

**RESPONSE MATRIX TO RTS 1 COMMENTS**

Proposed Data Centre – SSD 10101987

707-769 Mamre Road, Kemps Creek (Lots X &amp; Y, DP 421633 and Lot 22 DP 258414)

<b>Table 1. Comments on RTS 1 submission</b>	
<b>Query</b>	<b>Comments</b>
<b>NSW Environment Protection Authority – letter dated 24 October 2022</b>	
<p><b>No further comments</b> The EPA has no further comments on this proposal and no further consultation is required.</p> <p>Based on the information you have provided, the proposed activity will not require an Environment Protection Licence issued under the Protection of the Environment Operations Act (1997). To ensure the threshold for licensing is not exceeded, the EPA recommends that operation of the back-up generators is limited to not more than 200 hours per year in any approval that is granted.</p>	Noted.
<b>Environment and Heritage Group (EHG) – letter dated 24 October 2022</b>	
<p><b>DCP Compliance</b> EES notes that the EIS does not meet the Mamre Road Precinct Development Control Plan waterway health controls and the MUSIC Modelling toolkit.’</p> <p>In response to the above, the RtS Report provides the following commentary: ‘The design assessed the project against the formal provisions in place at the time set by the Council. The Estate Design (SSD 9522) was also prepared and approved under these conditions. This is consistent with Clause 5 of the Mamre Road DCP 2021. Water health controls are further implemented by providing silt traps to reduce sediment loads, rainwater</p>	<p>The final Mamre Road Precinct DCP (MRP DCP) was not available at the time of preparing the State significant Development Application (SSDA). The subject lot has been assessed to be in accordance with Penrith Council’s DCP which aligns with the wider estate stormwater design, approved under SSD 9522.</p> <p>Arup refrain from applying different stormwater management guidelines between the estate and individual lots, particularly as the lots discharge to the estate’s stormwater system. As noted in the technical report, the estate infrastructure consented in SSD 9522 provides a regional, estate-wide GPT, bio-retention and on-site detention basins to service the individual Lots and roads within the estate.</p> <p>Council’s water quality targets are met by the regional stormwater infrastructure, included within SSD 9522, however the proposed development will also feature:</p> <ul style="list-style-type: none"> <li>• Rainwater harvesting tank with roof collection is proposed which will be used to supply a proportion of the process water demands.</li> </ul>

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<p>harvesting and MUSIC modelling. These three (3) methods when implemented demonstrate a sediment load reduction that would exceed Penrith City Council's requirements'.</p> <p>Regarding the applicant's above RtS response, EHG is unclear about the reference to Clause 5 of the Mamre Road DCP 2021 and recommends that this reference be clarified. However, given the response in the RtS Report, and that the proposed development (including the submitted Mamre Road Precinct DCP Assessment Table) does not demonstrate compliance with Section 2.4 of the Mamre Road Precinct DCP, the DPE Planning Group will need to determine whether the proposal should meet the controls in the Mamre Road Precinct DCP.</p>	<ul style="list-style-type: none"> <li>Recycled Water Supply for non-potable water. In line with Sydney Water's requirements and Notice of Anticipated Requirements (received after the SSDA was submitted), the site's process water demands will be met via the proposed precinct recycled water main network, supplied from the proposed Advanced Water Recycling Centre (AWCR). Note that this provision is anticipated to be available 2026-2027.</li> <li>The development's proposed evaporative cooling systems use modern technology which will only be switched on when the ambient external temperature exceeds 30 degrees Celsius. Process water will be recirculated 6 times (subject to water quality) prior to discharge reducing the process water demand.</li> </ul> <p>These items align with the strategy of Clause 2.4 of the Mamre Road DCP "Integrated Water Cycle Management".</p> <p>The site will discharge stormwater flows to a piped network which will have stormwater comprising of a mixture of discharge flows from upstream developments and surface water collected directly from the inlet pits serving the industrial precinct roads. These flows are then conveyed to the regional GPT and bio-retention basins. There is therefore no material benefit in treating stormwater flows from the subject site to a different standard only to mix it with untreated flows, prior to downstream treatment.</p> <p>The reference to clause 5 of the MRP DCP 2021 was incorrect. This should state that the development is consistent with the approach outlined in Clause 5 – Section 2.4 Integrated Water Cycle Management – Controls – Waterway Health and Water Sensitive Urban Design, noting that the primary WSUD infrastructure is being delivered at estate level.</p>
<p><b>Flood Risk Management</b></p> <p>Reference is made to Table 1 in the RtS Report. It is noted that this Table does not refer to EHG's most recent advice pertaining to Flood Risk Management (dated 28 January 2022). EHG therefore recommends that this Table is updated to reflect its most recent flooding advice.</p>	<p>Floor levels of the proposed development's buildings are set higher than 0.5m above the 1% AEP (100 year ARI) flood level, in accordance with Clause 6, Chapter C3 Water Management of Penrith Development Control Plan 2014.</p> <p>The proposed works do not alter the outcomes of the South Creek Flood Impact Assessment presented in SSD 9522. The development of the Subject site is therefore not expected to increase flood risk within the region.</p>

