



Mr Tony Preston  
Borg Panels Pty Ltd  
2 Wella Way  
Somersby NSW 2250

Contact: Pamela Morales  
Phone: 02 9228 6386  
Fax: 02 9228 6455  
Email: [pamela.morales@planning.nsw.gov.au](mailto:pamela.morales@planning.nsw.gov.au)  
Our ref: SSD 7016

Dear Mr Preston

**Secretary's Environmental Assessment Requirements  
Borg Panels Timber Panel Processing Facility Expansion, Oberon (SSD 7016)**

Please find attached a copy of the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Borg Panels Timber Panel Process Facility Expansion Project. These requirements have been prepared in consultation with relevant government authorities based on the information you have provided to date. I have also attached a copy of the government authorities' comments for your information. Please note that the Secretary may alter these requirements at any time.

Prior to exhibiting the EIS that you submit for the development, the Department will review the document in consultation with relevant authorities to determine if it addresses the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to the community's concerns. Accordingly a comprehensive, detailed and genuine community consultation and engagement process must be undertaken during preparation of the EIS. This process must ensure that the community is both informed of the proposal and is actively engaged in issues of concern to them. Sufficient information must be provided to the community so that it has a good understanding of what is being proposed and of the potential impacts.

Further, the Department understands that Borg intends to consolidate its existing and proposed operations into a new development consent, should approval be given. The Department requests that you provide a description in the EIS of how the existing and proposed operations will operate under any new consent and its interaction with any existing development consents for the site (particularly DA 27/95). Consequently, you may also be required to modify and/or surrender any existing development consents for the site.

I would appreciate it if you would contact the Department at least two weeks before you propose to lodge your DA and EIS. This will enable the department to:


- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS that will be required for reviewing purposes.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any

approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

Your contact officer, Ms Pamela Morales, can be contacted on 9228 6386 or at [pamela.morales@planning.nsw.gov.au](mailto:pamela.morales@planning.nsw.gov.au). Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely

  
Chris Ritchie 28/5/15  
**Manager**  
**Industry Assessments**  
as delegate for the Secretary

# Secretary's Environmental Assessment Requirements

## Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

### State Significant Development

<b>Application Number</b>	SSD 7016
<b>Development</b>	<p>The expansion of the existing Borg Panels Timber Panel Processing Facility to include:</p> <ul style="list-style-type: none"><li>- construction and operation of a particle board facility;</li><li>- construction and operation of a chipper facility;</li><li>- additional site improvements to existing infrastructure including construction of new buildings to house new machinery plant and additional warehouse space; and</li><li>- consolidation of Borg's operations and landownership into the SSD consent.</li></ul>
<b>Location</b>	124 Lowes Mount Road, Oberon in the Oberon local government area
<b>Applicant</b>	Borg Panels Pty Ltd
<b>Date of Issue</b>	May 2015
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>Notwithstanding the key issues specified below, the EIS must include:</p> <ul style="list-style-type: none"><li>• a detailed description of the development including:<ul style="list-style-type: none"><li>- need for the proposed development;</li><li>- justification of the proposed development;</li><li>- proposed output and scope of works;</li><li>- sequence or stage/s of the proposed development during construction and operation;</li><li>- likely interactions between the proposed development, the existing operation and other neighbouring developments; and</li><li>- plans of any proposed building works.</li></ul></li><li>• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;</li><li>• a risk assessment of the potential environmental impacts of the proposed development, identifying the key issues for further assessment;</li><li>• a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment which includes:<ul style="list-style-type: none"><li>- a description of the existing environment, using <u>sufficient baseline data</u>;</li><li>- an assessment of the potential impacts of all stages of the proposed development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and</li><li>- a description of the measures that would be implemented to</li></ul></li></ul>



