



Your ref: SSD-104185710
Our ref: DOC26/30538

Deana Burn
Industry Assessments
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

9 February 2026

Subject: Request for Secretary's environmental assessment requirements (SEARs) - SEED Stage 2 Concept Plan and Stage 2A Industrial Estate (SSD-104185710) Aerotropolis

Dear Deana,

Thank you for your email received 20 January 2026 requesting input from the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy, the Environment and Water on SEARs for the above State significant development application.

CPHR has reviewed the *1169A Elizabeth Drive, Badgerys Creek SEED - Stage 2 State Significant Development Application Scoping Report* (Urbis, December 2025) and recommends the applicant address the requirements below and at Attachment A.

Biodiversity

The EIS should be supported by an assessment of consistency with the Cumberland Plain Conservation Plan and Ministerial Direction 3.6 Strategic Conservation Planning. For development located on excluded or avoided land, the EIS should address the biodiversity assessment requirements at Attachment A.

Waterway health

CPHR has previously provided waterway health advice on other SSD applications for the Aspect Industrial Estate (AIE) and the Elizabeth Enterprise Precinct (EEP)/SEED sites, with the most recent advice dated 5 February 2026. All previous CPHR advice remains relevant and should be considered in the current request for advice due to the complexity and interrelatedness of the AIE and the EEP/SEED sites. Additionally, this advice continues to be relevant for any future applications.

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

Yours sincerely

Kerry Richardson
Director, Conservation Planning and Assessment
Conservation Planning and Offsets
Conservation Programs, Heritage and Regulation Group

CPHR SEARs – SEED Stage 2 Concept Plan and Stage 2A (SSD-104185710)

Biodiversity 1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the <i>Biodiversity Conservation Act 2016</i> (BC Act), the Biodiversity Assessment Method 2020 (BAM) and documented in a biodiversity development assessment report (BDAR). The BDAR must include information in the form detailed in the BC Act (s.6.12), <i>Biodiversity Conservation Regulation 2017</i> (s.6.8) and the BAM, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations). 2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows: • The total number and classes of biodiversity credits required to be retired for the development/project. • The number and classes of like-for-like biodiversity credits proposed to be retired. • Any proposal to fund a biodiversity conservation action. • Any proposal to make a payment to the Biodiversity Conservation Fund. 4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM. 5. The BDAR must be prepared by a person accredited in accordance with the <i>Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017</i> under s.6.10 of the BC Act.	Flood Risk Management 6. The EIS must include a flood impact and risk assessment (FIRA) prepared in accordance with the <u>Flood Risk Management Guideline LU01 Flood impact and risk assessment</u>. The FIRA is to be prepared by suitably qualified engineers with experience in flood risk management in NSW. As a minimum, the FIRA must: • consider the relevant provisions of the <i>NSW Flood Risk Management Manual</i> (2023) and associated guides, and existing council and government studies, information and requirements including the Wianamatta South Creek Flood Study existing condition (Advisian, 2022), the provisions of the <i>Western Sydney Aerotropolis Development Control Plan</i> (DPE, 2022) and <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> • utilise the models for the <i>Flood Risk Assessment Elizabeth Enterprise Precinct (EEP)</i> (Cardno, September 2021) and <i>Flood Impact Assessment Elizabeth Enterprise Precinct (EEP) – SSDA Masterplan Stage 1</i> (Stantec, March 2025) as the basis for the FIRA (These models include Stage 2 site). Outline the full range of flood behaviour, flood constraints and risk for existing scenario for a range of events. Typical events examined may include the 10%, 5%, 1%, 0.5% or 0.2% annual exceedance probability (AEP) and probable maximum flood (PMF). It should be noted that: ○ the study area should be extended downstream to the confluence of South Creek with Badgerys Creek and Kemps Creek ○ to account for the impacts of Stage 2 exclusively, the existing condition model should include Stage 1A and Stage1B • address the full range of flood behaviour, flood constraints and risk for the post development scenarios. To achieve this, the consultant must incorporate the development components onto the Stantec models, including proposed Sydney Water regional stormwater basin SC09.
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Identify post-development flood characteristics for a range of events. Typical events examined may include the 10%, 5%, 1%, 0.5% or 0.2% AEP and PMF

- identify the impacts of the development on flooding for the full range of flood events. This should include but not limited to the area downstream of the confluence of South Creek with Badgerys Creek and Kemps Creek
- identify and assess the adequacy of management measures and controls to:
 - effectively address identified flood constraints to ensure the flood risks to the proposed development and its users are acceptable
 - manage flood and associated emergency management impacts to the existing community due to the development.

Waterway Health

7. The EIS must address:
 - section 4.5 Blue-Green Infrastructure framework of the Western Sydney Aerotropolis Precinct Plan
 - sections 2.3 Stormwater, Water Sensitive Urban Design and Integrated Water Management and 2.5.5 Erosion and Sediment Control of the Western Sydney Aerotropolis Development Control Plan as well as appendices.
8. The EIS, in accordance with the [Technical guidance for achieving Wianamatta-South Creek stormwater management targets](#) (DPE, 2022) (Tech guide), must include a proposed Erosion and Sediment Control plan for the construction phase (Chapter 2 in Tech guide) and a Water and Stormwater Management Plan for the operational phase (Table 7 of Tech guide) demonstrating the approach and timing for meeting stormwater quality and quantity targets.
9. The EIS must detail how the proposed development interfaces with SEED stage 1 (timing, staging and stormwater management) and demonstrate how the waterway health targets will be met for interim and ultimate design.
10. MUSIC modelling file/s of the stormwater management design (Chapter 2 and Appendix A of Tech guide) (see also [Wianamatta MUSIC modelling toolkit](#)) are to be provided.
11. Detailed drawings (interim and final) of the stormwater treatment train and water sensitive urban design of the proposed approach for achieving the stormwater targets are to be provided.
12. The EIS must include an assessment of any impacts on salinity and sodic soils.
13. 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
 - illustrate appropriate controls, that when implemented will achieve the construction phase stormwater quality targets in Table 2 of the Tech Guide
 - be prepared in accordance with the Blue Book (NSW Government 2004)
 - be prepared in accordance with the WSUD design considerations set out in Chapter 3 of the Tech Guide (especially WSUD measures) and provide conceptual designs that include the site, catchment and key features of the ESCP on scaled drawings.
14. As the site area is larger than 2,500m², the Tech Guide provides best practice initiatives strengthening the elements in 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 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 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 IECA chemical coagulants and flocculants fact sheet (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 50mg/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.

Water and soils

15. The EIS must map the following features relevant to water and soils including:

- acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map)
- rivers, streams, wetlands, estuaries (as described in s.4.2 of the BAM)
- wetlands as described in s.4.2 of the BAM
- groundwater
- groundwater dependent ecosystems
- proposed intake and discharge locations

16. The EIS must describe background conditions for any water resource likely to be affected by the development, including existing surface and groundwater.

17. The EIS must assess the impact of the development on hydrology, including:

- effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas
- effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.

End of Submission

Our ref: OUT26/420

Deana Burn

Planning and Assessment Group
NSW Department of Planning, Housing and Infrastructure

Email: deana.burn@planning.nsw.gov.au

2 February 2026

Subject: SEED Stage 2 Concept Plan and Stage 2A (Penrith) (SSD-104185710)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

Dear Deana Burn,

The NSW DCCEEW Water Group has developed standard input to SEARs for SSD and SSI projects. Please see **Attachment A** for detailed requirements.

If any of the requirements do not apply to this project, the proponent should describe why in a short statement.

Should you have any further queries in relation to this submission please do not hesitate to contact the Water Assessments team at water.assessments@dcceew.nsw.gov.au.

