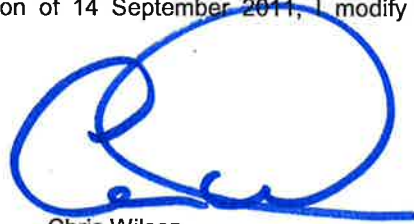


# Notice of Modification

## Section 75W of the *Environmental Planning & Assessment Act 1979*

Under the Minister for Planning and Infrastructure's delegation of 14 September 2011, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.



Chris Wilson  
Executive Director  
Major Projects Assessment

Sydney **17 February** 2012

File No: 11/9199

### SCHEDULE 1

Application Number:	DA 27/95
Proponent:	Borg Construction
Approval authority:	Minister for Planning and Infrastructure
Project:	Upgrade the existing medium density fibre board plant
Date of original approval:	5 October 1995
Modification:	DA 27/95 MOD 5 – Warehouse Extensions

### SCHEDULE 2

**1) Delete the following from Abbreviations and Interpretation:**

Department	Department of Urban Affairs and Planning
Director	Director of Department of Urban Affairs and Planning or nominee
LaWC	Department of Land and Water Conservation

**2) Insert the following in alphabetical order under Abbreviations and Interpretation:**

Applicant	Any person or entity obliged or entitled to act on this consent
Department	Department of Planning and Infrastructure
Director General	Director General of Department of Planning and Infrastructure
NOW	NSW Office of Water

**3) In Schedule 2 replace all instances of the phrase or acronym in Column A with the corresponding phrase or acronym in Column B from the table below:**

<u>Column A</u>	<u>Column B</u>
Director	Director General
Department of Land and Water Conservation	NOW
LaWC	NOW
Department of Urban Affairs and Planning	Department
DUAP	the Department

**4) Replace condition 1(a) of Schedule 2 with the following:**

- (a) Development Application No. 27/95, as amended by modification application DA 27/95 – M1, MOD-83-10-2002-i, MOD-27-2-2005-I, MOD 4 and MOD 5, and the accompanying Environmental Impact Statement (EIS), titled Oberon Timber Facilities Expansion, prepared by ERM Mitchell McCotter, dated 24 July 1995;

**5) Insert condition 1(r) immediately following condition 1(q) of Schedule 2:**

- 1(r) application to modify a development consent submitted 7 July 2011 and accompanying *Environmental Assessment Factory Extensions (Borg Panels & JeldWen, Oberon)* prepared by The Design Partnership dated 21 September 2011 and the following associated plans and documents as submitted to the Department:
- i. Plans numbered A00 Rev C; A01 Rev L; A02 Rev J; A03 Rev L; A03A Rev C; A04 Rev H; A05 Rev H; A06 Rev D; A07 Rev E, prepared by Borg Construction (various dates);
  - ii. Document titled *Oberon Stormwater Management Strategy* prepared by Parsons Brinckerhoff, dated June 2011.
  - iii. Stormwater drawings numbered 1000 to 1007 inclusive, prepared by Parsons Brinckerhoff, dated 26 May 2011, as amended by stormwater drawing numbered 1006, prepared by Parson Brinckerhoff, dated 8 November 2011
  - iv. Sediment and Erosion Control drawings numbered C01-B to C04-B prepared by Eclipse, dated 8 October 2011.

**6) In the last paragraph of condition 1 in schedule 2 delete the words “under a) to q)”.**

**7) Insert conditions 1A and 1B after condition 1 in Schedule 2:**

- 1A. The applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the development.
- 1B. The applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
- (a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and
  - (b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

**8) Insert condition 8A after condition 8 in Schedule 2:**

- 8A. Any exterior lighting installed as part of any modification to this approval must not cast light onto any adjoining property.

**9) Insert condition 16B after condition 16 in Schedule 2:**

- 16B. The Finished Floor Level of a floor slab of any building erected as part of any modification to this approval must not be constructed below 1094 metres AHD.

A report from a Registered Surveyor verifying compliance must be submitted to the Council after the floor slab has been poured and before work commences on any part of the building above slab level.

**10) Insert condition 26A after condition 26 in Schedule2:**

- 26A. Before the commencement of any stormwater infrastructure work approved under modification application number DA 27/95 MOD 5, the applicant shall update The Stormwater Management Plan in consultation with the NOW.

**11) Insert conditions 41A, 41B and 41C after condition 41 in Schedule 2:**

- 41A. Before the commencement of any work under approved under modification application number DA 27/95 MOD 5, the applicant shall review and update the soil and water management plan to the satisfaction of the NOW. The updated plan must include specifications for erosion and sediment control, vegetation management and stormwater control.
- 41B. The applicant must obtain a Controlled Activity Approval under the *Water Management Act 2000* for any works in or within 40m of a watercourse.

42C. The applicant must obtain a licence under the *Water Act 1912* or *Water Management Act 2000* (whichever is relevant) from the NSW Office of Water for any work that will or is likely to intercept or extract groundwater.

**12) Insert condition 44A after condition 44 in Schedule 2:**

44A. Any existing landscaping that is removed from along the western boundary adjacent to Lowes Mountain Road as a result of any modification to this approval must be replaced to the satisfaction of the Council.

**13) Insert condition 45C after condition 45B in Schedule 2:**

45C. Before the commencement of any work under any modification to this approval, the applicant shall review and update the Fire Safety Study to the satisfaction of the Director General and the NSW Fire Brigade.

**14) Insert condition 52A after condition 52 in Schedule 2:**

**LOT CONSOLIDATION**

52A. The applicant must obtain a Subdivision Certificate for the consolidation of lot 25 DP 1148073 and lot 21 DP 1017457.

**15) Insert condition 54 after condition 53 in Schedule 2:**

**ACCESS TO INFORMATION**

54. From the commencement of the construction of the project, the Proponent shall make the following information publicly available on its website:

- (a) a copy of all current approvals;
  - (b) a copy of the current plans and documents specified in this approval;
  - (c) a summary of the monitoring results of the development, which have been reported in accordance with the various management plans required under this approval;
  - (d) a complaints register, which is to be updated on a monthly basis;
  - (e) a copy of the most current Annual Environmental Management Report;
  - (f) a copy of any Environmental Management Report, and the Applicant's response to the recommendations in any audit; and
  - (g) any other matter required by the Director-General.
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