

10 May 2024

Laura Evert

Industry Assessments

Department of Planning, Housing and Infrastructure

laura.evert@dpie.nsw.gov.au

RE: Sydney Water input to SEARs for SSD-69845208 Alspec Manufacturing Warehouse at 221-235 Luddenham Road, Orchard Hills

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the abovementioned proposal which proposes development of the site for a new manufacturing warehouse primarily comprising of aluminium processing in the form of an extrusion press and paint line. The proposed development has a total GFA of 40,292m² with 37,925m² for warehouse purposes and 2,367m² for office purposes.

Sydney Water understands the development forms part of the larger Alspec Industrial Business Park estate which was subject to the recently approved Luddenham Road Planning Proposal.

Water Servicing

As per Sydney Water's response to the Luddenham Road Planning Proposal dated 19 January 2024:

- There is currently **no** water main in the vicinity of the development site and **insufficient** drinking water system capacity in the nearby water mains to service the proposed development at this time.
- Sydney Water is about to conduct an Options Assessment for the wider Orchard Hills catchment and we will have outputs from this study in 2025. If the proponent wishes to connect to Sydney Water's network in the future, they are encouraged to liaise with Sydney Water for servicing updates.
- We understand however that the proponent is seeking **private water servicing** from Water NSW, treating the raw water onsite for drinking water needs.

Wastewater Servicing

As per Sydney Water's response to the Luddenham Road Planning Proposal dated 19 January 2024:

- There are currently **no** wastewater services available in this area.
- However, the Orchard Hills East Options Assessment is currently in progress, the outcome of which will determine the preferred wastewater service to the Orchard Hills areas including the proposed site.
- The current Options Assessment estimates the trunk wastewater infrastructure delivery by c 2028, subject to change and finalisation/approval of the Options Assessment.

- Once wastewater services become available at this location, the proposed development may be able to connect to Sydney Water's wastewater network.
- **We understand that the proponent has advocated for Interim servicing for the proposed development via a private onsite wastewater treatment solution proposed by the proponent.**

Recycled Water Servicing

- As part of the Options Assessment for the Orchard Hills Precinct, recycled water services to Orchard Hills South are being considered, subject to service viability.
- The proponent should consider future-proofing their development to enable recycled water from public or private supply.

As Sydney Water will not be providing water and wastewater services to the proposed development at this time, Sydney Water has no other comments to make. A Section 73 Certificate will still be required for the proposed development as per *Types of development that need a Section 73 Certificate* (attached).

Types of development to be referred for a Section 73 Compliance Certificate (as a condition of development consent) include:

Development where council is considering approving servicing arrangements that could be independent of Sydney Water's water or wastewater (sewer) systems. For example, a development serviced by rainwater tanks as a primary water supply and alternate wastewater treatment systems.

Sydney Water's response to the Luddenham Road Planning Proposal dated 19 January 2024 has been included as an attachment to this response.

If you require any further information, please do not hesitate to contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "K. Leitch", with a stylized flourish extending to the right.

Kristine Leitch

Commercial Growth Manager

City Growth and Development, Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150

Enc: SW Planning proposal response dated 19/01/2024

19 January 2024

Our Ref: 178696, 203986, **211338**

Glen Weekley

Principal Planner

Penrith City Council

glen.weekley@penrith.city

**RE: Planning Proposal 221-227 & 289-317 Luddenham Road, Orchard Hills
(Alspeg Industrial Business Park)**

Thank you for your recent update on the changes in servicing arrangements for the Planning Proposal (PP) listed above. The PP seeks to rezone part of the site from RU2 Rural Landscape to E4 General Industrial zone to facilitate thirty-two (32) high-quality warehouse buildings across thirty-two (32) lots, each accompanied by an ancillary office. Following a meeting with Penrith Council last year, Sydney Water wanted to reiterate its position on the above.

Sydney Water has previously provided planning advice indicating there was no water or wastewater available to service the site in the near future. Following this, Council advised that the proponent will pursue private servicing to manage both potable water and wastewater onsite. While **Sydney Water does not have any further statutory response to the proposed servicing arrangements**, we would like to bring your attention to the following servicing options for future development applications following the rezoning of the site.

