



Your ref: SSI-65020460
Our ref: DOC25/1035065-4

Mr Benjamin Cox
Principal Planning Officer
Department of Planning, Housing and Infrastructure
PO Box 5022
PARRAMATTA NSW 2450

By email: ben.cox@planning.nsw.gov.au

Dear Mr Cox

Subject: Clarrie Hall Dam Wall Raising Environmental Impact Statement (EIS) (SSI-65020460) – Response to Submissions

Thank you for your referral in the Major Projects Planning Portal dated 3 December 2025 seeking advice from the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the Response to Submissions (RTS) for the Clarrie Hall Dam Raising project.

This is a joint response from CPHR and the National Parks and Wildlife Service (NPWS) of DCCEEW.

We have reviewed the RTS against the Secretary's Environmental Assessment Requirements (SEARs), which the Department of Planning, Housing and Infrastructure (DPHI) sent to the proponent on 8 December 2023 (Reference No. DOC23/1027897-4). We also considered the joint advice from CPHR and NPWS on the Environmental Impact Statement (EIS), which was provided to you on 4 December 2024 (Reference No. DOC24/790640-13).

Most of the issues raised relating to biodiversity have been resolved. However, these issues require further consideration:

- Compensation for revocation of NPWS estate
- Requiring the proponent to explore further opportunities to avoid development impacts on threatened entities at the detailed design stage of the project
- Potential for serious and irreversible impacts on several threatened species, including Basket Fern (*Drynaria rigidula*), Green-leaved Rose Walnut (*Endiandra muelleri* subsp. *bracteata*), Fine-leaved Tuckeroo (*Lepiderema pulchella*), Scrub Turpentine (*Rhodamnia rubescens*), Native Guava (*Rhodomyrtus psidioides*) and Mitchell's Rainforest Snail (*Thersites mitchellae*).

All biodiversity-related plans required as a Condition of Approval should be developed in consultation with, and to the satisfaction of, CPHR.

If you have any questions about this advice, please do not hesitate to contact Mr Dimitri Young, Senior Team Leader Planning, North East, Regional Delivery, via dimitri.young@dcceew.nsw.gov.au or 6659 8272.

Yours sincerely



Troy Northey
Acting Director North East, Regional Delivery
Conservation Programs, Heritage and Regulation Group

17 December 2025

Enclosure: Attachment A - CPHR comments on Clarrie Hall Dam Raising (SSI-65020460) - Response to Submissions

**ATTACHMENT A CPHR comments on Clarrie Hall Dam Raising (SSI-65020460) -
Response to Submissions**

In preparing this advice CPHR has reviewed the Clarrie Hall Dam Raising Environment Impact Statement Submissions Report prepared by Kellogg Brown and Root Pty. Ltd. dated 24 November 2025.

Detailed feedback about the Applicant's response to the CPHR EIS submission is provided in the table below. Item numbers correspond to the issues listed in section 4.11 of the RTS.

Issues that are not listed below are considered by CPHR to have been resolved.

CPHR Issues 13 and 15	Opportunities to further avoid direct impacts of the development footprint on threatened entities is required.
Detail	The EIS has been prepared prior to completion of the project detailed design. Hence, the proponent has needed to adopt a precautionary approach when estimating the overall project development footprint. Consequently, opportunities to further avoid direct impacts on threatened entities are likely to arise during the detailed design process.
Recommend	DPHI includes a project approval condition requiring the proponent to investigate opportunities at the project's detailed design stage to refine the development footprint to avoid as many threatened species and their habitat as possible.

NPWS Issue 1	Additional compensation for encroachment on Mount Jerusalem National Park.
Detail	NPWS will work with Tweed Shire Council to finalise negotiations to identify appropriate compensation for the revocation of part of Mount Jerusalem National Park in accordance with the NPWS Revocation, recategorisation and road adjustment policy .
Recommend	DPHI includes a project approval condition requiring the proponent to finalise negotiations to identify appropriate compensation for the revocation of part of Mount Jerusalem National Park in accordance with the NPWS Revocation, recategorisation and road adjustment policy .