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Rapid Assessment Framework (RAF)

What is the RAF?

The Rapid Assessment Framework (RAF) is a comprehensive set of reforms aimed at ensuring State significant projects in NSW are supported by better assessment, better coordination and better engagement.

Improvements are designed to make State significant project assessments quicker and more efficient, while also improving assessment quality, engagement standards and customer service.

What changes are being made as part of the RAF?

The following key initiatives aim to streamline and strengthen the environmental assessment of State significant development (SSD) and State significant infrastructure (SSI):

- **A refined and streamlined SSD system** to provide ready-made industry-specific environmental assessment requirements (SEARs) that can be issued for SSD applications that are wholly permissible, not designated development, and not a concept development application.
- **Clear expectations for State significant environmental assessment** with the introduction of new draft guidelines to assist in improving the quality of environmental assessments and documentation provided to the Department. The guidelines include advice on how to produce environmental impact statements (EIS) and other reports, undertaking engagement and assessing cumulative impacts for all State significant projects.
- **Formal quality assurance** measures will be introduced through a Registered Environmental Assessment Practitioners (REAP) Scheme to require suitably skilled, qualified and experienced professionals in the field of environmental assessment to make a declaration that an EIS submitted with a State significant project meets certain standards in relation to legal requirements, completeness, accuracy and legibility.
- **SEARS expiry** will be introduced to ensure EISs are based on the most up-to-date environmental considerations.

Why are we reforming the State significant project assessment system?

Major projects are important to the State for economic, environmental and social reasons. They have a key role to play in unlocking the state's productive potential and driving economic growth following the COVID-19 pandemic.

The reform of the major projects system, through improvements provided by the Rapid Assessment Framework, supports the Department's commitment to delivering a better planning system for NSW and improving timeframes, assessment quality and community engagement for the State's most significant projects.

How will the reforms cut red tape and speed up assessment?

The Department is making the major projects system better and faster by improving the quality of assessments and making processes simpler and more efficient.

Fewer administrative steps in the lodgement of applications, upgraded automated and online processes and a streamlined approach to setting assessment requirements will reduce the time taken in the upfront application process.

Industry-specific SEARs will speed up assessments and focus resources and effort on contentious, higher-risk development applications.

Guidelines that set clear standards for applications and reports for State significant projects will reduce time spent on additional requests for information.

Engagement guidelines will drive earlier and better engagement and provide an open and transparent State significant project assessment system.

Requiring suitably qualified, experienced and skilled practitioners to make a declaration that an EIS submitted for a State significant project meets certain standards in relation to legal requirements, completeness, accuracy and legibility will improve document quality and reduce delays.

Guidelines

What are the SSD and SSI guidelines?

The *State Significant Development Guidelines* (SSD guidelines) and *State Significant Infrastructure Guidelines* (SSI guidelines) provide clear guidance and advice on the assessment of State significant projects in NSW and set out the Department's expectations at each stage.

They ensure all State significant projects are subject to a comprehensive assessment in accordance with government policies and guidelines and that assessment is proportionate to the scale and impacts of the project.

They also introduce standards and requirements to ensure all environmental assessment reports submitted to the Department are clear, robust, easy to understand and reflect community views. This includes scoping reports, EISs, submissions reports, amendment reports, modification reports and preferred infrastructure reports.

Which projects need to have regard to the SSD and SSI guidelines?

Under the *Environmental Planning and Assessment Regulations 2000*, from **1 October 2021**, EISs, amendment reports and modification reports for SSD and SSI, as well as scoping reports and submissions reports for SSD must be prepared having regard to the SSD and SSI guidelines.

As a transitional measure, there is an exception for some EISs. Where SEARs were last issued before **1 October 2021**, EISs received by the Department on or before **31 March 2022** do not need to be prepared having regard to SSD and SSI guidelines.

What are the undertaking engagement guidelines?

The new *Undertaking Engagement Guidelines for State Significant Projects* set out best engagement practices for State significant projects and how engagement with the community and other groups should be conducted at different times throughout the entire project lifecycle, rather than relying on minimum statutory consultation requirements.

The guidelines include a key expectation of upfront engagement with people likely to be affected by the project in the early stages of project development. This includes the community, business, interested groups, government agencies and councils.

Cumulative impact assessment (CIA) guidelines

What are the cumulative impact assessment guidelines?

The new *Cumulative Impact Assessment Guidelines for State Significant Projects* provide step by step guidance for the effective assessment and management of cumulative impacts for State significant projects.

The guidelines provide advice on scoping cumulative impacts and methodologies for identifying and taking into account the combined impacts (including environmental, social and economic impacts) of the project as well as reasonably foreseeable future projects.

