

Department of Planning, Housing and Infrastructure

13 November 2025

Dr Mark Jackson  
Director  
JEP Environment & Planning on behalf of Sydney Metal Traders (NSW) Pty Ltd  
Suite 102, Level 1  
25-29 Berry St  
NORTH SYDNEY NSW 2060

File EF25/16786  
SEAR 2038

Dear Dr Jackson

**Waste Management Facility (Metal Recycling)  
88 Murrays Flat Rd, Towrang (Lot 3 DP 251779) - Goulburn Mulwaree LGA  
Planning Secretary's Environmental Assessment Requirements (SEAR) 2038**

Thank you for your request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development proposal. I have attached a copy of these requirements.

In support of your application, you indicated that your proposal is both designated and integrated development under Part 4 of the *Environmental Planning and Assessment Act 1979* and requires an approval under the *Roads Act 1993*.

In preparing the SEARs, the Department of Planning, Housing and Infrastructure (the Department) has consulted with WaterNSW and the NSW Department of Climate Change, Energy, the Environment and Water's Conservation Programs, Heritage and Regulations and Water Groups. Copies of their requirements for the EIS are attached.

The Department has also consulted with Transport for NSW as the development is considered traffic generating development under clause 2.122 and Schedule 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021. A copy of their additional requirements has also been attached.

If other integrated approvals are identified before the Development Application (DA) is lodged, you must undertake direct consultation with the relevant agencies, and address their requirements in the EIS.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of Climate Change, Energy, the Environment and Water on (02) 6274 1111.

Should you have any further enquiries, please contact Elke Tuckfield, Planning and Assessment, at

Department of Planning, Housing and Infrastructure

the Department on (02) 8275 1641 or via [elke.tuckfield@dpie.nsw.gov.au](mailto:elke.tuckfield@dpie.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read "J. Bakopanos".

Joanna Bakopanos

**A/Director**

**Industry Assessments**

as delegate of the Planning Secretary

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*.  
Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*.

## Designated Development

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| <b>SEAR Number</b>          | 2038                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Proposal</b>             | To construct and operate a metal recycling facility processing up to a maximum of 30,000 tonnes per annum of scrap metal. The proposal includes ancillary construction of an enclosed workshop building, staff amenities, hardstand, parking area, weighbridges, supporting road upgrades, stormwater management system and rooftop solar photovoltaic panels, as well as conversion of an existing residential dwelling to an administrative building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Location</b>             | 88 Murrays Flat Rd, Towrang (Lot 3 DP 251779) - Goulburn Mulwaree LGA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Applicant</b>            | Sydney Metal Traders (NSW) Pty Ltd                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Date of Issue</b>        | 13 November 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>General Requirements</b> | The Environmental Impact Statement (EIS) must comply with the assessment requirements and meet the minimum form and content requirements in sections 190 and 192 of the <i>Environmental Planning and Assessment Regulation 2021</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Key Issues</b>           | <p>The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed:</p> <ul style="list-style-type: none"> <li>• <b>strategic and statutory context</b> – including:             <ul style="list-style-type: none"> <li>– a detailed justification for the proposal and suitability of the site for the development</li> <li>– a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies</li> <li>– a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.</li> </ul> </li> <li>• <b>suitability of the site</b> – including:             <ul style="list-style-type: none"> <li>– a detailed justification that the site can accommodate the proposed handling capacity, having regard to the scope of the operations and its environmental impacts and relevant mitigation measures</li> <li>– site/floor plans depicting the proposed site layout, including the</li> </ul> </li> </ul> |