	<p>avoid, minimise and if necessary, offset the potential impacts of the proposed development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment.</p> <ul style="list-style-type: none"> <li>• a consolidated summary of all proposed environmental mitigation, management and monitoring measures, highlighting commitments included in the EIS.</li> </ul>
	<p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>• a detailed calculation of the capital investment value (CIV) as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i> of the proposal, including details of all assumptions and components from which the CIV calculation is derived;</li> <li>• a close estimate of the jobs that will be created during the construction and operational phases of the proposed development; and</li> <li>• certification that the information provided is accurate at the date of preparation.</li> </ul>
<b>Key issues</b>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Consolidation of Operations</b> – including: <ul style="list-style-type: none"> <li>- a clear description, including figures and plans, of Borg's existing and proposed operations which would apply to any new SSD consent; and</li> <li>- details of how any new SSD consent and any existing development consents for the site would interact, including any conditions that may no longer apply.</li> </ul> </li> <li>• <b>Strategic Context</b> – including: <ul style="list-style-type: none"> <li>- justification for the proposed development and suitability of the site; and</li> <li>- demonstration that the proposed development is generally consistent with all relevant planning strategies including but not limited to, the <i>Oberon Local Environmental Plan 2013</i>, <i>State Environmental Planning Policy (Infrastructure) 2012</i> and relevant Development Control Plans (DCPs).</li> </ul> </li> <li>• <b>Noise and Vibration</b> – including: <ul style="list-style-type: none"> <li>- description of all potential noise and vibration sources generated from construction, operational and traffic noise;</li> <li>- a quantitative assessment of noise and vibration impacts to surrounding receivers from existing on-site activities and the proposed development in accordance with the relevant Environment Protection Authority (EPA) Guidelines; and</li> <li>- details of mitigation, management and monitoring measures for preventing and/or minimising noise emissions.</li> </ul> </li> <li>• <b>Air Quality</b> – including: <ul style="list-style-type: none"> <li>- a description of all potential air emission and odour sources;</li> <li>- a quantitative assessment of the air quality (particularly dust and formaldehyde) impacts of the proposed development on surrounding receivers in accordance with relevant EPA Guidelines; and</li> <li>- details of mitigation, management and monitoring measures for preventing and/or minimising emissions.</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>• <b>Traffic and Access</b> – including: <ul style="list-style-type: none"> <li>- accurate predictions of the traffic volumes likely to be generated during construction and operation;</li> <li>- consideration of the existing traffic generated by the existing operation;</li> <li>- a detailed traffic impact study of the proposed development in accordance with RMS Guidelines including: <ul style="list-style-type: none"> <li>○ hours and days of construction and operation and how the operations will interact with other road users; and</li> <li>○ road transport volumes and types broken down into origin and destination, travel routes and peak hours for the construction and operation of the proposed development.</li> </ul> </li> <li>- proposed access arrangements for the proposed development; and</li> <li>- layout of the internal road network, parking facilities and infrastructure within the site boundary.</li> </ul> </li> <li>• <b>Soils and Water</b> – including: <ul style="list-style-type: none"> <li>- a detailed assessment of potential soil, surface, flooding and groundwater impacts (both quality and quantity);</li> <li>- soil and groundwater contamination arising from previous uses on the site and any proposed management measures;</li> <li>- a detailed and consolidated site water balance for the proposed development;</li> <li>- details of water proposed to be taken from each water and groundwater source and how this relates to any relevant water sharing plans;</li> <li>- an assessment of any volumetric water licensing requirements (including those for ongoing water intake during operation);</li> <li>- description of proposed erosion and sediment controls during construction and operation;</li> <li>- description of the surface and stormwater management system, including on-site detention, and measures to use and reuse water; and</li> <li>- demonstration that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.</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 <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i> and Applying SEPP 33, with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the proposal;</li> <li>- a Preliminary Hazard Analysis (PHA), should a preliminary screening indicate that the project is 'potentially hazardous'. The 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); and</li> <li>- justification for whether the whole site should be considered a major hazards facility.</li> </ul> </li> <li>• <b>Waste Management</b> – including: <ul style="list-style-type: none"> <li>- details of the quantities and classification of all waste streams to be generated on site;</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>- details of waste storage, handling and disposal; and</li> <li>- identification of all waste streams that are proposed to be brought to site (for alternative fuel purposes) and identification of the appropriate waste legislative framework under which it is permissible to import this waste on to site (e.g resource recovery exemptions); and</li> <li>- details of measures that would be implemented for treatment and disposal in accordance with the relevant EPA guidelines.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Visual Amenity</b> – including an assessment of the potential visual impacts of the proposed development on the amenity of the surrounding area;</li> <li>• <b>Greenhouse Gas</b> – including an assessment of the potential greenhouse gas emissions of the proposed development.</li> <li>• <b>Biodiversity</b> – including an assessment of biodiversity impacts arising from the proposed expansion of the facility in accordance with the Framework for Biodiversity Assessment or relevant Office of Environment and Heritage guidelines.</li> <li>• <b>Heritage and Aboriginal Cultural Heritage</b> – including an assessment of potential heritage impacts of the proposed development.</li> <li>• <b>Cumulative</b> – including the existing on-site operations, all existing industrial facilities in the area and other nearby approved and proposed developments, particularly in relation to noise, air quality, soil, water, traffic, waste and hazards and risk.</li> </ul>
<b>Plans and Documents</b>	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> . These documents should be included as part of the EIS rather than as separate documents.
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>• Oberon Shire Council;</li> <li>• Environment Protection Authority;</li> <li>• Roads and Maritime Services;</li> <li>• Office of Environment and Heritage;</li> <li>• NSW Fire and Rescue;</li> <li>• NSW Office of Water;</li> <li>• NSW Department of Primary Industries;</li> <li>• WorkCover; and</li> <li>• the local community and stakeholders.</li> </ul> <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided</p>
<b>Further consultation after 2 years</b>	If you do not lodge a development application and EIS for the development within two years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.

**References**

The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.



