

Council Reference: WAT70
Your Reference: SSI-9548



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27 October 2021

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Planning and Assessment
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By Email: ben.cox@planning.nsw.gov.au

Dear Sir

RE: Extension of SEARs before expiry date 30 November 2021 for Clarrie Hall Dam Raising (SSI-9548) in accordance with PS 21-005

Council is seeking to extend the Secretary's Environmental Assessment Requirements (SEARs) for Clarrie Hall Dam Raising (SSI-9548) prior to the SEARs expiration date of 30 November 2021 in accordance with Planning Circular 21-005 (PS 21-005).

The SEARs for the Clarrie Hall Dam Raising (SSI-9548) were issued on the 23 April, 2019.

PS 21-005 states in regard to SEARs expiry, that provisions will provide for the Secretary to extend the expiry date of SEARs by up to a further two years if the proponent makes a written request for extension before the SEARs expire.

The SEARs sunset date for the Clarrie Hall Dam raising proposal according to the PS 21-005 is stated as 30 November 2021 – All SEARs issued before 1 July 2019 will expire 30 November 2021

The PS 21-005 then explains that Up until the sunset dates are reached, if an EIS has not been submitted two years after the SEARs were issued, the SSD applicant or SSI proponent will need to consult with the Department on the preparation of their EIS. And... 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.

Council was issued a draft EIS for the Clarrie Hall Dam Raising by our EIS Consultants on the 1 September 2021. The EIS was prepared in accordance with the project SEARs issued 23 April 2019. Council wrote to the DPIE (Dominic Crinnion) advising of the 2 year expiry of the SEARs in April 2021. Council were advised by the DPIE at that time that the SEARs were still current and that Council and their consultants need to be

aware and address any updated assessment guidelines that may be relevant to the proposal.

Council is currently reviewing the draft EIS and has sought a review of the Social Impact Assessment against the new Social Impact Assessment Guideline for State Significant Projects (July 2021) from the DPIE. Recommendations from this review, and the new Cumulative Impact Assessment Guidelines, will be addressed in the final version of the EIS, along with any other updated guidelines identified by Council and their Consultants.

As stated in the PS 21-005, the SEARs are due to expire on the 30 November 2021. Council is therefore making a written request for extension of the SEARs for up to a further two years as provided for under the SEARs expiry provisions in the PS 21-005.

Council further notes that the proposal to Raise Clarrie Hall Dam is generally consistent with the project description provided in the SSI application including the Preliminary Environmental Assessment report lodged with Council's SSI application.

Please contact either myself (rsiebert@tweed.nsw.gov.au / Phone: (02) 6670 2506) or David Hannah (dhannah@tweed.nsw.gov.au / Mobile 0410 031 775) for any questions or clarifications.

Yours sincerely

Rob Siebert
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Water and Wastewater Unit