

How to prepare a Statement of Environmental Effects – a guide for all development

What is a Statement of Environmental Effects?

A Statement of Environmental Effects (**SEE**) is a planning report that sets out the details of a proposed development.

The SEE must explain the likely impacts of the proposal (both during and after the development) and the proposed measures that will mitigate these impacts. It also includes a detailed assessment of the proposed development against all relevant legislation, policies and planning controls that apply to the land or type of development.

When is a Statement of Environmental Effects Required?

In accordance with the *Environmental Planning and Assessment Regulation 2021 (EPA Regulation)*, the SEE is a mandatory document to be submitted with all development applications (other than designated development or State significant development). Otherwise, the application is incomplete and will not be accepted by Council.

What must the Statement of Environmental Effects include?

The EPA Regulation provides requirements for what the SEE must include. As a minimum, it must address the following matters:

1. Description of the site, including:

- site address details (street number, street name, lot and DP/SP/CP),
- a description of the existing site (including current use, existing structures/walls/fences, current land conditions and natural features including topography, vegetation and watercourses etc.), and
- a description of any existing easements, covenants etc. and who they benefit/burden.

2. Description of the proposed development and the environmental impacts, such as:

- any proposed demolition or building construction (including number of storeys, construction materials/finishes, removal of vegetation, landscaping, earthworks, site grading etc.),

- the proposed land use/s (including description of the proposed activities, number of staff to be employed, maximum visitor numbers, hours of operation, carparking etc. (if applicable)),

Note: Land uses are defined in the 'Dictionary' within *Wollondilly Local Environmental Plan 2011*

(<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2011-0085#dict>).

- what are the likely environmental impacts of the development, how these have been identified, and the steps to be taken to avoid, mitigate and/or manage the impacts.

Note: Environmental impacts can relate to both the natural and constructed environments and include social impacts.

3. Assessment of the proposed development against the relevant planning instruments, plans and policies, including:

- *Environmental Planning and Assessment Act 1979*,
- *Environmental Planning and Assessment Regulation 2021*,
- State Environmental Planning Policies (**SEPP**). Examples of these plans are:
 - *SEPP (Building Sustainability Index: BASIX) 2004*,
 - *SEPP (Resilience and Hazards) 2021*, and
 - *SEPP (Biodiversity and Conservation) 2021*.

- *Wollondilly Local Environmental Plan 2011* (i.e. permissibility in the land use zone, minimum lot size, height of buildings etc.),

Note: All SEPPs and WLEP 2011 are available via the NSW Legislation website (<https://legislation.nsw.gov.au/>)

- *Wollondilly Development Control Plan 2016 (WDCP)* (i.e. setbacks, car parking requirements etc.).

Note: It is recommended to include compliance tables to describe this information.

- Other relevant Council policies (e.g. Social & Health Impact Assessment, etc.),

4. Other matters

- Justification for any WDCP non-compliances in accordance with Volume 1, Part 3,
- Any other relevant legislation, plans, policies etc.

Who can help prepare a Statement of Environmental Effects?

Council's Duty Planner will provide general assistance and advice, but cannot assist in writing the SEE.

It is recommended you engage a suitability qualified planning consultant or drafts person to assist you in preparing your development application and SEE.