



Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Ms Kristina Robinson

Dear Ms Robinson

Re: Request for Input to Planning Secretary's Environmental Assessment Requirements – Environmental Impact Statement - Boral Teven Quarry Extension Project (SSD-87202965)

Thank you for your email of 3 July 2025 about the Boral Teven Quarry Extension project seeking input to the Planning Secretary's Environmental Assessment Requirements (SEARs) from the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water for the preparation of an Environmental Impact Statement (EIS). I appreciate the opportunity to provide advice.

We note the project will be assessed as State Significant Development in accordance with Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The environmental assessment requirements (EARs) provided by CPHR for the EIS are limited to biodiversity, acid sulfate soils, flooding, and coastal processes and associated hazards.

We have reviewed the Scoping Report prepared by APC dated 19 June 2025 and anticipate the development and project features will be sited to avoid and minimise impacts to biodiversity. The EIS will be sufficiently comprehensive to enable unambiguous determination of the extent of the direct and indirect impacts of the proposed development. This includes cumulative impacts associated with noise, traffic movement, light and dust to threatened species or threatened ecological communities known to occur in the area including but not limited to:

- Small-leaved Tamarind (*Diploglottis campbellii*)
- Rough-shelled Bush Nut (*Macadamia tetraphylla*)
- Arrow-head Vine (*Tinospora tinoporoides*)
- Red Lilly Pilly (*Syzygium hodgkinsoniae*)
- Durobby (*Syzygium moorei*)
- Smooth Scrub Turpentine (*Rhodamnia maideniana*)
- Scrub Turpentine (*Rhodamnia rubescens*)
- White Lace Flower (*Archidendron hendersonii*)
- Native Guava (*Rhodomyrtus psidioides*)
- Ball Nut (*Floydia praealta*)
- Green-leaved Rose Walnut (*Endiandra muelleri* subsp. *bracteata*)
- Koala (*Phascolarctos cinereus*)
- Little Bent-winged Bat (*Miniopterus australis*)
- Rose-crowned Fruit-Dove (*Ptilinopus regina*)
- White-throated Needletail (*Hirundapus caudacutus*)
- Barking Owl (*Ninox connivens*)

- Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions
- Lowland Rainforest on Floodplain in the New South Wales North Coast Bioregion
- Littoral Rainforest in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions
- Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions

CPHR also anticipates the EIS will adequately consider and address the proposed project footprint and associated impacts in relation to the status of all site rehabilitation conditions applicable to the existing quarry.

We consider this information is necessary to assess an EIS for the project.

The full list of our standard EARs that may need to be addressed in the EIS are provided in **Attachment A**. Our project-specific EARs that must be addressed in the EIS are provided in **Attachment B**. In preparing the EIS, the proponent can refer to the relevant guidance material listed in **Attachment C**.

If you have any further questions about this issue, please contact Ms Elisha Taylor, Senior Conservation Planning Officer, North East, CPHR, on 6659 8279 or at elisha.taylor@environment.nsw.gov.au.

Yours sincerely



GABRIELLE PIETRINI
Director North East
Conservation Programs, Heritage and Regulation

16 July 2025

Enclosures:

Attachment A – DCCEEW CPHR Standard EARs (SSD-87202965)

Attachment B – DCCEEW CPHR Project-specific EARs (SSD-87202965)

Attachment C – EIS Guidance Material (SSD-87202965).

Attachment A – DCCEEW Conservation Programs, Heritage and Regulation Group (CPHR) Standard Environmental Assessment Requirements (EARs) (SSD-87202965)

