

Our reference: SDP25/0011
Contact: Sandra Fagan
Telephone: 4732 7992

19 September 2025

ATTN: Shaun Williams
Email: shaun.williams@planning.nsw.gov.au

Dear Shaun,

Council Response to Request for Advice on SEARs - SSD-92743706 - Mamre Road Data Centre at 706-752 Mamre Road, Kemps Creek

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 3 September 2025 and the following matters are raised for the Department's consideration.

1. Planning (Development Assessment) Considerations

- a) Noting that this is a request for SEARs, the Applicant should be required to consider / address the matters outlined within.

However, it is prudent to advise the Department (and the Proponent) that the proposed development shown in the supporting documents raises concerns in relation to; intensity of use; urban design and built form; bulk, scale and massing; significant height non-compliance; visual and streetscape appearance; ability of proposed vegetation to screen development; traffic and access; acoustic impacts; and potential impacts to surrounding sensitive land uses such as the adjoining schools and an aged care facility.

- b) Clear justification for the proposed development, including any implications for the broader Mamre Road Precinct in relation to objectives of the precinct, and ability to provide services to meet the growing demands and needs for logistics and employment uses to serve the wider area, including the Western Sydney Aerotropolis.
- c) Operational requirements, including an explanation of why the various structures and supporting infrastructure are required and how the site and various infrastructure will work on a day-to-day basis.
- d) A Visual Impact Assessment given the multiple structures proposed. This should include photomontages at various vantage points. The proposed layout and density of the development does not provide adequate visual relief into, around and within the site. The Department should require the Proponent to engage with the State Design Review Panel.
- e) A design principles analysis addressing the justification for the apparent uniform nature of the architectural expression and language of the structures. The use of what appears to be ‘false windows’ on elevations of all the buildings potentially gives the overall appearance of a residential block structure. The building language is confusing and homogenous. The uniform approach exacerbates the visual clutter and overbearing nature of the building mass and does not allow each group of buildings to have its own identifying elements or be visually broken up. The Objectives (‘Design Principles’) of Section 2.30 of the State Environmental Planning Policy (Industry and Employment) 2021, should inform the analysis and justification.
- f) The urban design / architectural justification should respond to this and include justification for the significant non-compliant heights and show if / how the applicable provisions of State Environmental Planning Policy (Industry and Employment) 2021 and the Mamre Road Precinct Development Control Plan 2021.

It is noted that in some areas the proposed height is 50m from natural ground, representing a 250% non-compliance with the 20m height requirement. This should be addressed having regard to the objectives and controls of Part 4.2.1 of the Mamre Road Precinct Development Control Plan 2021.

- g) Demonstrate how the built forms have considered and responded to the natural slope of the land and minimised cut and fill.
- h) Demonstrate how proposed retaining walls comply with the Mamre Road Precinct Development Control Plan 2021, particularly when the height of walls necessitates tiering. Your attention is drawn to the retaining wall at the end of Sections B and C which are notated as being 8m and 4.7m high, and which appear to be sloped, instead of tiered with top of wall planting.
- i) Landscape and design detail for all landscaped setbacks. This should include and be reconciled with any proposed fencing and signage. All landscaped setbacks should be compliant with minimum setback requirements of the Mamre Road Precinct Development Control Plan 2021.

Structures in landscaped setbacks, including underground structures, are not supported. The Mamre Road setback should be planted informally with a mix of tree species from Council's Draft Street Tree Masterplan, delivering consistency along the corridor, biodiversity and maximum canopy coverage. Understorey plantings shall be sufficient to provide full height and dense screening to built forms on the development site, including large and medium native shrubs as required.

- j) Given the significant non-compliance with height, it appears that the proposed tree planting and canopy coverage will not provide the required visual screening of the structures. The use of retaining walls in landscaped setbacks (particularly along the Mamre Road frontage) diminishes the ability to provide desired landscaping. The proposed building forms continue to rise above the top of the

full-growth tree canopy. This would appear to not meet key objectives and controls of State Environmental Planning Policy (Industry and Employment) 2021 and of the Mamre Road Precinct Development Control Plan 2021.

- k) Demonstrate whether all required mechanical plant has been accounted for and whether any plant is expected to be provided on the roofs of buildings. This has implications for further height non-compliances and visual impacts.
- l) Acoustic and air quality impacts considering operational requirements, proposed infrastructure and surrounding sensitive receivers, such as the adjoining schools.
- m) Explanation of roads and / or infrastructure intended to be dedicated to Council, including timing of proposed completion of (future) public roads. For example, the small cul-de-sac road along the southern property boundary, which is accessed from the western side of the round-about appears to be a 'private road', and the function and division of 'private' versus 'public' may be confusing.
- n) Clarify if the proposal includes provision of the Southern Link Road and how vehicle movements are proposed to use the existing / future road network.
- o) Clarify how the proposed development reconciles with the preceding State Significant Development proposal / application for the site, including whether any site preparation works are intended to be relied upon for the subject development. This is particularly relevant for proposed earthworks, boundary interface treatments and the delivery of roads.

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2. City Planning Considerations

- a) Any such application will need to demonstrate and justify that development of this nature will not have an adverse impact on the ability to appropriately develop the broader precinct. Council

raises concerns that a development of this scale will adversely impact the development and use of other land in the precinct by excessively contributing to the cumulative impact of development. It is particularly relevant to ensure that the critical infrastructure (such as water and electricity) is not absorbed by this project, to the detriment of other land in the Mamre Road Precinct and the broader Aerotropolis. The cumulative impact of pollution (including air and noise) must also be considered, particularly to nearby sensitive receivers.

- b) The site is in a prime location for local employment opportunities given the access arrangements via motorways and proximity to the future airport. The objectives of the 'INI – General Industrial' zone and of the Mamre Road Precinct Development Control Plan 2021, along with various applicable planning controls (such as within State Environmental Planning Policy (Industry and Employment) 2021 and the Mamre Road Precinct Development Control Plan 2021), require that development provides for local employment opportunities. However, large scale data centres are known to employ minimal permanent staff on site, in relation to the built form footprint.

The Scoping Report does not advise how many permanent staff will be employed on-site (once the datacentre is operational), rather stating that it will generate 500 jobs both on and off site. This does not provide enough assurance that the development is consistent with specifically relevant zone objectives or associated provisions of the Mamre Road Precinct Development Control Plan 2021. It is unclear if the development is a suitable local employment generating use.