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|  | <p>location of machinery and equipment</p> <ul style="list-style-type: none"> <li>- details of any proposed staging of construction and operation for the development</li> </ul> <ul style="list-style-type: none"> <li>• <b>waste management</b> – including: <ul style="list-style-type: none"> <li>- details of the type, quantity and classification of waste to be received at the site</li> <li>- details of the resource outputs and any additional processes for residual waste</li> <li>- details of waste handling including transport, identification, receipt, stockpiling and quality control</li> <li>- the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Sustainable Materials Strategy 2041</i>.</li> </ul> </li> <li>• <b>hazards and risk</b> – including: <ul style="list-style-type: none"> <li>- a preliminary risk screening completed in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 3 and <i>Applying SEPP 33</i> (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is "potentially hazardous" a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011).</li> <li>- any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations to address this</li> <li>- an assessment of flood risk on the site. The assessment should determine: the flood hazard in the area; address the impact of flooding on the proposed development, and the development's impact (including filling) on flood behaviour of the site and adjacent lands; and address adequate egress and safety in a flood event</li> </ul> </li> <li>• <b>fire and incident management</b> – including: <ul style="list-style-type: none"> <li>- an assessment of bushfire risks and asset protection zones (APZ) in accordance with NSW Rural Fire Service guidelines</li> <li>- technical information on any environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment, fire management (including the location of fire hydrants and water flow rates at the hydrants) and containment measures</li> <li>- details of the size and volume of stockpiles and their arrangements to minimise fire spread and facilitate emergency vehicle access</li> <li>- the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the NSW Fire and Rescue guideline <i>Fire Safety in Waste Facilities</i> dated 27 February 2020</li> </ul> </li> </ul> |
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|  | <ul style="list-style-type: none"> <li>• <b>air quality and odour</b> – including: <ul style="list-style-type: none"> <li>– a quantitative assessment of the potential air quality, dust and odour impacts of the development, during both construction and operation, in accordance with relevant Environment Protection Authority guidelines</li> <li>– a description and appraisal of air quality and odour impact mitigation and monitoring measures.</li> </ul> </li> <li>• <b>noise and vibration</b> – including: <ul style="list-style-type: none"> <li>– a description of all potential noise and vibration sources during construction and operation, including road traffic noise</li> <li>– a noise and vibration assessment in accordance with the relevant Environment Protection Authority guidelines</li> <li>– a description and appraisal of noise and vibration mitigation and monitoring measures.</li> </ul> </li> <li>• <b>soil and water</b> – including: <ul style="list-style-type: none"> <li>– a description of local soils, topography, drainage and landscapes</li> <li>– details of water usage for the proposal including existing and proposed water licencing requirements in accordance with the <i>Water Act 1912</i> and/or the <i>Water Management Act 2000</i></li> <li>– details of sediment and erosion controls</li> <li>– a detailed site water balance</li> <li>– a description of water requirements and supply arrangements for construction and operation, as well as any measures proposed to ensure the development can operate in accordance with the requirements of any relevant Water Sharing Plan or water source embargo</li> <li>– details of the proposed stormwater and wastewater management systems (including sewage), including any proposed application to land</li> <li>– a detailed assessment of potential impacts of the development on the quality and quantity of surface and groundwater resources consistent with relevant guidelines, including details of any water monitoring program and measures to mitigate impacts with specific consideration given to the Sydney Drinking Water Catchment, Wollondilly River and associated tributaries</li> <li>– characterisation of the nature and extent of any contamination on the site and surrounding area</li> <li>– a description and appraisal of impact mitigation and monitoring measures</li> </ul> </li> <li>• <b>traffic and transport</b> – including: <ul style="list-style-type: none"> <li>– a Transport Impact Assessment prepared in accordance with the <i>Guide to Transport Impact Assessment</i> (TfNSW, 2024), Austroads Guide to Traffic Management Part 12 and the complementary TfNSW Supplement</li> <li>– details of road transport routes and access to the site</li> <li>– road traffic predictions for the development during construction and</li> </ul> </li> </ul> |
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|                                           | <p>operation</p> <ul style="list-style-type: none"> <li>- details of proposed supporting road upgrades</li> <li>- swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site as well as swept path analysis for the Hume Highway / Murrays Flat Road intersection as detailed in Transport for NSW's attached letter</li> <li>- an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development.</li> </ul> <ul style="list-style-type: none"> <li>• <b>biodiversity</b> – including: <ul style="list-style-type: none"> <li>- accurate predictions of any vegetation clearing on site or for any road upgrades</li> <li>- a detailed assessment of all potential direct and indirect impacts on any threatened species, populations, endangered ecological communities or their habitats, groundwater dependent ecosystems and any potential for offset requirements</li> <li>- addressing any potential impacts from proposed facilitatory road upgrades on roadside vegetation, including on threatened bird species such as the Dusky Woodswallow and the Little Eagle</li> <li>- details of weed management during construction and operation in accordance with existing State, regional or local weed management plans or strategies</li> <li>- a detailed description of the measures to avoid, minimise, mitigate and/or offset biodiversity impacts.</li> </ul> </li> <li>• <b>community and stakeholder engagement</b> – including: <ul style="list-style-type: none"> <li>- a detailed community and stakeholder participation strategy which identifies who in the community has been consulted and a justification for their selection, other stakeholders consulted and the form(s) of the consultation, including a justification for this approach</li> <li>- a report on the results of the implementation of the strategy including issues raised by the community and surrounding occupiers and landowners that may be impacted by the proposal</li> <li>- details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the proposal</li> <li>- details of the proposed approach to future community and stakeholder engagement based on the results of the consultation.</li> </ul> </li> <li>• <b>visual</b> – including an impact assessment at private receptors and public vantage points.</li> <li>• <b>heritage</b> – including Aboriginal and non-Aboriginal cultural heritage.</li> </ul> |
| <b>Environmental Planning Instruments</b> | <p>The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to:</p> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| <b>and other policies</b>                 | <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>• Goulburn Mulwaree Local Environmental Plan 2009</li> <li>• relevant development control plans and section 7.11 plans.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Guidelines</b>                         | <p>During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at <a href="https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries">https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries</a>. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.</p>                                                                                                                                                                 |
| <b>Consultation</b>                       | <p>During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with:</p> <ul style="list-style-type: none"> <li>• Fire and Rescue NSW</li> <li>• NSW Environment Protection Authority</li> <li>• Transport for NSW</li> <li>• WaterNSW</li> <li>• Pejar Local Aboriginal Land Council</li> <li>• Goulburn Mulwaree Council</li> <li>• the surrounding landowners and occupiers that are likely to be impacted by the proposal.</li> </ul> <p>Details of the consultation carried out and issues raised must be included in the EIS.</p> |
| <b>Further consultation after 2 years</b> | <p>If you do not lodge an application under Section 4.12(8) of the <i>Environmental Planning and Assessment Act 1979</i> within 2 years of the issue date of these SEARs, you must consult with the Planning Secretary in relation to any further requirements for lodgement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |

3 November 2025

TfNSW reference: STH25/00238/002  
Your reference: Local SEAR 2038

Planning Officer  
Industry Assessments  
Dept of Planning, Housing and Infrastructure  
By Email: [elke.tuckfield@dpie.nsw.gov.au](mailto:elke.tuckfield@dpie.nsw.gov.au)

Attention: Elke Tuckfield

**LOCAL SEAR 2038 – EIS - Waste Management Facility – LOT: 3 DP: 251779 – 88 Murrays Flat Road, TOWRANG**

Dear Elke

Transport for NSW (TfNSW) received a referral for the above project (Local SEAR 2038) on 23 October 2025, requesting requirements for consideration in the preparation of the Environmental Impact Statement (EIS).