Biodiversity
1. The EIS must assess biodiversity impacts related to the project in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 using the Biodiversity Assessment Method and must document this assessment in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s6.12), <i>Biodiversity Conservation Regulation 2017</i> (s6.8) and the BAM, unless CPHR and the Department of Planning, Housing and Infrastructure determine that the project is not likely to have any significant impacts on biodiversity values.
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows: • The total number and classes of biodiversity credits required to be retired for the project; • The number and classes of like-for-like biodiversity credits proposed to be retired; • The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; • Any proposal to fund a biodiversity conservation action; • Any proposal to conduct ecological rehabilitation (if a mining project); • Any proposal to make a payment to the Biodiversity Conservation Fund. If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the <i>Biodiversity Conservation Act 2016</i>.
Water and soils
6. The EIS must map the following features relevant to water and soils including: a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map). b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the BAM). c. Wetlands as described in s4.2 of the BAM. d. Groundwater. e. Groundwater dependent ecosystems. f. Proposed intake and discharge locations.
7. The EIS must describe background conditions for any water resource likely to be affected by the project, including: a. Existing surface and groundwater. b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.

c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters. d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government. e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning
8. The EIS must assess the impacts of the project on water quality, including: a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the project protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction. b. Identification of proposed monitoring of water quality. c. Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan)
9. The EIS must assess the impact of the project on hydrology, including: a. Water balance including quantity, quality and source. b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas. c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems. d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches). e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water. f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options. g. Identification of proposed monitoring of hydrological attributes.
Flooding and coastal processes and associated hazards
10. The EIS must map the following features relevant to flooding as described in the Flood Risk Management Manual 2023 (NSW Government 2023) including: a. Flood prone land. b. Flood planning area, the area below the flood planning level. c. Hydraulic categorisation (floodways and flood storage areas). d. Flood hazard

11. The EIS must describe flood assessment and modelling undertaken in determining the project's design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.
12. The EIS must model the effect of the project (including fill) on the current flood behaviour for a range of design events as identified in 11 above including the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
13. Modelling in the EIS must consider and document: a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies. b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood. c. Impacts of the project on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories. d. Relevant provisions of the NSW Flood Risk Management Manual.
14. The EIS must assess the impacts of the project on flood behaviour, including: a. Whether there will be detrimental increases in the potential flood affection of other properties, assets, and infrastructure. b. Consistency with Council floodplain risk management plans. c. Consistency with any Rural Floodplain Management Plans. d. Compatibility with the flood hazard of the land. e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land. f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site. g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. h. Any impacts the project may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council. i. Whether the project incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council. j. Emergency management, evacuation and access, and contingency measures for the project considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES. k. Any impacts the project may have on the social and economic costs to the community as consequence of flooding.

Attachment B - DCCEEW Conservation Programs, Heritage and Regulation Group (CPHR) - Project-specific Environmental Assessment Requirements (EARs) (SSD-87202965)

Acid sulfate soils
1. The EIS must include a sound conceptual model developed for the site, including an understanding of local hydrogeological conditions, of the stratigraphic and lateral distribution of sulfide minerals, and of the presence of sensitive environmental receptors, and must: - Identify whether sufficient pyrite is present in sediments to cause significant acidification on oxidation, - Determine whether mining activities are likely to cause oxidation of pyrite and leach acidity and soluble metals into groundwater or surface waterways, - Determine the likely extent and severity of groundwater or surface water contamination that may be caused by acidic leachate from oxidising sediments, and - Identify whether there are ecosystems or groundwater users in the vicinity of the mine site that are likely to be exposed to contamination from acidic leachate.
2. The EIS must describe mitigation and management measures that will be used to prevent, control, abate or minimise potential impacts from the disturbance of acid sulfate soils associated with the project and to reduce risks to human health and prevent the degradation of the environment. This must include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented
3. The EIS must describe the contingency plan, incorporating a commitment to appropriate monitoring.
4. The EIS must assess the potential impacts of the project on acid sulfate soils in accordance with the relevant guidelines including the following: - Assessment Guidelines in the Acid Sulfate Soils Manual (Stone et al. 1998), - National Acid Sulfate Soils Identification and Laboratory Methods Manual (Sullivan et al. 2018a), - National Acid Sulfate Soils Sampling and Identification Methods Manual (Sullivan et al. 2018b), and where relevant, - Overview and Management of Monosulfidic Black Ooze (MBO) Accumulations in Waterways and Wetlands (Sullivan et al. 2018c), - Guidelines for the Dredging of Acid Sulfate Soil Sediments and Associated Dredge Spoil Management (Simpson et al. 2018), and - Guidance for the Dewatering of Acid Sulfate Soils in Shallow Groundwater Environments (Shand et al. 2018). Samples must be tested according to procedures in the National Acid Sulfate Soils Identification and Laboratory Methods Manual (Sullivan et al. 2018a).
Water quality and hydrology
5. The EIS must describe existing water quality/hydrology i based on suitable data (meaning data collection may be required) and must include: - Water chemistry. - A description of receiving water processes, circulation and mixing characteristics and hydrodynamic regimes.