Water servicing

- There is currently **no** water main in the vicinity of the development site and insufficient drinking water system capacity in the nearby water mains to service the proposed development at this time.
- Nevertheless, the closest trunk infrastructure capable of likely servicing the development is a PE OD560 (Asset ID 11654810) on Luddenham Road, about 2.3km away from the development.
- If future development seeks to connect to Sydney Water's water network, a **detailed planning analysis** will be required to confirm servicing capacity to service this site through the trunk infrastructure planned for the Western Sydney Aerotropolis Growth Area.
- We understand the proponent seeks private water servicing from Water NSW, treating the raw water onsite for drinking water needs. It is worth noting potential water quality and financial risks with the estimated cost of private onsite water treatment being high.
- Sydney Water is conducting an Optional Assessment for Orchard Hills and the serviceability in this area may change over time. If the proponent wishes to connect to Sydney Water's network in the future, they are encouraged to liaise with Sydney Water for servicing updates.
- To enable future connection, the proposed water infrastructure for this development should be sized and configured according to the relevant WSAA code requirements.

Wastewater Servicing

- There are currently **no** wastewater services available in this area.

- Interim servicing for the proposed development will be via a private onsite wastewater treatment solution proposed by the proponent.
- However, the Orchard Hills East Options Assessment is currently in progress, the outcome of which will determine the preferred wastewater service to the Orchard Hills areas including the proposed site.
- The current Options Assessment estimates the trunk wastewater infrastructure delivery by c 2028, subject to change and finalisation of the Options Assessment.
- Once wastewater services become available at this location, the proposed development can connect to Sydney Water's wastewater network.
- To enable future connection, the proposed wastewater infrastructure for this development should be sized and configured according to the relevant WSAA code requirements.

Recycled Water Servicing

- Sydney Water is undertaking an Options Assessment Study for the Orchard Hills Precincts considering providing recycled water services to the Orchard Hills south including this development subject to service viability.
- Council should consider future-proofing development in this area to enable recycled water from public or private supply.
- Sydney Water suggests the proponent also liaise with their case manager to discuss recycled water opportunities.

The development servicing advice provided is not formal approval of our servicing requirements and is based on the best available information at the time of referral (e.g. planning proposal). It is important to note that this information can evolve in tandem with the progression of other development projects in the catchment, changes within the local systems and receiving works. This is particularly important in systems with limited capacity. Furthermore, Sydney Water does not reserve or hold capacity for proposed developments, regardless of whether the area has been rezoned or not. To ensure accuracy and alignment with current conditions, it is best to approach Sydney Water for an updated capacity assessment particularly if an approval letter is over 12 months old.

Should the proponent have further questions, please contact their Case Manager Amanda Barnes at amanda.barnes@sydneywater.com.au. If Council requires any further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "K. Leitch", with a stylized flourish extending to the right.

Kristine Leitch

Commercial Growth Manager

City Growth and Development, Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150

Types of development that need a Section 73 Certificate

Introduction

Section 78 of the *Sydney Water Act* requires consent authorities to notify us if development applications could affect our services. The consent authorities do this by inserting a condition in the development consent that the developer applicant must obtain a Section 73 Compliance Certificate (certificate) from us.

(A claim might be made against a consent authority if they fail to make this notification).

The developer applies to us for that certificate through an authorised water servicing coordinator (WSC). We advise the WSC of any requirements the developer must meet before we'll issue the certificate.

Attachments 1 and 2, over the page, list the developments that do and do not need to be referred.

We update the guidelines to consent authorities to help them decide which types of development they should refer. Attachment 3 highlights areas within Sydney Water's area of operations that are not services and so do not need to be referred.

To find out more about these guidelines, call Sydney Water on **13 20 92**.

Building plan approval

Attachments 1 and 2 don't cover the types of development that need our 'building plan approval'. To find out more, visit the Building plan approvals page on our website.



Consent authorities must notify us if development applications could affect our services.

Types of development that need a Section 73 Certificate

Attachment 1

Types of development to be referred **for a Section 73 Compliance Certificate** (as a condition of development consent) are shown below. Specific **exclusions** for some of these types are shown in Attachment 2:

1. Subdivision by Torrens, Community, Strata and Stratum Title, and subdivision for lease purposes (**includes** Strata Title conversion to Torrens Title, any road closure requiring a Subdivision Certificate and any boundary adjustment).
2. Dual occupancy development (**including** 'granny flat' development that **can't** be approved under the *State Environmental Planning Policy (Affordable Rental Housing) 2009*), whether being subdivided as above or remaining unsubdivided.
3. Medium density (multi-unit) residential development, that is, applications to erect buildings with dual key apartments (please identify in development description).
4. Development in rural or non-urban zoned land or Residential Bushland Conservation or similar zoning (including single residential development).
5. Development where council is considering approving servicing arrangements that could be independent of Sydney Water's water or wastewater (sewer) systems. For example, a development serviced by rainwater tanks as a primary water supply and alternate wastewater treatment systems.
6. Vacant single dwelling development on lots created by subdivision **BEFORE** April 1964. This includes referring development where development consent is required to erect structures only. For example, existing undeveloped lots created before the *Local Government Act*, existing undeveloped lots previously rated with another lot (such as former tennis courts) or demolishing a single dwelling and constructing separate single dwellings on existing multiple lots.
7. This referral is required because some lots in established areas may not have been previously issued with a Compliance Certificate at the subdivision stage and so may not have direct access to water or wastewater (sewer) services.
8. Development on previously publicly-owned land. For example, railway lands or land resulting from road closures.
9. New development of vacant land for industrial, commercial and special use. 'Special use' includes but is not restricted to schools, preschools, religious centres, sporting facilities, community facilities (police, fire, ambulance, SES), community halls, senior citizen centres, youth centres, parks/reserves where water will be used, government and agency depots/substations, hospitals.
10. Industrial, commercial and special use re-development where new building is involved.
11. Industrial, commercial and special use development, where there is a change in use of existing buildings and facilities that may result in increased demand for water and/or the discharge of trade wastewater from the premises. Examples of the types which should be referred are included in tables A & B below.
12. Crown development, Commonwealth and State. (Note: Generally, falls into one of the above categories.)

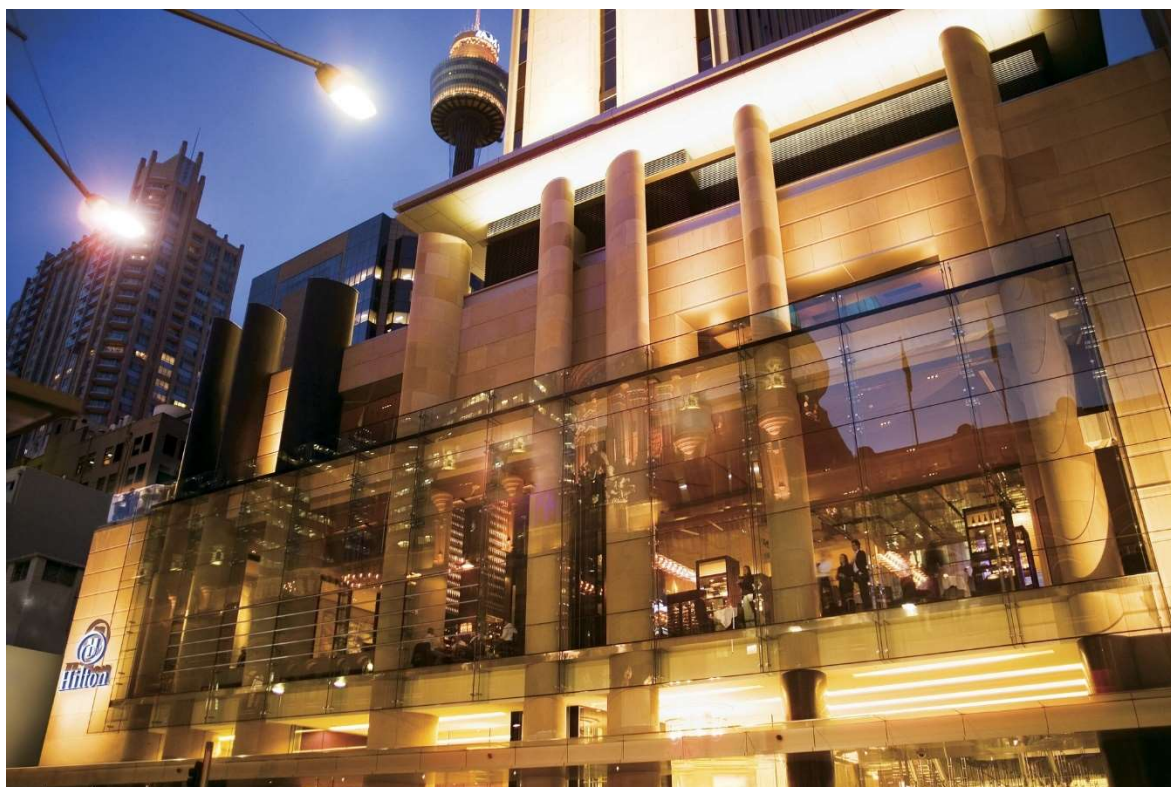
Table A: Industrial

You should refer any development to us that involves any change of use likely to generate trade wastewater, in addition to domestic wastewater (domestic wastewater is wastewater generated by persons for their personal hygiene). These include:

- food, beverage and tobacco manufacturing and wholesaling
- textile and leather manufacturing
- plywood and paper product manufacturing
- printing, published and recorded media
- petroleum and chemical product manufacturing
- ceramic, cement and plaster product manufacturing
- metal product manufacturing
- industrial and transport equipment manufacturing
- motor vehicle retailing.