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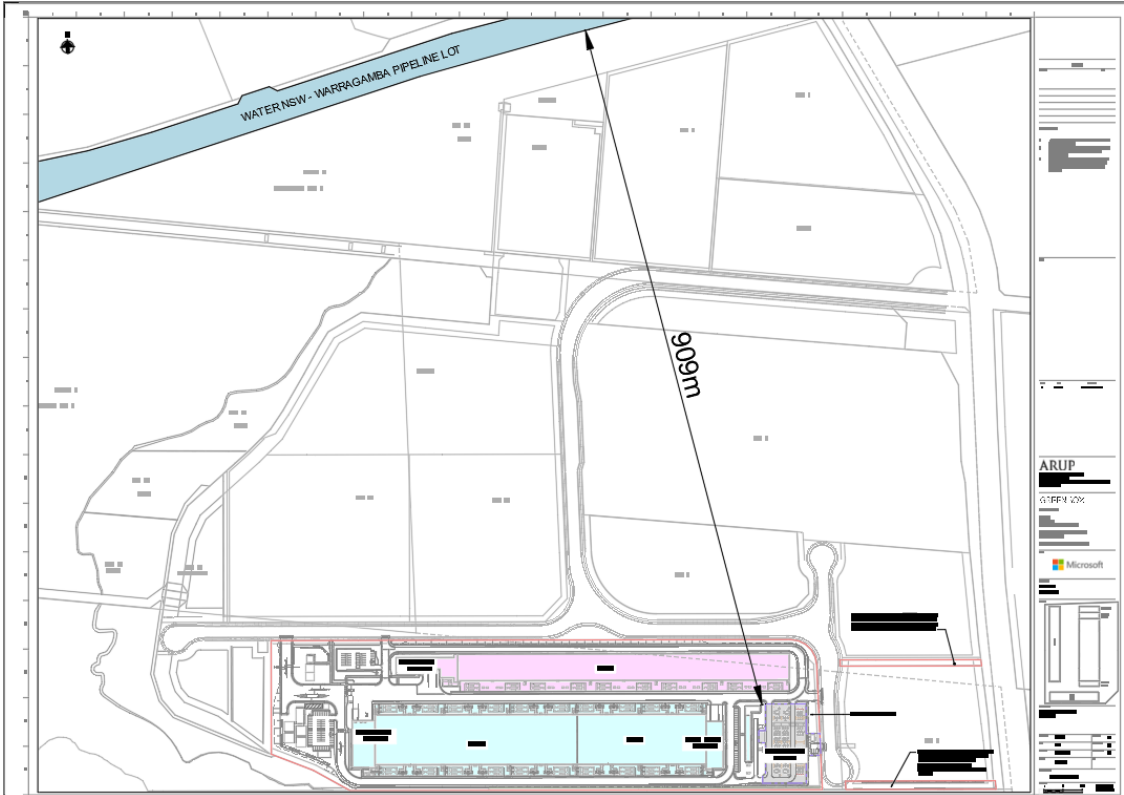
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<b>Fire and Rescue NSW (FRNSW) – letter dated 18 October 2022</b>	
<p><b>No further comments</b></p> <p>FRNSW note tabled responses at pages 23 - 26 of the Submissions report along with point 19 'Hazards and Risks' in Appendix B, when implemented, would satisfy the recommendations made by FRNSW in our previous letter out concerning this matter dated 15 December 2021 (D21/134018).</p> <p>FRNSW therefore submit no further comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation at this stage.</p>	<p>Noted.</p>
<b>Water NSW – letter dated 24 October 2022</b>	
<p><b>Electrical hazards on metallic pipelines</b></p> <p>The RtS has not addressed WaterNSW's request for further justification to support their 'no impact' assessment comment, or how their assessment addresses requirements within AS/NZS 4853:2012 Electrical hazards on metallic pipelines. The substation and back-up generators are within the 1km buffer determined by WaterNSW as having a potential impact on our pipeline infrastructure. This is a safety concern.</p>	<p>See below mark-up of plan depicting buffer distance to the substation. We anticipate absolute minimal risk given that the location of the substation and back-up generators are over 900 meters from the closest point of the metallic pipelines.</p>

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	 A detailed site plan diagram of a proposed data center. The plan shows a large rectangular building footprint with various internal divisions. A prominent dimension line indicates a length of 900m. A blue-shaded area at the top left is labeled 'WATERNSW - WARRAGAMBA PIPELINE LOT'. The plan includes property boundaries, roads, and utility lines. A north arrow is located in the top left corner. On the right side, there is a legend and a list of symbols. The ARUP logo is visible in the bottom right corner of the plan area.
<p><b>Electromagnetic Energy (EME) report</b> While the SEARs did not specify an EME study, the installation of a substation and generators to service the development should warrant such an assessment. Any such report will support the impact assessment</p>	<p>The EIS has been prepared against the Secretary's Environmental Assessment Requirements (SEARs) issued on 1 March 2021. These assessment requirements were issued bespoke to the project and prepared by the Department in consultation with relevant authorities and agencies. At this point, DPE and its consultees had not identified electromagnetic energy as a key or other issue that needed environmental assessment. Despite this, WaterNSW's legitimate water-supply</p>