TfNSW has reviewed the supporting EIS prepared by JEP Environment & Planning (dated 16 October 2025) and has identified that a Transport Impact Assessment (TIA) will be required to properly assess the proposals impacts on the classified road network and its users. Further details of the additional required information are set out in **Attachment 1**.

TfNSW supports early engagement to discuss and clarify the comments provided. If you have any questions or wish to arrange a meeting to discuss these matters further, please contact Melanie Grant, Development Services Case Officer, on 02 9549 9455 or email [development.south@transport.nsw.gov.au](mailto:development.south@transport.nsw.gov.au).

Yours faithfully

A handwritten signature in blue ink, appearing to read "Chris Millet".

**Chris Millet**  
Manager, Development Services (South)

**LOCAL SEAR 2038 – EIS - Waste Management Facility – LOT: 3 DP: 251779 – 88 Murrays Flat Road, TOWRANG**

**Context**

TfNSW notes for this DA:

- The key classified state road is the Hume Highway.
- The Department of Planning, Housing and Infrastructure is seeking advice from TfNSW on the Environmental Impact Statement (EIS) for this development.
- The development proposes a metal recycling facility to recover up to a maximum of 30,000 tonnes per annum of ferrous and non-ferrous metals.
- TfNSW has previously provided advice for a similar proposal at the site under SEAR 1819, including comments relating to the access arrangements at the Hume Highway/Murrays Flat Road intersection.
- It should be noted that a WAD may be required for any works proposed that impact on the operation of the Hume Highway.

**Additional required information**

TfNSW has reviewed the supporting EIS and will require a Transport Impact Assessment (TIA) to properly assess the potential impacts on the transport network. The TIA will need to be undertaken by suitably qualified person/s and prepared in accordance with the TfNSW Guide to Transport Impact Assessment, 2024. Noting the above, the TIA should also address the following:

- Provide clarification regarding existing and forecasted vehicle movements, including the anticipated volume of trucks and the proportion of vehicles exceeding 9-metres in length.
- Swept path analysis is to be undertaken at the Hume Highway / Murrays Flat Road intersection for the expected design vehicle(s), demonstrating all proposed turning movements. Swept path analysis should also be provided for any U-turn movements at identified intersections along the **Hume Highway** to ensure the design vehicle can safely and efficiently complete the manoeuvre without impacting existing traffic or infrastructure.
- Additional details are to be provided outlining the eastbound route on the Hume Highway for vehicles greater than 9 metres in length that are travelling towards Goulburn. We note the Boxers Creek Road intersection has an existing deceleration lane that does not comply with Austroads standards.

- Design details for the proposed 1-metre raised median island on Murrays Flat Road near the Hume Highway entry point. Noting that raised median islands require lighting in accordance with TfNSW requirements.
- Further information is to be provided regarding the proposed signage restricting right-turn movements for trucks exceeding 9-metres in length, to ensure compliance with TfNSW requirements.
- Intersection performance during peak activity periods and any impacts to the keys State roads should be analysed using SIDRA intersection modelling.

Note: Electronic copies of the SIDRA modelling files are to be provided for review.

- Provide strategic design plans of any improvements on the classified (state) road network required to support the proposed development. Note, the consent authority should ensure that proposed road infrastructure can be provided within the land available before the development is approved and that TfNSW is able to provide in-principle acceptance of the strategic design.

TfNSW 'Strategic Design for DA's [factsheet](#)' may assist in identifying the level of detail required in strategic design drawings for any proposed road works on a classified road.

## WaterNSW Advice received via email for local SEAR 2038:

**From:** [Nicole Wallwood](#)  
**To:** [Elke Tuckfield](#)  
**Cc:** [Alison Kniha](#)  
**Subject:** RE: Request for Input: Waste management facility – 88 Murrays Flat Road Towrang (Lot 3 DP251779)– Local SEAR 2038  
**Date:** Monday, 10 November 2025 5:24:37 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Hi Elke

thanks for providing WaterNSW the opportunity to review the Scoping Report for the proposed Metal Recycling Facility and provide its comments for the SEARs.

As the development is located within the Sydney Drinking Water Catchment (SDWC), Clauses 6.61 (1) and 6.63 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the SEPP) apply. The SEPP requires that development consent must not be granted unless the consent authority is satisfied the carrying out of the development would have a neutral or beneficial effect (NorBE) on water quality.

WaterNSW has reviewed the Scoping Report prepared by Jackson Environment and Planning Pty Ltd (dated 26/9/2023) and considers that surface and groundwater management is a key issue for assessment, given the complexity of managing water in such developments and the location of the site in the SDWC. Specifically, WaterNSW notes the following:

- there is no mention of climatic conditions at the site, nor surface water quality monitoring where discharges are proposed. WaterNSW also notes that there is a water monitoring station immediately downstream of the site along Wollondilly River
- There is an existing dwelling on site (serviced by an existing onsite wastewater management system - OSWMS), proposed to be converted to an administrative building. The EIS should include an assessment of the existing OSWMS and whether it has capacity for the proposed use. This should include adequate buffers for the effluent management area to drainage depressions and creeklines intercepting the property, and any groundwater bores on the property
- the surface water management strategy should also include an appropriate surface water quality monitoring program designed to assist the facility operator in understanding surface water quality and quantity, and
- there is no mention of the types of soils present on site and any associated risks with their disturbance. From our GIS database, we note that the soils may be dispersive and prone to salinity.