Table B: Commercial

Butchers	Hospitals	Pizza shops
Bars/ clubs	Hotels	Restaurants
Childcare	Medical centres	Schools
Commercial car washes	Mechanical repairs	Service stations
Commercial laundries	Motels	Take away food shops
Delicatessens	Nursing homes	Veterinary surgeons
Dry cleaners	Photographic processing	



Hotels are among the business developments you should refer to Sydney Water.

Attachment 2

Development types **not** to be referred for a **Section 73 Compliance Certificate**:

1. Strata subdivision plan for a building approved by an earlier development approval, that is, strata title of an existing block of units where building was completed either:
 - 1.1 **before** April 1964 (**except** if the consent authority considers a compliance certificate is required under the *Strata Schemes (Freehold Development) Act 1973*)
 - 1.2 **after** April 1964 and covered by a Compliance Certificate issued on construction.
2. Development approvals (**except** for dual occupancy development that must be referred).
3. Consolidation of existing lots of land not involving subdivision of the existing lots.
4. Vacant single dwelling development on lots created by subdivision **after** April 1964 (that is, generally, where an earlier Sydney Water Compliance Certificate has been issued).
5. A new single residential dwelling replacing an existing dwelling.
6. Alterations, additions to an existing residential dwelling.
7. 'Secondary dwelling' development approved under the *State Environmental Planning Policy (Affordable Rental Housing) 2009* and *Wollondilly LEP 2011*. (The Department of Planning & Infrastructure also refer to this development as 'granny flats').
8. Carports on residential lots.
9. Non-habitable garages, sheds or outbuildings.
10. Swimming pools.
11. Development in areas identified as being beyond Sydney Water's service limits but within its area of operations - see Table C on the following page for a list of these areas. Exceptions are:
 - large-scale development where the developer has advised the consent authority that they may seek Sydney Water servicing
 - if the consent authority requires consultation with Sydney Water
 - if the consent authority considers a Compliance Certificate is required under the *Strata Schemes (Freehold Development) Act 1973*.

Attachment 3: Suburbs within our area of operations but beyond water and wastewater service limits

The Hills

Berowra Waters
Cattai
Forest Glen
Leets Vale
Lower Portland
Maroota
Sackville North
South Maroota
Wiseman's Ferry

Blue Mountains

Bell
Berambing
Hartley Vale
Megalong
Megalong Valley
Mt Irvine
Mt Wilson
Mt York
the Jungle
Tomah South

Campbelltown

Wedderburn

Hawkesbury

Berambing
Bilpin
Blaxlands Ridge
Bowen Mountain
Bucketty
Cattai
Central / Higher Macdonald
Colo also Colo Heights /
Central
Colo / Upper Colo
Comleroy
Cumberland Reach
East Kurrajong
Ebenezer
Fernances
Gronos Point

Hawkesbury (cont)

Grose Wold / Grose Vale
Kurrajong Heights
Kurrajong Hills
Leets Vale
Lower / Upper Macdonald
Lower Portland
Maraylya
Mogo Creek
Moran's Rock
Mountain Lagoon
Perrys Crossing
Sackville
Sackville North
St Albans
South Maroota
Ten Mile Hollow
Tennyson
The Devils Wilderness
The Slopes
Webbs Creek
Wrights Creek
Yarramundi
Cottage Point

Hornsby

Berrilee
Fiddletown
Fishermans Point
Forest Glem
Laughtonedale
Milson Island
Singletons Mill
Wisemans Ferry

Kiama

Barren Grounds
Broughton
Budderoo
Curramore
Foxground
Knights Hill

Kiama (cont)

Rose Valley
Saddleback Mountain
Toolijooa
Willow Vale

Liverpool

Greendale

Pittwater

Coasters Retreat
Currawong Beach
Elvina Bay
Great Mackerel Beach
Lovett Bay
Morning Bay
Scotland Island
The Basin
Towlers Bay
West Head

Shellharbour

Calderwood
Macquarie Pass
Tongarra

Warringah

Akuna Bay
Cottage Point

Wingecaribee

All except Balmoral &
Wattle Ridge

Wollondilly

Darkes Forest
Glenmore
Mt Hunter
Orangeville
Razorback
Wedderburn
Werombi