Yours sincerely



Alistair Drew

A/ Senior Project Officer, Water Assessments, Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Water Take and Licensing

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
1	A detailed and consolidated site water balance.	
2	Description of all works/activities that may intercept, extract, use, divert or receive surface water and/or groundwater. This includes the description of any development, activities or structures that will intercept, interfere with or remove groundwater, both temporary and permanent.	NSW Aquifer Interference Policy (2012), section 3 & 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans Clause 46 of the <i>Water Management (General) Regulation 2025</i> Groundwater Guidelines- Water Library: Browsing the Water Group
3	Details of all water take for the life of the project and post closure where applicable. This is to include water taken directly and indirectly, and the relevant water source where water entitlements are required to account for the water take. If the water is to be taken from an alternative source confirmation should be provided by the supplier that the appropriate volumes can be obtained.	Section 3 & 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans Section 2 of the NSW Aquifer Interference Policy provides explanation of water take for aquifer interference activities
4	Details of Water Access Licences (WALs) held to account for any take of water where required, or demonstration that WALs can be obtained prior to take of water occurring. This should include an assessment of the current market depth where water entitlement is required to be purchased. Any exemptions or exclusions to requiring approvals or licenses under the <i>Water Management Act 2000</i> should be detailed by the proponent.	Water Sharing Plans Sections 3, 5, 60A & 60I of the <i>Water Management Act 2000</i> WAL must nominate a work to satisfy s60D of the <i>Water Management Act 2000</i> and this is completed by a dealing application under s71W of the <i>Water Management Act 2000</i> Exemptions or exclusions information: ○ Schedule 4 <i>Water Management Regulation 2025</i> ○ Sections 4.41 and 5.23 of the <i>EP&A Act 1979</i> ○ Water licensing and works approvals exemptions - https://water.dpie.nsw.gov.au/licensing-and-trade and Groundwater access licence exemptions NSW Government Water

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Water Impacts

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
5	A description of groundwater conditions that provides an understanding of groundwater level across the site under a range of wet and dry conditions.	NSW Aquifer Interference Policy Groundwater Guidelines
6	Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, groundwater dependent ecosystems, and ground water levels; including measures proposed to reduce and mitigate these impacts.	<i>Water Management Act 2000</i> Part 1, Division 1, Section 5(2d; 4c) & Part 3 Div 2 Sect 97 <i>Water Management Act 2000</i> Part 1, Division 1, Section 5(4a;5a; 6a; 7a; 8a)) NSW Aquifer Interference Policy Groundwater Guidelines
7	Proposed surface and groundwater monitoring activities and methodologies.	Groundwater Guidelines NSW Water Quality and River Flow Objectives Australian and New Zealand fresh and marine water quality guidelines (ANZG 2018)

Dam Safety

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
		Dam Safety NSW - Resources
8	Identify the proposed construction and/or use of a declared dam under Dam Safety Regulations. This is to include existing declared dams with or without physical modifications, new declared dams, modifications to existing dam/s that would require the dam to be declared or the decommissioning of a declared dam.	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i> – Part 2 & 3
9	Describe the consequence category of existing declared dam/s and provide an overview of compliance with the requirements of the Dam Safety Regulation, including (but not limited to) requirements for a dam safety management	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i> – Part 3, 4, 5

	system, operations and maintenance plans, and emergency plans.	
10	Include a written consequence category assessment for any proposal involving a new dam, modifications to an existing declared dam/s that are likely to change its consequence category, or changes to downstream property that are likely to change the consequence category of a declared dam.	<i>Dam Safety Regulation 2019 Part 3</i>
11	Describe the decommissioning process of any existing declared dam.	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i>
12	Describe all mining and mining related activities proposed within a Mining Notification Area and assess the impacts of the proposed activities on any declared dam. This is to include proposed mitigating measures and monitoring programs.	<i>Dam Safety Act 2015 – Section 48</i> NSW Declared Dams Interactive Map MinView

Assessment against Policy and Guidelines

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
13	Identification and impact assessment of all works/activities located on waterfront land including an assessment against Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025).	Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025)
14	Assessment of project against relevant policies and guidelines	Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy, Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025), Groundwater Guidelines



File Ref. No: FRN26/406 BFS26/466 8000047935
TRIM Doc. No: D26/13961
Contact: Station Officer Courtney Goodhew

3 February 2026

DEANA BURN
NSW Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Deana,

Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) – SEED STAGE 2 CONCEPT PLAN AND STAGE 2A - 1169A ELIZABETH DRIVE, LOT 741, BADGERYS CREEK (SSD-104185710)

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on 20 January 2026, requesting input into the preparation of the SEARs for the SEED STAGE 2 CONCEPT PLAN AND STAGE 2A - 1169A ELIZABETH DRIVE, LOT 741, BADGERYS CREEK (SSD-104185710). FRNSW have reviewed the SEARs along with the Scoping Report with particular focus to Section 3 and 6.2.12.

The Scoping Report details Distribution Warehouses and a potential tenant for Stage 2A for the storage and handling of Dangerous Goods. It has been the experience of FRNSW that Dangerous Goods Facilities present special problems of fighting fire and suitable additional provisions are likely to be required in accordance with E1D17 and E2D21 of the National Construction Code 2022¹.

FRNSW will likely recommend a Fire Safety Study (FSS) be developed in accordance with the Hazardous Industry Planning Advisory Paper No 2² as a condition of consent. The FSS should be used to inform the design and as such it is FRNSW Position³ that the FSS be developed to the satisfaction of FRNSW prior to any further submission being made to FRNSW; this includes: an Initial Fire Safety Report (IFSR) and / or Performance-Based Design Brief / Fire Engineering Brief Questionnaire (FEBQ).

The FSS should be prepared consistent with the relevant FRNSW Fire Safety Guidelines and FRNSW Technical Information Sheets⁴ with particular focus to Access for fire brigade vehicles and firefighters⁵.

Project proponents undertaking the FSS are to engage directly with FRNSW by submitting all correspondence electronically to FireSafety@fire.nsw.gov.au and reference FRNSW file number FRN26/406. Further information regarding FRNSW Meetings⁶ and FRNSW Written Reports⁷ can be found at the FRNSW Building Fire Safety Industry Portal⁸.

Yours sincerely,



Inspector Chris Naisby
Team Leader
Fire Safety Liaison Unit

Cc: deana.burn@planning.nsw.gov.au

¹ <https://ncc.abcb.gov.au/editions/ncc-2022>

² <https://www.planning.nsw.gov.au/sites/default/files/2023-03/hazardous-and-offensive-planning-advisory-paper-no-2-fire-safety-study-guidelines.pdf>

³ <https://www.fire.nsw.gov.au/page.php?id=9447&position=51>

⁴ <https://www.fire.nsw.gov.au/page.php?id=9166>

⁵ https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines_access_for_emergency_vehicles.pdf

⁶ <https://www.fire.nsw.gov.au/page.php?id=9193>

⁷ <https://www.fire.nsw.gov.au/page.php?id=9156>

⁸ <https://www.fire.nsw.gov.au/page.php?id=9140>

Our ref: HMS ID 13390

Deana Burn
Specialist Planner
Department of Planning, Housing and Infrastructure
deana.burn@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: SEED Stage 2 Concept Plan and Stage 2A

Major Project reference: SSD-104185710

Received: 20 January 2026

Dear Deana,

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the following documents:

- Scoping Report - prepared by Urbis, dated December 2025

Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed SEED Stage 2 Concept Plan and Stage 2A (SSD-104185710).

- The Environmental Impact Statement should be informed by an Aboriginal Cultural Heritage Assessment Report, prepared in accordance with relevant policy and guidelines to identify, describe and assess any impacts to Aboriginal cultural heritage sites or values associated with the project. The Aboriginal Cultural Heritage Assessment Report must be prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* <https://www.environment.nsw.gov.au/publications/guide-investigating-assessing-and-reporting-aboriginal-cultural-heritage-new-south-wales> and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* <https://www.environment.nsw.gov.au/publications/code-practice-archaeological-investigation-aboriginal-objects-nsw>, including results of archaeological survey and test excavations (where required) undertaken in accordance with the relevant standards and requirements;

- Include evidence of adequate and continuous consultation with Aboriginal parties in relation to determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed measures) in substantial compliance with the consultation process outlined in the *Aboriginal cultural heritage consultation requirements for proponents*
<https://www.environment.nsw.gov.au/publications/aboriginal-cultural-heritage-consultation-requirements-proponents>

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Corey O'Driscoll, A/Manager at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Corey O'Driscoll

Corey O'Driscoll

A/Manager

Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under *National Parks and Wildlife Act 1974*

2 February 2026

Our ref: HMS ID 13389

Deana Burn
Specialist Planner
Department of Planning, Housing and Infrastructure
deana.burn@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: SEED Stage 2 Concept Plan and Stage 2A

Major Project reference: SSD-104185710

Received: 20 January 2026

Dear Deana,

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the following documents:

- Scoping Report - prepared by Urbis, dated December 2025

Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Environmental Heritage in relation to the proposed SEED Stage 2 Concept Plan and Stage 2A (SSD-104185710).

