Centre Campus (SSD-92743706)

Documents Reviewed

CPHR has reviewed the following reports:

- Environmental Impact Statement: Mamre Road Data Centre Campus (SSD-92743706) (Willowtree Planning, 2 February 2026) (EIS)
- Appendix 4 – Architectural Drawings (Greenbox, 7 November 2025)
- Appendix 5 – Architectural Design Report (Geoscapes, 28 November 2025)
- Appendix 11 – Landscape Plan (Greenbox, 25 November 2025)
- Appendix 12 – Arboricultural Impact Assessment (Creative Planning Solutions, 17 November 2025) (AIA)
- Appendix 15 – Biodiversity Development Assessment Report (Biosis, 2 February 2026) (BDAR)
- Appendix 19 – Surface Water & Groundwater Impact Assessment (JBS&G, 26 November 2026)
- Appendix 20 – Flood Impact Risk Assessment (at&I, 25 November 2025) (FIRA)
- Appendix 21 – Infrastructure Delivery Strategy Report and Civil Infrastructure Report / Drawings (at&I, 28 November 2025)
- Appendix 31 – Bushfire Hazards Assessment (BlackAsh Bushfire Consulting, 4 December 2025)
- Appendix 33 – Mamre Road Precinct Development Control Plan 2021 Assessment (Willowtree Planning, 2 February 2026) (DCP Assessment)
- Appendix 34 – Airport Safeguarding Assessment (L+R Airport Consulting, 14 November 2025)
- Appendix 37 – Water and Stormwater Management Plan (at&I, 25 November 2025)
- Appendix 39 – Earthworks Strategy Report (at&I, 3 December 2025)
- Appendix 40 – Salinity Management Plan (PSM, 24 November 2025)
- Appendix 41 – Erosion and Sediment Control Plan (at&I, 25 November 2025)
- Appendix 42 – Advice for Vegetation Management Plan requirements (Biosis, 17 November 2025)
- Appendix 43 – Aquatic & Riparian Impact Assessment (Biosis, 14 November 2025)
- Appendix 44 – Weed Eradication and Management Plan (Biosis, 14 November 2025)
- Civil Plans (at&I, 23 October 2025).

Key assessment issues

Biodiversity

CPHR notes that most of the subject land is identified as certified urban capable land under *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (SEPP) and the Cumberland Plain Conservation Plan (CPCP). However, a portion of the subject site along Mamre Road and Bakers Lane is mapped as excluded land under the SEPP and CPCP. The BDAR has assessed the excluded land under the SEPP and CPCP.

This SSD application (SSD) is also located within the approved Summit at Kemps Creek (SSD- 30628110). The BDAR has referred to supporting information from the Updated ISPT Summit Kemps Creek BDAR (Cumberland Ecology, 11 April 2025) (Cumberland Ecology BDAR).

1.	<i>Avoidance and minimisation requirements</i>	All native vegetation within the development footprint is proposed to be removed for the SSD. CPHR agrees that certified urban capable land under the SEPP and the CPCP is not subject to the avoidance and minimisation requirements of the Biodiversity Assessment Method (BAM) 2020. However, these requirements do apply to excluded land.
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		The SSD would be constructed in three stages. The excluded land assessed in the BDAR would be impacted during Stage 3 of the SSD which includes the Southern Link Road. The BDAR states that upgrades to Bakers Lane and construction of the Southern Link Road would be undertaken by others and do not form part of this SSD. This is also confirmed in the EIS, which indicates that the works are limited to Stages 1 and 2, with Stage 3 to be delivered in the future. As a result, CPHR requires clarification of the development footprint within the subject land for the purposes of assessing this SSD. In response to Development Control 2.2.2 (3) in the DCP Assessment, the applicant states that, <i>The proposal requires the removal of native vegetation to facilitate the proposal. All design options explored result in the same amount of tree removal.</i> However, these design options are not discussed or shown in Section 5 Avoid and minimise of the BDAR. Consequently, the SSD does not adequately demonstrate that reasonable alternatives to reduce impacts have been considered. Further assessment of avoidance and minimisation measures is required, including consideration of the feasibility of retaining of tree canopy. Recommended actions: • Confirm extent of the development footprint of the Bakers Lane upgrades and Southern Link Road and clarify whether this roadworks forms part of this SSD. While Figure 14 of the BDAR identifies the prescribed impact area for vehicle strikes, the extent of the road is unknown. • Revise the BDAR to include the feasibility of retaining vegetation along the northern boundary of the subject land.
	<i>Extent and Timing</i>	Response to Submissions
2.	<i>Targeted flora survey requirements</i>	Section 5.1 of Surveying Threatened Plants and Their Habitats Guide states that multi-species searches should be limited to a maximum of five species of the same growth form to ensure detectability is not compromised. Table 12 of the BDAR shows that 16 flora species were surveyed concurrently in October 2025. CPHR advises that targeted flora surveys were not undertaken in accordance with Surveying Threatened Plants and Their Habitats Guide. Recommended action: Revise the BDAR to provide justification that detectability during surveys was not compromised by exceeding the recommended number of targeted species.
	<i>Extent and Timing</i>	Response to Submissions
3.	<i>Targeted flora survey information from Cumberland Ecology BDAR</i>	Tables 12 and 13 of the BDAR shows that flora surveys undertaken by Cumberland Ecology were used as justification to demonstrate surveys were compliant. Survey dates were also included in the BAM Calculator (BAM-C). CPHR agrees that these flora surveys apply to this SSD, however, the relevant figures, survey dates, and weather observations from the Cumberland Ecology BDAR should be included.