c. Lake or estuary flushing characteristics. d. Sensitive ecosystems or species conservation values. e. Specific human uses and values (e.g. fishing, proximity to recreation areas). f. A description of any impacts from existing industry or activities on water quality. g. A description of the condition of the local catchment e.g. erosion, soils, vegetation cover. h. An outline of baseline groundwater information, including, for example, depth to water table, flow direction and gradient, groundwater quality, reliance on groundwater by surrounding users and by the environment. i. Historic river flow data.
6. The assessment of the project on water quality and hydrology in the EIS must include: a. Water circulation, current patterns, water chemistry and other appropriate characteristics such as clarity, temperature, nutrient and toxicants, and potential for erosion. b. Changes to hydrology (including drainage patterns, surface runoff yield, flow regimes, and groundwater). c. Disturbance of acid sulphate soils and potential acid sulfate soils. d. Stream bank stability and impacts on macro invertebrates. e. Water quality and hydrology modelling and/or monitoring, where necessary.
7. The proposed monitoring of water quality must be undertaken in accordance with the Approved Methods for the Sampling and Analysis of Water Pollutant in NSW 2004 The EIS must include a water quality and aquatic ecosystem monitoring program that includes: a. Adequate data for evaluating maintenance, or progress towards achieving, the relevant Water Quality Objectives. b. Measurement of pollutants identified or expected to be present.
Flooding and coastal processes and associated hazards
8. The EIS must describe the potential effects of coastal processes and hazards (within the meaning of the <i>Coastal Management Act 2016</i>), including sea level rise and climate change: a. On the proposed project b. Arising from the proposed project.
9. The EIS must consider the effects of coastal hazards on impacting the site under the following scenarios: a. Current sea level. b. Projected future climate change (including sea level rise) which have been peer-reviewed and widely accepted by scientific opinion.
10. The EIS must have regard to and document: a. Consistency with any certified Coastal Management Program (or Coastal Zone Management Plan). b. Consistency with the objectives of the <i>Coastal Management Act 2016</i> and the aims of State Environmental Planning Policy (Coastal Management) 2018. c. Consistency with any existing entrance management strategies for coastal lagoons.

Attachment C – EIS Guidance Material (SSD-87202965)

Title	Web address
<u>Relevant Legislation</u>	
<i>Biodiversity Conservation Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/63/full
<i>Coastal Management Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/20/full
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
<i>Environmental Planning and Assessment Act 1979</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
<i>Fisheries Management Act 1994</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1994-038
<i>Marine Parks Act 1997</i>	https://legislation.nsw.gov.au/view/whole/html/2001-03-02/act-1997-064
<i>National Parks and Wildlife Act 1974</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1974-080
<i>Protection of the Environment Operations Act 1997</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156
<i>Water Management Act 2000</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-2000-092
<i>Wilderness Act 1987</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1987-196
<u>Biodiversity</u>	
Biodiversity Assessment Method (DPIE, 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020
Biodiversity Development Assessment Report	https://www.legislation.nsw.gov.au/#/view/act/2016/63/part6/div3/sec6.12
Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf
Accreditation Scheme for Application of the Biodiversity Assessment Method Order 2017	https://www.legislation.nsw.gov.au/regulations/2017-471.pdf
Biodiversity conservation actions	https://www.environment.nsw.gov.au/research-and-publications/publications-search/ancillary-rules-biodiversity-conservation-actions
Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	https://www.environment.nsw.gov.au/research-and-publications/publications-search/ancillary-rules-reasonable-steps-to-seek-like-for-like-biodiversity-credits
Threatened Species Website	https://www2.environment.nsw.gov.au/topics/animals-and-plants/threatened-species
NSW BioNet (Atlas of NSW Wildlife)	www.bionet.nsw.gov.au/