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and provide assurance to nearby sensitive receivers that there is no expected impact, or that the impacts can be mitigated.	and security concerns are noted, and Arup therefore commit to preparing an EME hazard assessment post-consent during detailed design. This study will be used to inform the electrical infrastructure final specifications to comply with Australian Standard AS4853: 2012 Electrical Hazards on Metallic Pipelines (Standards Australia, 2012) including appropriate earthing provisions and procedural controls.
In line with Penrith City Council's comments, we request that a condition be included in any consent issued that an Electromagnetic Energy (EME) report be submitted to the certifying authority prior to the issue of the construction certificate. The EME report should detail the electromagnetic energy likely to be produced and any potential impacts initiated by the proposed substation and the 62 back-up generators at the development and on the surrounding environment.	Noted. Response above applicable to this comment.
The EME report must be prepared by a suitably qualified and practicing person in accordance with Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) safety requirements, AS/NZS 4853:2012 and any other relevant standards or policies. The report is to consider the location of the proposed substation and whether it is appropriate or what mitigation measure are required to protect the health of staff and visitors and nearby sensitive receivers.	Noted. Response above applicable to this comment.
If the EME report identifies that the impact to the Warragamba Pipelines has intensified (from no risk at all), WaterNSW must be consulted with regards to risk mitigation actions, prior to implementation.	Noted. Response above applicable to this comment.

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<b>Department of Planning and Environment (DPE) Water – letter dated 13 October 2022</b>	
<p><b>No further comments</b> The RTS has been reviewed by DPE Water and all requirements have been adequately addressed by the proponent, therefore DPE Water has no further comments.</p>	Noted.
<b>NSW Rural Fire Service – letter dated 23 November 2022</b>	
<p><b>Updated bush fire report</b> An updated bush fire report should be prepared to consider the latest architectural plans, such as any changes in asset protection zone (APZ) setbacks and location of the exposed generators.</p>	<p>From the initial architectural design submitted and the updated plans submitted via the Response to Submission (RTS), the amendments made to the design were only limited to façade colour/pattern and change to tree types.</p> <p>It is reiterated that the number and location of trees has not been amended and therefore no impact to the existing bushfire management plan. Arup are willing to accept a condition in respect of protection zones.</p>
<b>Sydney Water</b>	
<p>The water and wastewater systems currently have limited capacity to service the proposed development. An interim servicing solution has been provided to the proponent via S73 application CN193235 with noted limited servicing available till further amplifications and infrastructure upgrades are completed and operational.</p>	<p>Noted. It is understood that interim water and waste water systems have been developed by the Estate Developer Altis-Frasers under separate approvals.</p> <p>It is noted that the phasing of data halls will mean that the initial peak water and wastewater demands will be significantly lower than ultimate peak demands. Until pump station SPS 1221 is operational, the sewer discharge rate will be restricted via on-site storage tanks to a maximum volume of 10m<sup>3</sup>/dy as agreed with A-F as part of the estate wide Interim Operation Pump (IOP).</p>
<p>Sydney Water supports the sustainability measures that would be taken within the proposed buildings to reduce the demand for drinking water across the site as stated in the RtS report. However, as a high water user, the proponent is likely to be required to construct a recycled water main extension and reticulations to</p>	<p>Noted, this requirement was identified by Sydney Water in the Notice of Anticipated Requirements (NoAR) provided by Sydney Water – Ref 193235-NoR v1.</p> <p>It has been agreed in principle to construct a recycled water main extension.</p>

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service each lot appropriately separate from the initiatives proposed by Arup.	
If this proposed development is going to generate trade wastewater, the developer must submit an application requesting permission to discharge trade wastewater to Sydney Water's wastewater system. Applicant must wait for approval and issue of a permit before any business activities can commence. The permit application can be made on Sydney Water's web page through Sydney Water Tap In	No trade waste wastewater is to be generated by this development. All effluent/process waste waters are to discharge to sewer.
Please refer to the most current Notice of Requirements under CN193235 Section 73 application for further servicing requirements.	Noted.
The proposed development may impact some of our future trunk stormwater infrastructures therefore specific stormwater requirements may apply. The stormwater advice will be provided in a separate communication following this letter. We apologise for any inconvenience that this might cause.	<p>Recently Sydney Water identified a planned key stormwater swale/waterway that would straddle the trunk utility corridor. A response was provided by Arup identifying the complexities of Sydney Water's proposals in this area.</p> <p>The proposed waterway (circa 25-30m wide) overlaps the utility corridor and crosses the circa 3m high retaining wall separating land within the estate and land to the south. The proposed waterway would also clash with Sydney Waters own, proposed sewer pump station (SPS 1221).</p> <p>The access road serving proposed pump station SPS1221 takes no consideration of the future north-south access road from the estate which is circa 3m higher than the access road shown from Mamre Road.</p>