- c) The site is one of the highest sites in the Mamre Road Precinct, and the site is in a prominent location with interfaces to Mamre Road and the future Southern Link Road. This site is also identified as having view lines in the Mamre Road Precinct Development Control Plan 2021, as well as an interface to sensitive receivers on

Bakers Lane. The proposed building height of 38m is not considered to be supportable on the site due to:

- Lack of response to existing topography.
- The scale of the built form is not considerate to the location of the site in relation to adjoining sensitive receivers and public spaces / roads.
- Landscaping the site is unlikely to mitigate the impact of the scale of the proposed development.
- Non-compliance with the 20m building height control, which has not been suitably justified.
- Is not in character with the existing and desired building heights in the Mamre Road Precinct.

d) The Penrith LGA is experiencing a trend of reduced rainfall, increasing temperatures and increasing duration of extended periods of heat. It is therefore vital that any such development demonstrates a commitment to sustainable develop and urban design, and retention / increase of vegetation on site. Any such application should thoroughly address this matter (inclusive of associated provisions of the Mamre Road Precinct Development Control Plan 2021) and detail how the proposed generators / energy intensive use won't compromise optimal sustainability outcomes being achieved.

e) It appears that the proposal is reliant upon site preparation works and roads, proposed as part of the 'Summit at Kemps Creek' development, that is the subject of State Significant Development Application No. SSD-30628110. Accordingly, the lodgement of any such application ahead of the approval of SSD-30628110, would be premature.

f) The partial construction of the Southern Link Road and diversion off Bakers Lane is a critical component of the 'Summit at Kemps Creek' development. Variation from this outcome would be difficult to justify in the context of the broader traffic management issues within the Mamre Road Precinct.

3. Development & Floodplain Engineering Considerations

- a) It appears that the proposal relies on the approval and delivery of infrastructure works forming part of 'Summit at Kemps Creek' development the subject of State Significant Development Application No. SSD-30628110. Therefore, comments have not been provided on required infrastructure and site servicing for the subject proposal.
- b) Stormwater drainage for the site must be in accordance with the Mamre Road Precinct Development Control Plan 2021, Council's Stormwater Drainage Specification for Building Developments Policy and Water Sensitive Urban Design Technical Guidelines.
- c) Any future development application shall demonstrate that downstream stormwater systems have adequate capacity to accommodate stormwater flows generated from the development. This may require the provision of on-site detention to reduce stormwater flows or upgrade of stormwater infrastructure to increase capacity. Any on-site detention system must be within common property and accessible from the street.
- d) Water Sensitive Urban Design is required to be provided for the site. Any future development application shall include MUSIC modelling (*.sqz file) demonstrating compliance with Council's Water Sensitive Urban Technical Guidelines.
- e) Any on-site detention system or water quality system must be within private property and maintained privately.
- f) A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.
- g) The site flood affected by local overland flow flooding from the local catchment. Further information regarding Council's Flood Studies is available from Council's website.

- h) The proposal must demonstrate compliance with Part 2.5 of the Mamre Road Precinct Development Control Plan 2021.
- i) The application must be accompanied by a Flood Impact Risk Assessment Report prepared by a suitably qualified person.
- j) Overland flows shall be managed safely through the site and not diverted onto adjoining properties. The development shall not have any adverse impact upon adjoining properties through the damming, concentration or diversion of overland flows.
- k) All finished floor levels shall be at minimum 0.5m above the 1% AEP flood.
- l) A Traffic and Parking Impact Assessment Report shall be submitted in accordance with the requirements of Part 3.4 of the Mamre Road Precinct Development Control Plan 2021, and outline construction and operational traffic arrangements.
- m) Any future development application must demonstrate that access, car parking, and manoeuvring details comply with AS2890 Parts 1, 2 & 6.
- n) The application shall be supported by vehicle turning paths in accordance with AS2890 clearly demonstrating satisfactory manoeuvring on-site and forward entry and exit to and from the public road for the largest vehicle servicing the development.
- o) Depending on the timing of delivery of infrastructure under ISPT SSD30628110 and possible handover to Council, any work within Road Reserve areas, will require a 'Section 138 Roads Act Approval' from Council prior to commencement of any such works.
- p) No retaining walls or filling is permitted for this development which will impede, divert or concentrate stormwater runoff passing through the site.

- q) A Geotechnical Report from a qualified Geotechnical Engineer may be required depending on the extent of earthworks.

4. Traffic Considerations

- a) The application will require referral to Transport for NSW, in accordance with Schedule 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Industry and Employment) 2021, as well as implications and integrations to Mamre Road and the future Southern Link Road.
- b) The Applicant shall submit a Traffic Impact Assessment in accordance with Transport for NSW's Guide to Transport Impact Assessment and requirements set out in the Mamre Road Precinct Development Control Plan 2021.
- c) The Applicant shall submit Preliminary Construction Traffic Management Plan detailing key construction stages, haulage routes, traffic impacts, staff access arrangements, construction vehicle access, loading and staging arrangements. Construction vehicle movements are to be minimised during school peak periods.
- d) The Applicant shall be able to demonstrate that proposed site layout, access and internal roads are in accordance with the Mamre Road Precinct Development Control Plan 2021, relevant Australian Standards and Austroads guides and are adequate to accommodate the largest design vehicle during both construction and operational stages using swept path analysis.
- e) Heavy vehicle movements are to avoid Bakers Lane, particularly in the vicinity of schools.
- f) The Traffic Impact Assessment shall include the following:
- Quantitative and qualitative assessment of multi-modal impacts and road safety impacts of the proposal of both construction and operational stages.

- Traffic modelling methodology and assumptions including, but not limited to, modelling extent, traffic model setup and calibration, modelling scenarios, background growth rates, trip generation rates, directional trip distribution and performance targets.
 - Inclusion of potential traffic generation from approved and proposed future surrounding developments.
 - Graphical presentation of base traffic volumes, development trip distribution and cumulative network traffic with sufficient details for interpretation.
 - Traffic modelling using SIDRA or similar modelling programs for existing year, construction period, completion year (with and without development) and 10-year post completion (with and without development) scenarios.
 - Assessment of impacts based on proposed interim site access arrangements and ultimate access via Southern Link Road.
 - Implications of proposed developments to the key network links including, but not limited to, Mamre Road, Southern Link Road, Bakers Lane, Aldington Road, Abbots Road, Compass Drive and any internal collector road that the development will use for access.
 - Demonstrated adequacy of on-site parking and loading / servicing provisions in accordance with the Mamre Road Precinct Development Control Plan 2021, AS2890 and relevant Austroads guides.
 - Provision for public transport access,
- g) Parking areas should incorporate dedicated parking bays for electric vehicle charging.
- h) Provision of safe, efficient and adequate pedestrian and cyclist access, links and facilities in accordance with the Mamre Road Precinct Development Control Plan 2021 and relevant Australian Standards.
- i) The application shall be accompanied by Green Travel Plan and Travel Access Guide to minimise private vehicle use.

