



Mr Peter O'Sullivan  
Project Manager  
Cape Byron Management Pty Ltd  
123-155 Mcleod Street  
CONDONG NSW 2484

17 June 2021

Dear Mr O'Sullivan

**Condong Cogeneration Plant - Recovered Timber Fuel (SSD-19891249)  
Planning Secretary's Environmental Assessment Requirements**

Please find attached a copy of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Condong Cogeneration Plant – Recovered Timber Fuel State significant development application at 123-153 McLeod Street, Condong, in the Tweed local government area (LGA).

The SEARs have been prepared in consultation with relevant public authorities (see **Attachment 2**) and are based on the information you have provided to date. A response from Fire and Rescue NSW has not yet been received. A copy of their response will be provided to you when received. Please note that the Planning Secretary may modify the SEARs at any time.

Please contact the Department at least two weeks before you propose to submit your DA and EIS. This will enable the Department to confirm the:

- applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- consultation and public exhibition arrangements, including copies and format requirements of the DA and EIS.

Prior to exhibiting the EIS, the Department of Planning, Industry and Environment (the Department) will review the document in consultation with the relevant public authorities to determine if it addresses the requirements in Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). You will be required to submit an amended EIS if it does not adequately address these requirements. If you do not submit a development application (DA) and EIS for the development within two years, you must consult further with the Planning Secretary in relation to the preparation of the EIS.

**Community Consultation**

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

**Commonwealth Requirements**

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of Agriculture, Water and the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

If you have any questions, please contact Sally Munk, Principal Planner, on (02) 9274 6431 or via email at [sally.munk@planning.nsw.gov.au](mailto:sally.munk@planning.nsw.gov.au).

Yours sincerely



**Chris Ritchie**  
**Director, Industry Assessments**  
**Planning & Assessment**

**as delegate for the Planning Secretary**

*Attached: Planning Secretary's Environmental Assessment Requirements*