

Appendix A

Overview of Compliance with SEARs

Appendix A

Overview of Compliance with SEARs

Requirement type	SEAR Requirement	Section in EIS
General requirements	The Environmental Impact Statement (EIS) for the development must comply with the requirements in Part 8, of the Environmental Planning and Assessment Regulation 2021 (the Regulation) and must have regard to the State Significant Development Guidelines, the Renewable Energy Planning Framework and any relevant planning circulars. In particular, the EIS must include:	-
	■ a stand-alone executive summary	Executive Summary
	■ a full description of the development, including	Chapter 3
	– details of construction, operation and decommissioning, including any staging of the development	Section 3.4
	– a description of the physical elements of the development including the form, maximum height and materials (including ancillary infrastructure);	Section 3.3
	– a high-quality site plan at an adequate scale showing all infrastructure and facilities (including any infrastructure, and accommodation camps, that would be required for the development, but the subject of a separate approvals process);	Section 3.1 Appendix S
	– the Project area (as per Table 1 of the <i>SSD guidelines – preparing an environmental impact statement</i>) and Development Footprint (disturbance area including but not limited to areas for infrastructure, road works, access tracks, defensible space, fencing and temporary laydown);	Section 2.5.1 Section 3.2.1
	– a high-quality detailed constraints map identifying the key environmental and other land use constraints that have informed the final design of the development; and	Appendix S
	– confirmation if the project is designated development in accordance with the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) and the EP&A Regulation;	Section 4.4
	■ consistency in information presented in the EIS and all technical reports, including distances, development footprint, project design and infrastructure proposed, construction timeframes and receiver numbers;	Throughout EIS
	■ a strategic justification of the development focusing on site selection and the suitability of the proposed site with respect to potential land use conflicts with existing and future surrounding land uses (including existing land use, other proposed or approved energy facilities, major projects, rural/residential development, Crown lands within and adjacent to the project site and subdivision potential);	Chapter 2
	■ a risk assessment of the potential impacts of the development, identifying the key issues for further assessment;	Section 2.2 Appendix E
	■ an assessment of the likely impacts of the development on the environment, and any other significant issues identified in the above risk assessment, focusing on the specific issues identified below, including:	Chapter 6 and Appendices

Requirement type	SEAR Requirement	Section in EIS
	– a description of the existing environment likely to be affected by the development using sufficient baseline data;	Section 2.5 Section 3.2 A description of the existing environment is provided for each impact assessed in Chapter 6.
	– an assessment of the likely impacts of all stages of the development (which is commensurate with the level of impact), including any cumulative impacts of the site and existing, approved or proposed developments in the region and impacts on the site and any road upgrades, taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice including the <i>Cumulative Impact Assessment Guideline</i> (DPE, 2022);	Chapter 6 Section 6.14
	– a description and assessment if staging of the project is proposed including any site mobilisation or pre-construction works;	Section 3.4
	– a description of the measures that would be implemented to monitor and report on the environmental performance of the development;	Mitigation measures are provided for each impact assessed in Chapter 6 and consolidated in Appendix C.
	■ a consolidated summary table of all the proposed environmental mitigation, management and monitoring measures, identifying all the commitments in the EIS; and	Appendix C
	■ a detailed evaluation of the merits of the project as a whole, having regard to:	Chapter 7
	– the requirements in Section 4.15 of the EP&A Act, including the objects of the Act and how the principles of ecologically sustainable development have been incorporated in the design, construction and ongoing operations of the development;	Section 4.3 Chapter 6 Chapter 7
	– the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses;	Section 2.5.1 Section 2.5.2
	– feasible alternatives to the development and its key components, including siting and project design alternatives to avoid areas of biodiversity value and high archaeological sensitivity, opportunities for shared infrastructure with proposed developments in the region, and the consequences of not carrying out the development; and	Section 2.6
	– a detailed consideration of the capability of the project to contribute to the security and reliability of the electricity system in the National Electricity Market, having regard to local system conditions and the Department's guidance on the matter.	Section 2.1
	Estimated Development Cost and Employment ■ Provide the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report; and	EDC provided with EIS as part of Development Application lodgement.
	■ Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided.	The estimate of jobs is provided in Section 3.1. EDC is provided as a separate document.