As such, WaterNSW requests that the SEARs require:

- a detailed Soil and Water Assessment including:
  - a description of local soils, topography, drainage and landscapes
  - a detailed assessment of the potential impacts of the development (from flooding, excavation, wastewater, chemicals, stormwater, vegetation clearing, erosion, and potential for leaching of any stored metals on the site) on surface water and groundwater resources, including:
    - impacts on Wollondilly River and associated tributaries, wetlands (if any), riparian land, and sensitive soils (sodic and saline) and from any discharges
  - whether the development can be constructed, operated and rehabilitated to achieve a neutral or beneficial effect on water quality consistent with the SEPP
  - water requirements and supply arrangements for construction and operation
  - description of the proposed water management systems (including wastewater and stormwater management, and adequate lining of storage areas) and any discharges
  - surface water and groundwater monitoring programs including baseline monitoring of the Wollondilly River and associated tributaries, both upstream and downstream of the site
  - management of soils including erosion and sediment control measures (including any existing Catchment Protection Scheme erosion and sediment controls on the property), management of stockpiles, management of metals storage, and their location on maps
  - storage, use and management of chemicals and fuels on site
  - design and operational management of any water quantity and quality management measures and structures, including their location and measures to protect existing watercourses on the site and mitigate surface and groundwater impacts.

Water NSW requests that it be listed as a stakeholder in any further consultation on this project including during the preparation of the EIS and looks forward to reviewing the forthcoming EIS.

If you have any further questions, please contact WaterNSW via [environmental.assessments@waternsw.com.au](mailto:environmental.assessments@waternsw.com.au).

Cheers,  
Nicole

**Nicole Wallwood**  
Catchment Assessment Specialist

**Working Days: Monday, Tuesday & Thursday**



Unit 2, 27 Yilen Close  
Beresfield NSW 2322  
M: 0429 489 437  
Nicole.Wallwood@waternsw.com.au  
**waternsw.com.au**

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My work day may look different than your work day. Feel free to read, act on or respond during your working hours.

WaterNSW acknowledges the Traditional Custodians of the land and water on which we work and recognises the continuing cultural and spiritual connections that Aboriginal and Torres Strait Islander People have to Country. We pay our respects to Elders past and present.



Your ref: Local SEAR 2038  
Our ref: DOC25/941001-4

Elke Tuckfield  
Planning Officer  
Industry Assessments  
Department of Planning, Housing and Infrastructure  
4 Parramatta Square  
PARRAMATTA NSW 2150

By email: [elke.tuckfield@dpie.nsw.gov.au](mailto:elke.tuckfield@dpie.nsw.gov.au)

Dear Elke

**Request for Conservation Programs, Heritage and Regulation's Environmental Impact Statement  
Environmental Assessment Requirements – Waste management facility – 88 Murrays Flat Road  
Towrang – Local SEAR 2038**

Thank you for your email dated 23 October 2025 regarding the proposed waste management facility at 88 Murrays Flat Road, Towrang seeking Secretary's Environmental Assessment Requirements (SEARs) from the Conservation Programs, Heritage and Regulation (CPHR) of the Department of Climate Change, Energy, the Environment and Water (DCCEEW).

We note that the project will be assessed in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Environmental Impact Statement (EIS) SEARs provided by the CPHR are limited to biodiversity and flooding.

The proponent should ensure that the EIS will be sufficiently comprehensive to enable unambiguous assessment of all direct and indirect impacts of the proposed development. The EIS should appropriately address the impacts of the proposed facilitatory road upgrades on roadside vegetation, particularly as BioNet records indicate threatened bird species such as the Dusky Woodswallow and Little Eagle occur within the assessment area.

The full list of our requirements that may need to be addressed in the EIS is provided in **Attachment 1**. In preparing the EIS, the proponent should refer to the relevant guidance material listed in **Attachment 2**.

If you have any questions about this advice, please contact Louis Cameron, Conservation Planning Officer, South East at [rog.southeast@environment.nsw.gov.au](mailto:rog.southeast@environment.nsw.gov.au).

Yours sincerely



7 November 2025

**ASHLEIGH BELLOTTI**

**Acting Director South East, Regional Delivery**

**Conservation Programs, Heritage and Regulation**

**Department of Climate Change, Energy, the Environment and Water**

Enclosures:

Attachment 1 - CPHR Recommended EARs – Waste management facility – 88 Murrays Flat Road Towrang – Local SEAR 2038

Attachment 2 - EIS Guidance Material

# **Attachment 1**

## **Conservation Programs, Heritage and Regulation's Recommended Secretary's Environmental Assessment Requirements (SEARs) for Preparation of an Environmental Impact Statement**

**for the**

**Waste management facility – 88 Murrays Flat  
Road Towrang**

**Local SEAR 2038**

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## **A. The Proposed Development**

The Environmental Impact Statement (EIS) should fully and clearly describe the proposed development, including any environmental impact mitigation measures, and identify all the processes and activities intended for the site during the life of the proposed development.