## **ATTACHMENT 1**

### Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

#### **Policies, Guidelines & Plans**

##### **Plans and Documents**

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
  - the location of the land, boundary measurements, area (sq.m) and north point;
  - the existing levels of the land in relation to buildings and roads;
  - location and height of existing structures on the site;
  - location and height of adjacent buildings and private open space; and
  - all levels to be to Australian Height Datum (AHD).
2. A locality/context plan drawn at an appropriate scale should be submitted indicating:
  - significant local features such as heritage items;
  - the location and uses of existing buildings, shopping and employment areas; and
  - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
  - detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.

##### **Documents to be Submitted**

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and
- Other copies as determined by the Department once the development application is lodged



<b>Hazards and Risk</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
	Hazardous Industry Planning Advisory Paper No 3 – Risk Assessment
	Hazardous Industry Planning Advisory Paper No 4 – Risk Criteria for Land Use Safety Planning
	Hazardous Industry Planning Advisory Paper No 6 – Hazard Analysis
	Hazardous Industry Planning Advisory Paper No 10 – Land Use Safety Planning
	Multi-level Risk Assessment Guideline
<b>Traffic</b>	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
<b>Soil and Water</b>	
Soil	Managing Urban Stormwater: Soils & Construction (Landcom)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA)
Surface Water	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ, 2000)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ, 2000)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA, 2006)
	State Water Management Outcomes Plan
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Sorting and Handling Liquids: Environmental Protection – Participants Manual (DECC)
	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA, 1997)
	Managing Urban Stormwater: Source Control. Draft (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Technical Guidelines: Bunding & Spill Management (DECC)



Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 1995)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)
<b>Waste</b>	
	NSW Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA, 2014)
	Waste Classification Guidelines (EPA)
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (NSE EPA)
<b>Air Quality</b>	
	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA, 2005)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2005)
	Action for Air (DECC)
	Assessment and Management of Odour from Stationary Sources in NSW (EPA, 2006)
<b>Odour</b>	
	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
<b>Noise and Vibration</b>	
	NSW Industrial Noise Policy (EPA, 2000) and Industrial Noise Policy Application Notes
	NSW Road Noise Policy (EPA, 2011)
	Environmental Noise Control Manual (DECC)
	Assessing Vibration: a Technical Guide (EPA, 2006)
	Interim Construction Noise Guidelines (EPA, 2009)
<b>Greenhouse Gas</b>	
	AGO Factors and Methods Workbook (AGO)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
<b>Visual</b>	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
	State Environmental Planning Policy No 64 - Advertising and Signage
<b>Biodiversity</b>	
	NSW Biodiversity Offsets Policy for Major Projects (OEH, 2013)
	Framework for Biodiversity Assessment (OEH, 2013)
<b>Aboriginal Cultural Heritage</b>	
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010)
	Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011)



**ATTACHMENT 2**  
**Agency Input into Key Assessment Issues**

## Pamela Morales

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**From:** Gary Wallace <Gary.Wallace@oberon.nsw.gov.au>  
**Sent:** Tuesday, 19 May 2015 4:46 PM  
**To:** Pamela Morales  
**Subject:** RE: Request for SEARs input (SSD 7016) - Borg Panels Timber Panel Processing Facility, Oberon - Oberon LGA

Pamela

I refer to your email in relation to the SEARS for the proposed Borg extension at its current facility in Oberon. It is advised that Council staff have met with representatives of Borgs in relation to the proposal and have investigated the documentation forwarded by the applicant.

It is advised that a local clause within the Oberon LEP 2013 relates to an industrial noise buffer around Oberon. As part of any EIS prepared Council would request information in compliance with the current Industrial noise buffer standards from the proposed development.

Council looks forward to reviewing any application for extensions to the existing Borg development.

Regards

Gary .

Gary Wallace  
*Planning & Development Director*



Oberon Council  
Phone : +61 2 63298122  
Fax : +61 2 63298142  
Email : [gary.wallace@oberon.nsw.gov.au](mailto:gary.wallace@oberon.nsw.gov.au)  
Website : [www.oberon.nsw.gov.au](http://www.oberon.nsw.gov.au)



Please consider the environment before printing this email

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**From:** Pamela Morales [<mailto:pamela.morales@planning.nsw.gov.au>]  
**Sent:** Friday, 24 April 2015 3:52 PM  
**To:** [planning.matters@environment.nsw.gov.au](mailto:planning.matters@environment.nsw.gov.au); Development Western; council; [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au); BFS  
**Cc:** [water.referrals@dpi.nsw.gov.au](mailto:water.referrals@dpi.nsw.gov.au); Gary Wallace; Andrew Helms  
**Subject:** Request for SEARs input (SSD 7016) - Borg Panels Timber Panel Processing Facility, Oberon - Oberon LGA

Hello,

The Department has received a request for Secretary's Environmental Assessment Requirements (SEARs) from Borgs Panels Pty Ltd for the proposed expansion to its existing timber panel processing facility at Lowes Mount Road, Oberon LGA (SSD 7016).

The proposal is State Significant Development as it is development for the purposes of timber milling, timber processing, paper and pulp processing that has a capital investment value of more than \$30,000,000.



Please find attached the documentation lodged with the request to assist in providing input for the SEARs.