5. Environmental Management Considerations

- a) Due to the sensitive nature of the surrounding land uses, a Noise Impact Assessment will need to be undertaken by a suitably qualified and practicing person. The Department will need to be satisfied that the bulk earthworks, construction and use of the site will not adversely affect neighbouring properties.
- b) While it is taken that land contamination matters are being considered as part of the SSD-30628110 proposal, however such matters will need to be clearly outlined with any such application. In this regard it is expected that the following matters be addressed:
- Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 requires that the Consent Authority is satisfied in relation to the site's suitability for the proposed use. Accordingly, the Department will need to ensure that the site is suitable or can be made suitable prior to its use.
 - Where it is proposed that contaminated materials is to be retained on-site (as would be the case with a 'cap and contain' strategy), Council does not support locating these materials within future public land (Council-owned land) or areas of biodiversity value.
 - All contamination-related documentation (such as any Preliminary Site Investigations, Detailed Site Investigations, Remediation Action Plans, Validation Reports and Long-Term Environmental Management Plans, along with any documents prepared by a NSW Environmental Protection Authority Accredited Site Auditor endorsing these documents) are requested to be provided to Council so that they can be recorded on the property files and be placed as property notations on 'Section 10.7 (5) Planning Certificates'.
- c) It is understood that the site is not yet serviced by Sydney Water's sewerage network. Though it is expected that the development will

eventually be able to connect to this infrastructure, the delivery of this service may not align with the timing of the current proposal. Accordingly the Department should ensure that where connection to the sewerage network is not able to occur prior to the occupation of the development, that an 'Interim Operation Procedure' be approved to manage wastewater generated on the site. This may require a 'Section 68 Approval' under the Local Government Act 1993. Alternatively, where an alternate solution is proposed, it may trigger the need for Water Industry Competitions Act 2006 approval and licencing, as well as an approval under the Local Government Act 1993.

- d) Any such application will need to demonstrate that adverse impacts on surrounding receivers and the environment are avoided and mitigated where necessary, in accordance with relevant planning provisions and the relevant NSW Environmental Protection Authority guidelines.
- e) The Department will need to be satisfied that the proposed fuel storage for the diesel generators is consistent with the provisions of Chapter 3 of State Environmental Planning Policy (Resilience and Hazards) 2021, and relevant guidelines and standards (such as the Hazardous Industry Planning Advisory Papers).
- f) In relation to the lithium-ion batteries, a Fire Safety Study should be developed in accordance with the requirements of Hazardous Industry Planning Advisory Paper (HIPAP) No.2 [18] and to meet the operational requirements of Fire and Rescue NSW, focusing on inherent safe design to maintain sufficient separation distances between the battery energy storage system (BESS) and auxiliary infrastructure from the public / boundary, on-site assets (e.g. transformers and between each BESS unit including exposure of adjoining modules within the BESS yard and adjoining exposures during an emergency response in relation to fire). Separation from any sensitive environmental areas that may be impacted by firefighting run-off (including any watercourses). A suitable fire protection system and contaminated firewater system should be

designed and installed compliant with the relevant codes, in particular Fire and Rescue NSW guidelines.

- g) Due to the number of substations and associated infrastructure, the Department will need to be satisfied that the 'electromagnetic energy' produced by this infrastructure will not affect human health. It is expected that any such application be supported by an Electromagnetic Energy (EME) Report, which has been prepared in accordance with Australian Radiation Protection and Nuclear Safety Agency requirements.
- h) The proposal includes of 852 back-up generators to be powered by diesel fuel. The proposed development will emit additional air pollutants of particulate matter and Nitrogen Oxide. Power interruptions, particularly during the summer period are not uncommon and therefore it is expected that any such application be supported by an Air Quality Assessment.
- i) Western Sydney is prone to periods of extreme heat. The development is anticipated to produce an urban heat island effect during the construction and ongoing use phases. This includes the heat generated through the operation of the data centre. Heat impacts should be carefully considered in the final design, and it is expected that any such application is supported by heat emissions calculations and strategies to minimise heat impacts.
- j) The Scoping Report indicates that there will be 936 cooling units on-site. It is noted that a variety of cooling methods would be appropriate for a data centre, however, should cooling towers or any combination of different methods that include cooling towers be used, this will need to be addressed. Any cooling tower will need to be managed in accordance with the Public Health Act 2010 and Public Health Regulation 2022. Any such application will need to include comprehensive details (including in plan form) of the mechanical plant.

Careful consideration will need to be given in this regard, noting the vulnerable populations adjacent to this site, including associated with an aged care facility and several schools. Legionellosis is incredibly difficult to treat and has a mortality rate of between 5% and 15%, however this increases for people over the age of 50 and increases again for those with comorbidities.


- k) The Scoping Report indicates that there will be at least 66 water tanks on-site. It is expected that any such application includes details on how recycled water is to be used, in addition to storage and treatment methods. Should recycled water be used in the cooling process, details are to be provided demonstrating that the water will meet associated requirements.

- l) An overarching Environmental Health Risk Assessment should be undertaken in accordance with the Australian Governments Department of Health, Disability and Ageing's "Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards", and provided in support of any such application. It is expected that any such Environmental Health Risk Assessment has regard to the associated matters listed within this letter. Notwithstanding this, it is unclear whether this location (the site) is suitable for a data centre type development, particularly of this scale. Noting possible noise and air quality impacts, and the potential number of associated cooling towers, it is questioned whether the proposal is appropriate in the immediate vicinity of schools and an aged care facility.

Should you wish to discuss this matter further, please contact Sandra Fagan, Principal Planner, on 4732 7992.

Yours sincerely,

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Robert Walker
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DOC25/750757-6

16 September 2025

Shaun Williams
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure

Via: NSW Major Project Planning portal

**EPA's Recommended Secretary's Environmental Assessment Requirements
Mamre Road Data Centre Campus – SSD-92743706**

Dear Shaun,

I am writing in response to your request for the NSW Environment Protection Authority's (EPA's) Secretary's Environmental Assessment Requirements (SEARs) for the proposed Mamre Road Data Centre Campus at 706-752 Mamre Road, Kemps Creek.

The EPA has reviewed the Scoping Report (Version 3) prepared by Willowtree Planning dated 28 July 2025.

The EPA understands the proposal is for construction and operation of a data centre consisting of:

- 600-1,000MW capacity
- 852 back-up diesel generators,
- Storage of 14,430kL of diesel,
- 936 cooling units,
- Associated works.

The EPA has considered the details of the proposal and provides the recommended SEARs as **Attachment A**. Key risk areas and information requirements for the proposal include:

1. Air quality

An Air Quality Impact Assessment for the proposal should provide appropriate modelling for reasonable worst case impacts during construction and operation, including consideration of generator testing, routine maintenance works that require use of generators and emergency scenarios.