The description of the proposed development in the EIS should, where relevant, include:

1. the location of the proposal and details of the surrounding environment;
2. the land use zoning;
3. the size and type of the proposal and its operation;
4. the proposed layout of the site;
5. the staging and timing of the proposal;
6. the proposal's relationship to any other proposal.
7. all equipment proposed for use at the site;
8. chemicals, including fuel, used on the site and proposed methods for the transportation, storage, use and emergency management;
9. waste generation, storage and disposal;
10. the anticipated environment impacts of the proposal, both direct and indirect,
11. a plan showing the distribution of any threatened flora or fauna species and the vegetation communities on or adjacent to the subject site, and the extent of vegetation proposed to be cleared; and
12. ownership details of any residence and/or land likely to be affected by the proposal;
13. maps/diagrams showing the location of residences and properties likely to be affected and other industrial developments, conservation areas, wetlands, etc. in the locality that may be affected by the proposal;
14. methods to mitigate any expected environmental impacts of the proposal; and
15. the anticipated level of performance in meeting required environmental standards.

## **B. Environmental Impacts of the Proposed Development**

Impacts related to Biodiversity, Flooding, Coastal Processes and Associated Hazards, and Cumulative Impacts, should be assessed, quantified, and reported on in the EIS, as required.

The EIS should address the specific requirements outlined under each heading below, where necessary, and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is at **Attachment 2**.

## C. Biodiversity

1. The EIS must assess the impacts of the proposed development on biodiversity values to determine if the proposed development is “likely to significantly affect threatened species” for the purposes of Section 7.2 of the *Biodiversity Conservation Act 2016* (BC Act) as follows:
  - A. The EIS must demonstrate whether the proposed development is to be carried out in a declared area of outstanding biodiversity value.
  - B. If the proposed development is not carried out in a declared area of outstanding biodiversity value, then the EIS must demonstrate and document whether the proposed development exceeds the biodiversity offset scheme threshold, as set out in section 7.4 of the BC Act and clause 7.1 of the *Biodiversity Conservation Regulation 2017* (BC Regulation), by determining whether the proposed development involves:
    - I. The clearing of native vegetation of an area declared by clause 7.23 of the BC Regulation as exceeding the threshold, or
    - II. The clearing of native vegetation, or other action prescribed by clause 6.1 of the BC Regulation, on land included on the Biodiversity Values Map published under clause 7.3 of the BC Regulation.
  - C. If the biodiversity offset scheme threshold is not exceeded, then the EIS must document *the test for determining whether proposed development is likely to significantly affect threatened species or ecological communities* as outlined in Section 7.3 of the BC Act, by preparing an ecological assessment that should include:
    - I. A field survey of the site conducted and documented in accordance with relevant guidelines, including:
      - a. *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>
      - b. *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>
      - c. *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>
      - d. *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>

- e. *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC 2004), <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/draft-threatened-biodiversity-survey-guide.pdf>.

If a proposed field survey methodology is likely to vary significantly from the methods in the guidelines above, then the proponent should discuss the proposed methodology with the Biodiversity and Conservation Division prior to undertaking surveys for the EIS, to determine whether the Biodiversity and Conservation Division considers the proposed methodology appropriate.

The results of recent (less than five years old) field surveys may be used. However, the results of previous field surveys should not be used if they have:

- been undertaken in seasons, weather conditions or following extensive disturbance events when the subject species are unlikely to be detected or present, or
- utilised methodologies, survey sampling intensities, timeframes or baits that are not the most appropriate for detecting the target subject species, unless these differences can be clearly demonstrated to have had an insignificant impact upon the outcomes of the field surveys.

If the results of previous field surveys are used, then field surveys for any additional threatened entities listed under the BC Act since the previous field surveys took place, must be undertaken and documented.

The list of potential threatened species, populations, ecological communities, or their habitats for the site should be determined in accordance with:

- the *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC 2004) <https://www.environment.nsw.gov.au/research-and-publications/publications-search/threatened-biodiversity-survey-and-assessment>, and
- the Department's Threatened Species website <http://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species>, and
- the *Bionet Atlas of NSW* <http://www.environment.nsw.gov.au/wildlifeatlas/about.htm>, and
- the Vegetation Information System (BioNet Vegetation Classification) <http://www.environment.nsw.gov.au/research/Visclassification.htm>, and
- other data sources (e.g. PlantNET, Online Zoological Collections of Australian Museums (<http://www.ozcam.org/>), previous or nearby surveys etc.) may also be used to compile the list.

II. The following information as a minimum:

- a. A description, spatial data files, and geo-referenced mapping of the study area, (overlays on topographic maps, satellite images and /or aerial photos, including details of map datum, projection and zone), showing all field survey locations, vegetation communities classified in accordance with the BioNet Vegetation Classification (<http://www.environment.nsw.gov.au/research/Visclassification.htm>), key

habitat features and reported locations of threatened species and ecological communities present in the subject site and study area.