It would be greatly appreciated if you can provide comments and nominate any issues to be addressed in the EIS for the proposal by **COB Monday 11 May 2015.**

If you have any questions, please do not hesitate to contact me.

Regards,

**Pamela Morales**

Planning Officer

Industry Assessments

Department of Planning & Environment

23-33 Bridge Street SYDNEY NSW 2000 | GPO Box 39 SYDNEY NSW 2001

T 02 9228 6386 | E [Pamela.Morales@planning.nsw.gov.au](mailto:Pamela.Morales@planning.nsw.gov.au)



**Planning &  
Environment**

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Your reference :  
Our reference : EF13/3921; DOC15/136409-01  
Contact : Mr Andrew Helms; (02) 6332 7604

Mr Chris Ritchie  
Manager – Industry Assessments  
Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY, NSW, 2001

Attention: Ms Pamela Morales

6 May 2015

Dear Mr Ritchie

**OBERON TIMBER PANEL PROCESSING FACILITY (SSD 7016)  
EPA SECRETARY ENVIRONMENTAL ASSESSMENT REQUIREMENTS**

I refer to an email from Ms Pamela Morales of the Department of Planning & Environment to the Environment Protection Authority (EPA), dated 24 April 2015, seeking Secretary Environmental Assessment Requirements for an Environment Impact Assessment for the proposed extensions and modifications to the Borg Panel's Oberon facility (SSD No. 7016).

The EPA has reviewed the document titled "*Borg Panels – Request for Secretary's Environmental Assessment Requirements – Timber Panel Processing Facility – April 2015*", that accompanied the abovementioned email, and has identified the information that it requires to adequately assess the proposal in Attachment A. General Guidance material is provided in Attachment B. In summary, the EPA's key information requirements for the proposal include an adequate assessment of:

- Air quality impacts;
- Noise impacts;
- Water Management including site water management;
- Management of chemicals & wastes.

Should you have any further enquiries in relation to this matter please contact Mr Andrew Helms at the Central West Regional Office (Bathurst) of the EPA by telephoning (02) 6332 7604.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Darryl Clift'.

**DARRYL CLIFT**  
**Head Central West Unit**  
**Environment Protection Authority**

Enclosures: Attachment A – EPA's requirements for EIS  
Attachment B – General Guidance Material



## ATTACHMENT A

### EPA's RECOMMENDED SECRETARY ENVIRONMENTAL ASSESSMENT REQUIREMENTS (May 2015)

#### 1. Environmental impacts of the project

Environmental Impact Statements (EIS) should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is provided in **Attachment B**.

#### 2. Air issues

The EIS should include a detailed air quality impact assessment (AQIA). The AQIA must:

1. Identify all potential discharges of fugitive and point source emissions of pollutants, including dust and formaldehyde, for all stages of the proposal and assess the risk associated with those emissions. All processes that could result in air emissions must be identified and described. Sufficient detail to accurately communicate the characteristics and quantity of all emissions must be provided. Assessment of risk relates to environmental harm, risk to human health and amenity.
2. Justify the level of assessment undertaken on the basis of risk factors, including but not limited to:
  - a. proposal location;
  - b. characteristics of the receiving environment; and
  - c. type and quantity of pollutants emitted.
3. Describe the receiving environment in detail. The proposal must be contextualised within the receiving environment (local, regional and inter-regional as appropriate). The description must include but need not be limited to:
  - a. meteorology and climate;
  - b. topography;
  - c. surrounding land-use; receptors; and
  - d. ambient air quality.
4. Include a consideration of 'worst case' emission scenarios and impacts at proposed emission limits.
5. Account for cumulative impacts associated with existing emission sources as well as any currently approved developments linked to the receiving environment.
6. Include air dispersion modelling where there is a risk of adverse air quality impacts, or where there is sufficient uncertainty to warrant a rigorous numerical impact assessment. Air dispersion modelling must be conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2005) <http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf>.
7. Demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the *Protection of the Environment Operations (POEO) Act (1997)* and the *POEO (Clean Air) Regulation (2010)*.
8. Provide an assessment of the project in terms of the priorities and targets adopted under the NSW State Plan 2010 and its implementation plan Action for Air.
9. Detail emission control techniques/practices that will be employed by the proposal.

### 3. Noise

In relation to noise, the following matters must be addressed (where relevant) as part of the Environmental Assessment.

1. Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline* (DECC, 2009). (<http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf>).
2. Operational noise from all industrial activities to be undertaken on the premises should be assessed using the guidelines contained in the *NSW Industrial Noise Policy* (EPA, 2000) and *Industrial Noise Policy Application Notes*. ([http://www.epa.nsw.gov.au/resources/noise/ind\\_noise.pdf](http://www.epa.nsw.gov.au/resources/noise/ind_noise.pdf) and <http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm>).
3. Noise on public roads from increased road traffic generated by project should be assessed using the guidelines contained in the *NSW Road Noise Policy* (EPA, 2011). (<http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf>)

The noise assessment must include a statement on the likely contribution to the local noise environment of the proposed additional plant and equipment and whether the existing noise limits on the premises' Environment Protection Licence (No. 3035) can be achieved.

