

Our ref: SSD-108835458

Mr Theo Klok

Senior Planner

Willowtree Planning (NSW) Pty Ltd

Suite 404 / Level 4, 165 Walker Street

North Sydney NSW 2060

9 April 2026

Subject: Planning Secretary's Environmental Assessment Requirements - Mars Road Data Centre (SSD-108835458)

Dear Mr Klok

Please find attached a copy of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Mars Road Data Centre State significant development application (DA).

The SEARs have been prepared in consultation with relevant public authorities (see **Attachment 2**) and are based on the information you have provided to date. Please note a response from Department of Climate Change, Energy, Environment and Water (DCCEEW) Conservation Programs, Heritage and Regulation (CPHR) has not yet been received. A copy of their advice will be provided to you when received and will form part of the SEARs. Where relevant, the Planning Secretary may modify the SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice.

Your SEARs will expire two years from the date of issue (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the Department at least three months prior to the expiry date.

If your application is not submitted within two years (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

Project Scale

Please note the Department acknowledges that the proposed development is of a substantial scale and would involve a large development footprint across the site. Given the scale of the proposal, careful consideration is required to ensure that the development footprint has been refined to avoid direct impacts to vegetation located within 1 Sirius Road. This vegetation is subject to restorative works and ongoing maintenance requirements under existing development consent SSD-9741. The

Department therefore considers it necessary that you re-examine the proposed footprint through an iterative design process to demonstrate that direct impacts to these areas have been avoided.

Preparing your EIS

Your EIS must be prepared having regard to the Department's *State Significant Development Guidelines* including the *Preparing an Environmental Impact Statement guideline*. All relevant guides for State significant projects that are referenced in the SEARs are available at www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework.

During the preparation of your EIS, you are required to consult with various parties, including the Department and any relevant agencies, in accordance with the *Undertaking Engagement Guidelines for State Significant Projects*. For more information, please visit the Prepare EIS page on the NSW planning portal. Agency contact details can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/guide-agency-directory>.

You will need a Registered Environmental Assessment Practitioner (REAP) to declare that your EIS meets certain standards in relation to its completeness, accuracy, quality and clarity before it is submitted to the Department, as per Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). A pro forma declaration can be found in Appendix B of the *Preparing an Environmental Impact Statement guideline*. For more information on the REAP Scheme, please see the REAP Guidelines and the frequently asked questions on the [Department's website](#).

Biodiversity Development Assessment Report

Any development application that is required to be submitted with a Biodiversity Development Assessment Report must use the template available at: <https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-forthe-biodiversity-development-assessment-report-template>.

Lodging your Development Application (DA)

To ensure your application is ready for lodgement, please complete the following steps at least two weeks in advance:

- Submit the Payer Detail Form to the email address provided on the form. This allows sufficient time for fee determination and payment arrangements to be finalised. The form is available at: <https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-development/ssd-process/prepare-eis>

- Contact our team to confirm that all lodgement requirements have been met, including whether hard copies, electronic copies, or both will be required for the public exhibition of the EIS.

Upon submission of your application and EIS, the Department will review it for completeness under Part 8 of the EP&A Regulation. Please note that your DA is not taken to be lodged until the DA fee has been paid.

Information Needed to Determine the DA Fee

Your application will need to be accompanied by an Estimated Development Cost (EDC) Report prepared in accordance with the relevant planning circular using the Standard Form of EDC Report. Once you submit your EDC Report, we will check it for completeness against the requirements of the EP&A Regulation and the relevant Planning Circular.

If your project involves marinas, extractive industries or any subdivision of land, you must also ensure that your EDC Report includes a breakdown of estimated costs for any other component of your project.

Community Consultation

The Department wishes to emphasise the importance of effective and genuine community consultation. A comprehensive open and transparent community consultation engagement process must be undertaken during the preparation of the EIS. This process must ensure that the community is provided with a good understanding of what is proposed (including a description of any potential impacts) and they are actively engaged in issues of concern to them. Please note, your EIS must include clear evidence that this consultation has been undertaken and justification for the proposed consultation method(s) used.

Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

It is your responsibility to contact the Australian Government Department of Climate Change, Energy, the Environment and Water to determine if an approval under the EPBC Act is required (<https://www.dcceew.gov.au/> or (02) 6274 1111).

Should any referral to the Australian Government result in the development being considered a controlled action under the EPBC Act, please contact the Department for any additional requirements.

Department of Planning, Housing and Infrastructure



If you have any questions, please contact Jeffrey Peng on (02) 9995 6685 or via email at jeffrey.peng@planning.nsw.gov.au.

Yours sincerely,



Joanna Bakopanos

Acting Director

Industry Assessments

as delegate for the Planning Secretary