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Submitted via Major Projects Planning Portal

**EPA Advice on Environmental Impact Statement –
MidCoast Regional Organics Facility – SSD-84090218**

Dear Emma,

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to review the Environmental Impact Statement (EIS) for the proposed MidCoast Regional Organics Facility (Application SSD-84090218) at 48 Midge Orchid Road, Darawank, NSW, 2428.

The EPA has reviewed the following documents:

- *MidCoast Regional Organics Processing Solution Environmental Impact Statement-* (Version 1.0-Final)- MRA Consulting Group (MRA)- 29 January 2026
- *MidCoast Regional Organics Facility, Tuncurry Water Cycle Management Plan-*(version C)- Colliers Engineering & Design (NSW)- 19 January 2026
- *Acoustical Report Mid-Coast Regional Organics Processing Facility-* Koikas Acoustics Pty Ltd- 12 January 2026
- *Greenhouse Gas Assessment MidCoast Regional Organics Processing Facility-* (Version 002-Final)-Todoroski Air Sciences Pty Ltd- 12 January 2026
- *Air Quality Impact Assessment MidCoast Regional Organics Processing Facility-* (Version 003-Final)-Todoroski Air Sciences Pty Ltd- 12 January 2026
- *MidCoast Regional Organics Processing Solution- Waste Management Plan-* (Version 1- Final)- MRA Consulting Group (MRA)- 13 January 2026
- *MidCoast Regional Organics Processing Solution Processing Methodology-* (Version 2)- NALG Envirotech Pty Ltd- January 2026

The EPA understands the proposal is for the establishment and operation of the MidCoast Regional Organics Processing Solution, a FOGO processing facility that would utilise In-Vessel Composting

NSW Environment Protection Authority

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and Dry Anaerobic Digestion technology to process organic waste and produce high-quality compost. The proposed operational capacity is 146,000 tonnes per annum, providing the capacity to process MidCoast Councils FOGO, other councils' FOGO, and additional organics from commercial and industrial sources.

The proposed development would involve:

- Clearing approximately 4.59ha of native vegetation.
- Levelling to establish hardstand, trafficable areas, weighbridge, buildings, structures, utilities and other site infrastructure.
- Works within the road reserve to establish access to the Site from the existing classified road network, including a new private road connection with Midge Orchid Road.
- Utility connections with the existing water, sewer and stormwater network to enable operation of the facility and provide services.
- The facility would comprise a receival building, pre-treatment and contamination management, IVC tunnels, maturation building, digesters, biogas equipment (including a combined heat and power plant) and an air treatment system including biofilter and scrubbers, to process contracted organics waste.
- Products would include compost, soil conditioner, mulch, power and biogas.

Based on the information provided, the proposal will require an environment protection licence under section 43 of the *Protection of the Environment Operations Act 1997* (POEO Act) for scheduled activities; clause 12 composting, clause 34 resource recovery and clause 42 waste storage of Schedule 1 of the POEO Act.

The EPA has reviewed the EIS and notes that it does not provide the information required to allow us to complete our assessment. The EPA has the following comments and recommendations:

1. Matters to be addressed prior to determination

Following review of the EIS and associated documentation the EPA recommends the Department of Planning, Housing and Infrastructure (DPHI) request additional information be provided addressing the matters listed below prior to determination of the proposal.

a. Noise Impact

The EPA requests that an updated Noise Impact Assessment (NIA) be provided, addressing the following matters:

- The *Acoustical Report Mid-Coast Regional Organics Processing Facility*- Koikas Acoustics Pty Ltd- 12 January 2026 (NIA), has deficiencies in relation to:
 1. The assessment of operational noise has not included a quantified assessment of Noise Policy for Industry (NPfI – EPA, 2017), Fact Sheet C - Corrections for annoying noise. This assessment is required and should be undertaken in strict accordance with the NPfI and published guidance available in Acoustics Australia – ‘*An example approach to consider low frequency noise in the context of the NSW noise policy for industry*’ (Acoustics Australia Vol. 48, No. 2, August 2020); and, ‘*How to apply the noise policy for industry intermittent modifying factor correction*’ (Acoustics Australia, Vol. 50, No. 3, September 2022). This is particularly relevant for this activity given the potential noise sources of industrial fans/ blowers, screens, combined heat and power unit (gas turbine) etc all of which can be associated with low frequency and tonal noise.

Recommendation: The EPA recommends the NIA be revised to include the assessment of operational noise including a quantified assessment of Noise Policy for Industry (NPfI – EPA, 2017), Fact Sheet C - Corrections for annoying noise.

2. Identify on a site plan the location of fixed noise sources external to the process buildings, for example fan exhausts, blower intakes, combined heat and power unit (gas turbine) intake and exhaust and indicate how these noise sources were treated in the noise modelling.

Other minor matters for note and correction:

3. The LAFmax, dBA sleep disturbance maximum noise trigger levels do not reflect the requirements of the Noise Policy for Industry (NPfI – EPA, 2017) and need to be correctly stated.
4. Construction noise levels should reflect cumulative construction noise levels and not just levels associated with individual work items individually.

Although the proposal is generally low risk, it is considered important that the potential for annoying noise characteristics is appropriately assessed and considered in the NIA so that regulatory setting (conditions etc) married effective and informed design and selection of mechanical plant occurs through the detailed design process.

b. Waste Management

The SEARS required the applicant to:

“Nominate the upper limit of the amount of waste that may be stockpiled at your facility at any one time. The nominated amount will be considered when determining the maximum authorised amount of waste that may be at your facility at any time.”

