

Our ref: d'Albora Marina Nelson Bay Hotel (SSD-77938524)

Mr Daniel Hargraves
Fund Manager
MA MARINA FUND TT PTY LTD
10 Carrington Street
SYDNEY NSW 2000

12 December 2025

Subject: Amended Planning Secretary's Environmental Assessment Requirements

Dear Mr Hargraves

Please find attached a copy of the amended Planning Secretary's environmental assessment requirements (SEARs) for your project, the d'Albora Marina Nelson Bay Hotel (SSD-77938524).

The SEARs have been prepared in consultation with relevant public authorities, based on the information you have provided. A copy of the advice from the public authorities is attached for your information.

The Planning Secretary may amend the SEARs to ensure the environmental assessment addresses all relevant matters and aligns with current assessment practice.

Expiry of SEARs

The SEARs are valid for two years from the date of issue (or the date of the last modification). If you require an extension, please contact the Department at least three months prior to the expiry date. If your application is not submitted within this period, a new request for SEARs will be required to progress your project.

Preparing your Environmental Impact Statement (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:

<https://www.planning.nsw.gov.au/policy-and-legislation/planning-reforms/rapid-assessment-framework/improving-assessment-guidance>.

You are also required to consult with the Department and relevant agencies during the preparation of your EIS, 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>.

Before submission, a Registered Environmental Assessment Practitioner (REAP) must declare that your EIS meets the required standards for completeness, accuracy, quality and clarity, as outlined in Division 5 of Part 8 of the *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation). A pro forma declaration can be found in [Appendix B of the Preparing an Environmental Impact Statement Guideline](#).

Biodiversity Development Assessment Report

Any development 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>.

Lodging your development application (DA)

To ensure your application is ready for lodgement, please complete the following steps at least two weeks in advance:

- **Submit the Payer Detail Form** to the email address provided on the form. This allows sufficient time for fee determination and payment arrangements to be finalised. The form is available at:
<https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-development/ssd-process/prepare-eis>
- **Contact our team** to confirm that all lodgement requirements have been met, including whether hard copies, electronic copies, or both will be required for the public exhibition of the EIS.

Upon submission of your application and EIS, the Department will review it for completeness under Part 8 of the EP&A Regulation. At this time, you will also be advised of the applicable DA fee for your project.

Information needed to determine the DA fee

Your application must include an Estimated Development Cost (EDC) Report that supports the estimated development cost and aligns with the information in your DA form. The Department will review the report for completeness in accordance with the EP&A Regulation and relevant Planning Circular.

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

Please note that your DA is not taken to be lodged until the DA fee has been paid.

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 Australian Government Department of Climate Change, Energy, the Environment and Water to determine if you need approval under the EPBC Act (<https://www.dcceew.gov.au/> or 6274 1111).

If you have any questions, please contact Meg D'souza on (02) 6650 7197 or via email at meg.dsouza@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, consisting of the letters "SW" in a stylized, cursive font.

Stuart Withington

Acting Director, Regional Assessments
as delegate for the Planning Secretary