Where operation of back-up generators exceeds 200hrs per annum, the proposal must be able to demonstrate compliance with the Group 6 emission limits in the Protection of the Environment Operations (Clean Air) Regulation 2022, including the NO_x limit of 450mg/Nm³.

In accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2022)*, the proposal must demonstrate that operations will not result in any additional exceedances of the impact assessment criteria and that best management practices will be implemented. Regarding the emergency scenario, the potential for local

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and regional air quality impacts on sensitive receptors is a key concern, and the proposal should consider whether these impacts can be practicably prevented or minimised. The proponent has an obligation under the Protection of Environment Operations Act 1997 (POEO Act) to operated plant and equipment by such practical means as necessary to prevent or minimise air pollution.

2. Noise

The Noise and Vibration Impact Assessment (NVIA) for the proposal should include detailed assessment of impacts on sensitive receivers, particularly nearby schools, and include consideration of appropriate criteria for both internal and external spaces.

The NVIA should also include a detailed assessment of all mitigation investigated and assessed according to the feasible and reasonable framework in the *Noise Policy for Industry 2017* (NPfI), including addressing emergency operation of the generators and cumulative impacts with other land uses.

Additional details in this regard have been included in Sections 5.4 – 5.9 in **Attachment A**.

3. Cumulative impacts

The potential for cumulative air and noise impacts in the surrounding area is a key issue, and the AQIA and NVIA for the proposal will need to provide detailed quantitative assessments on potential for cumulative impacts, including potential overlapping of operational and construction impacts for later stages. The EIS should clearly detail the proposed staging, including plant that is proposed as part of each stage, to assist with assessment of cumulative impacts.

In carrying out the assessment, the proponent should refer to the relevant guidelines listed, as well as any relevant industry codes of practice and best practice management guidelines.

Based on the information provided, it appears the proposal will require an Environment Protection Licence (EPL) under the POEO Act, for Clause 9 Chemical Storage (diesel) and Clause 17 Electricity generation (back-up generators).

The EPA wish to highlight that given the scale of this proposal and its proximity to sensitive receptors on the subject site there is a reasonable likelihood of the proposal exceeding acceptable air and noise criteria. If the impacts are determined to exceed criteria and may pose an unreasonable impact on human health an alternate site may need to be considered. Therefore, we recommend that air and noise assessments are undertaken as a priority to determine if this site is suitable for the proposal.

Please contact Carlos Ferguson at environmentprotection.planning@epa.nsw.gov.au if you have any questions about this matter.

Yours sincerely,



DARREN WALLETT
Manager – Environment Protection Planning
NSW Environment Protection Authority

ATTACHMENT A

NSW EPA's Recommended Secretary's Environmental Assessment Requirements Mamre Road Data Centre Campus – SSD-92743706

1. Environmental impacts of the project

- 1.1. The description should include the following for both the construction and operation of the project:
 - a. Details of the premises covered by the project including any relationship with any existing Environment Protection Licences
 - b. the layout of all the physical elements of the project within the project area, including all buildings, structures, works, haulage activities, pollution controls, stockpile and material handling areas, sealed and unsealed areas, landscaping and open space.
 - c. all mitigation measures that will be built into the physical layout and design of the project (such as noise walls)
 - d. any ancillary infrastructure for which approval is being sought (such as upgrades to utilities or surrounding roads)
 - e. identify those components of the physical layout and design that may change during the detailed design of the project, and set clear limits within which this change may occur without requiring amendments to the DA or modifications to the development consent if the project is approved
 - f. plans showing the layout and design in plan-view and cross section.
- 1.2. Identify any likely interactions between the development and any existing/approved developments and land uses in the area.
- 1.3. Identify all sensitive receivers likely to be affected by the development using clear maps/plans, including key landform areas, such as conservation areas and waterways.
- 1.4. Identify all potential environmental emissions, assess the likely environmental impacts, and describe the proposed mitigation measures to minimise environmental pollution to achieve compliance with relevant environmental legislation, policies, and guidelines.
- 1.5. The EIS must accurately summarise the key findings of the detailed technical studies in the appendices of the EIS and use suitable cross-referencing to reduce repetition between the two parts of the EIS.

2. EPA Licensing and Approval Requirements

- 2.1. Identify all approvals and licences required under environment protection legislation including details of all scheduled activities under schedule 1 of the *Protection of the Environment Operations Act 1997*.
- 2.2. Outline how the proposal and its environmental protection measures would be implemented and managed so as to demonstrate that the proposal is capable of complying with statutory obligations under EPA licences or approvals (e.g. outline of an environmental management plan).

3. Construction Works

- 3.1. The EIS must include detail of the construction works including:
 - a. any earthworks or site clearing; re-use and disposal of cleared material (including use of spoil on-site).
 - b. Identify, characterise and classify the following in accordance with the EPA's *Waste Classification Guidelines (2014)*:

- i. all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste;
- ii. all waste that is to be removed to an offsite location, including proposed quantities. Include the commitment to ensure this waste is taken to a facility that can lawfully receive it.

Note: The EPA's *Waste Classification Guidelines (2014)* are available at: <https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste>

- c. construction timetable and staging; hours of construction; proposed construction methods.
 - d. environment protection measures, including noise mitigation measures - in accordance with the Interim Construction Noise Guideline (DECC, 2009), dust control measures and erosion, and sediment control measures- in accordance with Managing urban stormwater: Soils and construction, vol. 1 (Landcom 2004).
- 3.2. Include a site diagram showing the site layout and location of environmental controls.
 - 3.3. Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline* (DECC, 2009). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise>

4. Air issues

- 4.1. The EIS must demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the POEO Act and the *Protection of the Environment Operations (Clean Air) Regulation 2022*. This consideration should include section 129 of the POEO Act concerning control of "offensive odour".
- 4.2. The EIS must include an air quality impact assessment (AQIA). The AQIA must be carried out in accordance with the document, *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2022). These are available at: <https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants>
- 4.3. The EIS must detail emission control techniques/practices that will be employed at the site and identify how the proposed control techniques/practices will meet the requirements of the POEO Act, *POEO (Clean Air) Regulation (2022)* and criteria within *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2022).

