



# Borg Panels Timber Processing Facility Modification 4

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Alterations and Additions to Site Layout  
State Significant Development Modification Assessment  
(SSD-7016-Mod-4)

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Cover image: Interior of the laminating plant (Source: DPE 2016)

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# Glossary

Abbreviation	Definition
<b>Applicant</b>	Borg Manufacturing Pty Ltd
<b>Council</b>	Oberon Council
<b>Department</b>	Department of Planning and Environment
<b>DPE Water</b>	Water Group of the Department
<b>EEC</b>	Endangered Ecological Community
<b>EPA</b>	Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>EP&amp;A Regulation 2021</b>	Environmental Planning and Assessment Regulation 2021
<b>EPL</b>	Environment Protection Licence
<b>LGA</b>	Local government area
<b>MDF</b>	Medium density fibreboard
<b>Minister</b>	Minister for Planning
<b>NRAR</b>	Natural Resources Access Regulator
<b>OTC</b>	Oberon Timber Complex
<b>RTS</b>	Response to Submissions
<b>SEE</b>	Statement of Environmental Effects
<b>SSD</b>	State significant development
<b>WTP</b>	Water treatment plant

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# 1 Introduction

This report provides the NSW Department of Planning and Environment's (the Department's) assessment of an application to modify the State significant development (SSD) consent for the Borg Panels Timber Processing Facility (SSD 7016, as modified).

The modification application seeks consent for alterations and additions to the approved timber processing facility, including:

- reclamation of the existing spring-fed dam, and a subsequent increase in the extent of the development's hardstand area
- relocation of the existing site mechanical workshop
- modernisation of the old multi-daylight press used for producing medium density fibreboard (MDF)
- construction of a new chemical storage shed and effluent storage dam for the existing water treatment plant.

The application was lodged on 9 November 2021 by Borg Manufacturing Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 1.1 Background

The Applicant operates a timber processing facility comprising an MDF and particle board facility at 124 Lowes Mount Road, Oberon in the Oberon local government area (LGA) (see **Figure 1**).



**Figure 1 | Site location**

The MDF facility has been in use for timber manufacturing since the mid-1980s and produces MDF and joinery products for kitchen, shelving and joinery applications. The MDF facility was formerly part of a larger timber operation known as the Oberon Timber Complex (OTC), comprising an existing sawmill

and particleboard facility operating on either side of Lowes Mount Road. The operation of the OTC was approved under a separate Ministerial consent (DA 27/95) on 5 October 1995.

On 27 May 2017, the Applicant was granted development consent (SSD 7016) for the expansion of its existing timber processing facility. The expansion includes the construction and operation of a new particleboard facility and the continuation of, and alterations and additions to, the existing MDF facility. The consent also enabled the Applicant to remove the MDF manufacturing operations from DA 27/95 and consolidate all its operations under a single development consent.

## 1.2 Subject site

The site is located approximately 46 kilometres (km) south-east of Bathurst and 195 km west of Sydney in the NSW Central Tablelands (see **Figure 1**). The site is approximately 1.5 km north of the Oberon town centre and the closest residential receiver is around 600 metres (m) south of the site.

The site is around 60.5 hectares (ha) in area and its topography is mostly flat. The site is situated within an existing industrial area and is surrounded by:

- parcels of vacant land to the north and west of the site
- the Boral sawmill, Structaflor particle board facility and Highland Pine Products to the south-west of the site
- the Oberon Rugby Leagues Club, Australian Native Landscapes facility and light industry to the south
- a vacant land parcel to the east (currently owned by the Applicant)
- the Woodchem resin manufacturing facility (Woodchem facility), located within the MDF facility's footprint, on the eastern boundary.

## 1.3 Approval history

On 27 May 2017, development consent was granted by the then Executive Director, Key Sites and Industry Assessments, as delegate of the then Minister for Planning, for the expansion of the Borg Panels Timber Processing Facility (SSD 7016).

The development consent permits the following works:

- construction and operation of a particleboard facility and associated infrastructure including debarkers, chipper facility, silos and high bay warehousing with a maximum height of 35 m
- continuation of, and alterations and additions to, the existing MDF facility including new paper treatment lines, sanding and laminating press and upgrades to the site's existing stormwater system.

The development consent has been modified on three occasions. The modifications allowed for changes to the design of the particle board facility and alterations and additions to the site's existing structures to improve operational efficiencies (see **Table 1**).

**Table 1 | Summary of Modifications**

<b>Mod No.</b>	<b>Summary of Modifications</b>	<b>Approval Authority</b>	<b>Type</b>	<b>Approval Date</b>
<b>MOD 1</b>	Site layout changes	Department	s.4.55(1A)	20 November 2018
<b>MOD 2</b>	Installation of an electricity generating gas turbine	Department	s.4.55(1A)	29 November 2019
<b>MOD 3</b>	Site layout changes and alterations to existing surface water infrastructure	Department	S 4.55(1A)	22 May 2020

MOD 1 included the reclamation of approximately 30% of the site's spring-fed dam to provide suitable space for an extension to the mouldings warehouse facility and minor changes to the surface water management system. The subject modification application would see the remainder of the spring-fed dam reclaimed to facilitate construction of additional hardstand areas and a new mechanical workshop (see **Section 2.1** below).

