

# Planning Secretary's Environmental Assessment Requirements



## Large-scale solar energy

### Application

These assessment requirements apply to eligible applications<sup>1</sup> for development that is specified in Schedule 1, Section 20 in *State Environmental Planning Policy (Planning Systems) 2021*.

## Development details

Application number	
Project name	
Location	
Applicant	
Date of issue	

## Content and guidance

Any Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and must have regard to the *State Significant Development Guidelines* and the *Large-Scale Solar Energy Guideline 2022*. Where there is potential for cumulative impacts, they must be assessed in accordance with the *Cumulative Impact Assessment Guidelines for State Significant Projects*.

Relevant policies and guidelines can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines>.

## Key issues and documentation

Issue and Assessment Requirements	Documentation
<p><b>1. Statutory Context</b></p> <ul style="list-style-type: none"><li>Address all relevant legislation, environmental planning instruments (EPIs) (including drafts and Section 2.42 of SEPP (Transport and Infrastructure) 2021), plans, policies, guidelines and planning circulars.</li><li>Identify compliance with applicable development standards and provide a detailed justification for any non-compliances.</li><li>Provide an explanation of how the development as described in the EIS is consistent with the development as was described in the request for</li></ul>	<ul style="list-style-type: none"><li>Address in EIS</li></ul>

<sup>1</sup> Industry-specific SEARs only apply to SSD applications other than those that:

- would be designated development but for the Act, section 4.10(2), or
- are partly prohibited by an environmental planning instrument (EPI), or
- are wholly prohibited by an EPI, to the extent permitted by the Act, section 4.38(5), or
- are a concept development application for State significant development.

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<p>SEARs (including any components that were not SSD) and provide a justification for any differences.</p> <ul style="list-style-type: none"> <li>Address the requirements of any approvals applying to the site, including any concept approval, any endorsed or draft master plan, precinct plan or any recommendation from a Gateway determination.</li> <li>Provide an accurate summary of the detailed assessment of the impacts of the project and integrate the findings and recommendations of technical reports into the justification and evaluation of the project as a whole.</li> </ul>	
<p><b>2. Estimated Development Cost and Employment</b></p> <ul style="list-style-type: none"> <li>Provide the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report.</li> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>EDC Report</li> </ul>
<p><b>3. Electricity System Security and Reliability</b></p> <ul style="list-style-type: none"> <li>Address the capability of the development 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.</li> </ul>	<ul style="list-style-type: none"> <li>Address in EIS</li> </ul>
<p><b>4. Site Selection and Strategic Context</b></p> <ul style="list-style-type: none"> <li>Provide a strategic justification for the development and the selection of the site, having regard to Section 4 and 5 of the <i>Large-Scale Solar Energy Guideline 2022</i>, the relationship with existing and future surrounding land uses (including proposed or approved solar energy and other major projects, Crown lands, mineral or petroleum titles, and subdivision potential) and opportunities for shared infrastructure with proposed developments in the region.</li> </ul>	<ul style="list-style-type: none"> <li>Address in EIS</li> <li>Constraints Map</li> </ul>
<p><b>5. Land</b></p> <ul style="list-style-type: none"> <li>Assess potential impacts of the development and its compatibility with existing land uses on the site and adjacent land during construction, operation and after decommissioning, including subdivision (if required).</li> <li>Provide a soil survey to determine the soil characteristics and consider the potential for salinity, acid sulfate soils and erosion to occur.</li> <li>If the development is located on or adjacent rural zoned land, provide an Agricultural Impact Assessment prepared in accordance with Appendix A of the <i>Large-Scale Solar Energy Guideline 2022</i>.</li> </ul>	<ul style="list-style-type: none"> <li>Address in EIS</li> <li>Soil Survey</li> </ul> <p>If required:</p> <ul style="list-style-type: none"> <li>Agricultural Impact Assessment</li> </ul>
<p><b>6. Landscape and Visual Impact</b></p> <ul style="list-style-type: none"> <li>Provide an assessment of the likely visual impacts (including night lighting) of all components of the development on surrounding residences (including</li> </ul>	<ul style="list-style-type: none"> <li>Landscape and Visual Impact Assessment</li> </ul>