- b. A description of survey methodologies used, including timing, location and weather conditions.
  - c. Details, including qualifications and experience, of all staff undertaking the surveys, mapping and assessment of impacts as part of the EIS.
  - d. Identification of national and state listed threatened biota known or likely to occur in the study area and their conservation status.
  - e. A description of the likely impacts of the proposed development on biodiversity values, including direct and indirect impacts and construction and operation impacts, with impacts quantified, wherever possible, such as the amount of each vegetation community or species habitat to be cleared or impacted, and/or the degree of fragmentation of a habitat connectivity.
  - f. Identification of the avoidance, mitigation and management measures that will be put in place as part of the proposed development to avoid or minimise biodiversity impacts, including details about alternative options considered and how long-term management arrangements will be guaranteed.
  - g. A description of the residual impacts of the proposed development.
- III. The *'test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats'* as outlined in Section 7.3 of the BC Act undertaken in accordance with the gazetted *Threatened Species Test of Significance Guidelines* (OEH 2018) available at: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/threatened-species-test-significance-guidelines-170634.pdf>.
2. If the EIS determines under 1 above that the proposed development is likely to significantly affect threatened species, then in accordance with Section 7.7 of the BC Act the EIS must be accompanied by a Biodiversity Development Assessment Report prepared in accordance with Part 6, Division 3 of the BC Act.
  3. If the EIS determines under 1 above that the proposed development is unlikely to significantly affect threatened species, then the proposed development should:
    - a. be designed to avoid and minimise impacts on biodiversity values to the fullest extent possible, and
    - b. include a biodiversity offset package to offset remaining direct and indirect impacts on biodiversity values, prepared in accordance with the Department's 13 offsetting principles available at <http://www.environment.nsw.gov.au/biodivoffsets/oehoffsetprincip.htm>:

Note:

For the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, the EIS should identify any relevant Matters of National Environmental Significance and whether the proposal has been referred to the Commonwealth or already determined to be a controlled action.

## **D. Flooding, Coastal Processes and Associated Hazards**

The EIS should include an assessment of the following referring to the relevant guidelines in Attachment 2:

1. The potential effect of coastal processes and coastal hazards including potential impacts of sea level rise:
  - a. on the proposed development; and
  - b. arising from the proposed development.
2. Whether the proposed development is consistent with any coastal zone management plans.
3. Whether the proposed development is consistent with any floodplain risk management plans.
4. Whether the proposed development is compatible with the flood hazard of the land.
5. Whether the proposed development will significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties.
6. Whether the proposed development will significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
7. Whether the proposed development incorporates appropriate measures to manage risk to life from flood.
8. Whether the proposed development is likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
9. The implications of flooding over the full range of potential flooding, including the probable maximum flood, should be considered as set out in the NSW Government Floodplain Development Manual. This should include the provision of:
  - a. Full details of the flood assessment and modelling undertaken in determining any design flood levels (if applicable), including the 1 in 100 year flood levels.
  - b. A sensitivity assessment of the potential impacts of an increase in rainfall intensity and runoff (10%, 20% and 30%) and sea level rise on the flood behaviour for the 1 in 100 year design flood if applicable.
10. All site drainage, stormwater quality devices and erosion / sedimentation control measures should be identified and the onsite treatment of stormwater and effluent runoff and predicted stormwater discharge quality from the proposed development should be detailed.

## **E. Cumulative Impacts**

The EIS should include an assessment of the following:

1. The cumulative impacts, including both construction and operational impacts, from all clearing activities and operations, associated edge effects and other indirect impacts on biodiversity in accordance with the *Environmental Planning and Assessment Act 1979*.
2. The cumulative impacts, including both construction and operational impacts, of the proponent's existing proposals and other proposals and associated infrastructure (such as access tracks etc.) as well as the cumulative impact of the proposed development in the context of other proposals located in the vicinity.

## Attachment 2 – EIS Guidance Material

| Title                                                                                                       | Web address                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Relevant Legislation</u></b>                                                                          |                                                                                                                                                                                                                                                                       |
| <i>Biodiversity Conservation Act 2016</i>                                                                   | <a href="https://www.legislation.nsw.gov.au/#/view/act/2016/63/full">https://www.legislation.nsw.gov.au/#/view/act/2016/63/full</a>                                                                                                                                   |
| <i>Coastal Management Act 2016</i>                                                                          | <a href="https://www.legislation.nsw.gov.au/#/view/act/2016/20/full">https://www.legislation.nsw.gov.au/#/view/act/2016/20/full</a>                                                                                                                                   |
| <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>                           | <a href="http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/">http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/</a>                                                                                                                       |
| <i>Environmental Planning and Assessment Act 1979</i>                                                       | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N</a>                                                                                                   |
| <i>Fisheries Management Act 1994</i>                                                                        | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N</a>                                                                                                     |
| <i>Marine Parks Act 1997</i>                                                                                | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N</a>                                                                                                     |
| <i>National Parks and Wildlife Act 1974</i>                                                                 | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N</a>                                                                                                     |
| <i>Protection of the Environment Operations Act 1997</i>                                                    | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N</a>                                                                                                   |
| <i>Water Management Act 2000</i>                                                                            | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N</a>                                                                                                     |
| <i>Wilderness Act 1987</i>                                                                                  | <a href="http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N">http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N</a>                                                                                                       |
| <b><u>Biodiversity</u></b>                                                                                  |                                                                                                                                                                                                                                                                       |
| Biodiversity Assessment Method (DPIE, 2020)                                                                 | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020">https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020</a>               |
| Biodiversity Development Assessment Report                                                                  | <a href="https://www.legislation.nsw.gov.au/#/view/act/2016/63/part6/div3/sec6.12">https://www.legislation.nsw.gov.au/#/view/act/2016/63/part6/div3/sec6.12</a>                                                                                                       |
| Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017) | <a href="http://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf">http://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf</a> |
| Accreditation Scheme for Application of the Biodiversity Assessment Method Order 2017                       | <a href="https://www.legislation.nsw.gov.au/regulations/2017-471.pdf">https://www.legislation.nsw.gov.au/regulations/2017-471.pdf</a>                                                                                                                                 |

| Title                                                                                                                                                                          | Web address                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Biodiversity conservation actions                                                                                                                                              | <a href="http://www.environment.nsw.gov.au/resources/bcact/ancillary-rules-biodiversity-actions-170496.pdf">www.environment.nsw.gov.au/resources/bcact/ancillary-rules-biodiversity-actions-170496.pdf</a>                                                                                                                                                                            |
| Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules                                                                    | <a href="http://www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf">www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf</a>                                                                                                                                                                                    |
| Threatened Species Website                                                                                                                                                     | <a href="http://www.environment.nsw.gov.au/threatenedspecies/">www.environment.nsw.gov.au/threatenedspecies/</a>                                                                                                                                                                                                                                                                      |
| NSW BioNet (Atlas of NSW Wildlife)                                                                                                                                             | <a href="http://www.bionet.nsw.gov.au/">www.bionet.nsw.gov.au/</a>                                                                                                                                                                                                                                                                                                                    |
| Surveying threatened plants and their habitats NSW survey guide for the Biodiversity Assessment Method (DPIE 2020)                                                             | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method">https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method</a> |
| Threatened biodiversity survey and assessment - Guidelines for developments and activities (2004 working draft)                                                                | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/threatened-biodiversity-survey-and-assessment">https://www.environment.nsw.gov.au/research-and-publications/publications-search/threatened-biodiversity-survey-and-assessment</a>                                                                                                           |
| Field survey methods for environmental consultants and surveyors when assessing proposed developments or other activities on sites containing threatened species (OEH undated) | <a href="https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/field-survey-method-guidelines.pdf">https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/field-survey-method-guidelines.pdf</a>                                                                       |
| NSW Survey Guide for Threatened Frogs (DPIE 2020)                                                                                                                              | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs">https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs</a>                                                                                                                           |
| 'Species credit' threatened bats and their habitats (OEH 2018)                                                                                                                 | <a href="https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/species-credit-threatened-bats-survey-guide-180466.pdf">https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/species-credit-threatened-bats-survey-guide-180466.pdf</a>                               |
| BioNet Vegetation Classification - NSW Plant Community Type (PCT) database                                                                                                     | <a href="http://www.environment.nsw.gov.au/research/Vegetationinformationsystem.htm">www.environment.nsw.gov.au/research/Vegetationinformationsystem.htm</a>                                                                                                                                                                                                                          |
| SEED Data Portal (access to online spatial data)                                                                                                                               | <a href="http://data.environment.nsw.gov.au/">http://data.environment.nsw.gov.au/</a>                                                                                                                                                                                                                                                                                                 |
| Department of Primary Industry Policy and guidelines for fish habitat conservation and management (update 2013)                                                                | <a href="https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation">https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation</a>                                                                                                                                                                                           |

| Title                                                                                                                                                                                                                                    | Web address                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>NPWS Estate</u></b>                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                       |
| List of national parks                                                                                                                                                                                                                   | <a href="http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx">http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx</a>                                                                                                                                                                 |
| Revocation, recategorisation and road adjustment policy (OEH, 2012)                                                                                                                                                                      | <a href="https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment">https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment</a>                   |
| Developments adjacent to National Parks and Wildlife Service lands Guidelines for consent and planning authorities (DPIE 2020)                                                                                                           | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/developments-adjacent-to-national-parks-and-wildlife-service-lands">https://www.environment.nsw.gov.au/research-and-publications/publications-search/developments-adjacent-to-national-parks-and-wildlife-service-lands</a> |
| <b><u>Acid Sulfate Soils</u></b>                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                       |
| Acid Sulfate Soils Planning Maps via Data.NSW                                                                                                                                                                                            | <a href="http://data.nsw.gov.au/data/">http://data.nsw.gov.au/data/</a>                                                                                                                                                                                                                                               |
| Acid Sulfate Soils Manual (Stone et al. 1998)                                                                                                                                                                                            | <a href="http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf">http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf</a>                                                                                                                                               |
| 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) | <a href="https://www.waterquality.gov.au/sites/default/files/documents/dew/atering-acid-sulfate-soils.pdf">https://www.waterquality.gov.au/sites/default/files/documents/dew/atering-acid-sulfate-soils.pdf</a>                                                                                                       |
| 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)    | <a href="https://www.waterquality.gov.au/issues/acid-sulfate-soils/sampling-and-identification-methods-manual.pdf">https://www.waterquality.gov.au/issues/acid-sulfate-soils/sampling-and-identification-methods-manual.pdf</a>                                                                                       |
| 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.                                     | <a href="https://www.waterquality.gov.au/issues/acid-sulfate-soils/monosulfidic-black-ooze-accumulation.pdf">https://www.waterquality.gov.au/issues/acid-sulfate-soils/monosulfidic-black-ooze-accumulation.pdf</a>                                                                                                   |