## 2 Proposed modification

### 2.1 Proposed modification

The Applicant has lodged a modification application under section 4.55(1A) of the EP&A Act to modify SSD 7016. The modification is described in full in the Statement of Environmental Effects (SEE) and the Response to Submissions (RTS) provided by the Applicant (see **Appendix A**). The modification is summarised in **Table 2** and illustrated in **Figure 2** to Figure 4 below.

**Table 2** | Overview of the proposed modification

Modification Aspects	Description
<b>Spring-fed dam reclamation works</b>	<p>The modification involves the full reclamation of the spring-fed dam to facilitate construction of the additional hardstand area and mechanical workshop. The reclamation works would include:</p> <ul style="list-style-type: none"><li>• the use of granular or rock material to fill the spring-fed dam</li><li>• the placement of compacted fill over the former dam to create a level pad for the additional structures.</li></ul> <p>The use of granular/rock material will allow the Applicant to continue to extract groundwater from this location for use across the site (see <b>Section 2.2</b> below).</p>
<b>Hardstand area and mechanical workshop</b>	<p>The modification works involve:</p> <ul style="list-style-type: none"><li>• extension of the approved hardstand and parking area in the eastern section of the site, from 15,000 m<sup>2</sup> to 41,000 m<sup>2</sup></li><li>• provision of 14 truck parking spaces</li><li>• construction of a mechanical workshop on the expanded hardstand area, which would:<ul style="list-style-type: none"><li>○ have an overall area of 3,206 m<sup>2</sup> and a height of 11.1 m</li><li>○ be constructed of colorbond steel</li><li>○ contain seven work bays, a dedicated automated truck washing machine, refuelling area, office and amenities</li></ul></li><li>• construction of an internal road to provide access to the mechanical workshop.</li></ul>
<b>MDF multi-daylight plant</b>	<p>The Applicant proposes to convert the dormant MDF multi-daylight (MDL) plant to a new MDF continuous press line to increase operational efficiencies of the site. The Applicant does not propose to increase the production capacity of the development.</p> <p>The modification would involve several minor works to facilitate the upgrade, including:</p> <ul style="list-style-type: none"><li>• redirection of the Paper Treater's air emissions from the heat plant furnace to the atmosphere, via a new 40 m high stack (further described in the following dotpoint)</li></ul>

Modification Aspects	Description
	<ul style="list-style-type: none"> <li>• redirection of the MDF press's air emissions from the existing press vents (to be decommissioned) to a new wetted press fume extraction system. This system would ensure captured air is:               <ul style="list-style-type: none"> <li>○ wetted and treated via a new scrubber</li> <li>○ discharged to the atmosphere via a new 40 m high stack</li> </ul> </li> <li>• an increase in the height of two other existing stacks from 20 m to 30 m.</li> </ul>
<p><b>Water treatment plant</b></p>	<p>The modification would also involve additional works to improve the efficiency of the existing on-site water treatment plant (WTP), including:</p> <ul style="list-style-type: none"> <li>• alterations to the existing channels for conveying surface water</li> <li>• construction of a new effluent basin</li> <li>• installation of an additional 'Reverse Osmosis' filtration plant</li> <li>• construction of a new shed to enclose the site's existing effluent biological treatment tanks</li> <li>• construction of a new bunded chemical storage area within the WTP.</li> </ul>