Better information on cumulative impacts will encourage improved project design to reduce impacts, support informed and appropriate decision-making, and achieve better on-ground planning outcomes.

Which future projects need to be considered for cumulative impact assessment?

CIA should consider relevant future projects. These include changes to existing projects, projects that have been approved but not yet started, projects under assessment, and related projects, which are of the types listed below:

- Other SSD and SSI projects
- Projects that are designated development
- Projects under Part 5 of the EP&A Act that require an EIS
- Projects that are controlled actions (under Commonwealth legislation)
- Major greenfield and urban renewal projects

What if I can't access information about relevant future projects for my assessment?

The guideline recognises that CIA is complex and comes with uncertainty, for example, regarding access to data, timing and sequencing of future projects and the implications of over or underestimating cumulative impacts.

The guideline emphasises the importance of documenting uncertainty for the CIA and the proposed approach to address these key uncertainties.

Notwithstanding, proponents should seek to obtain information about relevant future projects through available documentation and collaboration with other proponents.

What if an applicant encounters difficulties collaborating with other applicants to assess impacts of future projects?

Collaboration with other proponents is encouraged. Proponents should assist one another as far as is reasonably practicable. Alternatively, the Department may co-ordinate discussions between the parties.

In some cases, the decision-maker may require proponents to work together to minimise cumulative impacts. This may include data sharing, carrying out joint monitoring, funding further investigation and research, undertaking joint community engagement and coordinating management actions.

How should the project's contribution to increased cumulative impacts be managed?

The proponent should include in the EIS mitigation and management measures for minimising the project's contribution to any relevant cumulative impacts.

This may include design elements that minimise impacts, mitigation measures, offsetting residual impacts and monitoring. It may also include collaboration with government or other proponents to jointly reduce overall impacts within the affected area.

What if a potentially relevant future project is identified when the EIS is almost finished? Will it be necessary to delay finalisation of the EIS to include the new project?

The guideline notes that in addition to identifying relevant future projects proponents should also keep track of any emerging development proposals that may become a relevant future project during the process of preparing the EIS.

If these emerging development proposals become a relevant future project during the preparation of the EIS, the proponent is to update the CIA in the EIS to incorporate the additional future project.

If this change occurs shortly before the proponent is ready to submit the EIS to the Department or following the exhibition of the EIS, the Department will determine whether the CIA in the EIS should be updated prior to the determination of the project.

Which projects need to have regard to the engagement and cumulative impact assessment guidelines?

All State significant projects will need to have regard to the engagement and cumulative impact assessment guidelines. In addition:

- the SSD and SSI guidelines reference the engagement guidelines and the cumulative impact assessment guidelines in relation to certain activities and reports
- SEARs may also require an applicant or proponent to have regard to these guidelines when preparing EISs.

Social Impact Assessment (SIA) Guidelines

What is the social impact assessment guideline?

The new *Social Impact Assessment Guideline for State Significant Projects* provides guidance for conducting social impact assessment as part of a project's environmental impact assessment. It details how social impacts should be identified, evaluated, responded to and, if appropriate, monitored and managed.

The guideline provides:

- a framework to identify, evaluate and respond to social impacts
- guidance on meaningful and effective engagement on social impacts throughout the lifecycle of the project
- tools to obtain reliable, relevant information, insights and analysis for decision-makers
- advice for how SIA can inform project refinement, monitoring and impact management.

How does the SIA process fit with the EIS process? Do they occur at the same time or does one inform the other?

The SIA process is an integral part of the EIS process and is informed by the impact assessment of other key matters (e.g. noise).

The SIA Guideline outlines how SIA is done in phases and incorporates findings from the technical studies of other key matters.

Is there guidance on cumulative social impacts (i.e. combined SIA and CIA)?

The SIA and CIA guidelines were developed cooperatively and complement each other.

The SIA guideline describes the process of considering social impacts for the project, while CIA describes the process of additionally considering relevant future projects for all key matters (including social impacts).

Industry-specific SEARs

What are industry-specific SEARs?

Industry-specific Secretary's environmental assessment requirements (SEARs) are a streamlined way of setting SEARs for certain types of SSD applications.

Instead of preparing SEARs on a project-by-project basis, industry-specific SEARs have been prepared through upfront consultation with government agencies and are tailored to each type of SSD development.

How will industry-specific SEARs improve efficiency and reduce assessment timeframes?

Industry-specific SEARs will streamline upfront administrative processes by removing the need for applicants to prepare a scoping report and allowing the Department to issue industry-specific SEARs that have been prepared up-front in consultation with government agencies.

Because industry-specific SEARs are available on the Department's website, applicants and practitioners will be able to clearly understand assessment requirements from the very earliest stages of a project.