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<p>approved developments, lodged development applications and dwelling entitlements) and key locations, scenic or significant vistas and road corridors in the public domain, prepared in accordance with the <i>Large-Scale Solar Energy Guideline 2022 (Technical Supplement – Landscape and Visual Impact Assessment)</i>.</p>	<p>If required:</p> <ul style="list-style-type: none"> <li>• Draft Landscaping Plan</li> </ul>
<p><b>7. Glint and Glare</b></p> <ul style="list-style-type: none"> <li>• Provide a glint and glare assessment prepared in accordance with Appendix C of the <i>Large-Scale Solar Energy Guideline 2022</i>.</li> </ul>	<ul style="list-style-type: none"> <li>• Glint and Glare Assessment</li> </ul>
<p><b>8. Noise and Vibration</b></p> <ul style="list-style-type: none"> <li>• Provide an assessment of construction and operational noise and vibration impacts on nearby sensitive receivers and outline the proposed management and mitigation measures that would be implemented.</li> </ul>	<ul style="list-style-type: none"> <li>• Noise and Vibration Impact Assessment</li> </ul>
<p><b>9. Traffic, Transport and Accessibility</b></p> <ul style="list-style-type: none"> <li>• Provide a transport and accessibility impact assessment, which includes: <ul style="list-style-type: none"> <li>○ details of the proposed development, including daily and peak traffic generation (including over-mass and over-dimensional vehicles / heavy vehicles requiring escort and construction worker transportation).</li> <li>○ analysis of the impacts of the proposed development to the site access route(s), site access point(s) and any Crown land including road capacity and condition, intersection performance, road safety and any impact from surrounding developments.</li> <li>○ measures to mitigate any traffic impacts, including a schedule and strategic design of required road upgrades (including those resulting from heavy vehicle and over-mass and over-dimensional traffic haulage routes), road maintenance contributions, and any other traffic control measures, prepared in consultation with relevant road and rail authorities (if required).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Transport and Accessibility Impact Assessment</li> </ul>
<p><b>10. Biodiversity</b></p> <ul style="list-style-type: none"> <li>• Assess any biodiversity impacts (including from any road upgrades and transmission lines) associated with the development in accordance with the <i>Biodiversity Conservation Act 2016 (BC Act)</i> and the <i>Biodiversity Assessment Method 2020</i>, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the site is on biodiversity certified land. The BDAR should include a detailed description of the proposed regime for avoiding, minimising, managing and reporting on the biodiversity impacts of the development over time, and a strategy to offset any residual impacts of the development in accordance with the BC Act. If an offset is required, detail the measures proposed to address the offset obligations.</li> <li>• Where there is potential for impacts on aquatic biodiversity (including threatened species listed under the <i>Fisheries Management Act 1994</i>), key fish habitat and associated riparian buffer zones, provide an assessment in</li> </ul>	<ul style="list-style-type: none"> <li>• Biodiversity Development Assessment Report or BDAR Waiver</li> </ul> <p>If required:</p> <ul style="list-style-type: none"> <li>• Aquatic Biodiversity Impact Assessment</li> </ul>

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<p>accordance with relevant NSW Department of Primary Industries guidelines.</p>	
<p><b>11. Water</b></p> <ul style="list-style-type: none"> <li>Assess the water management issues having regard to Section 5 of the <i>Large-Scale Solar Energy Guideline 2022</i>.</li> <li>Assess the likely impacts of the development (including flooding) on surrounding watercourses (including their Strahler Stream Order) and groundwater resources (including bores) and measures proposed to monitor, reduce and mitigate these impacts.</li> <li>Detail the water requirements and supply arrangements during construction and operation.</li> <li>Where the development involves works within 40 metres of any river, lake or wetland (collectively waterfront land), identify likely impacts to the waterfront land and how the activities are to be designed and implemented in accordance with relevant guidelines.</li> <li>Describe the erosion and sediment control measures that would be implemented.</li> <li>Assess the impacts of the development, including any changes to flood risk and overland flows on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk where required.</li> </ul>	<ul style="list-style-type: none"> <li>Address in EIS</li> </ul>
<p><b>12. Aboriginal Cultural Heritage</b></p> <ul style="list-style-type: none"> <li>Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, including the results of any archaeological test excavations (if required) and identifying, describing and assessing any impacts (including from road upgrades) to any Aboriginal cultural heritage sites or values associated with the site.</li> </ul>	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage Assessment Report</li> </ul>
<p><b>13. Environmental Heritage</b></p> <ul style="list-style-type: none"> <li>Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and an Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.</li> </ul>	<p>If required:</p> <ul style="list-style-type: none"> <li>Statement of Heritage Impact</li> <li>Archaeological Assessment</li> </ul>
<p><b>14. Hazards and Risks</b></p> <ul style="list-style-type: none"> <li>Where there are dangerous goods and hazardous materials associated with the development provide a preliminary risk screening in accordance with Chapter 3 of SEPP (Resilience and Hazards) 2021.</li> <li>Where required by SEPP (Resilience and Hazards) 2021, provide a Preliminary Hazard Analysis (PHA) prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis</i></li> </ul>	<ul style="list-style-type: none"> <li>Preliminary Hazard Analysis</li> </ul>