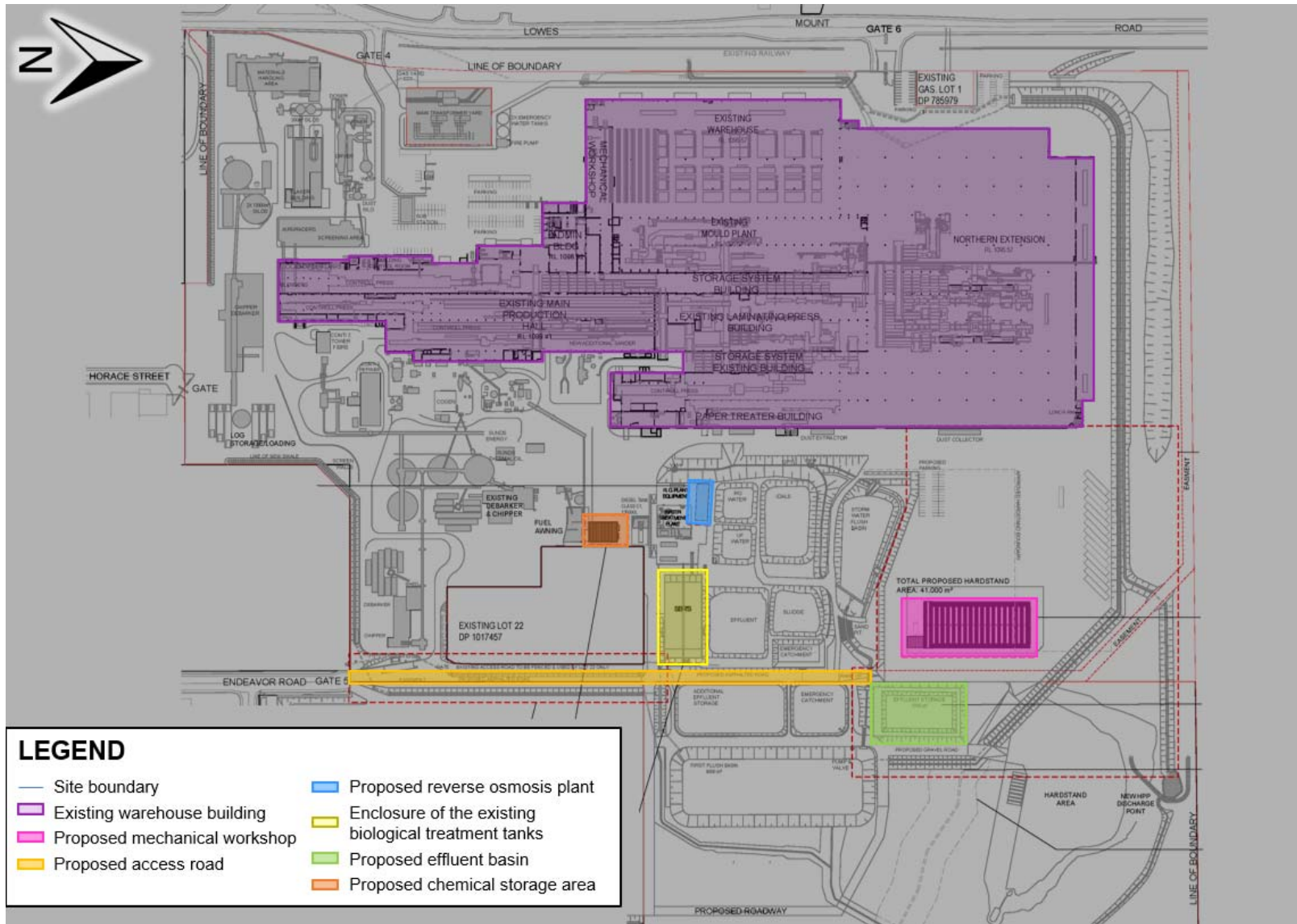


Figure 2 | Proposed site plan

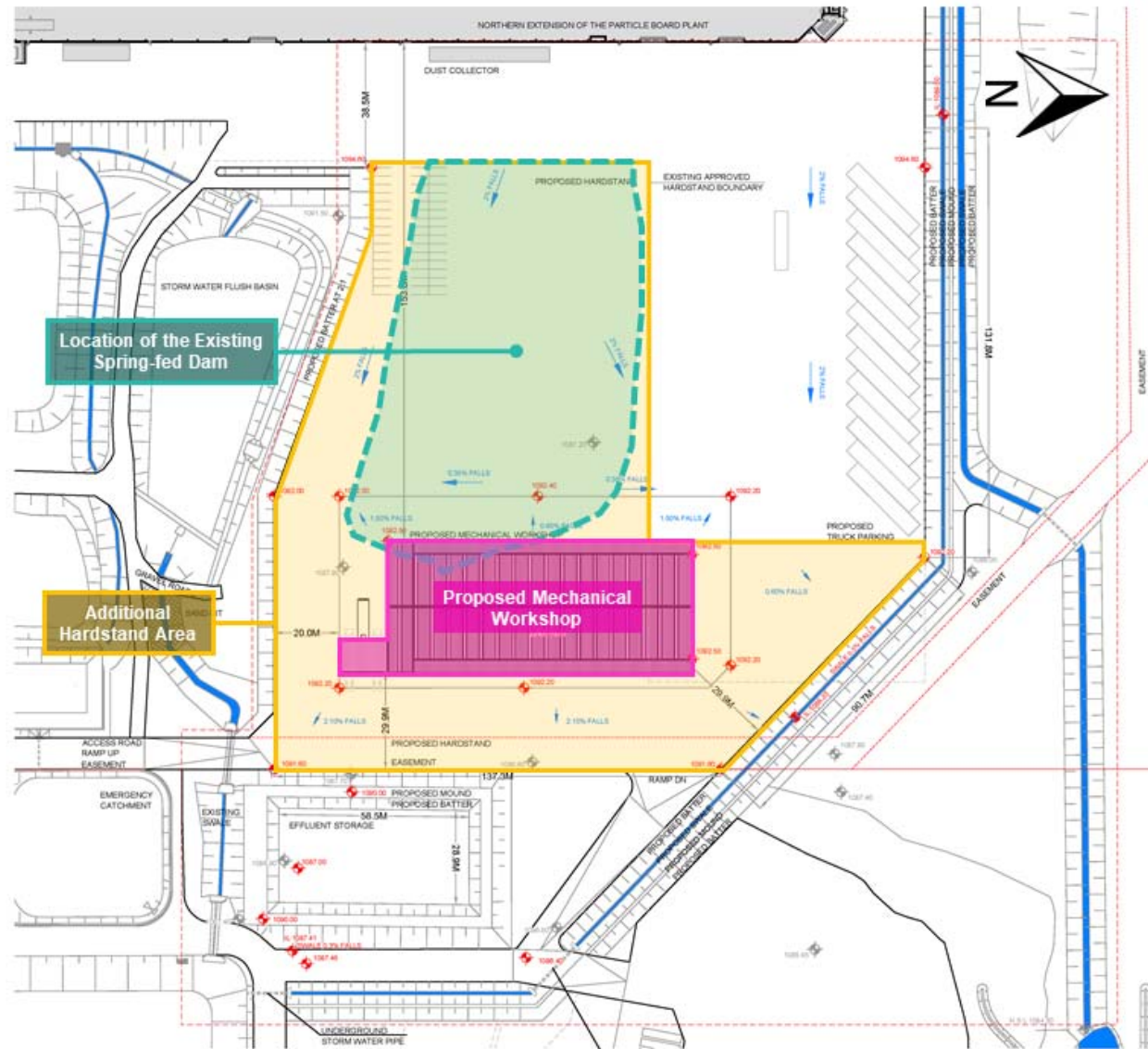
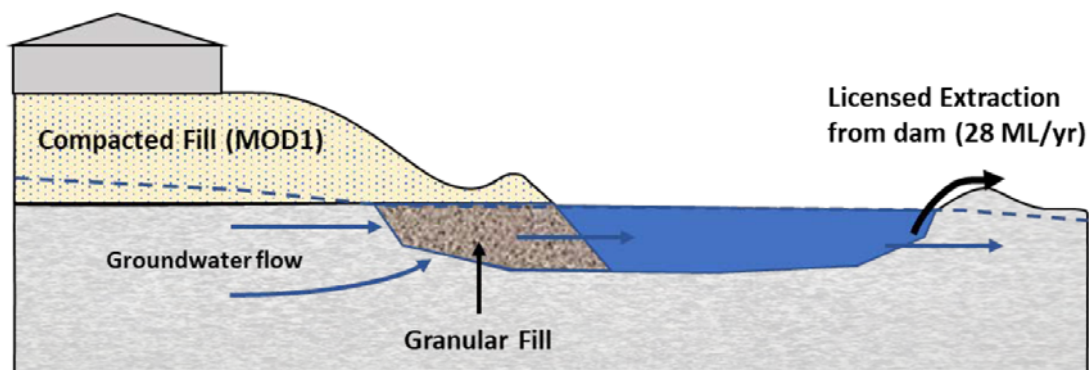