Requirement type	SEAR Requirement	Section in EIS
	- The development application must also be accompanied by: - the consent of the owner/s of the land (as required in Section 23(1) of the EP&A Regulation); and - a declaration from a Registered Environmental Assessment Practitioner that the EIS includes the information specified in the <i>Department's Registered Environmental Assessment Practitioner Guidelines</i>.	Landowners consent provided with EIS as part of Development Application lodgement. EIS Declaration page
Key issues – Biodiversity	- an assessment of the biodiversity values and the likely biodiversity impacts of the project in accordance with Section 7.9 of the <i>Biodiversity Conservation Act 2016</i> (NSW) (BC Act), having regard to the <i>Biodiversity Assessment Method</i> (BAM) 2020 and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must: - be prepared using the approved BDAR template; - document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM; - assess the impacts associated with all ancillary infrastructure, including the transport route road upgrades; - include an assessment for serious and irreversible impacts (SAII) in accordance with Section 9.1 of the BAM; - include a strategy to offset any residual impacts of the development in accordance with the BC Act; and - be finalised by an accredited assessor as BAM-compliant within 14 days of submission; unless Conservation Programs, Heritage and Regulation Group (CPHR) and DPHI determine the proposed development is not likely to have any significant impacts on biodiversity values; - an assessment of the likely impacts on listed aquatic threatened species, populations or ecological communities, scheduled under the <i>Fisheries Management Act 1994</i>, and a description of the measures to minimise and rehabilitate impacts; - a cumulative impact assessment of biodiversity values in the region from nearby developments; and - if an offset is required, details of the measures proposed to address the offset obligations.	An updated BDAR Waiver request has been submitted with this application for this Project as per Appendix F
Key Issues – Heritage	- an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010), identifying, describing, and assessing any impacts to any Aboriginal cultural heritage sites or values associated with the site (including impacts from any proposed earth works, construction works and road upgrades), including results of archaeological test excavations (where required), undertaken in accordance with the relevant standards and requirements; - evidence of adequate consultation with Aboriginal communities in determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed measures), having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (DECCW, 2010), including the consultation process outlined within; and - assess the impact to historic heritage having regard to the <i>Guidelines for Preparing a Statement of Heritage Impact</i>.	Section 6.12 Appendix P Section 6.12 Appendix P Section 6.11 Appendix O

Requirement type	SEAR Requirement	Section in EIS
Key Issues – Land	a detailed justification of the suitability of the site and that the site can accommodate the proposed development having regard to its potential environmental impacts, land contamination, permissibility, strategic context and existing site constraints;	Section 2.5 Section 4.2 Section 6.9
	an assessment of the potential impacts of the development on existing land uses on the site and adjacent land, including;	Section 2.5
	– flood prone land, nearby drinking water catchments, Crown lands, mining, quarries, mineral or petroleum rights (if relevant);	Sections 6.10 and 6.8 Appendix M
	– a soil survey to determine the soil characteristics and consider the potential for salinity, acid sulfate soils, and erosion to occur; and	Section 6.9 Appendix R
	– a cumulative impact assessment of nearby developments;	Section 6.14
	an assessment of the compatibility of the development with existing land uses, during construction, operation and after decommissioning, including;	Section 2.5.2
	– consideration of the zoning provisions applying to the land, including subdivision (if required); and	Section 2.5.2
	– a preliminary investigation into potential contamination across the site, in accordance with the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Hazards SEPP) (as required).	Section 6.9 Appendix R
Key Issues – Visual	a detailed assessment of the likely visual impacts of all components of the project on surrounding residences (including approved developments, lodged development applications and dwelling entitlements), and key locations, scenic of significant vistas and road corridors in the public domain; and	Section 6.2 Appendix H
	details of measures to mitigate and/or manage potential impacts (including a draft landscaping plan for on-site perimeter planting, with evidence it has been developed in consultation with affected landowners).	Section 6.2 Appendix H
Key Issues – Noise	an assessment of the construction noise impacts (including impacts from proposed road upgrades) of the development in accordance with the <i>Interim Construction Noise Guideline</i> (ICNG), operational noise impacts in accordance with the <i>NSW Noise Policy for Industry</i> (2017), assess traffic noise having regard to the <i>NSW Road Noise Policy</i> (DECCW, 2011) and cumulative noise impacts (considering other developments in the area), including (where appropriate):	Section 6.1 Appendix G
	– identification of impacts associated with construction, site emission and traffic generation at noise affected sensitive receivers, including the provision of operational noise contours;	Section 6.1 Appendix G
	– details of noise monitoring survey, background noise levels and amenity noise levels at the most-affected residential receivers;	Section 6.1
	– details of likely daily charging/discharging load profile, manufacturer specifications for plant and equipment and noise source inventory (including intensity, quantity, location, directivity and frequency information);	Appendix G
	– an assessment of ‘worst case’ noise emission scenarios during periods of discharging and charging;	Section 6.1
	– consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area; and	Appendix G