### 4. Waste, chemicals and hazardous materials and radiation

The EIS must:

1. Identify, characterise and classify all waste that will be generated onsite as a result of both the construction of the proposed development and the ongoing operations of the facility and provide information of how this material will be stored, classified and disposed of.
2. Identify all waste streams that are proposed to be brought on to the site (for alternative fuel purposes) and identify the appropriate waste legislative framework under which it is permissible to import this waste on to site (e.g. resource recovery exemptions).

### 5. Water and soils

#### 5.1 Soil issues

The EIS must include:

1. An assessment of potential impacts on soil and land resources should be undertaken, being guided by *Soil and Landscape Issues in Environmental Impact Assessment* (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:
  - a. Soil erosion and sediment transport - in accordance with *Managing urban stormwater: soils and construction*, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008).
2. A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

## 5.2 Water Issues

The EIS must:

1. Describe water usage for the proposal including the position of any intakes and discharges, volumes, water quality and frequency of all water discharges.
2. Demonstrate that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.
3. Where relevant include a water balance for the development including water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.
4. Describe existing surface and groundwater quality. An assessment needs to be undertaken for any water resource likely to be affected by the proposal.
5. Describe the nature and degree of impact that any proposed discharges will have on the receiving environment.
6. Describe how stormwater will be managed both during and after construction.
7. Describe how predicted impacts will be monitored and assessed over time.



## ATTACHMENT B: EPA GUIDANCE MATERIAL

Title	Web address
<b><u>Relevant Legislation</u></b>	
<i>Contaminated Land Management Act 1997</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N</a>
<i>Environmentally Hazardous Chemicals Act 1985</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+14+1985+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+14+1985+cd+0+N</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>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>
<b><u>Licensing</u></b>	
EPA Guide to Licensing	<a href="http://www.epa.nsw.gov.au/resources/licensing/09719licenceguideA.pdf">http://www.epa.nsw.gov.au/resources/licensing/09719licenceguideA.pdf</a>
<b><u>Air Issues</u></b>	
<b>Air Quality</b>	
Approved methods for modelling and assessment of air pollutants in NSW (2005)	<a href="http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf">http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf</a>
POEO (Clean Air) Regulation 2002	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+642+2002+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+642+2002+cd+0+N</a>
<b><u>Noise and Vibration</u></b>	
Interim Construction Noise Guideline (DECC, 2009)	<a href="http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf">http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf</a>
Assessing Vibration: a technical guideline (DEC, 2006)	<a href="http://www.epa.nsw.gov.au/resources/noise/vibrationguide0643.pdf">http://www.epa.nsw.gov.au/resources/noise/vibrationguide0643.pdf</a>
Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC, 1990)	<a href="http://www.epa.nsw.gov.au/resources/noise/ANZECBlasting.pdf">http://www.epa.nsw.gov.au/resources/noise/ANZECBlasting.pdf</a>
Industrial Noise Policy Application Notes	<a href="http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm">http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm</a>
NSW Road Noise Policy (2011)	<a href="http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf">http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf</a>
Rail Infrastructure Noise Guideline (EPA, 2013)	<a href="http://www.epa.nsw.gov.au/resources/noise/20130018eparng.pdf">http://www.epa.nsw.gov.au/resources/noise/20130018eparng.pdf</a>

Title	Web address
<b><u>Waste, Chemicals and Hazardous Materials and Radiation</u></b>	
<b>Waste</b>	
Environmental Guidelines: Solid Waste Landfills (EPA, 1996)	<a href="http://www.epa.nsw.gov.au/resources/waste/envguidlns/solidlandfill.pdf">http://www.epa.nsw.gov.au/resources/waste/envguidlns/solidlandfill.pdf</a>
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	<a href="http://www.epa.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf">http://www.epa.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf</a>
Waste Classification Guidelines (DECC, 2009)	<a href="http://www.epa.nsw.gov.au/resources/waste/091216classifywaste.pdf">http://www.epa.nsw.gov.au/resources/waste/091216classifywaste.pdf</a>
EPA Resource recovery exemptions	<a href="http://www.epa.nsw.gov.au/waste/RRecoveryExemptions.htm">http://www.epa.nsw.gov.au/waste/RRecoveryExemptions.htm</a>
<b><u>Water and Soils</u></b>	
<b>Soils – general</b>	
Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000)	<a href="http://www.shop.nsw.gov.au/pubdetails.jsp?publication=839">http://www.shop.nsw.gov.au/pubdetails.jsp?publication=839</a>
Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008)	Vol 1 - Available for purchase at <a href="http://www.shop.nsw.gov.au/pubdetails.jsp?publication=11533">http://www.shop.nsw.gov.au/pubdetails.jsp?publication=11533</a>  Vol 2 - <a href="http://www.environment.nsw.gov.au/resources/stormwater/08208soilsconstorm2e.pdf">http://www.environment.nsw.gov.au/resources/stormwater/08208soilsconstorm2e.pdf</a>
Landslide risk management guidelines	<a href="http://www.australiangeomechanics.org/resources/downloads/">http://www.australiangeomechanics.org/resources/downloads/</a>
Site Investigations for Urban Salinity (DLWC, 2002)	<a href="http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf">http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf</a>
Local Government Salinity Initiative Booklets	<a href="http://www.environment.nsw.gov.au/salinity/solutions/urban.htm">http://www.environment.nsw.gov.au/salinity/solutions/urban.htm</a>
<b>Water</b>	
Water Quality Objectives	<a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	<a href="http://www.environment.gov.au/system/files/resources/53cda9ea-7ec2-49d4-af29-d1dde09e96ef/files/nwqms-guidelines-4-vol1.pdf">http://www.environment.gov.au/system/files/resources/53cda9ea-7ec2-49d4-af29-d1dde09e96ef/files/nwqms-guidelines-4-vol1.pdf</a>
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	<a href="http://deccnet/water/resources/AWQGuidance7.pdf">http://deccnet/water/resources/AWQGuidance7.pdf</a>
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	<a href="http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf">http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf</a>