Figure 3 | Overview of the proposed mechanical workshop and associated hardstand area

## 2.2 Groundwater Extraction Following the Reclamation Works

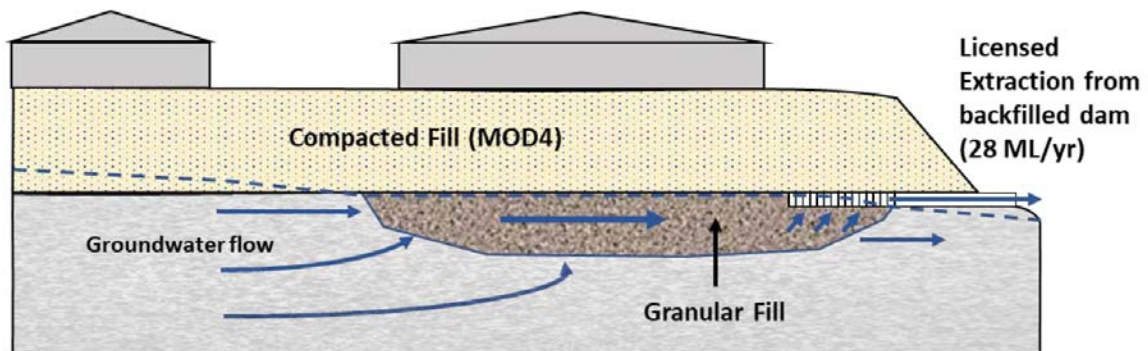
Following completion of the proposed works, the infilled dam would continue to serve as a groundwater collection and storage system for the development site. Currently, groundwater in-flow to the spring-fed dam is estimated to be around 100 m<sup>3</sup>/day. The SEE indicated the proposed design would include a buried overflow collection pipe at the height of the water table that would act as a groundwater drain (see **Figure 4**). Captured water would then be directed using gravity flow to a pit and pipe system installed in a constructed embankment to the east of the former dam.

Currently, the Applicant holds a Water Access Licence to extract 28 megalitres of groundwater a year from the spring-fed dam. The proposed collection system would allow the Applicant to continue to extract the same volume of groundwater each year following the reclamation works.



SFD 30% reclamation with granular fill (MOD1)

(a) Partial reclamation works approved under MOD 1



SFD 100% reclamation with granular fill (MOD4)

(b) Proposed reclamation works under MOD 4

**Figure 4** | Overview of the proposed reclamation works

### **2.3 Applicant's justification for the proposed modification**

The Applicant is nearing the completion of the expansion works approved under the development consent and, over the course of these works, has identified several opportunities to improve the efficiency of on-site operations.

Consequently, the Applicant has advised the proposed modification is necessary as it would:

- allow for the creation of a larger hardstand area to store raw materials
- facilitate the construction of a larger mechanical repair workshop to service the Applicant's growing fleet of vehicles
- improve the operational efficiency of the site's operations by upgrading the existing MDF MDL plant and heat plant furnace, while also providing the ability for this equipment to manufacture panels up to 9 mm thick.
- improve the operational efficiency of the on-site WTP by:
  - reducing heat loss and evaporation from the water treatment biological tanks
  - providing additional overflow storage for site process water
  - ensuring reliable volumes of filtered water are available throughout the year (including during cold weather).

## 3 Statutory context

### 3.1 Scope of modifications

The Department has reviewed the scope of the modification application and considers the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved, particularly as the approved production capacity of the development would not change
- the primary function and purpose of the approved development would not change as a result of the proposed modification
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of consent
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act.