Heritage and archaeology

1. A Statement of Heritage Impact (SOHI) prepared by a suitably qualified heritage consultant in accordance with the *Guidelines for preparing Statements of Heritage Impact* <https://www.environment.nsw.gov.au/publications/guidelines-preparing-statement-heritage-impact> The SOHI is to address the impacts of the proposal on the heritage significance of the site and adjacent areas and is to identify the following:
 - a. all heritage items (state and local) within the vicinity of the site including built heritage, landscapes and archaeology, detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance;

- b. compliance with the relevant Conservation Management Plan;
 - c. the impacts of the proposal on heritage item(s) including visual impacts, required BCA and DDA works, new fixtures, fittings and finishes, any modified services;
 - d. the attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items; and
 - e. justification for any changes to the heritage fabric or landscape elements including any options analysis.
2. If the SOHI identifies impact on potential historical and/or maritime archaeology, an historical and/or maritime archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the *Archaeological Assessment guidelines* <https://www.environment.nsw.gov.au/publications/archaeological-assessments-guidelines> and *Assessing Significance for Historical Archaeological Sites and Relics* <https://www.environment.nsw.gov.au/publications/assessing-significance-historical-archaeological-sites-and-relics>. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage programme.

As the site contains a local heritage item, and other local items are in the vicinity, advice should be sought from the relevant local council.

If you have any questions about this correspondence, please contact Corey O'Driscoll, A/Manager at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Corey O'Driscoll

Corey O'Driscoll

A/Manager

Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate of the Heritage Council of NSW

2 February 2026

Our reference: P-1083515-P5J4
Contact: Sandra Fagan
Telephone: (02) 4732 7992

10 February 2026

ATTN: Deana Burn

Email: deana.burn@planning.nsw.gov.au

Dear Deana,

**Council Response to Request for Advice on SEARs - SSD-104185710 -
Scoping Report for Stage 2 Concept Plan and Stage 2A - SEED (formerly
Elizabeth Enterprise Precinct) at 1669-1723 and 1669A Elizabeth Drive,
Badgerys Creek, NSW, 2555**

Thank you for providing Penrith City Council with the opportunity to comment on the abovementioned proposal for Secretary's Environmental Assessment Requirements (SEARs).

Council has reviewed the information referred for comment on 20 January 2025 and the following matters are raised for the Department's consideration.

1. Planning (Development Assessment) Considerations

- a) The Scoping Report relates to Stage 2 (and specifically Stage 2A) of the proposed SEED development. Stage 2A incorporates a concept masterplan for ten development lots, including lot and road layouts, subdivision layout and building envelopes. Two lots are shown as public open space. The proposal will also include physical works such as earthworks; roads; infrastructure and services; and the construction and use of five industrial buildings being Warehouses 9, 10, 11, 12, and 13.

- b) The EIS should address the following:

Penrith City Council
PO Box 60, Penrith
NSW 2751 Australia
T 4732 7777
F 4732 7958
penrith.city

- i. Include detailed contextual and staging information showing how the proposed Stage 2 development sits within the broader estate. This includes the proposed and/or determined Stage 1A and Stage 1B developments on the SEED site, as well as the Council issued Development Consent DA24/0775.
- ii. The concept plan and supporting documentation should clearly articulate what part of the two separate development sites (Aspect Industrial Estate (AIE) and SEED) could be developed, and which lots will need to be retained as undeveloped / utilised to meet the waterway health requirements.
 - a. Demonstrate and explain the intended staging of development, including timing of delivery, and reliance on required supporting infrastructure. This includes new roads, upgrades to existing roads, utilities (electricity and water), stormwater infrastructure, and waste management.
 - b. Explain and address the planning approval pathway and intended delivery and staging of regional stormwater infrastructure intended to be constructed and relied upon.
 - c. Explain and address any implications for the commencement of use (e.g. staged occupation certificate release if required) for the five proposed warehouses in relation to delivery of interim and/or final stormwater infrastructure.
 - d. Demonstrate how the principles and controls for Connecting to Country and Landscape Led Design have shaped the spatial planning of the site.
- c) Council has previously raised concerns about how the proposal meets the vision for the Wianamatta-South Creek Precinct having regard to the planning objectives and controls for Recognise Country, Aboriginal Cultural Heritage, Landscaped Led Design, Blue-Green Infrastructure, Riparian Corridors, and Design Excellence. The EIS should include justification for why the proposal does not include works on the part of the site zoned ENZ Environment and Recreation. This omission is not supported, and concerns have been previously raised by Council about this. The SSD proposal should not only relate to the warehouse development site but should include master

planning and embellishment of the portion of the site located within the Wianamatta-South Creek Precinct. If this is not part of the proposed development in this SSD, the EIS should address timing and intention for the ENZ zoned land.

- d) The EIS should clearly address and explain roads and infrastructure intended to be dedicated to Council, by what mechanism this is proposed to occur (e.g. subdivision plan and/or VPA), and in what stages. It is anticipated that the Proponent will contact Council's City Planning team regarding any VPA.
- e) The Scoping Report refers to an alternative approach for the provision of future public open space and the proposed relocation of open space (different to the location shown in the Precinct Plan and Contributions Plan). The Proponent has been discussing this aspect with Council's City Planning team. Council's most recent correspondence to the applicant is dated 17 November 2025. This matter is not yet mutually resolved. Given that the outcome of this discussion could result in spatial changes to the proposed concept, Council and the Proponent should reach a mutually accepted outcome before the EIS and concept layout is submitted. Please see further comments below from Council's City Planning team.
- f) It is expected that a Street Tree Masterplan for the entire estate (including specifically nominated species and a plant schedule) be developed and provided for Council's endorsement. Street tree spacings should be relevant to the canopy spread of each street tree species, so canopies are touching, to maximise shade and microclimate. Species choice is to be designed to meet bird strike and passive irrigation requirements. The rationale for the design, including bird strike constraints, is to be included in the landscape documentation. For internal estate roads, there should be no shrubs or groundcovers (only turf) and street trees.
- g) Include a detailed signage strategy that identifies type, number, location and design of the intended signage for the site, including signs for the proposed warehouse buildings.

- h) It is expected that the EIS address the full suite of Aerotropolis controls, including the applicable EPI's and SEPP's.

2. City Planning Considerations

Penrith Aerotropolis Development Contributions Plan 2023 (Penrith Aerotropolis CP)

- a) The Penrith Aerotropolis Development Contributions Plan 2023 (Penrith Aerotropolis CP) applies to the land subject to this SSD Application at a rate of 5.6%.
- b) In accordance with section 3.2 and 3.3 of the Penrith Aerotropolis CP and section 208 of the Environmental Planning and Assessment Regulation (2021) a 'Cost Summary Report' must be provided to Council upon lodgement of the SSDA to calculate development contributions to inform future conditions of consent.
- c) The Cost Summary Report must be prepared in accordance with section 208 of the Environmental Planning and Assessment Regulation 2021.
- d) The subject site includes Indicative Open Space and Active Open Space infrastructure identified for delivery under the Penrith Aerotropolis CP and acquisition under both the Penrith Aerotropolis CP and the SEPP.

Public Open Space Strategy and proposed relocation of Public Open Space

- a) The City Planning is currently negotiating the relocation of the Indicative and Active public open space as identified in the Penrith Aerotropolis CP with Mirvac relating to Stage 2 (Lot 741 DP 810111).
- b) Mirvac is seeking to relocate and fragment the 'Indicative Open Space' and 'Active Open Space' required under the Penrith

Aerotropolis CP and Western Sydney Aerotropolis Precinct Plan. A revised Public Open Space Strategy (prepared by Mirvac/Urbis) has recently been provided, reflecting some improvements in response to Council's initial feedback.