They will also allow the Department and other government agencies to focus time and effort on preparing project-specific SEARs for projects with greater risks and impacts, or for projects that seek to depart from existing land use controls, such as concept proposals or partly prohibited development.

How long will Department take to issue industry-specific SEARs?

The Department will issue industry-specific SEARs within 7 days, as opposed to the 28 days currently taken to issue project-specific SEARs. This will save 21 days for projects that are eligible for industry-specific SEARs.

What applications are eligible for industry-specific SEARs?

Industry-specific SEARs will apply to SSD applications that:

- are wholly permissible
- do not meet definitions or thresholds for designated development
- are not a concept development application

In any case, applicants are encouraged to discuss their project with the Department at an early stage, particularly to confirm whether industry-specific SEARs may apply.

Which types of developments have industry-specific SEARs?

Industry-specific SEARs have been prepared for:

- development within key sites and identified precincts
- over-station development
- residential development by or on behalf of the Land and Housing Corporation
- warehouses and distribution centres
- hospitals, medical centres and health research facilities
- schools
- tertiary institutions, including universities and TAFEs
- theatres, cinemas, and music and concert halls
- convention and exhibition centres
- information and education facilities, such as museums, art galleries and libraries
- hotels
- build-to-rent housing
- data storage centres
- correctional centres and complexes

What about other types of eligible development?

In rare instances where a project meets the criteria for industry-specific SEARs but is for a type of development other than those listed above or has unique characteristics not able to be covered by industry-specific SEARs, a scoping report will be required, and project-specific SEARs will be prepared and issued by the Department.

When will industry-specific SEARs be available?

Industry-specific SEARs can be viewed on the [Department's website](#). They will be issued for projects where SEARs are requested on or after **1 October 2021**.

How do I request industry-specific SEARs for my project?

SSD applicants can apply for industry-specific SEARs via the Major Projects website as per the current process.

Registered Environmental Assessment Practitioners (REAP) Scheme

The REAP Scheme will provide environmental assessment quality assurance for State significant projects and support efficient, informed and appropriate assessments.

The Scheme will require that suitably skilled, qualified and experienced practitioners make a quality assurance declaration for all environmental impact statements submitted to the Department.

For more information on the REAP Scheme, please visit the [NSW Planning Portal](#).

SEARS expiry

What SEARs are expiring?

SEARs for SSD and SSI projects will expire after two years if no related EIS is received by the Department.

Can I request an extension to SEARs?

For SEARs last notified from 1 July 2021, SSD and SSI proponents can make a written request, prior to expiry, for an extension of up to two additional years. Any extension will also need to be granted ahead of the expiry of the SEARs. This can occur multiple times, with the total extension of up to two years.

Once SEARs have expired, a new request for SEARs will need to be made.

Are there any transitional arrangements?

For State significant projects where SEARs have already been issued prior to 1 July 2021, sunset dates have been introduced to expire the SEARs.

The sunset dates are:

- **1 July 2021** – All SEARs issued after this date will have a 2-year expiry (with Secretary discretion to provide extensions)
- **30 November 2021** – All SEARs issued before **1 July 2019** will expire **30 November 2021**
- **1 July 2023** – All SEARs issued from **1 July 2019** up to **30 June 2021** will expire **1 July 2023**.

Up until the sunset dates are reached, if an EIS has not been submitted two years after the SEARs were last issued (notified), the SSD applicant or SSI proponent will need to consult with the Department on the preparation of their EIS.

After the relevant sunset dates have passed, the SEARs will expire, and the SSD applicant or SSI proponent will need to apply for new SEARs.

Major project amendment regulation

What changes are in the amendment regulation?

The EP&A Regulation has been amended to implement the RAF improvements. Amendments include changes to SSD and SSI, including:

- standardising and strengthening online applications and reports.
- introducing an expiry for SEARs if an EIS is not received by the Department within two years.
- introducing guidelines for preparing assessment reports.
- Introducing new powers to reject a State significant project application if it is not in the proper form or is incomplete.
- recognising accredited professional schemes for registered environmental assessment practitioners (REAPs) and requiring declarations in EISs to be provided by a REAP.

Do these regulation changes affect other development?

The RAF reforms, including the changes to the EP&A Regulation, will only apply to State significant projects.

Other development will not be affected by the changes, including local and regional development applications, designated development and Part 5 activities that require an EIS.

Further information

For more information, please visit the [Department's website](#). Further details on specific RAF measures, commencement dates and transitional arrangements can be found in the [planning circular \(PS 21-005\)](#).

Alternatively, you can email the Department at rapid.assessment@dpie.nsw.gov.au.

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