The Department has considered the scale of the proposed changes and is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application.

Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

### 3.2 Consent authority

The Minister for Planning (the Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act. Under the Minister's delegation of 9 March 2022, the Team Leader, Industry Assessments, may determine the application under delegation as:

- the application has not been made by a person who has disclosed a reportable political donation under section 10.4 of the EP&A Act
- there are no public submissions (other than a council) in the nature of objections, and
- Oberon Council (Council) has not made a submission by way of objection under the mandatory requirements for community participation listed under Schedule 1 of the EP&A Act.

### 3.3 Mandatory matters for consideration

The Department undertook a comprehensive assessment of the application against the mandatory matters for consideration as part of the original assessment of SSD 7016 (under section 79C of the EP&A Act, as in force at the time). This modification application does not result in significant changes that would alter the Department's consideration of the mandatory matters for consideration under section 4.15(1) of the EP&A Act and conclusions made as part of the original assessment.

### **3.4 Legislative amendments**

As the application was originally lodged on 9 November 2021, the proposed modification has been assessed having regard to the requirements of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). Since lodgement, the EP&A Regulation has been repealed by the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021). Under Schedule 6(3) of the 'savings, transitional and other provisions' of the EP&A Regulation 2021, the EP&A Regulation continues to apply (instead of the new EP&A Regulation 2021) to an application made but not finally determined before 1 March 2022.

### **3.5 Biodiversity Conservation Act 2016**

Clause 30A(2)(c) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 specifies that if the determining authority is satisfied a modification will not increase the impact on biodiversity values, a biodiversity development assessment report (BDAR) is not required.

The modification would be entirely within the existing development footprint and would not result in the removal of additional vegetation beyond what was assessed under the original application.

For the reasons discussed above, the Department's assessment concludes a BDAR is not necessary for the proposed modification.

## 4 Engagement

### 4.1 Department's engagement

Clause 117(4) of the EP&A Regulation requires a section 4.55(1A) modification application to be notified or advertised if specified by a community participation plan. The Department's Community Participation Plan notes the exhibition requirements for such modifications are discretionary, and based on the urgency, scale and nature of the proposal.

Given the proposed changes would result in minimal environmental impacts (see **Section 3**), the application was not notified or advertised. However, it was made publicly available on the Department's website on 10 November 2021, and was referred to Council, the Environment Protection Authority (EPA), the Department's Water Group (DPE Water) and the Natural Resources Access Regulator (NRAR) for comment.

### 4.2 Government advice

Advice was received from three State government authorities and Council. A summary of this advice is provided below.

**Council** did not object to the modification, but requested the Applicant provide further information regarding the surface treatment for the additional hardstand area, the visual impacts associated with the on-site exhaust stacks, the additional traffic associated with the larger mechanical workshop and the impact of the proposed modification upon the Endangered Ecological Community (EEC) in the eastern section of the site.

The **EPA** sought further information from the Applicant in relation to on-site water management, including the preparation of a detailed discharge impact assessment. The EPA also sought clarification on the emissions concentrations and parameters used in the air assessment and requested further details on the proposed scrubber that would be installed to treat formaldehyde emissions. With regard to noise, the EPA sought further information from the Applicant to establish how the predicted noise levels at surrounding sensitive receivers were calculated.

**DPE Water** and **NRAR** requested the Applicant provide further information to clarify how groundwater would be managed from the spring-fed dam and to confirm whether the proposed effluent basin would be classified as an aquifer interference activity.

### 4.3 Response to submissions

On 24 February 2022, the Applicant submitted a Response to Submissions (RTS) report responding to the issues raised in submissions. The RTS included:

- an addendum noise assessment letter, which concluded the additional noise sources associated with MOD 4 would have a negligible impact on surrounding sensitive receivers
- a groundwater access assessment for the reclaimed dam, which included further details regarding the groundwater collection system
- a flow chart of the upgraded MDF multi-daylight plant and its associated emission points
- an erosion and sediment control plan for the MOD 4 construction works.

The RTS was made publicly available on the Department's website and provided to Council and the relevant government authorities to consider whether it adequately addressed their previous issues. A summary of their responses is provided below:

**Council** noted its concerns in relation to the hardstand area, visual impacts and traffic had been adequately addressed, but requested a condition be included in the development consent to require the Applicant undertake an assessment of the on-site EEC to determine whether there would be any direct or in-direct impacts associated with the operation of the facility.

The **EPA** advised that the RTS had generally addressed the issues raised in its advice letter, and subsequently recommended several conditions relating to noise monitoring, emissions testing of the paper treater exhaust stack and the management of process water/process water effluent.

**DPE Water** and **NRAR** advised that no further information was required in relation to groundwater management, and recommended several conditions to minimise water impacts during construction of the MOD 4 works and ensure the Applicant obtains a water supply work approval under the *Water Management Act 2000* (WM Act) if any bores are required in the future.

## 5 Assessment

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- the SEE and RTS provided to support the proposed modification (see **Appendix A**)
- the documentation and Department's assessment report for the original development application and subsequent modification application(s) (see **Appendix A**)
- submissions from the State government authorities and Council (**Appendix A**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department considers the key assessment issue is water. The Department's assessment of other issues is provided in **Table 3**.