- c) Notwithstanding these updates, the revised strategy does not yet meet the requirements of:
- i. the Penrith Aerotropolis CP
 - ii. the Western Sydney Aerotropolis Precinct Plan (WSAPP)
 - iii. the SEPP (Precincts – Western Parkland City) 2021
 - iv. Penrith's Sport and Recreation Strategy (PS&RS)
- d) Any forthcoming Environmental Impact Statement (EIS) for Stage 2 must include a revised Public Open Space Strategy addressing the following matters:
- i. Detailed masterplans for Open Space A and Open Space B, clearly defining proposed embellishments, intended use, functional layout, and maintenance responsibilities.
 - ii. A fully-designed and embellished active open space area, capable of supporting multi-purpose district-level recreation uses, consistent with Council's Sport and Recreation Strategy (PS&RS).
 - iii. Exclusion of all riparian and constrained ENZ-zoned land from the open space quantum, in accordance with the Aerotropolis Development Contributions Plan and the WSAPP.
 - iv. Demonstration of precinct-wide accessibility, including catchment modelling and active transport connections, consistent with the Aerotropolis Background Report (Table 18).
 - v. Justification for the proposed fragmented open space configuration, clearly demonstrating an "equal or better" outcome under Section 4.39 of the WSAPP, noting that the CP and WSAPP envisaged co-located, consolidated open space.
 - vi. Further detail on the application of PS&RS principles, including accessibility, diversity of use, long-term adaptability, and appropriateness for a worker-focused employment precinct.
 - vii. Clarification of how stormwater infrastructure and Sydney Water assets integrate with the open space network and whether any dual-use constraints apply.

- viii. A comprehensive Connecting with Country component, including specific cultural landscape elements, planting strategies, and site-responsive design measures informed by cultural engagement.
- ix. Embellishment schedules for each open space area, including (but not limited to):

Open Space A (Active Open Space):

- Modified sportsfield (0.5ha minimum) with floodlighting
- Multi-sport court (min. 10m x 20m)
- Active transport links
- Seating/picnic areas
- Shelters
- Outdoor gym equipment
- Accessible toilet facilities
- Drinking water bubblers

Open Space B (Local Park):

- Seating/picnic areas
- Shelters
- Outdoor gym equipment
- Drinking water bubblers
- Shaded grass areas
- Active transport links

Interface with ENZ – Environment and Recreation zoned land

- a) The proposed development excludes land zoned ENZ – Environment and Recreation (other than a small area within the proposed Public open space area B), despite this land being integral to the structure and function of the broader precinct and open space network.
- b) The Scoping Report notes that a Vegetation Management Plan (VMP) is intended to be prepared for the ENZ land. While this is acknowledged, Council requires additional clarity on how the VMP will align with precinct-wide landscape, ecological and open space objectives.
- c) At present, the SSDA material does not sufficiently address how the ENZ land will be planned, managed, or integrated with the Stage 2 development footprint. Given the ENZ zone's strategic role in delivering the environmental, recreation, hydrological, and connectivity outcomes envisaged under the Western Sydney Aerotropolis

planning framework, this information is essential to enable a proper assessment.

- d) To support Council's review, the applicant is requested to clarify the intended planning and management approach for the full extent of the ENZ land, including:
- i. How the proposed VMP will interact with and support broader ecological, open space, and water management objectives within the precinct.
 - ii. The functional purpose of the ENZ area, including riparian corridor enhancement, biodiversity protection, passive recreation potential, and interface treatments with adjoining urban development.
 - iii. How the ENZ land will be integrated with the open space network, active transport connections, and precinct objectives identified in the Western Sydney Aerotropolis Precinct Plan, SEPP (Precincts – Western Parkland City) 2021, and the Penrith Aerotropolis CP.
 - iv. Whether proposed VMP measures will constrain or enable future access, public use, dual-use stormwater functions, or other precinct-wide outcomes.

Without this information, Council is unable to form a view on whether the proposed SSDA appropriately responds to environmental, connectivity, landscape and open space requirements at a precinct level.

3. Development Engineering Considerations

- a) The road network in general appears satisfactory although there is limited detailed information available at this stage. The EIS should ensure that the proposal provides road infrastructure to support the development which is consistent with the Western Sydney Aerotropolis Precinct Plan.
- b) Regarding the proposed intersection of the park edge road with the proposed industrial road 06, the geometry of the intersection could be improved to allow for the design of the park edge road to be central and square off the centre of the northern edge of the cul-de-

sac bubble. This could be achieved with a mirror reversal of the cul-de-sac bubble as currently shown.

- c) Council will be looking for treatment of the intersection of the park edge road and industrial road 06 to be in keeping with the detailing discussed for the intersection of the park edge road and Binyang Street in Stage 1A.
- d) Detailed information is not available, however, in the event there may be consideration for any dish drain designs in the road network, dish crossings are not supported.
- e) The design shall take into consideration the stormwater drainage for the existing unnamed Penrith City Council Road and any other catchment areas from the catchment to the west of Stages 2 and 2A that currently flow onto the subject development site.
- f) The proposal shall make provision for safe separation of driveway crossings. In this regard for example, the separation of the northern driveway crossings of proposed Warehouse 13 shall be clearly shown on detailed and developed plans.
- g) Ensure there are no retaining walls in the designs that transition from the industrial lots into the adjacent riparian zones, regional basins, drainage reserves, proposed open space (POS) areas, drainage reserves, and the like. All transitions shall be provided through the design of batters.
- h) Justification should be provided or pointed out in design information for the proposed POSB area, associated finished levels and associated batters within the 1% AEP flood extent. Similarly for the proposed batter within the 1% AEP flood extent to the north of warehouse 18.

Penrith City Council
PO Box 60, Penrith
NSW 2751 Australia
T 4732 7777
F 4732 7958
penrith.city

4. Traffic Engineering Considerations

- a) It is noted that operational vehicular access to the site from Elizabeth Drive, and the internal road network, is to be delivered comprising a

main collector road (north-south) as part of the SEED Stage 1A development, which will be dedicated to Council upon SEED being delivered. This road network is to be extended upon in Stage 2.

- b) The Scoping Report identifies the key impacts which will be further investigated and assessed within the EIS. Council's advice is that a standalone qualitative and quantitative Transport Impact Assessment (TIA) must be prepared by consultants to accompany the EIS. The TIA should address (but is not limited to) the following:
- i. Alignment, consistency and co-ordination between SEED Stage 1 and the proposed SEED Stage 2.
 - ii. Road alignment, vehicular access and cumulative traffic impacts with consideration of alignment across both the SEED Stage 1 and SEED Stage 2 development areas. The cumulative impacts must be assessed alongside any other proposed development near the site, including SEED Stage 1.
 - iii. Operational traffic impacts: impacts on the surrounding road network associated with the future operations of all sites within the development, with separate detailed analysis of future heavy vehicle operations.
 - iv. Consideration to be given toward staging and the upgrade of Elizabeth Drive to inform interim and ultimate scenarios in relation to traffic generation.
 - v. The design and operation of proposed loading areas consistent with the heavy vehicle requirements of the Western Sydney Aerotropolis DCP 2022 (i.e. that vehicular access and driveways widths must be swept path tested for the largest vehicle that will access a particular site e.g. 30m PBS Level 2 Type B or 36.5m PBS Level 3 Type A vehicles).
 - vi. Vehicular swept paths which sufficiently indicate how the design vehicle (e.g. 30m PBS Level 2 Type B or 36.5m PBS Level 3 Type A vehicles) will exit in a forward direction in circumstances where all loading dock bays are occupied.
 - vii. Sufficient detail (dimensions for assessment purposes) to assess whether compliance with AS 2890.1, AS 2890.2 and AS 2890.6 is achieved for each proposed warehouse lot.
 - a. Site circulation details (one way direction or otherwise) for all heavy vehicles for each individual tenancy, as well as

- adequate separation from general car parking and pedestrians and overall compliance with AS 2890.2
 - b. Off street parking compliance with AS 2890.1 and AS 2890.6
- viii. Analysis of proposed overall traffic generation and impacts of the proposed development on low density local roads, with consideration for local road environmental capacities and impact on residential amenities, as well as impacts on surrounding intersections.
- ix. Detailed outline of proposed design and operation of loading areas for each proposed warehouse lot.
- x. Demonstration that any internal access gates/boom-gates/etc. will be positioned internally such that a full vehicle length (of the largest vehicle designated to use the corresponding entrance) can be accommodated wholly within the site and not queue on the public roadway.
- xi. Timing, staging/phasing of development across both the SEED Stage 1 and SEED Stage 2.
- xii. Construction traffic impacts, with any associated CTMP (construction traffic management plan) to also be provided for comment by Council, including TGSs (traffic guidance schemes).

