

Our ref: SSD-77336995

Mr Jude Adikari
Development Director
Celestino Developments Pty Limited
642 Great Western Highway
GIRRAWEE NSW 2145

22 November 2024

**Planning Secretary's Environmental Assessment Requirements
Subdivision of 121 Willmington Road, Luddenham (SSD-77336995)**

Dear Mr Adikari

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 Subdivision of 121 Willmington Road, Luddenham, State significant development application (DA).

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. Please note a response from the NSW Government Architect and the NSW Rural Fire Service has not yet been received. A copy of their advice will be provided to you when received and will form part of the SEARs. Where relevant, the Planning Secretary may modify the SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice.

Your SEARs will expire two years from the date of issue (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the Department at least three months prior to the expiry date.

If your application is not submitted within two years (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

Preparing your EIS

Your EIS must be prepared having regard to the Department's *State Significant Development Guidelines* including the *Preparing an Environmental Impact Statement guideline*. All relevant guides for State significant projects that are referenced in the SEARs are available at www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework.

During the preparation of your EIS, you are required to consult with various parties, including the Department and any relevant agencies, in accordance with the *Undertaking Engagement Guidelines for State Significant Projects*. For more information, please visit the Prepare EIS page on the NSW planning portal. Agency contact details can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/guide-agency-directory>.

You will need a Registered Environmental Assessment Practitioner (REAP) to declare that your EIS meets certain standards in relation to its completeness, accuracy, quality and clarity before it is submitted to the Department, as per Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). A pro forma declaration can be found in Appendix B of the [Preparing an Environmental Impact Statement guideline](#). For more information on the REAP Scheme, please see the REAP Guidelines and the frequently asked questions on the [Department's website](#).

Lodging your Development Application (DA)

Once you submit your DA and accompanying EIS, we will check it for completeness to confirm it addresses the requirements in Part 8 of the EP&A Regulation. **The EIS must include a comprehensive description and assessment of the likely impact of all stages, infrastructure and activities that form part of the development, as required under section 192 of the Regulation.**

To minimise delays, **please contact the Department at least two weeks before you submit your EIS** to confirm the DA fee payment arrangements. Please note that **your DA is not taken to be lodged until the DA fee has been paid**.

Information Needed to Determine the DA Fee

Your application will need to be accompanied by an Estimated Development Cost (EDC) Report prepared in accordance with the relevant planning circular using the Standard Form of EDC Report. Once you submit your EDC Report, we will check it for completeness against the requirements of the EP&A Regulation and the relevant Planning Circular.

If your project involves marinas, extractive industries or any subdivision of land, you must also ensure that your EDC Report includes a breakdown of estimated costs for any other component of your project.

Public Exhibition Requirements

When you contact us regarding the DA fee arrangements, we will also confirm the consultation and public exhibition arrangements.

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, your EIS must include clear evidence that this consultation has been undertaken and justification for the proposed consultation method(s) used.**

Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

It is your responsibility to contact the Commonwealth Department of Climate Change, Energy, the Environment and Water to determine if an approval under the EPBC Act is required (<https://www.dcceew.gov.au/> or (02) 6274 1111).

Should any referral to the Commonwealth result in the development being considered a controlled action under the EPBC Act, please contact the Department for any additional requirements.

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



Joanna Bakopanos

A/Director, Industry Assessments

Planning & Assessment

as delegate for the Planning Secretary

Attached: Planning Secretary's Environmental Assessment Requirements