		Recommended actions: - Request permission from Cumberland Ecology to include the flora survey figures from the Cumberland Ecology BDAR. - Revise the BDAR to include the following information from the Cumberland Ecology BDAR: - relevant flora survey figures - survey dates and weather observations to Table 14.
	<i>Extent and Timing</i>	Response to Submissions
4.	<i>Targeted fauna surveys</i>	<u>Green and Golden Bell Frog (<i>Litoria aurea</i>)</u> CPHR agrees that surveys conducted by Cumberland Ecology for Green and Golden Bell Frog are compliant and can be used as justification for excluding this species from assessment. However, CPHR advises the relevant field survey figure was not provided in Appendix 6 of the BDAR. <u>Forest owls</u> CPHR advises that the survey methodology used by Cumberland Ecology and this BDAR for three large forest owls is not consistent with the guidelines listed in the Threatened Biodiversity Database Collection (TBDC). Although CPHR agrees that further surveys are unnecessary, justification should be provided demonstrating that detectability of these owls was not reduced due to the shortened broadcast and spotlighting duration. <u>Cumberland Plain Land Snail (<i>Meridolum corneovirens</i>)</u> CPHR advises that surveys undertaken for Cumberland Plain Land Snail are not compliant with the TBDC survey method requirements. The TBDC survey requirements were amended in 2024 which requires both nocturnal and diurnal surveys, only diurnal surveys were conducted by Cumberland Ecology. These nocturnal survey requirements were in place during the period surveys were undertaken in September and October 2025. While it is acknowledged that surveys undertaken by Cumberland Ecology for this species were compliant at the time, they are no longer compliant with the amended TBDC survey methods. While Cumberland Ecology did undertake nocturnal surveys, these were surveys targeted for forest owls, arboreal mammals and amphibians. Recommended actions: - Request permission from Cumberland Ecology to include fauna survey figures from the Cumberland Ecology BDAR. - Revise the BDAR to include the following information: - relevant fauna survey figures - fauna survey dates and weather observations to Table 14 - for the large forest owl surveys provide justification for the shortened broadcast and spotlight duration - for Cumberland Plain Land Snail provide justification to demonstrate why nocturnal surveys were not undertaken or undertake further surveys in accordance with requirements of the TBDC.
	<i>Extent and Timing</i>	Response to Submissions

5.	<i>Habitat surveys</i>	<u>Little Eagle (<i>Hieraaetus morphnoides</i>)</u> Figure 9 of the BDAR shows the Little Eagle was observed within the subject land and outside the subject land boundary at two locations. However, CPHR notes that the BDAR does not state this species was recorded and there was no discussion to understand whether these observations were a breeding pair given their proximity. The BDAR maps and spatial data package shows that stick nests were absent within the subject land and includes certified land. However, CPHR advises if appropriate breeding nests were present within 100m of the subject land, a species polygon may apply. <u>Hollow bearing trees (HBT)</u> CPHR advises that the HBT description in the BDAR is inconsistent with the provided spatial data. Table 17 shows that habitat trees supporting hollows from small to extra-large were present across the subject land, but the HBT spatial data only includes two HBT, with a single hollow each, consisting of either small or medium sized hollows. In contrast, Section 6.1.1 of the BDAR states that a total of five hollow-bearing trees and one hollow-bearing stag are present. Recommended action: • Revise the BDAR to: ○ confirm whether the Little Eagle was present within the subject land ○ provide information on whether appropriate Little Eagle breeding nests were present within 100m of the subject land. If breeding nests were present include a species polygon ○ confirm the presence and number of HBT.
	<i>Extent and Timing</i>	Response to Submissions