Consistency with the Western Sydney Aerotropolis Precinct Plan & Other Matters for TfNSW:

- a) It is noted that applications for development in this precinct (under the 'Western Sydney Aerotropolis Precinct Plan') must provide to the assessing body (in this case DPHI), as part of the development application, confirmation that Transport for NSW (TfNSW) is satisfied that the proposal:
 - i. Provides road infrastructure to support the development, which is consistent with the precinct plan, and;
 - ii. Is capable of connecting to and integrating with existing and planned road infrastructure.

5. Environmental Management Considerations

- a) As part of the assessment of the application, DPHI will need to be satisfied that all potential environmental health impacts are comprehensively assessed in accordance with applicable legislative requirements and relevant guidelines, codes and standards, as well as ensuring that industry best practices are implemented where required.
- b) It is noted that the Scoping Report identifies the areas of environmental health that Council would usually request the applicant to consider for this type of development, and commits to the preparation of numerous technical reports, including a Noise and Vibration Impact Assessment, an Air Quality Impact Assessment, and provisions surrounding services and wastewater management.
- c) In relation to land contamination, Chapter 4 of SEPP (Resilience and Hazards) requires that the consent authority be satisfied in relation to the site's suitability for the proposed use. In turn, DPHI will need to ensure that the site is suitable, or can be made suitable, prior to its use. Land contamination matters for the Stage 2 are proposed to be addressed through the preparation and submission of a Detailed Site Investigation. The documentation will need to demonstrate that the site is suitable for the proposed land use, or that it will be suitable prior to use (i.e. ensure Validation Reports and Site Audit Statement (where required) are submitted prior to construction and/or operation where relevant).
- d) In addition, it should be noted that the site is not yet serviced by Sydney Water's reticulated sewerage network. Although the development will eventually be able to be serviced by the reticulated sewerage network, the delivery of these services may not align with the timing of the development proposal. DPHI should ensure that where connection to the sewerage network not be able to occur prior to the occupation of the warehouses, that an Interim Operation Procedure be determined to manage wastewater generated by the site. This may require Section 68 approval under the Local Government Act.

6. Biodiversity Considerations

- a) The subject land is identified as certified land under the Cumberland Plain Conservation Plan and the riparian corridor is identified as Avoided land.
- b) It is understood that the scoping report has recognized that an Arborist report will be prepared. There is some discussion of whether a BDAR waiver will be required to support the application. The need for this will depend on the final footprint and whether any development is proposed with land identified as Avoided land under the CPCP.
- c) The application in addition to what is identified in the Scoping report should be accompanied by a Biodiversity Management Plan to identify the biodiversity values within the development footprint and how mitigation measures will be implemented to minimize impacts on fauna. This would include but not be limited to Kangaroo management, removal of habitat trees.
- d) A Dam Dewatering Plan should be prepared to outline how the waterbodies within the development footprint will be dewatered and outline aquatic fauna rescue protocols.
- e) It is understood that the ENZ land has not been included. As per Section 2.17 of the Aerotropolis DCP 'Land zoned Environment and Recreation must not be subdivided unless the consent authority is satisfied appropriate arrangements have been made for revegetation and rehabilitation in accordance with a Vegetation Management Plan, including ongoing monitoring and managed. The department will need to consider whether it is appropriate to request a Vegetation Management Plan for the ENV land. If one is not to be provided at this stage, then further information is required to understand when a VMP will be prepared and who will be responsible for implementing the VMP.

7. Waterways Considerations

The EIS should address and include the following information:

- a) A Stormwater Management Strategy for the proposed development will need to be prepared by a suitably qualified professional in support of the development. The strategy will need to demonstrate and outline how both surface and groundwater resources will be managed on the lot, and how it will connect to the drainage provided as part of the approved development.
- b) The strategy will need to articulate how the proposed development would impact on the operation of the approved stormwater management system for the Aspect Industrial Estate (SSD-10448), noting that the site is needed for the stormwater management commitments. It is noted that the development of the site will impact on the broader developments (SSD-10448) compliance with the waterway health requirements and this will need to be considered.
- c) Any updated interim arrangements must comply with the Wianamatta-South Creek construction and operational phase stormwater management targets in the Aerotropolis Development Control Plan and in accordance with the Technical guidance for achieving Wianamatta-South Creek stormwater management targets, prepared by DPE, 2022 and associated MUSIC modelling toolkit.
- d) The strategy will need to be supported with concept engineering plans. The plans must include all details of proposed on-lot stormwater treatment devices etc.
- e) Details of how the proposed stormwater management systems will connect to Sydney Water's regional stormwater system once available (including how any interim measures will be decommissioned). The developer needs to liaise with Sydney Water in relation to the proposed reliance of Sydney Water Scheme

stormwater treatment basins which will be required to comply with the waterway health requirements.

- f) An Erosion and Sediment Control Plan must be prepared in support of the application. This will need to be prepared in accordance with the requirements outlined in the DCP and associated technical guidelines.

Should you wish to discuss this matter further, please contact me on (02) 4732 7992.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SF' or similar, written in a cursive style.

Sandra Fagan
Principal Planner



RFS



Department of Planning, Housing and Infrastructure (Major Projects)

Locked Bag 5022
Parramatta NSW 2124

Your reference: SSD-104185710

Our reference: DA20260121000247-SEARS-1

ATTENTION: Deana Burn

Date: Monday 2 February 2026

Dear Sir/Madam,

Development Application

State Significant Development – SEARS – Warehouse or Distribution Centre

1669A Elizabeth Drive Badgerys Creek NSW 2555, 741//DP810111

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 20/01/2026.

The document titled '*Scoping Report - 1169A Elizabeth Drive, Badgerys Creek Seed Stage 2*' prepared by Urbis, Project Reference: P0053282, Dated 02 December 2025 has been reviewed. It is noted that the subject site is mapped bush fire prone with Category 1 and 2 vegetation, which will impact the development.

A Bush Fire Assessment Report of the extent to which the proposed development conforms with or deviates from the specifications set out in *Planning for Bush Fire Protection (PBP) 2019* is to be provided at the EIS Stage. This shall include a classification of the vegetation on and surrounding the development (out to a distance of 140 metres from the boundaries of the property) and an assessment of the slope of the land on and surrounding the development (out to a distance of 100 metres). The report must also address the proposed Stage 1&2 precinct subdivision and estate works under the relevant provisions of *PBP 2019*.

For any queries regarding this correspondence, please contact Bryce Pascoe on 1300 NSW RFS.

Yours sincerely,

Rohini Belapurkar

**Supervisor Development Assessment & Plan
Built & Natural Environment**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



Sydney Water Development Application Information Sheet for Proponent

Sydney Water has provided advice to the Department/Council on your proposed development. Further steps are required before Sydney Water connections and final approvals can be granted. Without relevant Sydney Water approval, your Subdivision Certificate, Occupation Certificate or Construction Certificate, may not be issued. Please read the information below to assist with your development. Further information can also be found on our website (sydneywater.com.au).

Building Plan Approval

Why have I been advised a Building Plan Approval is required?

Demolition, excavation, construction or modification to existing buildings and structures all have the potential to damage or limit access to our water, wastewater or stormwater services. That's why we need to review and approve your building plans before you start any work. In many cases, you need a Building Plan Approval before council can allow you to start demolishing or constructing.

How do I apply for a Building Plan Approval?

The approved plans must be submitted to the Sydney Water [Tap in®](#) online service to determine whether the development will affect any Sydney Water wastewater, water, stormwater mains and/or easement, and if further requirements need to be met.

Sydney Water recommends you apply for Building Plan approval early as in some instances a detailed engineering assessment would be required when building over or near our critical assets. This can be a lengthy process and may also impact development designs.

You will be required to pay Sydney Water for the costs associated with any detailed review.

Section 73 Compliance Certificate

Why have I been advised a Section 73 application is required?

If you are developing or subdividing land and needing water or wastewater, you may need to apply for a Section 73 Compliance Certificate before council can issue an Occupation or Subdivision Certificate.

If we have noted a requirement for a Section 73 Compliance Certificate in our advice to Council, one must be obtained from Sydney Water under the *Sydney Water Act 1994*. These include secondary homes or granny flats in an area with Priority Sewerage Scheme or with a GFA greater than 60 m².

How do I apply for a Section 73 Compliance Certificate?

You can choose to use a water servicing coordinator for works of any size. If you only have minor works, you can apply directly through Sydney Water Developer Direct.