5. Noise and Vibration

The EIS must assess the following noise and vibration aspects of the proposed development:

- 5.1. Operational and construction activities on the premises that maybe considered vibration intensive should be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (DEC, 2006). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/assessing-vibration>
- 5.2. If blasting is required for any reasons during the construction or operational stage of the proposed development, blast impacts should be demonstrated to be capable of complying with the guidelines contained in *Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration* (ANZEC, 1990). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise>
- 5.3. Operational noise from noise intensive activities to be undertaken on the premises should be assessed using the guidelines contained in the *NSW Noise Policy for Industry* (EPA, 2017). Available at: [https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-\(2017\)](https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017))

- 5.4. Detailed identification of sensitive receiver locations in the schools should be provided. Receiver locations include areas such as classrooms, outdoor learning areas, recreation areas, sleeping rooms (for child-care) and medical facilities.
- 5.5. Any external to internal noise corrections should be supported by robust evidence, preferably using noise measurements. All assumptions used in the input and calculation of noise levels must be supported by evidence demonstrating that they are appropriate and where appropriate be supported by measurements.
- 5.6. All operation noise, inclusive of any and all generator usage including during emergency scenarios is to be assessed according to the NPfl. Any mitigation proposed should follow the hierarchy of controls in the Noise Policy for Industry (NPfl) – i.e. using mitigation at the source first followed by path controls and at-receiver controls considered as a last resort.
- 5.7. A detailed assessment of all mitigation investigated should be provided and assessed according to the feasible and reasonable framework in the NPfl, including emergency operation of the generators.
- 5.8. The assessment should address all applicable aspects of the Noise Policy for Industry, including assessment of annoying characteristics according to Fact Sheet C of the NPfl. The EPA notes that low frequency noise assessment must demonstrate that the low frequency aspects cannot be mitigated prior to applying any correction factor.
- 5.9. If applicable, noise on public roads from increased road traffic generated by land use developments other than road projects should be assessed using the guidelines contained in the *NSW Road Noise Policy* (EPA, 2011) and associated application notes. Available at: <https://www.epa.nsw.gov.au/your-environment/noise/transport-noise>.

6. Waste, chemicals and hazardous materials and radiation

The EIS must assess the following waste, chemical and hazardous materials related aspects of the proposed development:

- 6.1. Assess and describe all aspects of waste generation, management and disposal associated with the proposed development.
- 6.2. Demonstrate compliance with all regulatory requirements outlined in the POEO Act and associated waste regulations.
- 6.3. Outline contingency plans for any event that may result in environmental harm, such as excessive stockpiling of material, or dirty water volumes exceeding the storage capacity available on-site.
- 6.4. Demonstrate that appropriate spill containment will be provided for storage, filling and loading of all fuels and other chemicals to be used on site, in accordance with all relevant Australian Standards, and/or NSW EPA's *Storing and Handling of Liquids: Environment Protection-Participants Manual* (DECC, 2007).
- 6.5. Demonstrate compliance with Part 9.3E of the POEO Act for the use of any industrial chemicals, including details of activities involving Schedule 6 or Schedule 7 chemicals listed on the IChEMS register. Additionally, demonstrate a system for periodic review to ensure that any new IChEMS Register requirements are incorporated.
- 6.6. Assess and describe any potential risks relating to all known and potential contaminants of concern (CoC) including per- and polyfluoroalkyl substances (PFAS) that may be associated with the proposed development and if applicable, how they will be mitigated. Consideration should be given to potential health and environment related impacts caused by the CoC. The assessment should consider various sources, receptors and exposure pathways including but not limited to ingestion (drinking water and food consumption), inhalation, and dermal contact.

- 6.7. Identify the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste and Sustainable Materials Strategy 2041 Stage 1: 2021-2027*. Available at: <https://www.epa.nsw.gov.au/Your-environment/Recycling-and-reuse/Strategic-direction-for-waste-in-NSW/Waste-and-Sustainable-Materials-Strategy>.

7. Water

The EIS surface water quality assessment must:

- 7.1. Demonstrate that all practical measures to prevent, control, abate or mitigate water pollution have been implemented, including a description of options that were explored (such as reuse to avoid a discharge or treatment).
- 7.2. Provide details of the proposal that are essential for predicting and assessing potential impacts to receiving waters. This could include (but is not limited to):
 - a. Site layout, including details of the existing and proposed water management system.
 - b. Drainage map for the entire site identifying sub-catchments, flow paths, drainage infrastructure, design sizing of structures, water storages, discharge points, and any potential flow paths to receiving waters.
 - c. How stormwater will be managed in all phases of the project. Information should include, where appropriate, measures to avoid or minimise erosion, leachate generation, and sediment mobilisation at the site.
 - d. Any in-water activities (such as piling or dredging).
- 7.3. Include water balance(s) for ground and surface water, including any intake and discharge locations, volumes, frequency and duration.
- 7.4. Identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point, including residual discharges after mitigation measures are implemented. This should be undertaken for construction and operational phases.
- 7.5. Include a water pollution impact assessment undertaken consistent with the guidance available at <https://www.epa.nsw.gov.au/your-environment/water/managing-water-pollution-in-nsw/environment-protection-licensing/water-pollution-discharge-assessments>. The level of assessment should be commensurate with the risk to the environment and human health.
- 7.6. Describe any surface water quality monitoring programs, including proposed monitoring locations, frequency and indicators of surface water quality. Analytical limits of reporting should have regard to any identified guideline values. Water quality monitoring should be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutants in NSW* (2004) available at: [Approved methods for the sampling and analysis of water pollutants in NSW | EPA](#)
- 7.7. The EIS must describe how stormwater will be managed in all phases of the project, including details of how stormwater and runoff will be managed to minimise pollution. Information should include measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site. The EIS should consider the guidelines *Managing urban stormwater: soils and construction*, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC, 2008).

8. Groundwater

- 8.1. Provide details of the project that are essential for predicting and assessing impacts to groundwater with a description of the existing environment, including:
 - a. Geological, topographical, and hydrogeological resource descriptions, maps, and cross-sections.

- b. Assessment of groundwater quality, users of groundwater, existing bores including depths and construction, assessment of local land use.
- c. A hydrogeological interpretation of water-bearing geological units, depth to water table, groundwater gradient, Conceptual hydrogeological model, assessment of groundwater dependent ecosystems.
- d. Site map and cross-sections showing and characterising any proposed excavations and spoil emplacement (relative to water table) with topography.
- e. Proposed groundwater monitoring program.
- f. Assessment should be in accordance with Groundwater assessment toolbox for major projects in NSW - Overview document (DPE, 2022) - https://water.nsw.gov.au/data/assets/pdf_file/0004/507613/Groundwater-assessment-toolbox-for-major-projects-in-NSW.pdf

9. Soils

- 9.1. The EIS should include an assessment of the potential impacts on soil and land resources should be undertaken, being guided by the *Soil and Landscape Issues in Environmental Impact Assessment* (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:
 - a. Soil erosion and sediment transport- in accordance with *Managing urban stormwater: Soils and construction, vol. 1* (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C Unsealed Roads; D Main Roles) (DECC2008).
 - b. Mass movement (landslides) – in accordance with *Landslide risk management guidelines* presented in *the Australian Geomechanics Society* (2007).
 - c. Urban and regional salinity – guidance given in the *Local Government Salinity Initiative* booklets which includes *Site Investigation for Urban Salinity* (DLWC, 2002).
- 9.2. A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented. Where required, add any specific assessment requirements relevant to the project.

