

A guide to preparing a Statement of Environmental Effects

This guide only applies to DAs (Development Applications)

What is a Statement of Environmental Effects?

A Statement of Environmental Effects (SEE) is required for all development applications. When you lodge a development application, you need to provide among other things, a completed application form, the relevant plans, and a SEE. (See DA Lodgement Checklist for a complete list of required documentation).

The SEE should address the matters outlined in this guide. Where additional documentation is required (e.g. as specified in an environmental planning instrument or a development control plan), this may form part of the body of the SEE or may be included as an appendix to the SEE. For example, if you need to provide a visual impact statement, acoustic report or a traffic impact statement, these may form appendices to your SEE. The size of the SEE will therefore vary according to the proposed development and its potential to impact on the natural and built environments.

A Statement of Environmental Effects (SEE) outlines:

- the likely environmental impacts of the development;
- how the environmental impacts of the development have been identified; and
- the steps that will be taken to protect the environment or to lessen the expected harm to the environment.

Council must consider a number of statutory matters when determining your application. These are outlined in section 79C of the *Environmental Planning and Assessment Act 1979* and include:

- the provisions of any environmental planning instrument (state environmental policies (SEPPs) and local environmental plans (LEPs));
- the provisions of any draft environmental planning instrument;
- any development control plans (DCPs);
- the likely impacts of the development (including environmental impacts on both the natural and built environments, and social economic impacts in the locality);
- the suitability of the site for the development;
- any submissions made; and
- the public interest.

Your SEE must address these matters (with the exception of any submissions made) so that Council and any other relevant authorities have the necessary information to assess your application. Your SEE should demonstrate that in designing your proposal, you have fully considered the site constraints and the applicable legislative provisions.

Why do you need a SEE?

The *Environmental Planning and Assessment (EP&A) Regulations 2000* specify that a development application must be accompanied by a SEE except in the case of designated development. Designated development is development that is listed in Schedule 3 of the EP&A Regulations 2000 and requires a greater level of rigor in the form of an Environmental Impact Statement. In general, designated development includes heavy industry with the potential to pollute, intensive livestock industries, extractive industries, mining operations, marinas and aircraft facilities. Most development applications are for local development requiring SEE. Complying development does not require a SEE but does require a detailed description of the development.

We will not accept your development application without an adequate SEE. A SEE that does not include the required information may cause delays in the processing of your application.

What information must a SEE include?

A SEE should be a written statement clearly titled 'Statement of Environmental Effects'. It should give an understanding of the thinking behind your development and includes information about the development that cannot be shown on the plans. The SEE should address, at minimum, the matters described below. If you think something is not applicable to your application, please state why this is the case. The amount required will depend on the type and scale of your application and will include:

- A description of the site and surrounding locality
- Present and previous uses of the site
- Existing structures on the land
- A detailed description of the proposal
- Operational and management details
- Reference to any environmental planning instruments (state environmental planning policies, regional environmental plans, local environmental plans - including the zoning of the land) that are applicable
- Reference to any applicable draft environmental planning instruments (e.g. on public exhibition)
- Reference to any development control plans that are applicable.

If your proposal is for minor development, you can prepare your own SEE using one of the templates available on our website.

- For dwellings, dwelling additions, garages, carports, sheds and pools, use the *Statement of Environmental Effects for Class 1a or Class 10 Development*. This form is suitable for all Class 1a or Class 10 developments with the exception of dual occupancies.
- For other minor development, use the *Statement of Environmental Effects for Minor Development*. This is suitable for developments such as:
 - Dual occupancy
 - Small scale advertising structures and signs
 - Agriculture
 - Bed and breakfast establishments
 - Change of use from one type of business to another (N.B. may include internal alterations/fit-out but does not include the erection of any significant structures)
 - Earthworks
 - Foreshore development (boatsheds, jetties, slipways, boat ramps, in-ground swimming pools, inclinators, landscaping, landscaping, barbeques, or other similar structures)
 - Subdivision - minor (boundary adjustments or simple one into two lot subdivisions)

If your proposal does not fall into the above categories, additional clauses and requirements will be applicable and a greater level of information will be required. We advise that you seek the assistance of a suitably qualified professional/consultant to prepare your SEE.

Further Assistance

Please contact our Duty Officer on phone 6592 5399 (8.30am to 4.30pm) or email council@midcoast.nsw.gov.au

Privacy Notice: Under Privacy laws, you have the right to find out why we are collecting this information, if it is compulsory and what we are going to do with it. You also have rights to access and correct any information held about you. If you need an interpreter, call 131 450.

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