We suggest you lodge an early application for the certificate, as there may be additional connections or pipes to be built or additional steps to protect our existing assets. This can also impact other services, buildings, driveways, or landscape designs.

Feasibility

Why have I been advised to carry out a Feasibility enquiry?

If the development presents potentially large water servicing demands on drinking water, wastewater, recycled water and stormwater where applicable or asset impacts are anticipated, further investigation may be required to determine the servicing requirements for the site.

It is recommended that a Water Servicing Coordinator is engaged to also ensure early discussion on your proposed development so it is considered in any potential planning that we might be undertaking. We advise you do this as soon as possible to prevent potential delays to your development approvals or servicing.

How do I apply for a Feasibility?

To apply for a Feasibility, you will need to contact a Water Servicing Coordinator. Tell them you have been advised to lodge a Feasibility as part of your development application.

Growth Data Form

Why do I need to complete a Growth Data Form as part of the Feasibility application?

If you have been requested to provide growth data, it is likely your planning proposal may lead to development with significant servicing needs, especially or in areas not previously identified for substantial growth.

To ensure thorough servicing advice and explore staged servicing options, we need anticipated growth data and **indicative** development staging, including yield per stage, as specified in the Growth Data Form in Appendix 1 of this information sheet.

Infrastructure Contributions

What are infrastructure contributions?

Infrastructure contributions are a payment towards the cost of infrastructure needed to provide water-related services.

How do infrastructure contributions impact me?

Infrastructure contributions are payable for all properties that connect or upgrade a connection to our systems. The contributions are being gradually reintroduced such that they were capped at 25 percent in 2024-25 and 50 percent in 2025-26, with full contributions payable from 1 July 2026 onwards, in line with a transition plan approved by the NSW Government.

You can find more information on infrastructure contributions at [Land development](#).

I am building in the Western Sydney Aerotropolis Precincts. How does this impact me?

The NSW Government has appointed Sydney Water as the Regional Stormwater Authority in the initial Western Sydney Aerotropolis precincts, including the Mamre Road Precinct.

If you are building in the Aerotropolis Initial Precincts, you will be required to pay infrastructure contributions towards Sydney Water's stormwater and recycled water servicing. The estimated amount of contributions for stormwater and recycled water servicing will be provided at the Notice of Requirements issued during the Section 73 application.

You can find more information on Mamre Road and Aerotropolis Infrastructure Contributions at [Mamre Road and Aerotropolis development](#).

Water Servicing Coordinator

What is a Water Servicing Coordinator?

Water Servicing Coordinators are accredited providers who can manage your Sydney Water applications for you.

They can design new pipes, manage applications for Section 73 Compliance Certificates and Feasibilities, applications for approval to move or extend our pipes, design and construction of new pipes, and applications for approval to build over or next to assets.

All Water Servicing Coordinators have designer accreditation and can provide design services.

How do I find a Water Servicing Coordinator?

Please follow this link to find a list of Water Servicing Coordinators: [Water servicing coordinators](#)

Trade wastewater for business customers

I am a business customer and my development may generate commercial or industrial trade wastewater. What do I do?

If your development is going to generate trade wastewater, you must have written approval to connect your business to our network, and properly install and maintain appropriate treatment equipment before any business activities can commence. It is illegal to discharge trade wastewater into the Sydney Water sewerage system without permission.

How to apply for approval to discharge?

Complete an application for connection to discharge trade wastewater at Sydney Water [Tap in®](#) or contact businesscustomers@sydneywater.com.au for further information.

Data Centres

What is a Data Centre?

According to the *Local Environmental Plan Standard Instrument*, data centre means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.

Refer to Appendix 2 for Sydney Water's requirements for Data Centre applications regardless of the approval pathway undertaken.

Capacity

Water service availability may change with development and demand. Sydney Water does not reserve capacity in advance, so proponents should apply for a Section 73 Compliance Certificate as early as possible.

Quick Links

[Building plan approvals](#)

[Section 73 Compliance Certificates](#)

[Steps for first time developers](#)

[Water servicing coordinators](#)

[Land development](#)

[Managing trade wastewater](#)

[Growth Servicing Plan](#)

[Mamre Road and Aerotropolis development](#)



Appendix 1. Example of growth data form

The following is an example of the level of intel that we require to assess the potential staging and phasing of asset upgrades. We acknowledge that this information is an indication only and is provided as a guide to assist Sydney Water to provide more nuanced feasibility or servicing advice. We note that timescales are often subject to developer intent/demand and approval timescales. Sydney Water uses the information at its own risk.

Anticipated growth timescales													
Project name:	Address:		Sydney Water Ref. Number and DA Ref Number:										
Development Type	Ultimate growth (additional)	Total # stages	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Continue as required
Example (dwelling multi)	2050	5	0	0	350	350	500	500	350	0	0	0	
Example (job number)	1600	6	0	200	200	300	300	300	300	0	0	0	
Dwellings (single)													
Dwellings (multi)													
Jobs (number)													
Jobs (GFA)													

Appendix 2. Data Centres

What is required by Sydney Water when developing a Data Centre?

Due to the significant water consumption used by data centres, Sydney Water requires the following information to be submitted to progress all data centre applications regardless of the approval pathways undertaken.

Required information	Details
Water service demands	1. Water service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled water or non-potable water services have been made. This should be progressed via a Sydney Water Feasibility application. a. The following information is required: i. Staging of developments showing yearly 1. Average Day Demand 2. Maximum hour demand (to understand impact on the network during peak hour) 3. High demand days (e.g. 95th percentile or those high demand 5 to 10 days per year) 4. Maximum daily demand (Peak day - 1 in 10 year) ii. One of the following (for ultimate development as a minimum) 1. Expected daily usage over a year 2. Expected monthly average daily usage over a year iii. Daily diurnal usage based on a high demand day. The preferred usage pattern should reflect the draw from Sydney Water's mains and not the internal usage. However, understanding the internal water usage can provide insight to Sydney Water on potential draws from the system and demonstrate that the applicants have leveraged water efficiency opportunities and recycling within their operation as appropriate.

6 February 2026

Our reference: 230740

Deana Burn

Specialist Planner

Department of Planning, Housing and Infrastructure

deana.burn@planning.nsw.gov.au

RE: Sydney Water input to SEARs for SSDA-104185710 at 1669A Elizabeth Drive, Badgerys Creek

SEED Stage 2 Concept and Stage 2A

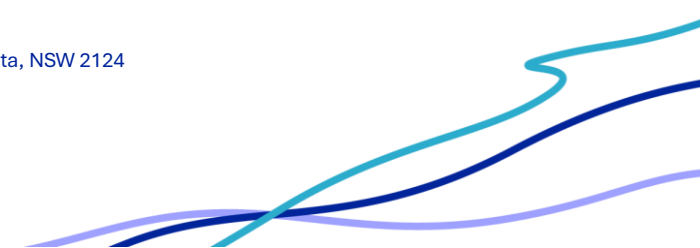
Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the SSD-104185710 at 1669A Elizabeth Drive, Badgerys Creek, within the Badgerys Creek and Wianamatta-South Creek Precincts of the Western Sydney Aerotropolis. The SSDA will seek consent for the establishment of the Concept Plan for the following:

The Stage 2 development works comprise:

- Ten (10) development lots for the purposes of warehouse and distribution and/or industrial premises,
- Earthworks,
- Infrastructure works,
- Construction of Sydney Water Regional Stormwater Basin SC10, SC12 and SC11

The Stage 2A development works comprise:

- Site preparation works across the proposed SEED Stage 2 area, including:
 - Demolition and removal of existing structures,
 - Vegetation removal,
 - Site remediation works,
 - Dam dewatering and decommissioning,
 - Bulk earthworks,
 - Construction of retaining walls to facilitate level transitions,
 - Construction of internal road network for future dedication to Penrith City Council,
 - Provision and construction of utility infrastructure.



- All on lot works for warehouse lots 9, 10, 11, 12 and 13 including construction and operation of these buildings.
- Delivery of stormwater management infrastructure, including the Sydney Water regional stormwater basins SC10, SC11 and SC12
- Subdivision including dedication of roads and the creation of four allotments, to be subdivided on a staged basis.