| Title                                                                                                                                                                                                                                                        | Web address                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (Sullivan, LA, Ward, NJ, Bush, RT, Toppler, NR, Choppala, G. 2018c)                                                                                                                                                                                          |                                                                                                                                                                                                                   |
| 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) | <a href="https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf">https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf</a>               |
| 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) | <a href="https://www.waterquality.gov.au/issues/acid-sulfate-soils/dewatering-groundwater-environments.pdf">https://www.waterquality.gov.au/issues/acid-sulfate-soils/dewatering-groundwater-environments.pdf</a> |
| <b><u>Flooding, Coastal Processes and Associated Hazards</u></b>                                                                                                                                                                                             |                                                                                                                                                                                                                   |
| Reforms to coastal erosion management                                                                                                                                                                                                                        | <a href="http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm">http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm</a>                                                                     |
| Floodplain development manual                                                                                                                                                                                                                                | <a href="http://www.environment.nsw.gov.au/floodplains/manual.htm">http://www.environment.nsw.gov.au/floodplains/manual.htm</a>                                                                                   |
| Guidelines for Preparing Coastal Zone Management Plans                                                                                                                                                                                                       | <a href="http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf">http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf</a>                                                       |
| NSW Climate Impact Profile                                                                                                                                                                                                                                   | <a href="http://climatechange.environment.nsw.gov.au/">http://climatechange.environment.nsw.gov.au/</a>                                                                                                           |
| Climate Change Impacts and Risk Management                                                                                                                                                                                                                   | <a href="#">Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation</a>                                                                    |

Department of Climate Change, Energy,  
the Environment and Water

Contact: NSW Department of Climate Change, Energy, the Environment and Water  
Phone: 1300 081 047  
Email: [water.enquiries@dpie.nsw.gov.au](mailto:water.enquiries@dpie.nsw.gov.au)

28 October 2025

Elke Tuckfield  
NSW Department of Planning, Housing and Infrastructure  
4 Parramatta Square, 12 Darcy St  
PARRAMATTA NSW 2150

Emailed: [elke.tuckfield@dpie.nsw.gov.au](mailto:elke.tuckfield@dpie.nsw.gov.au)

Dear Madam

**Re: Request for Environmental Assessment Requirements**

**Reference Number: EAR 2038**

**Description: Metal recycling facility - 88 Murrays Flat Rd, Towrang (Lot 3 DP 251779)**

Thank you for referring the proposal to the NSW Department of Climate Change, Energy, the Environment and Water, (Water Group) for comment.

The Department's interest and jurisdiction is in relation to all watercourses and waterfront land as defined under the *Water Management Act 2000* (WM Act). The objects and principles of the WM Act are to identify, preserve, maintain and enhance rivers/watercourses, waterfront land and water resources.

It is recommended the Environmental Assessment consider the following:

**Controlled Activities on Waterfront land**

For projects which are located within waterfront land as defined in the *Water Management Act 2000*.

- A Waterfront land Assessment should be prepared which undertakes the identification and assessment of all watercourses and/or wetlands on the subject site and the broader vicinity based on the NSW Hydroline layer. This includes the identification of the "top of bank" from which waterfront land is measured.
- Identification of all works located on waterfront land and assessment of impacts on surface water sources, watercourses and riparian land, and measures proposed to reduce and mitigate these impacts.

- Assessment of the project against relevant policy and guidelines including the Guidelines for Controlled Activities on Waterfront Land. This should consider:
  - applying the recommended corridors and buffers for the respective stream order without excessive use of the guidelines “averaging rule”. Where encroachments are proposed offsets should be located where they contribute to riparian value and function.
  - that riparian corridors/buffers are fully vegetated when assessing other constraints such as flooding and asset protection zones.
  - that asset protection zones, water quality treatments, detention basins/structures etc should be located outside of the designated riparian corridors.
  - where works in watercourses are required then designs and rehabilitation should seek to provide naturalised outcomes for the watercourse and vegetated riparian zones.
  - The departments guidelines for works on waterfront land can be found at <https://water.dpie.nsw.gov.au/licensing-and-trade/controlled-activity-approvals>
- Identification of required Controlled Activity Approvals or assessment of the project’s compliance with any exemptions or exclusions to requiring these under the *Water Management Act 2000*. Information on exemptions can be found <https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/controlled-activity-approvals/controlled-activity-exemptions>.
- Approvals under the *Water Management Act 2000* must be obtained prior to the commencement of activities

## **Water Licensing**

The responsibility to issue water supply works, flood works, and water access licences is shared between the Water Group and WaterNSW.

For information on how to determine the relevant authority see:

<https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/governance>

Where the applicant would apply to WaterNSW, it is recommended that WaterNSW is consulted as a part of the SEARs process.

Where the applicant is required to submit applications to the Water Group, the following should be considered.

- Assessment of the project against relevant policy and guidelines. e.g. Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy
- The identification and quantification of all water take/demands for the project, including a secure water supply, groundwater interference, take from streams, dams or groundwater. Include details of water sources, held entitlement (including WAL references) or assessment on the ability to obtain sufficient entitlement or an applicable exemption.
- Assessment of impacts on surface and ground water sources (both quality and

quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.

- Identification of required licences and/or approvals and assessment of the project's compliance with any exemptions or exclusions to requiring these under the *Water Management Act 2000*. Approvals under the *Water Management Act 2000* must be obtained prior to the commencement of activities. These may include a Water Supply Work Approval, Water use approval, Water Access Licence or Flood work approval. Information on exemptions can be found <https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/water-access-licences-and-approvals>

If you have any questions regarding this correspondence, please contact the Water Group at [water.enquiries@dpie.nsw.gov.au](mailto:water.enquiries@dpie.nsw.gov.au)

**Department of Climate Change, Energy, the Environment and Water  
Water Group**