



Mina Suh
Planning and Environment Lead – Wilcannia Weir Replacement Project
Water Infrastructure NSW
Department of Planning, Industry and Environment
12 Darcy Street
PARRAMATTA NSW 2150

Via email: Mina.suh@dpie.nsw.gov.au

Dear Ms Suh

**Planning Approval Pathway
Wilcannia Weir Replacement Project (SSI 10050)**

Thank you for your correspondence dated 21 September 2021, outlining Water Infrastructure NSW's (WINSW) proposed approach to lodgement of the Wilcannia Weir Replacement Project application (SSI 10050) as State Significant Infrastructure (SSI).

The Planning and Assessment branch of the Department of Planning, Industry and Environment (the Department) confirms receipt of your letter.

The Department notes the Project is declared Critical State Significant Infrastructure (CSSI) under Schedule 3 of the *Water Supply (Critical Needs) Act 2019* (WSCN Act), which is due to expire on 21 November 2021. It is understood that WINSW propose to lodge an application for the Project after this expiry date as SSI under clause 4(1), Schedule 3 of the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP), and not as CSSI under the WSCN Act.

The Department considers your proposed approach to lodgement of the Project application as SSI under the SRD SEPP as acceptable and procedurally valid. The Department considers there is no requirement to amend the issued Secretary's Environmental Assessment Requirements (SEARs) for the Project (issued 28 August 2020) to address the proposed change in approval pathway to SSI.

The Department notes that under recent changes to the *Environmental Planning and Assessment Regulation 2000*, the SEARs for the Project may expire on 1 July 2023 if an Environmental Impact Statement (EIS) is not submitted by this date.

Please ensure that you document the proposed change in approval pathway from CSSI under the WSCN Act to SSI under the SRD SEPP in the EIS for the Project.

If you have any further questions, please contact Lloyd Eley-Smith, Team Leader – Water Assessments, who can be contacted on 02 8217 2045 or at Lloyd.Eley-Smith@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Alan Bright'.

28/09/2021

Alan Bright
Director
State Significant Acceleration