### 5.1 Groundwater – Spring-fed Dam Reclamation Works

An existing spring-fed dam is located in the northern part of the site (see Figure 3). Under a previous modification (SSD-7016-Mod-1), approximately 30% of the dam was partially reclaimed, which was completed in 2020.

The modification would involve a full reclamation of the existing spring-fed dam to accommodate a new hardstand area and mechanic workshop. The reclamation works would rely on the same methodology used for the previous reclamation works and would involve backfilling of the dam with permeable granular material (see Figure 4) as described in **Section 2.2**. The Applicant noted the reclamation works would maintain groundwater flows, which would be achieved using groundwater harvesting methods via pits and pipes to provide a flow path for any surface water.

DPE Water and NRAR did not object to the modification but identified that the reclamation works have the potential to result in adverse groundwater impacts on downstream users and the environment. The agency required the Applicant to assess these impacts as well as provide further information on how groundwater access would be maintained. The EPA raised concerns about the potential for polluted stormwater runoff contributing to water levels in the spring-fed dam and whether material to be used for the reclamations works may be contaminated.

In its RTS, the Applicant noted groundwater inflow to the dam is in the order of 100 m<sup>3</sup>/day and through its water access licence pumps between 40 and 76 m<sup>3</sup>/day of water from the spring-fed dam for on-site use. The Applicant demonstrated the reclamation works would not result in any changes to the groundwater inflow rates as described above, but it noted that reclaiming the dam would minimise evaporation losses and rainfall inputs to the dam. While this could potentially draw more groundwater from the surrounding areas into the reclaimed area, the Applicant concluded that this would be minor and is not expected to have any impact to the closest water supply works (or users) or the maintenance of baseflow to Kings Stockyard Creek.

NRAR was satisfied with the level of assessment undertaken and provided the following recommendations:

- works to be undertaken in accordance with the Guideline for Controlled Activities on Waterfront Land and Managing Urban Stormwater: Soils and Construction

- if a new bore is required in the future, ensure the Applicant obtains a water supply work approval under the WM Act
- the existing stormwater management plan and Spring Fed Dam Reclamation Management Plan are updated to reflect the modification works.

The Department notes these recommendations are broadly covered by existing conditions in the development consent. However, the Department has recommended the Applicant update its existing management plans including the Spring Fed Dam Reclamation Management Plan and Surface Water Management Plan to reflect the works proposed under this modification and the ongoing management of the infilled dam.

With regard to concerns raised by the EPA, the Applicant confirmed the groundwater and surface water management systems are independent of each other and as such, no surface water including wastewater, effluent or stormwater from the site would be discharged into the spring-fed dam. To reduce the potential for contamination, the Applicant proposes to use permeable materials, most likely virgin rock and concrete from site works that are geotechnically suitable. The EPA did not provide any further comments.

The Department has reviewed the Applicant's SEE and RTS and advice provided by the government authorities and considers the Applicant's proposed reclamation methodology is suitable for carrying out the reclamation works. The Department also considers the potential groundwater impacts to surrounding users and the environment would be minimal given groundwater inflows are unlikely to change. Additionally, any residual impacts from the reclamation works can be adequately managed by the Applicant via existing conditions of consent, including the Spring Fed Dam Reclamation Management Plan, which would be updated to incorporate the modification works. The Department also acknowledges the Applicant would be required to carry out the works in line with DPE Water and NRAR guidelines including *Guidelines for Controlled Activities on Waterfront Land*.

The Department's assessment concludes the modification would result in minimal groundwater impacts, which can be adequately managed by the Applicant through existing conditions of consent.

