

Our ref: SSD-44249280

Ms Jo Lane
CEO
The Trustee for the Kelp Trust
(trading as Sea Health Products)
265 Corkhill Drive
TILBA TILBA NSW 2546

30 June 2022

**Planning Secretary's Environmental Assessment Requirements
Marine Seaweed Aquaculture Farms, Bermagui and Pambula, NSW (SSD-44249280)**

Dear Ms Lane

Please find attached a copy of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for a State significant development application (DA) for the proposed Marine Seaweed Farming Aquaculture development off Haywards Beach, north of Bermagui, and Merimbula Bay, east of Pambula Beach, in the Bega Valley Shire 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. As a response from Eurobodalla Shire Council has not yet been received, this will be forwarded to you in due course. Please note the Planning Secretary may modify the assessment requirements at any time.

Please contact the Department of Planning and Environment (the Department) at least two weeks before you propose to submit your DA and EIS. This will enable the Department to confirm the consultation and public exhibition arrangements, including format requirements for the DA and EIS.

Prior to exhibiting the EIS, the Department will review the document to determine if it addresses the requirements in Part 8, Division 5 of the Environmental Planning and Assessment Regulation 2021 (the Regulation). You will be required to submit a revised EIS if it does not address these requirements. If you do not submit a DA and EIS for the development within two years, the SEARs will expire. A written request to extend the SEARs expiry date may be made to the Planning Secretary before the expiry date.

If you submit your EIS after 31 December 2022, a Registered Environmental Assessment Practitioner (REAP) will need to declare that your EIS meets certain standards in relation to compliance, completeness, accuracy and legibility.

1. 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.**

2. 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 (02) 6274 1111).

If you have any questions, please contact Sally Munk, Principal Planner, on 9274 6431 or via email at 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