Sydney Water requests that the Department of Planning, Housing and Infrastructure (the Department) include the following Secretary's Environmental Assessment Requirements relating to the provision of water-related services for the subject site:

Water-related Infrastructure Requirements

1. The proponent of the development should **determine service demands** following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled water (where required) services have been made.
2. The proponent must obtain endorsement and/or approval from Sydney Water to ensure that the proposed development does not adversely impact on any existing water, wastewater or stormwater main, or other Sydney Water asset, including any easement or property. **To do this, it is required that the proponent register a direct Feasibility enquiry with Sydney Water as soon as possible** via an approved Water Servicing Coordinator (WSC) to ascertain servicing needs and to ensure the proposed development is considered in any potential planning, land requirements, existing or future easements that we might be undertaking or investigating.
3. When determining landscaping options, the proponent should take into account that certain tree species can cause cracking or blockage of Sydney Water pipes and therefore should be avoided.
4. The proponent should consider taking measures to minimise or eliminate potential flooding, degradation of water quality, and avoid adverse impacts on any heritage items, and create pipeline easements where required.
5. Strict requirements for the protection of Sydney Water's stormwater assets may apply to this site. The proponent should ensure that satisfactory steps/measures been taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to stormwater assets and building bridges over stormwater

Stormwater and Integrated Water Cycle Management

Sydney Water is the Regional Stormwater Authority for the Aerotropolis Precinct. Sydney Water has undertaken integrated water cycle management (IWCM) planning for this precinct which details the infrastructure necessary to support the delivery of a regional stormwater management system, integrated with the recycled water network (**Regional Integrated Stormwater Scheme**). Regional stormwater infrastructure for this Scheme comprises natural creek lines,

naturalised trunk drainage channels, consolidated treatment and stormwater harvesting basins, final polishing, and recycled water distribution system. Connection to the Integrated Stormwater Scheme is required and will enable development in the precinct to meet the NSW Government stormwater quality and flow targets, as well as the NSW Government parkland city objectives.

The Aerotropolis Draft Integrated Stormwater Scheme Plans for the Wianamatta-Badgerys and Cosgroves, and Duncans-Mulgoa catchments were released for public exhibition in 2025 and are in the process of finalisation. More information about the scheme can be found [here](#).

The proponent should outline the development's projected potable and non-potable water demands and any sustainability initiatives that will minimise/reduce the demand for drinking water. This will allow Sydney Water to determine the impact of the proposed development on our existing services and required system capacity to service the development.

Sydney Water encourages high non-potable water demands within the Aerotropolis Precincts which must be met through the development's connection to the Regional Stormwater Scheme recycled water network.

The proponent should be aware that a Scheme Serviced Area (SSA) development credit framework for the Aerotropolis is intended to be implemented after the release of the finalised Aerotropolis Integrated Stormwater Scheme Plans. More information about SSA can be found [here](#).

To demonstrate compliance with the regional integrated stormwater servicing approach, the development must:

- demonstrate the integration of any planned regional stormwater infrastructure on the development site as per the Wianamatta-Badgerys Scheme Plan or more recent design drawings as worked through with Sydney Water.
- ensure it complies with the relevant DCP requirements for:
 - pervious area/percentage,
 - provide gross pollutant traps to service the development,
 - provide passively irrigated street trees on all public roads,
- demonstrate a commitment to connect to the regional stormwater scheme,
- respond to the relevant stormwater requirements in the [Draft Scheme Infrastructure Design Guideline](#) (Sydney Water, 2024), or any more current advice from Sydney Water,
- demonstrate compliance with the [Technical guidance for achieving Wianamatta - South Creek stormwater management targets](#) (DPE, 2022) for both construction and operational phases **(including for interim periods before the Regional Stormwater Scheme is available)**.
- provide appropriate access to all trunk drainage corridor land on the development site (including waterways and riparian corridors as mapped in the

Wianamatta Badgerys Scheme Plans) under section 88A and/or restriction or public positive covenant under section 88E of the Conveyancing Act 1919.

The proponent must provide documentary evidence that the proposal has been through a Feasibility assessment with Sydney Water to secure endorsement of the proposed stormwater management strategy, including the delivery of any regional stormwater infrastructure. The evidence should include details of:

- Allocation, design and layout of stormwater assets including trunk drainage channels, Strahler order waterways and basins where relevant.
- Consistency with the relevant stormwater Scheme Plan or endorsement of any proposed variations to the Scheme Plan,
- Delivery of any regional stormwater assets and proposed reimbursement by Sydney Water for the delivery of these assets

Should satisfactory evidence not be provided with the application, the application may not proceed to exhibition.

Sydney Water notes that Conditions A9B-A9E of SSD-10448 must be satisfied to achieve compliance for SEED Stage 2. It is also noted that SEED Stage 1 in its undeveloped state currently forms part of the approval pathway for future Aspect Industrial Estate SSDAs.

Due to the interdependent compliance between SEED and Aspect Industrial Estate (AIE) (SSD-10448), interim waterway health compliance details for SEED Stage 2 are not sufficient in isolation to appraise compliance at all stages across the various and concurrent development applications.

Consistent with the proponent's intent to provide a 'development scenario based approach' and 'to address the required waterway health measures across both AIE and EEP on a staged basis as outlined in the scoping documents provided, staging plans will be required for all compliance coupled sites and stages, demonstrating proposed development timing and pathways that will maintain constant compliance across both the SEED and AIE sites.

The strategy to achieve the waterway health targets at each stage of development for both the AIE and SEED sites must clearly outline;

- Current SSD statuses and planning details relevant to achieving waterway health targets
- Instances where approved applications are reliant on separate applications and when/how this reliance is de-coupled
- Any intention or requirements for interdependent SSDAs to deviate from currently approved or 'under review' SSD documentation to achieve compliance with waterway health targets
- A separate MUSIC model for each stage of development shall also be provided, consistent with provided catchment and SWMPs, staging plans and memorandum.

From the scoping report and ongoing fortnightly meetings with the proponent it is understood that the developer intends to deliver the following Regional Scheme infrastructure components that occur on the subject site:

- Stormwater Basin SC10
- Stormwater Basin SC11
- Stormwater Basin SC12

Sydney Water notes that any changes to the precinct plan road layout which results in reduced passively irrigated street tree installation may require increased extents of bioretention, the cost of which will not be reimbursed.

Whilst not explicitly stated in provided scoping report, it is expected that the following Regional Scheme infrastructure components within the site will also be delivered:

- All stormwater harvesting infrastructure
- All recycled water infrastructure

Growth information

Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require the proponent to provide anticipated ultimate and annual growth data for this development as outlined in the enclosed Growth Data Form.

A Feasibility application will enable a comprehensive servicing review ensuring the proposed development is considered in any potential planning that we might be undertaking. Failure to provide this information may impede proper planning requirements for the proposed development and for the broader area. The completed growth form should be submitted by the proponent to Sydney Water as part of the Feasibility application via a Water Servicing Coordinator (WSC), citing this referral response and our reference number.

Next steps

- Given the scale and complexity of the proposed development, further investigations may be required to determine the servicing requirements for this site. It is recommended that a Water Servicing Coordinator is engaged as soon as possible, and a **Feasibility** application is submitted with Sydney Water **prior to the preparation of the EIS**.
- The proponent should complete and return the enclosed Growth Data Form. The Growth Data Form should be updated promptly with Sydney Water in case of changes.
- The Department is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make

further applications to Sydney Water and provides more information on Infrastructure Contributions.

If the proponent has any questions, they should contact their Sydney Water Account Manager, Lubna Thalib at Lubna.Thalib@sydneywater.com.au. Should the Department require further information, please contact Joanne Chan from the Growth Analytics Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Manager, Growth Analytics and Strategic Partnerships
Growth and Development
Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Enclosed:

- Sydney Water Development Application Information Sheet (for proponent)
- Sydney Water Growth Data Form

2 February 2026

TfNSW Reference: SYD26-00053/01
DPHI Reference: SSD-104185710



Ms. Kiersten Fishburn
Secretary
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2150

Attention: Deana Burn

**REQUEST FOR SECRETARYS ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARS)
STAGE 2 CONCEPT PLAN AND STAGE 2A WAREHOUSE AND DISTRIBUTION
1169A ELIZABETH DRIVE, BADGERYS CREEK**

Dear Ms Fishburn,

Thank you for providing Transport for NSW (**TfNSW**) an opportunity to provide input to the Secretary's Environmental Assessment Requirements (**SEARS**) for the proposed State Significant Development Application (**SSDA**) at 1169A Elizabeth Drive, Badgery's Creek.