Title	Web address
Surveying threatened plants and their habitats NSW survey guide for the Biodiversity Assessment Method (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method
Threatened biodiversity survey and assessment - Guidelines for developments and activities (2004 working draft)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/threatened-biodiversity-survey-and-assessment
Field survey methods for environmental consultants and surveyors when assessing proposed developments or other activities on sites containing threatened species (OEH undated)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/field-survey-method-guidelines.pdf
NSW Survey Guide for Threatened Frogs (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs
Koala (<i>Phascolarctos cinereus</i>) Biodiversity Assessment Method Survey Guide (DPE 2022)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/koala-phascolarctos-cinereus-biodiversity-assessment-method-survey-guide-220249.pdf
'Species credit' threatened bats and their habitats (OEH 2018)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/species-credit-threatened-bats-survey-guide-180466.pdf
BioNet Vegetation Classification - NSW Plant Community Type (PCT) database	www.environment.nsw.gov.au/research/Vegetationinformationssystem.htm
Threatened Reptiles Biodiversity Assessment Method survey guide (DPE 2022)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/threatened-reptiles-biodiversity-assessment-method-survey-guide-20220563.pdf
SEED Data Portal (access to online spatial data)	http://data.environment.nsw.gov.au/
Department of Primary Industry Policy and guidelines for fish habitat conservation and management (update 2013)	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
NPWS Estate	
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy (OEH, 2012)	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment

Title	Web address
Developments adjacent to National Parks and Wildlife Service lands Guidelines for consent and planning authorities (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/developments-adjacent-to-national-parks-and-wildlife-service-lands
<u>Acid sulfate soils</u>	
Acid Sulfate Soils Planning Maps	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
National Acid Sulfate Soils Guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018a).	https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf
National Acid Sulfate Soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018b).	https://www.waterquality.gov.au/sites/default/files/documents/sampling-identification-methods_1.pdf
National Acid Sulfate soils Guidance: Overview and management of monosulfidic black ooze (MBO) accumulations in waterways and wetlands, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, LA, Ward, NJ, Bush, RT, Toppler, NR, Choppala, G. 2018c)	https://www.waterquality.gov.au/sites/default/files/documents/mbo-accumulations-waterways_2.pdf
National Acid sulfate soils guidance: Guidelines for the dredging of acid sulfate soil sediments and associated dredge spoil management, Department of Agriculture and Water Resources, Canberra, ACT (Simpson, SL, Mosley, L, Batley, GE and Shand P. 2018).	https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf
National Acid Sulfate Soils Guidance: Guidance for the dewatering of acid sulfate soils in shallow groundwater environments, Department of Agriculture and Water Resources, Canberra, ACT. (Shand, P, Appleyard, S, Simpson, SL, Degens, B, Mosley, LM 2018)	https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf
<u>Flooding, Stormwater and Coastal Processes and Associated Hazards</u>	
Reforms to coastal erosion management	https://soe.dcceew.gov.au/coasts/management/management-approaches
Flood Risk Management Manual	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Water/Floodplains/flood-risk-management-manual-2023-230220.pdf

Title	Web address
Coastal Management Manual	https://www2.environment.nsw.gov.au/topics/water/coasts/coastal-management/manual
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation
<u>Water</u>	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	www.environment.gov.au/water/publications/quality/australia-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	https://www.waterquality.gov.au/anz-guidelines/resources/key-concepts/mixing-zones
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf