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By email: emma.barnet@planning.nsw.gov.au

Dear Emma,

Subject: MidCoast Regional Organics Facility (SSD-84090218) (Mid-Coast)

Thank you for your Major Projects Portal request dated 18 February 2026 seeking advice from the Conservation Programs, Heritage & Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the Environmental Impact Statement for the Regional Organics Processing Facility.

CPHR has reviewed the Environmental Impact Statement and considers that most of the requirements of the Biodiversity Assessment Method (BAM) and Secretary's Environmental Assessment Requirements (SEARs) for the project issued 18 June 2025 have been addressed.

We commend the AEP team for preparing a thorough and well-documented Biodiversity Development Assessment Report (BDAR) that clearly identifies the biodiversity values within the project area and provides suitable avoidance and minimisation measures for most impacts.

However, further work is required to meet the BAM requirements for avoidance and minimisation of indirect and prescribed impacts.

The biodiversity, flooding and stormwater comments are detailed in Attachment 1.

The National Parks and Wildlife Service's comments are also included in Attachment 1.

If you have any further questions about this advice, please contact our Planning Team at hcc.planning@environment.nsw.gov.au

Yours sincerely,

Stacy Warren

**Senior Manager, Conservation Planning and Assessment
Conservation Programs, Heritage & Regulation Group (CPHR)
NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW)**

31 March 2026

Attachment 1 - CPHR Assessment Summary for Mid Coast Regional Organics Facility Environmental Impact Statement (SSD-84090218)

In preparing this advice CPHR has reviewed the following documents:

- Secretary’s Environmental Assessment Requirements, 18 June 2025
- Biodiversity Assessment Report, AEP, 28 January 2026
- Environmental Impact Statement, MRA, 29 January 2026
- Water Cycle Management Plan, Colliers Engineering & Design, 19 January 2026.

Key Assessment Issues

1.	<p><i>Indirect impacts to adjacent vegetation -</i></p> <p><i>The BDAR must document and justify efforts to avoid or minimise impacts through design (BAM 7.1.2 (2))</i></p>	<p>The proposal avoids direct impacts to Plant Community Type (PCT) 4006, which constitutes TEC Swamp Sclerophyll Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregions.</p> <p>However, the BDAR states that the operation of the proposal will be less than 1m from this TEC. This area of TEC has also been found to meet the definition of a wetland in accordance with the BAM.</p> <p>The BDAR must document and justify design efforts to avoid or minimise impacts, including indirect impacts to avoided vegetation.</p> <p>Recommended action:</p> <p><i>A 20m buffer should be implemented from PCT 4006 to minimise indirect impacts (as per Appendix E Table 14 buffer distance for a wetland).</i></p> <p><i>This buffer should be included in the BMP.</i></p>
	<i>Extent and Timing</i>	Pre-determination

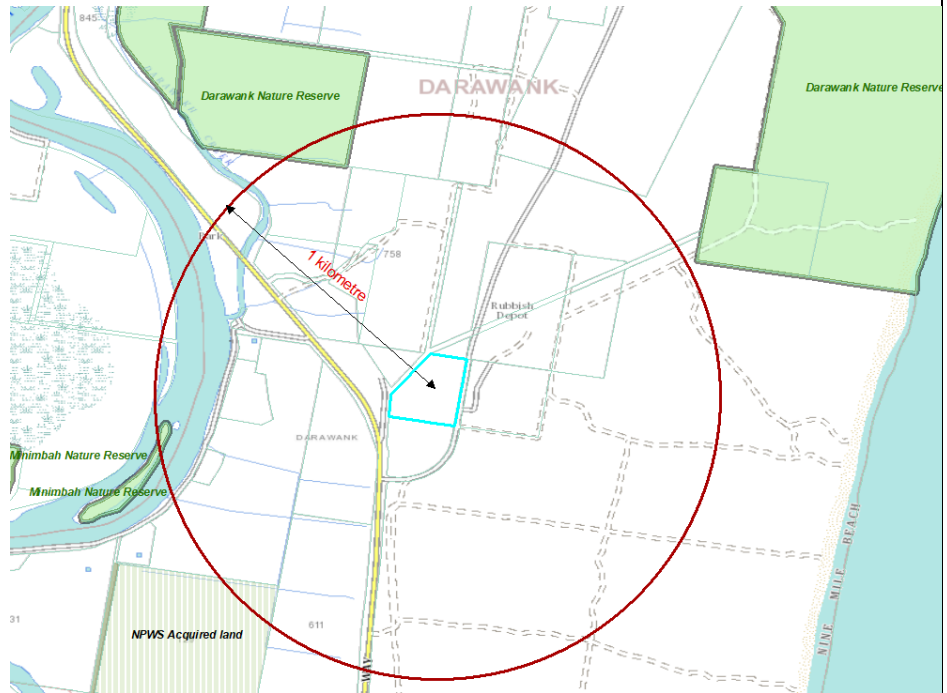
2.	<p><i>Prescribed impacts on habitat connectivity -</i></p> <p><i>locate the proposal to avoid severing or interfering with corridors connecting different areas of habitat and migratory flight paths, to important habitat or local movement pathways (BAM 7.2.1 c)</i></p>	<p>The western boundary of the proposal creates a pinch point for habitat connectivity between native vegetation to the north and south. The site provides habitat for Squirrel Glider, and the proposal seeks to clear this habitat. As such, a buffer should be maintained along the western boundary to maintain connectivity as per section 7.2.1 c of the BAM.</p> <p>Recommended action:</p> <p><i>A connectivity buffer should be maintained along the western site boundary to allow for connectivity between native vegetation to the north and south of the site for species including Squirrel Glider.</i></p> <p><i>This buffer should be included in the BMP.</i></p>
	<i>Extent and Timing</i>	Pre-determination

3.	<i>Insufficient groundwater data to support detention storage design</i>	<p>Groundwater conditions at the site have been inferred from two recordings obtained from a single on-site borehole. This dataset is insufficient to characterise seasonal or long-term groundwater variability, and it is unclear whether the recorded levels are representative of typical or elevated groundwater conditions.</p> <p>The adopted groundwater levels have informed the design of stormwater detention storage invert levels. If groundwater levels are higher than assumed, storage inverts may intersect or be influenced by groundwater, potentially reducing available storage and compromising stormwater treatment efficiency during periods of elevated groundwater.</p> <p>Recommended action:</p> <p><i>Provide supporting groundwater data (e.g. long-term monitoring records or regional datasets) to establish representative groundwater levels, including consideration of seasonal and elevated conditions. Council may be able to confirm the availability and applicability of longer-term groundwater monitoring data relevant to the site.</i></p> <p><i>Demonstrate that an appropriate separation between groundwater levels and detention storage invert levels is maintained under high groundwater conditions and refine storage design if required.</i></p>
	<i>Extent and Timing</i>	Pre-determination

4.	<i>Unjustified land-use assumptions in water quality modelling</i>	<p>The MUSIC stormwater quality modelling adopts a combination of “forest” and “rural” land-use types to represent the pre-developed site condition. It is unclear whether the adopted parameters are supported by site-specific evidence or are aligned with the NSW MUSIC Modelling Guidelines (BMT WBM, 2015).</p> <p>Adopting inappropriate land-use assumptions can influence baseline pollutant loads generated by the model. Higher assumed baseline loads may make it easier for the development to demonstrate compliance with stormwater quality treatment targets, without accurately representing existing site conditions.</p> <p>Recommended action:</p> <p><i>Provide justification for the adopted pre-development land-use assumptions, supported by site-specific evidence.</i></p>
	<i>Extent and Timing</i>	Pre-determination

5.	<i>The National Parks and Wildlife Service should be consulted in development and implementation of the bushfire emergency operations</i>	<p>The development site lies within 1km of lands managed by NPWS, namely parts of Darawank Nature Reserve and Minimbah Nature Reserve, also land acquired under Part 11 of the <i>National Parks and Wildlife Act 1974</i> which has been identified as a future addition to Minimbah NR.</p> <p>Under section 133 of the <i>Rural Fires Act 1997</i>, NPWS is a relevant firefighting authority which can respond to bushfires affecting the development site. Hence, it is important that NPWS is consulted and</p>
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kept informed of any firefighting emergency plans and procedures relevant to the site



Recommended action:

The Bushfire Emergency Management and Evacuation Plan be modified to require consultation with NPWS in the establishment, implementation and review of emergency plans and procedures for the MidCoast Regional Organics Processing Facility.

Extent and Timing

Pre-determination