## Department of Primary Industries

OUT15/11177

Ms Pamela Morales  
Industry Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Pamela.Morales@planning.nsw.gov.au

Dear Ms Morales,

**Borg Timber Panel Processing Facility, Oberon [SSD\_7016]  
Request for input into Secretary's Environmental Assessment Requirements**

I refer to your email dated 24 April 2015 to the Department of Primary Industries in respect to the above matter.

Comment by NSW Office of Water

The NSW Office of Water (Office of Water) has reviewed the supporting documentation accompanying the request for Secretary's Environmental Assessment Requirements (SEARs) and provides the comments below, and further detail in **Attachment A**.

It is recommended that the EIS be required to include:

- Details of water proposed to be taken (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project).
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- 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, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Full technical details and data of all surface and groundwater modelling.



- Proposed surface and groundwater monitoring activities and methodologies.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines.
- A statement of where each element of the SEARs is addressed in the EIS (i.e. in the form of a table).

For further information please contact Tim Baker, Senior Water Regulation Officer (Dubbo Office) on 6841 7403 or at [tim.baker@water.nsw.gov.au](mailto:tim.baker@water.nsw.gov.au).

Fisheries NSW and Agriculture NSW advise no issues.

Yours sincerely



Kristian Holz  
**Director Policy, Legislation and Innovation**

## Attachment A

### **Borg Timber Panel Processing Facility, Oberon [SSD\_7016] Request for Input into Secretary's Environmental Assessment Requirements Additional Comment by the NSW Office of Water**

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The following detailed assessment requirements are provided to assist in adequately addressing the assessment requirements for this proposal.

For further information visit the NSW Office of Water website, [www.water.nsw.gov.au](http://www.water.nsw.gov.au)

#### **Key Relevant Legislative Instruments**

This section provides a basic summary to aid proponents in the development of an Environmental Impact Statement (EIS), and should not be considered a complete list or comprehensive summary of relevant legislative instruments that may apply to the regulation of water resources for a project.

The EIS should take into account the objects and regulatory requirements of the *Water Act 1912* (WA 1912) and *Water Management Act 2000* (WMA 2000), and associated regulations and instruments, as applicable.

#### *Water Management Act 2000 (WMA 2000)*

Key points:

- Volumetric licensing in areas covered by water sharing plans,
- Works within 40m of waterfront land,
- SSD & SSI projects are exempt from requiring water supply work approvals and controlled activity approvals as a result of the *Environmental Planning & Assessment Act 1979* (EP&A Act),
- No exemptions for volumetric licensing apply as a result of the EP&A Act,
- Basic landholder rights, including harvestable rights dams,
- Aquifer interference activity approval and flood management work approval provisions have not yet commenced and are regulated by the *Water Act 1912*,
- Maximum penalties of \$2.2 million plus \$264,000 for each day an offence continues apply under the *WMA 2000*.

#### *Water Act 1912 (WA 1912)*

Key points:

- Volumetric licensing in areas where no water sharing plan applies,
- Monitoring bores,
- Aquifer interference activities that are not regulated as a water supply work under the *WMA 2000*,
- Flood management works,
- No exemptions apply to licences or permits under the *WA 1912* as a result of the EP&A Act,
- Regulation of water bore driller licensing.

#### *Water Management (General) Regulation 2011*

Key points:

- Provides various exemptions for volumetric licensing and activity approvals,
- Provides further detail on requirements for dealings and applications.

*Water Sharing Plans* – these are considered regulations under the *WMA 2000*

*Access Licence Dealing Principles Order 2004*

## **Water Sharing Plans**

The proposal is located within the area covered by the Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012 and the Water Sharing Plan for the NSW Murray Darling Basin Fractured Rock Water Sources 2011. The EIS is required to:

- Demonstrate how the proposal is consistent with the relevant rules of the Water Sharing Plan including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection (including groundwater dependent ecosystems), water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water to be taken from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP, including:
  - Sufficient market depth to acquire the necessary entitlements for each water source.
  - Ability to carry out a “dealing” to transfer the water to relevant location under the rules of the WSP.
  - Daily and long-term access rules.
  - Account management and carryover provisions.
- Provide a detailed and consolidated site water balance.
- Further detail on licensing requirements is provided below.