Flooding

6.	<i>Climate change</i>	The FIRA has not considered the impact of climate change for the base case near-term and future term scenarios. Recommended action: • Revise the FIRA to include: ○ an adjusted base case climate change scenario that considers the current near-term scenario in accordance with the current version of Australian Rainfall and Runoff ○ impact of climate change for future term (100 years) be modelled.
	<i>Extent and Timing</i>	Response to Submissions
7.	<i>Impacts of the development on flooding and adjacent community</i>	Section 5 of the FIRA states mapping of TUFLOW model results for peak water level, depth, hazard and afflux for the 5% Annual Exceedance Probability (AEP), 1% AEP, 0.2% AEP and probable maximum flood (PMF) events is included in Attachment A. However, CPHR advises that only 1% AEP flood impact maps were provided, no other flood hazard maps were included in the FIRA. CPHR advises that flood impact maps for the full range of flooding should be provided. Flood hazard maps in the PMF for both the base case condition and the post developed condition should also be provided.

		Recommended actions: - Revise the FIRA to include: - flood impacts mapping for the full range of flooding up to and including the PMF - flood hazard maps in the PMF for both the base case condition and the post developed condition.
	<i>Extent and Timing</i>	Response to Submissions
8.	<i>Adverse impacts in the 1% AEP have not been mitigated</i>	The flood impacts map for the 1% AEP (Drawing 25-1282-D-100-H), shows adverse impacts downstream of the subject land towards the north and east, with increases in flood levels ranging between 0.3m to 0.7m. Recommended action: Revise the FIRA to include mitigation for any increase in flood levels that exceed 0.1m in the 1% AEP.
	<i>Extent and Timing</i>	Response to Submissions

Waterway Health

9.	<i>MUSIC Model</i>	The Water and Stormwater Management Plan (WSMP) includes the proposed stormwater strategy and references the MUSIC model. However, CPHR advises that the MUSIC model was not provided. CPHR requires the MUSIC model to verify compliance with waterway health targets detailed in Technical guidance for achieving Wianamatta-South Creek stormwater management targets (Technical Guide). Recommended action: Provide MUSIC modelling to support the proposed stormwater strategy.
	<i>Extent and Timing</i>	Response to Submissions
10.	<i>WSMP construction phases</i>	CPHR advises that timing of each construction phase should be included in the WSMP. Civil plans for each construction phase clearly indicating stormwater elements should be provided to verify the proposed stormwater strategy will meet waterway health targets from the Technical Guide. Recommended actions: - Provide detailed information on the timing of each construction phase. - Provide construction phase civil plans.
	<i>Extent and Timing</i>	Response to Submissions
11.	<i>Erosion and Sediment Control Plan (ESCP)</i>	CPHR advises that the ESCP has inadequate details for each construction phase to understand the proposed stormwater strategy. The proposed erosion and sediment control details for all interim phases was also not provided or included in Civil Drawings. For each construction phase a civil drawing with the proposed ESCP measures should be provided. CPHR advises the applicant refer to 805 Mamre Road (SSD-30871587) ESCP as a good example.

		Recommended actions: • To demonstrate the construction phase stormwater quality targets are met, a detailed ESCP must: ○ be developed and certified by a Certified Professional in Erosion and Sediment Control, or a qualified and experienced civil engineer with at least 5 years' experience in the development of site-specific soil and water management plans ○ be prepared in accordance with the Blue Book (NSW Government 2004) and water sensitive urban design (WSUD) considerations set out in Chapter 3 of the Technical Guide ○ provide conceptual designs that include the site, catchment and key features of erosion and sediment controls on scaled drawings ○ illustrate appropriate controls, that when implemented will achieve the construction phase stormwater quality targets in Table 2 of the Technical Guide. • As the subject land is larger than 2,500m², the Technical Guide provides best practice initiatives which strengthens requirements from the Blue Book. This involves designing and implementing sediment controls that treat at least 80% of the average annual runoff volume (i.e. 80% hydrological effectiveness) to 50 mg/L total suspended solids (TSS) or less, and pH in the range 6.5–8.5. To achieve these construction phase targets, the design of the basins generally needs to: ○ be sized and operated in accordance with either a Type-A or Type-B sediment basin as documented in <i>Best Practice Erosion and Sediment Control</i> (International Erosion Control Association (IECA), 2008) ○ be provided with an automated system of flocculant dosing and a suitable supply of flocculant/coagulant, with the type of flocculant/coagulant determined based on the <i>Chemical coagulants and flocculants fact sheet</i> (IECA 2018) ○ have markers within each basin to show the maximum sediment storage level and any additional water storage capacity for water reuse ○ limit discharge from the primary outlet system to 50 mg/L TSS, with a pH within the range of 6.5–8.5 ○ be operational before any disturbance occurs in the catchment upslope of the basin ○ if not using Type-A or Type-B sediment basins provide robust justification to demonstrate use of alternatives.
	<i>Extent and Timing</i>	Response to Submissions

End of Submission