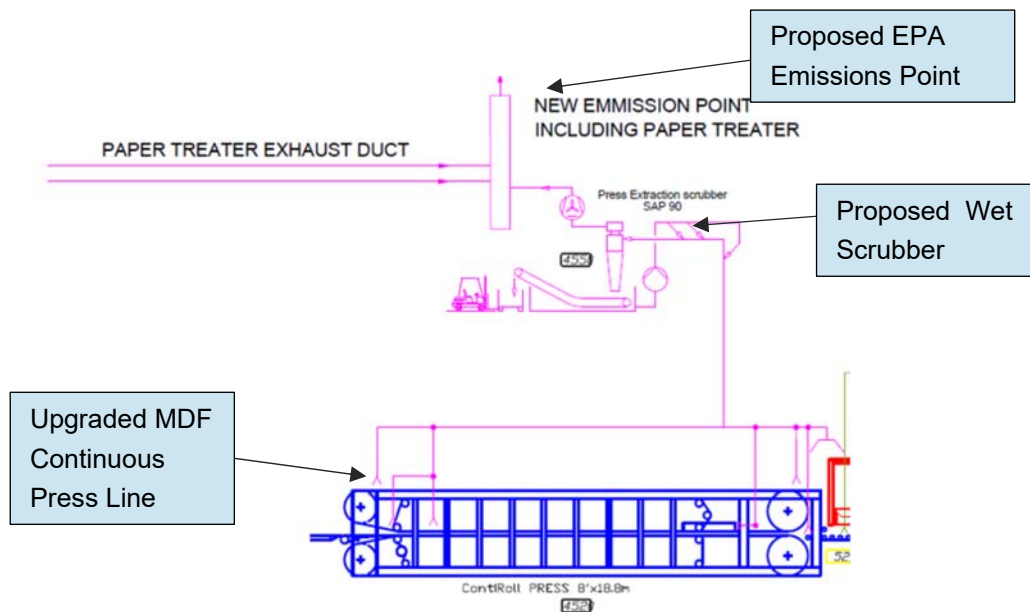
## 5.2 Air Quality

The Applicant proposes to convert the currently dormant MDF MDL plant to a MDF continuous press line, which would result in changes to air emissions and discharge locations at the facility. The inclusion of a new press line would not increase the production capacity of the development and would improve efficiencies in the operation of the facility. The modification would involve replacing existing roof cavity vent fans that were associated with the MDL MDF plant with a new extraction system and stack. Under the site's EPL, the emission points associated with the former MDF MDL plant were retained but were not used for the development. The Applicant proposes to remove two existing EPA emission points and redirect air emissions via a new EPA licensed discharge point to improve operational efficiencies and reduce impacts from air emission sources at the site (see Figure 5).

A technical memo prepared by Todoroski Air Services was included in the modification report. The memo included updated dispersion modelling for key pollutants including formaldehyde, particulate matter (PM<sub>10</sub>) and nitrogen dioxide (NO<sub>2</sub>).

The model considered existing and additional emission sources associated with the modification and found that for formaldehyde, the predicted concentrations would continue to comply with the EPA

criterion of 21.8 ug/m<sup>3</sup>. The model also showed the predicted formaldehyde concentrations are unlikely to change at the nearest receivers. With regard to PM<sub>10</sub> and NO<sub>2</sub>, the model predicted the modification would result in a negligible change, with concentrations remaining below the relevant EPA criteria.



**Figure 5 | Schematic of new emissions point associated with the upgraded MDF Press Line**

The EPA did not object to the modification but sought clarification on the emissions concentrations and parameters used in the air assessment and requested further details on the proposed scrubber that would be installed to treat formaldehyde emissions. The Applicant in its response, clarified that emission concentrations were derived from historical stack testing results and provided an emissions inventory. The Applicant also confirmed the proposed scrubber would be similar to scrubbers already in use at the site and would assist with reducing fugitive formaldehyde emissions and improving indoor air quality. The stack is proposed to be 40 m high which would enable emissions to be adequately dispersed.

While the EPA did not request any further information, it noted that air emissions from an existing paper treater at the site (which were previously diverted to a heat plant or furnace) would now be redirected to the new discharge point and would not be treated via the new scrubber (see Figure 5). The EPA recommended the Applicant undertake emissions testing of the exhaust stack to demonstrate the new plant's emission performance prior to being combined with other emissions. The Department notes that such testing requirements would be captured under the Applicant's EPL and is broadly covered under a standard condition in the consent, which requires the Applicant to comply with air quality monitoring requirements as specified in the EPL. The Department considers no new conditions are required, however has recommended the existing Air Quality Management Plan (AQMP) for the site be updated to incorporate the modification.

The Department is of the view the modification would not lead to additional air quality impacts beyond the site boundary and is satisfied the Applicant would continue to work closely with the EPA to improve air quality across the site. The Department notes that existing conditions are in place, such as the AQMP to ensure the Applicant continues to manage air quality emissions from the site in line with the

consent and EPL. The Department’s assessment concludes that air quality impacts associated with the development can continue to be adequately managed by the Applicant.

### 5.3 Other Issues

The Department’s assessment of other issues is provided in **Table 3**.

**Table 3 | Assessment of Other Issues**

Issue	Findings	Recommendations
<b>Noise</b>		
	<ul style="list-style-type: none"> <li>• SSD 7016 includes requirements to manage construction and operational noise impacts including noise limits and a construction and operational noise management plan (NMP)</li> <li>• The relocation of the mechanical workshop and addition of a new access road at the eastern end of the site has the potential to increase noise emissions from the movement of trucks to and from the workshop.</li> <li>• The Applicant provided an updated noise model reflecting the proposed changes associated with the modification. The model also adopted a conservative approach to the hourly movements of trucks travelling to and from the relocated workshop.</li> <li>• The assessment found the proposed modification is not predicted to generate additional noise emissions and the noise predictions would remain below the approved noise limits.</li> <li>• The Applicant reiterated it would continue to manage the site under the site’s operational noise management plan and existing noise limits.</li> <li>• Construction activities would also be managed using current best practice construction methods in accordance with the site’s existing Construction NMP.</li> <li>• EPA and Council did not raise any concerns.</li> <li>• The Department has considered the information presented and concludes the potential noise impacts from the proposed modification can be adequately managed by the Applicant through existing conditions.</li> <li>• No additional conditions are required.</li> </ul>	<p>No additional conditions are required.</p>
<b>Surface Water</b>		
	<ul style="list-style-type: none"> <li>• The modification would involve re-routing of existing stormwater channels to facilitate the construction of the proposed mechanical workshop, hardstand area and new effluent basin.</li> <li>• The Applicant’s assessment found any additional impervious areas resulting from the new mechanical workshop and hardstand area would not impact on water quality or runoff volumes.</li> <li>• Additionally, the design of the new stormwater channels would be consistent with approved stormwater designs for the site and the proposed effluent basin would be lined with a chemically resistant membrane to ensure there is no migration of pollutants off-site.</li> <li>• The EPA initially requested further information regarding site operations and was concerned that process water overflows</li> </ul>	<p>No additional conditions required.</p>