The EIS provides a summary of estimated waste storage within the various waste processing stages, however the applicant has not provided a total upper limit of waste storage capacity of the site in tonnes.

Recommendation: The EPA recommends the applicant nominate the upper limit of the amount of waste to be stockpiled at the facility at any one time.

2. Matters to be addressed with conditions

The EPA recommends DPHI consider the conditions in Attachment A to address a variety of matters, should the proposal be approved.

3. Minor matters- Licencing

The EPA notes that, if the proposal is approved:

- the EPA will require the provision of a financial assurance for the project. The amount and form of the financial assurance is to be agreed with the EPA once approval is granted.

4. Advice

The EPA notes that some greenhouse gas (GHG) information was not provided to support this application. However, based on the nature and scale of the proposal, it is considered unlikely that the project would generate more than 25,000 tonnes per annum of CO₂-e in any financial year. Therefore, the project is not expected to trigger the assessment requirements under the NSW EPA Guide for Large Emitters (Large Emitters Guide).

The EPA has adopted the principles outlined in the Large Emitters Guide. For future applications or modifications that may lead to increased GHG emissions, applicants will be required to provide the following information to enable the consent authority and the EPA to determine if the proposal is or is not considered a large emitter:

- An estimate of Scope 1 and Scope 2 GHG emissions associated with the proposed modification.
- Confirmation of whether the modification is likely to result in 25,000 tonnes CO₂-e or more of Scope 1 and 2 emissions in any financial year.

If the proposed development will generate less than 25,000 tonnes per annum of CO₂-e in any financial year, then the project is not expected to trigger the assessment requirements under NSW Guide for Large Emitters (Large Emitters Guide).

If the estimated emissions exceed the 25,000 tonnes per annum of CO₂-e threshold in any financial year during the project's operational life, then the application must include a GHG assessment prepared in accordance with the Large Emitters Guide. GHG assessments should clearly define the emissions boundary, document key assumptions and methodologies, distinguish between project emissions and mitigation or abatement measures, and justify the exclusion of any emission sources where applicable. Where the applicant believes that certain requirements from the Large Emitters Guide are not applicable, the applicant may indicate that in the report but is to provide sufficient justification.

The EPA requests it be consulted further regarding this proposal following receipt of additional information addressing the above matters, as the EPA would likely have further advice to provide for consideration by DPHI as part of its assessment.

If you have any questions about this request, please contact Johanne Hunt via email at Johanne.hunt@epa.nsw.gov.au.

Yours sincerely



AMY HILL
A/Unit Head
Regulatory Operations

ATTACHMENT A - EPA Recommended Conditions

The EPA recommends that DPHI consider the following conditions as part of their determination of the application, should the proposal be approved.

1. Air Impacts

The Air Quality Impact Assessment (AQIA) has modelled the adjacent landfill and predicted cumulative odour impacts are 1 OU at worst affected receptor (applicable criterion of 7 OU).

The Air Quality Impact Assessment is considered adequate to enable recommended conditions of approval.

- A. An odour and air quality management plan must be developed and implemented for the premises.
- B. The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.
- C. All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.
- D. The receival building must be fully enclosed and operate under negative pressure.
- E. All emissions from the receival building must be captured and treated through a biofilter and/or scrubber.
- F. The licensee must undertake post-commissioning testing of the CHP and flare to demonstrate compliance with the POEO Clean Air Regulation. The licensee must consult with NSW EPA on testing requirements.

2. Surface Water Management

The SEARS required a detailed assessment of the impacts to surface and groundwater, including:

- *'Identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point, including residual discharges after mitigation measures are implemented. This should be undertaken for construction and operational phases.'*
- *"Include a water pollution impact assessment consistent with online guidance. The level of assessment should be commensurate with the risk to the environment and human health"*

The EIS and Water Assessment prepared by Colliers Engineering & Design identify the following water quality control measures are proposed for implementation within the development:

- Distributed rainwater tanks (2x430 kL) – for collection of stormwater runoff from building rooftops and re-use of water for composting processes, office uses and firefighting purposes.
- Grassed swales to provide preliminary treatment of surface runoff prior to entering the pit and pipe network.
- Gross pollutant traps (GPTs) to provide treatment of GP and hydrocarbons within the pit and pipe system and prior to the end-of-line treatments.
- End-of-line treatments such as raingardens and infiltration basins to account for Total Phosphorus (TP) and Total Nitrogen (TN) prior to infiltration into the surface and discharge from the site.

The EPA understands there will be no controlled discharges and surface water from the facility is expected to overflow from the rain gardens into the infiltration basin during major rainfall or extended wet weather periods.

The application identifies various onsite controls to treat water discharges to reduce TP and TN. The EIS relies on modelling data to provide indicative treated water quality. The EIS does not identify any other contaminants of concern which may be discharged off site.

Recommendation: The EPA recommends that DPHI condition the development consent to require the proponent to provide the following further detail:

- a water discharge impact assessment that addresses the SEARs requirements so that impacts to the receiving environment can be assessed.
- a characterisation of water quality at the point of discharge (infiltration)
- details of any surface or groundwater mitigation, management and monitoring activities and methodologies so that impacts to the receiving environment can be assessed.

If the development proposal is approved, the EPA may require sampling of overflows as a condition of the Licence to understand water quality and assess compliance with Section 120 of the *Protection of the Environment Operations Act 1997*.