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<p><i>and Multi-Level Risk Assessment</i> (Note: PHAs are not required for lithium-ion batteries below 30MW).</p> <ul style="list-style-type: none"> <li>Assess potential hazards and risks including, but not limited to, fire, spontaneous ignition, electromagnetic fields, or the proposed grid connection infrastructure in accordance with relevant guidelines.</li> <li>If the development is adjacent to or on land in a pipeline corridor, report on consultation outcomes with the operator of the pipeline.</li> </ul>	
<p><b>15. Contamination and Remediation</b></p> <ul style="list-style-type: none"> <li>In accordance with Chapter 4 of SEPP (Resilience and Hazards) 2021, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.</li> </ul>	<ul style="list-style-type: none"> <li>Preliminary Site Investigation</li> </ul> <p>If required:</p> <ul style="list-style-type: none"> <li>Detailed Site Investigation</li> <li>Remedial Action Plan</li> <li>Preliminary Long-term Environmental Management Plan</li> </ul>
<p><b>16. Bush Fire Risk</b></p> <ul style="list-style-type: none"> <li>If the development is on mapped bush fire prone land, or a bush fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with <i>Planning for Bush Fire Protection</i></li> </ul>	<ul style="list-style-type: none"> <li>Bush Fire Assessment</li> </ul>
<p><b>17. Waste Management</b></p> <ul style="list-style-type: none"> <li>Provide a waste management plan prepared in accordance with the <i>Large-Scale Solar Guideline 2022</i>.</li> </ul>	<ul style="list-style-type: none"> <li>Waste Management Plan</li> </ul>
<p><b>18. Social Impact</b></p> <ul style="list-style-type: none"> <li>Provide a Social Impact Assessment that: <ul style="list-style-type: none"> <li>is prepared in accordance with the <i>Social Impact Assessment Guidelines for State Significant Projects</i>.</li> <li>is targeted and proportionate to the project's context and likely impacts.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Social Impact Assessment</li> </ul>
<p><b>19. Economic Impact and Voluntary Benefit Sharing</b></p> <ul style="list-style-type: none"> <li>Assess the economic impacts and benefits of the development for the region and the State as a whole.</li> <li>Provide details of any proposed voluntary benefit sharing programs in accordance with Section 5.3 of the <i>Large-Scale Solar Guideline 2022</i>.</li> </ul>	<ul style="list-style-type: none"> <li>Address in EIS</li> </ul>
<p><b>20. Engagement</b></p> <ul style="list-style-type: none"> <li>Detail engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>.</li> </ul>	<ul style="list-style-type: none"> <li>Engagement Report</li> </ul>

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<p>Detail how issues raised and feedback provided have been considered and responded to in the project. In particular, applicants must consult with:</p> <ul style="list-style-type: none"><li>○ the relevant Department assessment team.</li><li>○ any relevant local councils.</li><li>○ any relevant agencies.</li><li>○ relevant infrastructure and service providers.</li><li>○ any exploration licence and/or mineral title holders.</li><li>○ the community.</li><li>○ if the development would have required an approval or authorisation under another Act but for the application of s 4.41 of the EP&amp;A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&amp;A Act, the agency relevant to that approval or authorisation.</li></ul>	

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## Version details

Version Number	Publication Date	Notes
1.2	January 2024	Updated to reflect 2024 MOG changes
1.3	March 2024	Updated to incorporate feedback from agencies & accommodate flooding & EDC updates
1.4	July 2024	Minor updates to clarify existing requirements