Issue	Findings	Recommendations
	<p>from the effluent basin could potentially enter the site's surface water management system.</p> <ul style="list-style-type: none"> <li>The Applicant clarified that process water or effluent would not be discharged into the surface water management system and would continue to be treated by the site's existing WTP and re-used on-site.</li> <li>While the EPA provided recommendations for managing process water effluent to ensure no off-site discharges, the Department notes the development consent contains broad conditions requiring the Applicant to comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> (POEO Act), which prohibits the pollution of water.</li> <li>An existing EPL is also in place for the development which contains licence conditions to manage and monitor process water and effluent levels from site operations.</li> <li>As such, the Department does not recommend any new conditions, but notes that an approved surface water management plan for the development would be updated by the Applicant to incorporate the modification works.</li> <li>The Department considers the modification would result in minimal impacts to surface water and concludes that any residual impacts can be adequately managed by the Applicant through existing conditions.</li> <li>No additional conditions are required.</li> </ul>	

### Biodiversity

<ul style="list-style-type: none"> <li>In its advice letter, Council noted the occurrence of EECs in the eastern part of the site and requested further information on the impact of the modification on EECs.</li> <li>The original biodiversity assessment for SSD-7016 found the development would result in a minor impact to EECs (removal of approximately 1.1 ha of Apple Box – Yellow Box Grassy Woodland of the SE Highlands Bioregion), however it would not impact on any critically endangered ecological communities</li> <li>In its RTS, the Applicant advised the modification would be carried out entirely within the approved development footprint and did not undertake any further assessment.</li> <li>Council further recommended the Applicant assess the health of the remaining EECs to determine if there are any direct or indirect impacts from the development.</li> <li>While the Department acknowledges the concerns raised by Council, it considers the modification would not result in the removal of any further vegetation, particularly in the eastern part of the site.</li> <li>The Department considers the modification fits within the original scope of the original biodiversity assessment and is satisfied the modification would not impact on any critical habitat or any critically endangered or threatened species.</li> <li>The Department also notes that existing consent conditions are in place to control and manage noxious weeds and to retain as much native vegetation on the site as possible.</li> <li>The Department's assessment concludes the modification would not result in any additional biodiversity impacts beyond what was originally assessed under SSD-7016.</li> <li>No additional conditions are required.</li> </ul>	<p>No additional conditions are required.</p>
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## 6 Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act.

The Department considers the proposed modification is appropriate on the basis that:

- the proposed modification would result in minimal environmental impacts beyond the approved facility
- the spring-fed dam reclamation works would be undertaken in accordance with industry standard reclamation methodologies and materials to ensure minimal impacts to groundwater
- the modification would not result in additional air quality impacts beyond the site boundary particularly for formaldehyde emissions
- improvements to the site's WTP would not impact on the site's existing surface water management system and would improve site operations
- alterations and additions to structures on site including relocation of the mechanical workshop and new access road would improve the efficiency of on-site operations.

The Department is satisfied that the modification should be approved, subject to conditions.

## 7 Recommendation

It is recommended that the Team Leader, Industry Assessments, as delegate of the Minister:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD-7016-Mod-4 falls within the scope of section 4.55(1A) of the EP&A Act
- **forms the opinion** under clause 30A(2)(c) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 that a BDAR is not required to be submitted with this application as the application will not increase the impact on biodiversity values on the site
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modify** the consent SSD 7016
- **signs** the attached approval of the modification (**Appendix B**).

**Recommended by:**



19 May 2022

**Pamela Morales**  
Principal Planner  
Industry Assessments

## 8 Determination

The recommendation is **Adopted** by:



20 May 2022

**Joanna Bakopanos**

Team Leader

Industry Assessments

as delegate of the Minister for Planning

# Appendices

## Appendix A – List of documents

The Department has relied upon the following key documents during its assessment of the proposed modification:

### Modification application

- the document titled 'Statement of environmental effects – Proposed S4.55 (1A) modifications to timber manufacturing facility' prepared by Borg Panels Pty Ltd, dated 21 October 2021 and all attachments.

### Submissions and advice

- all advice received from the relevant government authorities and Council.

### Response to submissions

- the letter titled 'Borg Timber Processing Facility Expansion, Oberon-Mod-4 (SSD-7016-Mod-4) – Request for additional information' prepared by Borg Construction Pty Ltd, dated 24 February 2022 and all attachments.

All documents relating to SSD-7016-Mod-4 may be viewed on the Department's website at:  
<https://www.planningportal.nsw.gov.au/major-projects/projects/borg-panels-mod-4-improved-layout>.

### Department's assessment report for SSD 7016

- SSD 7016, including all information submitted in support of that application and the Department's assessment report.

All documents relating to SSD 7016 may be viewed on the Department's website at:  
<https://www.planningportal.nsw.gov.au/major-projects/projects/borg-timber-processing-facility-expansion-oberon>

## Appendix B – Notice of modification

The modifying instrument for SSD-7016-Mod-4 may be found on the Department's website at:  
<https://www.planningportal.nsw.gov.au/major-projects/projects/borg-panels-mod-4-improved-layout>

## Appendix C – Consolidated consent

The consolidated consent for SSD-7016-Mod-4 may be found on the Department's website at:  
<https://www.planningportal.nsw.gov.au/major-projects/projects/borg-panels-mod-4-improved-layout>