## **Relevant Policies and Guidelines**

The EIS should take into account the following policies (as applicable):

- NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
- NSW Aquifer Interference Policy (NOW, 2012)
- Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW, 2012)
- Australian Groundwater Modelling Guidelines (NWC, 2012)
- NSW State Rivers and Estuary Policy (1993)
- NSW State Groundwater Policy Framework Document (1997)
- NSW State Groundwater Quality Protection Policy (1998)
- NSW State Groundwater Dependent Ecosystems Policy (2002)
- NSW Water Extraction Monitoring Policy (2007)

Office of Water policies can be accessed at the following links:

<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx>  
<http://www.water.nsw.gov.au/Water-licensing/Approvals/Controlled-activities/default.aspx>

An assessment framework for the NSW Aquifer Interference Policy can be found online at:

<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/Aquifer-interference>.



## Licensing Considerations

The EIS is required to provide:

- Identification of water requirements for the life of the project in terms of both volume and timing (including predictions of potential ongoing groundwater take following the cessation of operations at the site – such as evaporative loss from open voids or inflows).
- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction from each water source as defined in the relevant Water Sharing Plan/s and all water supply works to take water.
- Explanation of how the required water entitlements will be obtained (i.e. through a new or existing licence/s, trading on the water market, controlled allocations etc).
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc).
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring. All predicted groundwater take must be accounted for through adequate licensing.
- Details on existing dams/storages (including the date of construction, location, purpose, size and capacity) and any proposal to change the purpose of existing dams/storages
- Details on the location, purpose, size and capacity of any new proposed dams/storages.
- Applicability of any exemptions under the *Water Management (General) Regulation 2011* to the project.

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

The Harvestable Right gives landholders the right to capture and use for any purpose 10% of the average annual runoff from their property. The Harvestable Right has been defined in terms of an equivalent dam capacity called the Maximum Harvestable Right Dam Capacity (MHRDC). The MHRDC is determined by the area of the property (in hectares) and a site-specific run-off factor. The MHRDC includes the capacity of all existing dams on the property that do not have a current water licence. Storages capturing up to the harvestable right capacity are not required to be licensed but any capacity of the total of all storages/dams on the property greater than the MHRDC may require a licence.

For more information on Harvestable Right dams, including a calculator, visit:

<http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/Harvesting-runoff>

## Dam Safety

Where new or modified dams are proposed, or where new development will occur below an existing dam, the NSW Dams Safety Committee should be consulted in relation to any safety issues that may arise. Conditions of approval may be recommended to ensure safety in relation to any new or existing dams.

See [www.damsafety.nsw.gov.au](http://www.damsafety.nsw.gov.au) for further information.

## **Surface Water Assessment**

The predictive assessment of the impact of the proposed project on surface water sources should include the following:

- Identification of all surface water features including watercourses, wetlands and floodplains transected by or adjacent to the proposed project.
- Identification of all surface water sources as described by the relevant water sharing plan.
- Detailed description of dependent ecosystems and existing surface water users within the area, including basic landholder rights to water and adjacent/downstream licensed water users.
- Description of all works and surface infrastructure that will intercept, store, convey, or otherwise interact with surface water resources.
- Assessment of predicted impacts on the following:
  - flow of surface water, sediment movement, channel stability, and hydraulic regime,
  - water quality,
  - flood regime,
  - dependent ecosystems,
  - existing surface water users, and
  - planned environmental water and water sharing arrangements prescribed in the relevant water sharing plans.

## **Groundwater Assessment**

To ensure the sustainable and integrated management of groundwater sources, the EIS needs to include adequate details to assess the impact of the project on all groundwater sources.

Where it is considered unlikely that groundwater will be intercepted or impacted (for example by infiltration), a brief site assessment and justification for the minimal impacts may be sufficient, accompanied by suitable contingency measures in place in the event that groundwater is intercepted, and appropriate measures to ensure that groundwater is not contaminated.

Where groundwater is expected to be intercepted or impacted, the following requirements should be used to assist the groundwater assessment for the proposal.

- Works likely to intercept, connect with or infiltrate the groundwater sources.
- Any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Bore construction information is to be supplied to the Office of Water by submitting a "Form A" template. The Office of Water will supply "GW" registration numbers (and licence/approval numbers if required) which must be used as consistent and unique bore identifiers for all future reporting.
- A description of the watertable and groundwater pressure configuration, flow directions and rates and physical and chemical characteristics of the groundwater source (including connectivity with other groundwater and surface water sources).
- Sufficient baseline monitoring for groundwater quantity and quality for all aquifers and GDEs to establish a baseline incorporating typical temporal and spatial variations.
- The predicted impacts of any final landform on the groundwater regime.