Requirement type	SEAR Requirement	Section in EIS
	– details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration impacts following application of these mitigation measures and details of any proposed compliance monitoring programs.	Section 6.1 Appendix G
Key Issues – Transport	■ an assessment of the peak and average traffic generation, including light vehicles (including shuttle buses), heavy vehicles, heavy vehicles requiring escort, high risk heavy vehicles requiring escort (noting Table 1 in TfNSW Fact Sheet - Transport Management Plans for Over Size and/or Overmass Movements in NSW) and construction worker transportation;	Section 6.3
	■ an assessment of the likely transport impacts to the site access route(s) from the above listed vehicles including the site access point(s) and any Crown land, particularly in relation to the capacity and condition of the roads, road safety and intersection performance;	Section 6.3 Appendix I
	■ a concept Level Route Analysis required for heavy vehicles requiring escort and high risk heavy vehicles requiring escort;	Section 6.3 Appendix I
	■ a cumulative impact assessment of traffic from nearby developments (including mining operations); and	Section 6.3 Appendix I
	■ provide details of measures to mitigate and/or manage potential impacts (developed in consultation with the relevant road authorities) including: – a schedule of all required road upgrades (including resulting from heavy vehicle and over mass/over dimensional traffic haulage routes),	Section 6.3 Appendix I
	– strategic concept designs of proposed road upgrades (including the site access point); and	Section 6.3 Appendix I
	– road maintenance contributions, and any other traffic control measures.	Section 6.3 Appendix I
Key Issues – Water and Soils	■ an assessment of the likely impacts of the development (including flooding and flood modelling) on surrounding watercourses (including their Strahler Stream Order), groundwater resources and surface water movements, and measures proposed to monitor, reduce and mitigate these impacts including water management;	Section 6.8 Section 6.10 Appendix M Appendix N
	■ a site water balance for the development;	Appendix N
	■ details of water requirements and supply arrangements for construction and operation (including consultation with suppliers);	Appendix N
	■ a description of the erosion and sediment control measures that would be implemented to mitigate any impacts in accordance with <i>Managing Urban Stormwater: Soils & Construction</i> (Landcom, 2004) and <i>Managing Urban Stormwater: Soils and construction – Volume 2A manual</i> (Landcom, 2008);	Section 6.9
	■ assessment of the impacts of the development on hydrology of the site, including any changes to overland flows on-site or off-site, and detail design solutions and operational procedures to manage impacts;	Section 6.10 Appendix M