TfNSW has reviewed the Scoping Report (prepared by Urbis) in December 2025 and provides assessment requirements and comments in **TAB A** for the consideration of the Department of Planning, Housing and Infrastructure (**DPHI**).

Should you have any questions regarding the above matter, please contact Brett Morrison, on phone 0448 890 598 or via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

Brendan Pegg
Senior Manager Land Use Assessment Central and Western
Transport Planning Branch
Planning, Integration and Passenger Division

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TAB A – TfNSW Assessment Requirements and Comments

1. **Transport Impact Assessment (TIA):** A TIA shall be prepared in accordance with the *Guide to Transport Impact Assessment (GTIA)*. GTIA replaces the Guide to Traffic Generating Developments and can be found at this [link](#). The TIA will enable TfNSW to understand the impacts the development may have on the transport network, as well as the impacts to the state classified road network resulting from increased vehicular, bus and pedestrian/active transport movements. The TIA must include, but not be limited to, the following:
 - Details of the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand for the proposed development; and
 - Measures to integrate the development with the existing/future public transport network.
 - A review of the crash data along the identified transport route/s and key nearby intersections for the most recent 5-year reporting period and an assessment of the safety implications of the proposed development and required mitigation measures.
 - Details of the site access and pedestrian network and parking provision associated with the proposed development, in accordance with the relevant Australian Standards, Austroads Guide and Council's Development Control Plan (DCP).
 - An assessment of the predicted impacts of development traffic on road safety and the capacity of the road network, including consideration of cumulative impacts of nearby approved developments at key intersections on Elizabeth Drive at Martins, Badgerys Creek, and Mamre Roads and Devonshire Street, using SIDRA or similar traffic model (further details at point 2 below).
 - Identification of the necessary road network infrastructure upgrades (e.g. signage, pedestrian facilities, intersection upgrades, etc.) on Elizabeth Drive at Martins, Badgerys Creek, and Mamre Roads and Devonshire Street that are required to mitigate the development impact on the classified road network, in terms of safety and efficiency for both vehicles and pedestrians. Any proposed intersection upgrades on Elizabeth Drive at Martins, Badgerys Creek, Mamre, Luddenham and Devonshire Roads should consider the broader growth planned for the Badgerys Creek Precinct. Any required/proposed road network infrastructure upgrades/mitigation measures along Elizabeth Drive should be developed in consultation with TfNSW.
 - Plans demonstrating how all vehicles likely to be generated during construction can be accommodated on the site to avoid impacts to the transport network. A preliminary Construction Transport Management Plan (CTMP) should be prepared as part of the TIA to mitigate any such impacts.
 - TfNSW encourages the proposal to minimise the reliance on car usage through providing minimal parking spaces and the implementation of Travel Demand Management (TDM) measures.
 - Details of TDM measures to be utilised to minimise the development impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan and/or specific Workplace Travel Plan) and the provision of facilities to increase the non-car mode share for travel to and from the site.
2. **Traffic Modelling:** Detailed traffic modelling (e.g. SIDRA) will be required to document the impact of the proposed development on the existing and proposed road network with an existing base and a +10-year background traffic growth scenarios, with and without the proposed development, for weekday AM, PM and weekend peak periods.

At a minimum, the traffic modelling should include the following intersections:

- Elizabeth Drive and Martin Road
- Elizabeth Drive and Badgerys Creek Road
- Elizabeth Drive and Mamre Road
- Elizabeth Drive and Luddenham Road
- Elizabeth Drive and Devonshire Road

Modelling undertaken must include, but not be limited to, the following:

- Be based on current traffic counts;
- Ensure the base model is calibrated with on-site observations (e.g. queue lengths, delays). Details on the calibration undertaken must be provided;
- Details of any default settings that have been changed, along with supporting justification for each change; and
- Ensure the electronic copies of all modelling files are provided to TfNSW for review.

SCATS data for signalised intersections can be requested via SCATS.Traffic.Signal.Data@transport.nsw.gov.au.

3. **Traffic Control Signal Works Approval:** The proposed includes the construction of Traffic Signals at Elizabeth Drive that would require approval for any modifications to the agreed design associated with Stage 1 from TfNSW under Section 87 of the *Roads Act 1993*.
4. **Active Transport:** The development should ensure its design is reflective of the Connecting Strategy and the NSW Active Transport Strategy, including, but not limited to:

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- Delivering integrated land use and transport planning, connecting people to their local metro centre and strategic centres within 30 minutes by public transport;
- Enable 15-minute neighbourhoods;
- Deliver connected and continuous cycling networks; and
- Promote safer and better precincts and main streets.

5. Car Parking: Consideration should be given to ensuring that car parking provisions are consistent with the requirements identified in the GTIA.



4th February 2026

Dear Deana,

Thank you for the opportunity to comment on the State Significant Development Application (SSD-104185710) for the Stage 2 concept masterplan and Stage 2A development for the construction of five (5) warehouses and associated works located at 1169A Elizabeth Drive, Badgerys Creek, also referred to as SEED or formally as Elizabeth Enterprise Precinct. We understand that the proposal seeks approval for the following works:

- Stage 2 Concept Masterplan including:
 - Subdivision layout for 10 development lots for warehouse and distribution centres, and/or industrial premises;
 - Building envelopes, including building heights;
 - Road, carparks and hardstand areas;
 - Landscaping, two (2) public open space lots, one (1) drainage reserve lot, one (1) amenity node lot/public recreation; and
 - Location and delivery of regional stormwater infrastructure (basins SC10 and SC12)
- Stage 2A development including but not limited to:
 - Site preparation for Stage 2 development area including dam dewatering and decommissioning, and construction of the internal road network; and
 - Construction and operation of five (5) warehouses

It is noted that this referral is for the Scoping report and that WSI will have further opportunity to comment on the EIS when on public exhibition.

WSI requests that the following matters be considered in the preparation of the Environmental Impact Statement (EIS):

Matters to be Addressed	Comment
Planning Controls	The SSD application needs to address Part 4.3 of the <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> and the Aerotropolis Development Control Plan.
Airport Safeguarding	The SSD application is to include an Aviation Impact Assessment/Airport Safeguarding Report that addresses the requirements of the <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i>, including the following: • Wildlife Hazards: The proposed regional stormwater infrastructure falls within the definition of ‘water storage facilities which is considered ‘relevant development’ under Section 4.19 of the SEPP. Therefore, the provisions of Section 4.19 should be addressed by the applicant.



Matters to be Addressed	Comment
	An assessment of wildlife attraction and bird strike risk should be undertaken in accordance with the requirements of the SEPP. Subject to the findings of the wildlife assessment, a wildlife management and monitoring plan may be required for the proposed development which should address the following: ○ Design, management and monitoring of the onsite stormwater basins. ○ Landscaping species selection and maintenance. ○ The design and management of waste storage areas/receptacles during construction and operation. ○ External handling and storage of organic materials. ○ Monitoring and management of any wildlife. ● Lighting: The site includes areas located within Lighting Control Zones C and D. An assessment of lighting needs to be undertaken, to demonstrate that proposed lighting at the site is acceptable from an aviation perspective. It should be noted that this assessment would also need to be undertaken in regards to construction lighting. The assessment should be done in accordance with the NASF Guideline E. ● Airspace Operations: Potential impacts to protected airspace from buildings (including buildings, antennae, and any other structures affected to buildings) should be considered. This includes any temporary intrusions (e.g. cranes) as well as vertical air emissions from uses. The design of buildings and structures should avoid impacts to protected airspace. If solar panels are proposed on the warehouse buildings, details are to be included in the application, including extent and orientation of the panels.
Other Matters	
Traffic	<u>Construction</u> Construction traffic impacts should be assessed in the EIS, including proposed construction traffic access routes.



Matters to be Addressed	Comment
	<u>Operation</u> A Traffic Impact Assessment should included in the EIS and should address the full development of the site. The assessment should include: • Traffic modelling, including forecast traffic volumes • Analysis of the performance of key intersections The assessment should take into account the current and future traffic conditions (including future airport growth).
Environmental management	A Construction Environmental Management Plan is to be submitted detailing environmental management measures during construction.

Should you have any further question or clarifications regarding the above please contact planning@wsiairport.com.au.