

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) [for SSD] / 5.16 [for SSI] of the *Environmental Planning and Assessment Act 1979*

Part 8 of the Environmental Planning and Assessment Regulation 2021

Application Number	SSD-116159891
Project	Proponent Testing
Location	TEST within Berrigan Shire
Proponent	
Date of Issue	11/03/2025
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and must have regard to the <i>State Significant Development/Infrastructure Guidelines</i>. Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the <i>development/infrastructure</i>. Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: - adequate baseline data - consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); - measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment [The following applies to both SSI and SSD] The EIS must also be accompanied by a Estimated Development Cost (EDC) report, providing: - a detailed calculation of the EDC of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report. - [Only use if relevant] The EDC Report must specify the EDC of the <i>marina/extractive industry/subdivision</i> component of the development. - an estimate of the retained and new jobs that would be created during the construction and operational phases, including details of the

	methodology to determine the figures provided.
Key issues	The EIS must address the following specific matters: 1. Statutory and Strategic Context Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including: - o [List applicable SEPP(s) and LEP(s)] Address the relevant planning provisions, goals and strategic planning objectives in the following: - o [List any (draft) Regional or Subregional strategy, (draft) Section 7.11 plan or (draft) section 7.4 planning agreement.] - o [List key issues (bold heading) to be addressed in the EIS and specific requirements relating to each key issue.] 2. [Key Issue] Provide instruction on key issue and/or refer to a list: - o [point] - o [point] 3. Biodiversity Prepare a Biodiversity Development Assessment Report (BDAR) that assesses biodiversity impacts in accordance with the <i>Biodiversity Conservation Act 2016</i> and the Biodiversity Assessment Method 2020, unless a waiver is granted, or the site is on biodiversity certified land. If the site is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification. Any application that is required to be submitted with a Biodiversity Development Assessment Report must use the template available at: https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template. 4. Ecological Sustainable Development [Include the following additional provisions to address the requirements of State Environmental Planning Policy (Sustainable Buildings) 2022, if the project is not otherwise exempt under Chapter 3.1] If Chapter 3 of State Environmental Planning Policy (Sustainable Buildings) 2022 applies, and not otherwise exempt under Chapter 3.1: - demonstrate how the development has been designed to address the provisions set out in Chapter 3.2(1). - provide a NABERS Embodied Emissions Material Form to disclose the amount of embodied emissions attributable to the development in

accordance with section 35BA of the EP&A Regulation.

[Include if development is SSD specified in State Environmental Planning Policy (Planning Systems) 2021, Schedule 1, sections 13–15]

- a net zero statement (as defined in section 35C of the EP&A Regulations) that includes:
 - o evidence of how the development will either be fossil fuel-free after the occupation of the development commences or transition to be fossil fuel-free by 1 January 2035.
 - o details of any renewable energy generation and storage infrastructure implemented and any passive and technical design features that minimise energy consumption.
 - o estimations of annual energy consumption for the building and amount of emissions relating to energy use in the building (if information is available).

[Include if large commercial development (offices with a net lettable area of at least 1,000m², a hotel or motel with at least 100 rooms or serviced apartment buildings with at least 100 apartments)]

- a net zero statement (as defined in section 35C of the EP&A Regulations) that includes:
 - o evidence of how the development will either be fossil fuel-free after the occupation of the development commences or transition to be fossil fuel-free by 1 January 2035.
 - o details of any renewable energy generation and storage infrastructure implemented and any passive and technical design features that minimise energy consumption.
 - o estimations of annual energy consumption for the building and amount of emissions relating to energy use in the building (if information is available).
- a NABERS Agreement to Rate that demonstrates the large commercial areas of the development are capable of achieving the standards for water use specified in Schedule 3 of SEPP (Sustainable Buildings) 2022. A separate agreement is required for each large commercial use.
- a NABERS Agreement to Rate or Commitment Agreement that demonstrates the large commercial areas of the development are capable of achieving the standards for energy use specified in Schedule 3 of SEPP (Sustainable Buildings) 2022 . A separate agreement is required for each large commercial use.

5. Social

Provide a Social Impact Assessment prepared in accordance with the *Social Impact Assessment Guideline for State Significant Projects*

Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include the following: - high quality files of maps and figures of the subject site and proposal; and [list any additional requirements]
Engagement	During the preparation of the EIS, you must consult with the relevant local, State or Australian Government authorities, service providers, community groups and affected landowners. In particular you must consult with: - [list Council(s) and relevant public authorities] The EIS must detail the engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.
Expiry Date	If you do not lodge a Development Application and EIS [for SSD] / an EIS [for SSI] for the development / infrastructure within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

[if you wish to refer to technical policies and guidelines]
ATTACHMENT #

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

<http://www.epa.nsw.gov.au/>

<http://www.environment.nsw.gov.au/>

<http://www.dpi.nsw.gov.au/>

Policies, Guidelines & Plans

Social	Social Impact Assessment Guideline for State Significant Projects

[if you wish to include agency comments]
ATTACHMENT #
Government Authority Responses to Request for Key Issues
For Information Only