10. Contamination

- 10.1. Identify the likelihood of contamination at the site and surrounding land (on different media such as soils, groundwater, ground gas, surface water and sediments, where applicable) by considering the context of past, current, and proposed land uses. The EIS must document how the assessment of contaminated land has been undertaken with regard to the relevant guidelines for contaminated land made or approved by the NSW EPA.
- 10.2. All reports on contamination must be prepared by a suitably qualified contaminated land consultant⁽¹⁾ who is also certified⁽²⁾.

(1) A suitably qualified and experienced contaminated land consultant is a contaminated land consultant who meets the competencies outlined in the Guideline on the Competencies and Acceptance of Environmental Auditors and Related Professionals (Schedule B9) as provided in the ASC National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended in 2013)."

(2) A certified consultant is a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme;

Note: If an auditor is being engaged for the project, the requirement for a certified consultant to prepare the contaminated land reports is still recommended as it will help ensure all assessment work is done as efficiently as possible, but it is optional. However, it must still be required for all reports to be prepared by a suitably qualified contaminated land consultant.

- 10.3. Where contamination is considered likely based on past or current land uses or other factors (such as offsite contamination migrating onto the site), undertake detailed site investigation/s to determine the nature and extent of the contamination.
- 10.4. Where contamination exists, assess if remediation of the land is required, having regard to current and future land uses; and the ecological and human health risks posed by the contamination to both onsite and offsite receptors.
- 10.5. Where a detailed site investigation is prepared and/or remediation is considered necessary, a NSW EPA accredited Site Auditor must be engaged to undertake an audit. The EIS must include copies of any Interim Audit Advice provided by the auditor and a Site Audit Statement and Site Audit Reports issued by the auditor which certifies the site can be made suitable for the proposed use
- 10.6. The following references should be included as relevant guidelines that must be followed when assessing contaminated land:
 - a. *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA, 1998)* - <https://www.epa.nsw.gov.au/sites/default/files/managing-contaminated-land-guidelines-remediation.pdf>
 - b. *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (EPA, 2015)*
 - c. *Contaminated land sampling design guidelines - Part 1 and 2 (EPA, 2022)*
 - d. *Consultants reporting on contaminated land: contaminated land guidelines (EPA, 2020)*
 - e. *Guidelines for the NSW Site Auditor scheme 3rd edition (EPA, 2017)*
 - f. Any other relevant guidelines made or approved by the EPA under s105 of the *Contaminated Land Management Act 1997* - <https://www.epa.nsw.gov.au/your-environment/contaminated-land/statutory-guidelines>

11. Climate Change

- 11.1. Provide estimate of greenhouse gas (GHG) emissions for the project by carrying out a Greenhouse Gas Assessment consistent with the most recent version of the EPA's Greenhouse Gas Assessment Guide for Large Emitters (GHG guide) that is available on the EPA's website. The GHG estimate is to confirm if the project is likely to result in 25,000 tonnes or more of scope 1 and 2 emissions (CO₂-e), in any financial year during the operational life of the project. Input data and assumptions used to estimate GHG should be accompanied by supporting evidence.

Note: Where the proponent believes that certain requirements from the GHG guide are not applicable, the proponent may indicate that in the EIS but must provide sufficient justification.

15 September 2025

TfNSW Reference: SYD25-00982/02
DPHI Reference: SSD-92743706



Ms. Kiersten Fishburn
Secretary
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attention: Shaun Williams

**REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS
MAMRE ROAD DATA CENTRE CAMPUS
706-852 MAMRE ROAD, KEMPS CREEK**

Dear Ms. Fishburn,

Thank you for providing Transport for NSW (**TfNSW**) an opportunity to provide input to draft Secretary's Environmental Assessment Requirements (**SEARs**) for a proposed data centre campus at 706-852 Mamre Road, Kemps Creek.

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

For more information regarding the above matter, please contact Nav Prasad, Land Use Planner via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "B. Pegg".

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

TAB A - TfNSW suggested 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 state classified road network that it manages, as well as the impacts from local road connections with the state classified road network because of increased vehicular, bus and pedestrian/active transport movements. The TIA must include, but not be limited to, the following:
 - Details of all traffic types and volumes likely to be generated during construction and operation. Traffic flows are to be shown diagrammatically to a level of detail sufficient for easy interpretation.
 - 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 Mamre Road using SIDRA.
 - Identification of the necessary road network infrastructure upgrades (e.g. signage, pedestrian facilities, intersection upgrades, etc.) on Mamre Road 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 Mamre Road should consider the broader growth planned for the Mamre Road Precinct and opportunities for rationalising access to/from Mamre Road. Any required/proposed road network infrastructure upgrades/mitigation measures along Mamre Road should be developed in consultation with TfNSW.
 - 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.
 - Plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading, or servicing can be accommodated on the site to avoid queuing in the street network.
 - 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).
 - Details of travel demand management measures 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.
 - 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.
- 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.

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. Voluntary Planning Agreement (VPA):** Provide an update on the status of the VPA for the LOG East roadworks, including indicative timing for the delivery of associated road infrastructure.
- 4. Road infrastructure and upgrades:** The TIA will need to:
 - Identify any required road upgrades, interim works, new roads, or access points necessary for the development or proposed by adjacent developments within the precinct.
 - Describe the road network expected to be operational at the time of the development's completion and occupation, including but not limited to:
 - Mamre Road Stage 2 Upgrade (**MRUS2**)
 - Abbots Road Upgrade

- Aldington Road Upgrade

5. Precinct Integration and compliance with the Development Control Plan (DCP)

- The site forms part of the LOG North development. It is noted that the proposed road network layout for this SSDA differs from the layout previously supported in principle by TfNSW, particularly in relation to access via Bakers Lane. Demonstrate compliance with Section 3.4.1 of the Mamre Road Precinct DCP specifically regarding the use of Bakers Lane to access existing schools and retirement villages.

This should be captured in any future Environmental Impact Statement (EIS).

6. Dedicated Freight Corridor. The future EIS will need to:

- Demonstrate compliance with the Western Sydney Employment Area *State Environmental Planning Policy*, Part 6; clause 33C; Development within the Mamre Road Precinct; specifically, integration with the Mamre Road Precinct dedicated freight corridor (DFC), including provision for access from the DFC to the entire estate.

The Applicant may be required to engage with TfNSW with respect to the design considerations for the DFC if needed.

7. Flooding: The future EIS will need to:

- Provide a flood impact assessment to understand the potential impacts of the development on flood evacuation. To assess the impacts of the proposed development, information for pre- and post-development scenarios including modelling of the local overland flows are to be provided to allow assessment of the impact of the development.