Requirement type	SEAR Requirement	Section in EIS
	where the project involves works within 40 metres of any river, lake or wetlands (collectively waterfront land), identify likely impacts to the waterfront land, and how the activities are to be designed and implemented in accordance with the DPI <i>Guidelines for Controlled Activities on Waterfront Land</i> (2018) and (if necessary) <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (DPI 2003), and <i>Policy & Guidelines for Fish Habitat Conservation & Management</i> (DPE, 2013); and	Section 6.10 Appendix N
	identification of any flood risk on site having regard to adopted flood studies, the potential effects of climate change and any relevant provisions of the <i>NSW Flood Risk Management Manual</i>;	Section 6.8 Appendix M
	where the development could alter flood behaviour, affect flood risk to the existing community or expose its users to flood risk, provide a flood impact and risk assessment (FIRA) prepared in accordance with the <i>Flood Impact and Risk Assessment – Flood Risk Management Guide LU01</i>; and	Section 6.8 Appendix M
	detailed design solutions and operational procedures to mitigate flood risk where required.	Section 6.8 Appendix M
Key Issues – Hazards	Health - an assessment of potential hazards and risks including but not limited to fires, spontaneous ignition, electromagnetic fields or the proposed grid connection infrastructure against the <i>International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields</i>;	Section 6.5 Section 6.6 Appendix L
	Bushfire – a bush fire hazard assessment completed by a suitably qualified consultant and identify potential hazards and risks associated with bushfires/use of bushfire prone land including the risks that a BESS would cause a bush fire and demonstrate compliance with <i>Planning for Bush Fire Protection 2019</i>;	Section 6.5
	Dangerous Goods - a preliminary risk screening completed in accordance with the Hazards SEPP 2021; an	Section 6.7 Appendix L
	Battery Energy Storage System - a Preliminary Hazard Analysis (PHA) prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 – Guideline for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment. The PHA must consider all recent standards and codes and verify separation distances to on-site and off-site receptors to prevent fire propagation. The PHA must also consider release of toxic gases or toxic combustion byproducts from a full-scale battery fire. The PHA must demonstrate compliance with Hazardous Industry Advisory Paper No. 4, Risk Criteria for Land Use Safety Planning.	Section 6.7 Appendix L
	Pipeline - report on the consultation outcomes with the pipeline operator to ensure the safety of the pipeline is appropriately considered and any specific concerns raised by the pipeline operator are capable of being adequately addressed.	Section 6.7 Appendix L
Key Issues – Social	Including an assessment of the social impacts or benefits of the project for the region and the State as a whole in accordance with the <i>Social Impact Assessment Guideline</i> (DPE, 2023), including consideration of any increase in demand for community infrastructure services, and consideration of construction workforce accommodation.	Section 6.4 Appendix J
Key Issues – Economic and Benefit-Sharing	Including an assessment of the economic impacts or benefits of the project for the region and the State as a whole and provide details of any proposed voluntary benefit sharing, having regard for the <i>Private Agreement Guideline 2024</i> .	Section 2.1 Section 7.3 Section 7.8

Requirement type	SEAR Requirement	Section in EIS
Key Issues – Waste	Identify, quantify and classify the likely waste stream to be generated during construction, operation, and decommissioning, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste (in consultation with waste facilities, including Council).	Section 6.13 Appendix Q
Plans and Documents	The EIS must include all relevant plans, diagrams and relevant documentation required in accordance with the SSD Guidelines and under Part 3 of the EP&A Regulation. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.	Figures included throughout EIS. Appendix S
Legislation, Policies & Guidelines	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified.	Chapter 4 and throughout EIS and Appendices.
Consultation	During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups, affected landowners and any exploration licence and/or mineral title holders. In particular, you must undertake detailed consultation with affected landowners surrounding the development, the owners of all exploration licences across the proposed development site, the operator of any pipelines on or adjacent to the site, and all relevant government agencies, including the relevant local Council.	Chapter 5 Appendix D
	The EIS must: ■ detail how engagement undertaken was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i> (DPHI, 2024); and	Chapter 5 Appendix D
	■ describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, an explanation should be provided.	Chapter 5 Appendix D