8. Consultation: During the preparation of the EIS, the Applicant should engage with the relevant local, State, Commonwealth Government authorities, service providers, community groups and affected landowners, particularly with TfNSW due to the MRUS2 works.



Shaun Williams
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

18 September 2025

Subject: Request for Secretary's Environmental Assessment Requirements (SEARs) for Mamre Road Data Centre Campus (SSD-92743706) (Penrith)

Dear Shaun,

Thank you for your email received on 3 September 2025, requesting input on SEARs for the above State significant development (SSD) from the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy, the Environment and Water.

CPHR has reviewed the Scoping Report (Willowtree Planning, 5 February 2025) and recommends the proponent address the requirements below and at Attachment A.

Summit at Kemps Creek (SSD-30628110)

This SSD application (SSDA) is located within the proposed Summit at Kemps Creek (SSD-30628110) (Summit), which relates to a proposed concept masterplan for 8 industrial warehouse buildings and Stage 1 that comprises of subdivision of 3 lots and construction of 3 warehouse buildings. CPHR provided recent advice for the Summit on 18 July 2025 and understand it is currently at Response to Submissions. The EIS should clearly show how this proposal relates to proposed Summit (SSD-30628110) site.

Waterway Health

CPHR recommends that the EIS demonstrates compliance with sections 2.4 Integrated Water Cycle Management and 4.4.2 Erosion and Sediment Control of the Mamre Road Precinct Development Control Plan and the [Technical guidance for achieving Wianamatta-South Creek stormwater management targets](#) (Department of Planning and Environment, 2022) (Technical Guide), and includes the following:

- An Erosion and Sediment Control Plan and Water and Stormwater Management Plan in accordance with the Technical Guide demonstrating the approach and timing for meeting stormwater quality and quantity targets.
- MUSIC modelling file/s of the stormwater management design in accordance with Table 7 of the Technical Guide and the [Wianamatta MUSIC modelling toolkit](#).

- Detailed drawings (both interim and final) of the stormwater treatment train and water sensitive urban design of the proposed approach for achieving the stormwater targets.
- An assessment of any impacts on salinity and sodic soils.

Biodiversity

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

In accordance with Section 8.4 of the *Biodiversity Conservation Act 2016* (BC Act), an assessment of the likely impact on biodiversity of development on biodiversity certified land is not required for the purposes of Part 4 of the *Environmental Planning and Assessment Act 1979*.

For all 'avoided' and 'excluded' land under the SEPP and CPCP, a biodiversity assessment must be prepared in accordance with Section 7.9 of the BC Act.

In relation to point 4 of the recommended biodiversity environmental assessment requirements, the minimum information and spatial data requirements are in Tables 24 and 25 of the [Biodiversity Assessment Method 2020 \(BAM\)](#). Other requirements, such as those relating to the BAM Calculator and Biodiversity Offset Assessment Management System, are detailed in the [guides, tools and databases](#) webpage.

Please contact Greater Sydney Planning team at rog.gsrplanning@environment.nsw.gov.au should you have any queries regarding this advice.

Yours sincerely



Louisa Clark
Director, Greater Sydney Branch
Regional Delivery
Conservation Programs, Heritage and Regulation Group

CPHR Environmental Assessment Requirements – Mamre Road Data Centre Campus (SSD-92743706)

<p>Biodiversity</p>
<ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> • The total number and classes of biodiversity credits required to be retired for the development/project. • 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 Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s.6.10 of the BC Act.
<p>Flood Risk Management</p>
<ol style="list-style-type: none"> 6. The EIS must include a flood impact and risk assessment (FIRA) prepared in accordance with the Flood Risk Management Guideline LU01 Flood impact and risk assessment. The FIRA is to be prepared by suitably qualified engineers with experience in flood risk management in NSW. As a minimum the FIRA must: <ul style="list-style-type: none"> • Address the relevant provisions of the NSW Flood Risk Management Manual (2023) and toolkit, and include existing flood mapping, existing council and government studies, information and requirements. • Identify and describe existing (base case scenario) flood behaviour, constraints and risk on the site and its surrounding areas for the full range of events, including 10% Annual Exceedance Probability (AEP), 5% AEP, 1% AEP, 0.5% AEP or 0.2% AEP and probable maximum flood (PMF). The Intensity-Frequency-Duration Design rainfall data by the Bureau of Meteorology for the base case scenario must be in accordance with best industry practice, Australian Rainfall and Runoff 2019 Version 4.2. • Identify and describe post development scenario(s) for flood behaviour, constraints and risk on the site and its surrounding areas for the full range of abovementioned events. Details of the development must be included in the verified models. • Provide flood mapping of the 1% AEP and PMF extents for existing conditions and post development scenarios. • Identify and describe the flood constraints on the land (floodways, flood storage, flood hazard and emergency response issues) for the full range of abovementioned events, for both regional flooding and local flooding. • Assess the appropriateness of the development or development types for the location based on the flood constraints on the land.

- Identify the impacts of the development on flood behaviour and risk for the full range of abovementioned flood events.
- Identify and assess the adequacy of management measures and controls to:
 - effectively address flood constraints to ensure the flood risks to the proposed development and its users are acceptable
 - manage flood and associated emergency management impacts due to the development on existing communities and individual property owners and occupiers.
- Address flood-related emergency response issues and site access arrangements, in accordance with the Australian Rainfall and Runoff Version 4.2 and [Flood Risk Management Guideline EM01 Support for Emergency Management Planning](#).
- Assess the impact of climate change impacts on future flood behaviour in accordance with [Flood Risk Management Guideline FB01 Understanding and managing flood risk](#).

Note: Flood modelling is to be undertaken by a suitably qualified engineer consistent with Council's requirements and Australian Rainfall and Runoff. Flood behaviour includes flood volume, extent, depth, level, velocity, duration, rate of rise, flood function and hazard. Flood risk is a function of flood behaviour, exposure and vulnerability for each element at risk. Impacts of flooding include changes to flood behaviour and risks to the community including emergency management response for the community.

Water and soils

7. 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.
8. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - Existing surface and groundwater.
9. 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



File Ref. No: FRN25/2717 BFS25/6127 8000044910
 TRIM Doc. No: D25/106671
 Contact: Senior Firefighter Michael Millar

12 September 2025

SHAUN WILLIAMS
 NSW Department of Planning, Housing and Infrastructure
 Locked Bag 5022
 PARRAMATTA NSW 2124

Dear Shaun,

Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) – MAMRE ROAD DATA CENTRE PROJECT – 706-752 MAMRE ROAD, KEMPS CREEK (SSD-92743706).

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on 3 September 2025, requesting input into the preparation of the SEARs for the MAMRE ROAD DATA CENTRE PROJECT – 706-752 MAMRE ROAD, KEMPS CREEK (SSD-92743706). FRNSW have reviewed the SEARs along with the Scoping Report with particular focus to Section 7.12 Hazards and Risks.

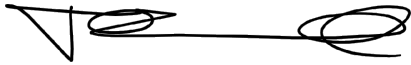
The Scoping Report details a Data Centre with Battery Energy Storage. It has been the experience of FRNSW that Data Centres present special problems of fighting fire and suitable additional provisions are likely to be required in accordance with E1D17 and E2D21 of the National Construction Code 2022¹.

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.

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 FRN25/2717. Further information regarding FRNSW Meetings⁵ and FRNSW Written Reports⁶ can be found at the FRNSW Building Fire Safety Industry Portal⁷.

Yours sincerely,



Superintendent James O'Carroll
Manager
Fire Safety Liaison Unit

Cc: shaun.williams@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/page.php?id=9193>

⁶ <https://www.fire.nsw.gov.au/page.php?id=9156>

⁷ <https://www.fire.nsw.gov.au/page.php?id=9140>

Our ref: HMS ID 11694

Shaun Williams
Department of Planning, Housing and Infrastructure
shaun.williams@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: Mamre Road Data Centre Campus

Major Project reference: SSD-92743706

Received: 3 September 2025

Dear Mr Williams,

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 provided scoping report.

Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed Mamre Road Data Centre Campus (SSD-61400212)

- 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*

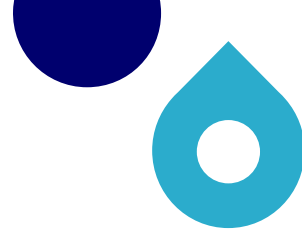
<https://www.environment.nsw.gov.au/publications/aboriginal-cultural-heritage-consultation-requirements-proponents>

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

Yours sincerely,

Alison Lamond

Alison Lamond
Manager
Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
15 September 2025



18 September 2025

Our reference: 223420

Catriona Shirley

Department of Planning, Housing and Infrastructure
catriona.shirley@dpie.nsw.gov.au

RE: Sydney Water input to SEARs for SSD-92743706 at 706-752 Mamre Road, Kemps Creek (Mamre Road Data Centre Campus)

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the development proposal at 706-752 Mamre Road, Kemps Creek within the Mamre Road Precinct of the Western Sydney Employment Area. The SSDA will seek consent for the following.

- Site preparation works and bulk earthworks across the site and additional site retaining structures (subject to approval of SSD-30628110)
- Civil works, stormwater, utilities servicing, landscaping works and road construction
- Plant equipment including 936 cooling units
- 852 backup generators with associated 14,430 kilolitres of diesel storage and 7,488 cabinets for lithium-ion battery storage
- Land dedication/allocation for the Mamre Road upgrade and future freight transport corridor
- Staged construction of a data centre campus containing the following:
 - 441 car parking spaces
 - 24 shells across four storeys, with four shells per building, resulting in a total capacity anticipated to range between 600-1,000 megawatts
 - Electrical substations
 - One incoming electrical switching station and campus electrical substation
 - One static synchronous compensator

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.
 - The following information is required:
 - Staging of developments showing yearly
 - Average Day Demand
 - Maximum hour demand (to understand impact on the network during peak hour)
 - High demand days (e.g. 95th percentile or those high demand 5 to 10 days per year)
 - Maximum daily demand (Peak day - 1 in 10 year)
 - One of the following (for ultimate development as a minimum)
 - Expected daily usage over a year
 - Expected monthly average daily usage over a year
 - Expected daily usage over a year

- Daily diurnal usage based on a high demand day. The preferred usage pattern should reflect the draw from Sydney Waters' 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.
- 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, **the proponent should continue to liaise with Sydney Water through their existing feasibility application and account manager** 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 assets.
- 6. Development in Aerotropolis areas must consider stormwater and integrated water cycle management in accordance with the Sydney Water Regional Stormwater Scheme. Additional infrastructure requirements will apply. See the Stormwater and Integrated Water Cycle Management section below for detailed information.

Stormwater and Integrated Water Cycle Management

Sydney Water is the Regional Stormwater Authority for the Mamre Road 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 Integrated Stormwater Scheme Plan for Mamre Rd Precinct was finalised in May 2024 and 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 and Mamre Rd Precincts which must be met through the development's connection to the Regional Stormwater Scheme recycled water network.

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 [Mamre Road Precinct Integrated Stormwater Scheme Plan](#) (Sydney Water, 2024)
- 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),
- 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 Mamre Road Precinct Stormwater Scheme Plan) under section 88A and/or restriction or public positive covenant under section 88E of the Conveyancing Act 1919.

To secure endorsement of the stormwater management strategy, including the delivery of any regional stormwater infrastructure, the proponent should include the following details as part of their SSDA submission consistent with [Appendix C - Engineering Requirements Checklist](#) of the Draft Scheme Infrastructure Design Guideline (Sydney Water, 2024). This includes allocation, design and layout of stormwater assets, including trunk drainage channel and demonstrate consistency with the stormwater Scheme Plan.

Specific advice

- Land acquisition
 - Sydney Water notes that section 7.3 of the scoping report mentions the northwestern portion of the site is reserved for acquisition by Sydney Water for the provision of stormwater infrastructure (trunk drainage channel). However, please note that Sydney Water does not acquire the land reserved for trunk drainage channels and require only an easement for maintenance.
- High recycled water use demand
 - The proponent has previously submitted a Feasibility application to Sydney Water to determine if the site will be suitable for a data centre, in relation to availability of water for their data centre cooling requirements, and the disposal of relatively large volumes of saline wastewater. The applicant has been advised to continue to engage with Sydney Water (through their Account Manager) in understanding and progressing appropriate next steps to

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investigate viability of servicing solutions collaboratively, due to the capacity limitations of the regional stormwater scheme and AWRC recycled water to meet the proposed high demands.

- Splitting of drainage catchments
 - As identified in Sydney Water's response for the previous SSD application (SSD-30628110) at the same site, the proposed development footprint drains to two separate catchments. This includes most of the lot west of the proposed road 1 draining west to Wianamatta (South) Creek directly and eastern lots draining north through the future intermodal site.
 - Due to uncertainty over timing of the future intermodal site Sydney Water encourage the applicant to work with Sydney Water to identify a feasible interim stormwater strategy to enable development, until the downstream regional stormwater infrastructure is delivered.

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 **anticipated ultimate and annual growth data** for this development as outlined in the enclosed Growth Data Form.

Next steps

- The applicant is advised to continue to engage with Sydney Water (through the Growth & Development account manager) in understanding and progressing appropriate next steps to investigate viability of servicing solutions collaboratively.
- 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 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 under their existing case CN223420. 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