- The existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- An assessment of groundwater quality, its beneficial use classification and prediction of any impacts on groundwater quality.
- An assessment of the potential for groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- Measures proposed to protect groundwater quality, both in the short and long term.
- Measures for preventing groundwater pollution so that remediation is not required.
- Protective measures for any groundwater dependent ecosystems (GDEs).
- Proposed methods of the disposal of waste water and approval from the relevant authority.
- The results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- Any proposed monitoring programs, including water levels and quality data.
- Reporting procedures for any monitoring program including mechanism for transfer of information.
- An assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.
- Identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- Description of the remedial measures or contingency plans proposed.
- Any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

### **Groundwater Dependent Ecosystems**

The EIS must consider the potential impacts on any Groundwater Dependent Ecosystems (GDEs) at the site and in the vicinity of the site and:

- Identify any potential impacts on GDEs as a result of the proposal including:
  - the effect of the proposal on the recharge to groundwater systems;
  - the potential to adversely affect the water quality of the underlying groundwater system and adjoining groundwater systems in hydraulic connections; and
  - the effect on the function of GDEs (habitat, groundwater levels, connectivity).
- Provide safeguard measures for any GDEs.

### **Watercourses, Wetlands and Riparian Land**

The EIS should address the potential impacts of the project on all watercourses likely to be affected by the project, existing riparian vegetation and the rehabilitation of riparian land. It is recommended the EIS provides details on all watercourses potentially affected by the proposal, including:

- Scaled plans showing the location of:
  - wetlands/swamps, watercourses and top of bank;
  - riparian corridor widths to be established along the creeks;



- existing riparian vegetation surrounding the watercourses (identify any areas to be protected and any riparian vegetation proposed to be removed);
- the site boundary, the footprint of the proposal in relation to the watercourses and riparian areas; and
- proposed location of any asset protection zones.
- Photographs of the watercourses/wetlands and a map showing the point from which the photos were taken.
- A detailed description of all potential impacts on the watercourses/riparian land.
- A detailed description of all potential impacts on the wetlands, including potential impacts to the wetlands hydrologic regime; groundwater recharge; habitat and any species that depend on the wetlands.
- A description of the design features and measures to be incorporated to mitigate potential impacts.
- Geomorphic and hydrological assessment of water courses including details of stream order (Strahler System), river style and energy regimes both in channel and on adjacent floodplains.

### **Landform rehabilitation**

The Environmental Impact Statement report should include:

- Justification of the proposed final landform with regard to its impact on local and regional surface and groundwater systems;
- A detailed description of how the site would be progressively rehabilitated and integrated into the surrounding landscape;
- Outline of proposed construction and restoration of topography and surface drainage features if affected by the project; and
- An outline of the measures to be put in place to ensure that sufficient resources are available to implement the proposed rehabilitation.

**End Attachment A**

Pamela Morales  
Planning Officer  
Department of Planning and Environment  
GPO Box 39  
SYDNEY 2001

Dear Ms Rose

**RE: Borg Panels Timber Panel Processing Facility expansion**

I refer to your e-mail dated 24 April 2015 seeking input into the Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Assessment (EIS) for the proposed expansion of the existing timber panel processing facility at Lowes Mount Road, Oberon.

The Office of Environment and Heritage (OEH) understands that the proposal involves the construction of new industrial buildings and the installation of plant to increase capacity, workforce and product range of the existing Borg facility in Oberon.

OEH has considered your request and provides SEARs for the proposed development in Attachments A and B.

OEH recommends the EIS needs to appropriately address the following, if applicable:

1. Biodiversity and offsetting
2. Aboriginal cultural heritage
3. Water and soils
4. Flooding

Please note that the NSW Biodiversity Offsets Policy for Major Projects, available at <http://www.environment.nsw.gov.au/resources/biodiversity/140672biopolicy.pdf> is now being implemented. The Biodiversity Offsets Policy clarifies and standardises biodiversity impact assessment and offsetting for major project approvals in NSW.

The Biodiversity Offsets Policy is underpinned by the Framework for Biodiversity Assessment (FBA), available at:

<http://www.environment.nsw.gov.au/resources/biodiversity/140675fba.pdf>. The FBA contains the assessment methodology that is adopted by the policy to quantify and describe the impact assessment requirements and offset guidance that applies to Major Projects. The FBA must be used by a proponent to assess all biodiversity values on the development site.

If you have any questions regarding this matter further please contact Michelle Howarth on 02 68835339 or email [michelle.howarth@environment.nsw.gov.au](mailto:michelle.howarth@environment.nsw.gov.au).

Yours sincerely,



**SONYA ARDILL**  
**Senior Team Leader Planning, North West Region**  
**Regional Operations**

Attachment A - Standard Environmental Assessment Requirements  
Attachment B - Guidance material

## Attachment A – Standard Environmental Assessment Requirements

<p><b>Biodiversity</b></p> <p>1. Biodiversity impacts related to the proposed expansion of the Borg timber panel processing facility are to be assessed and documented in accordance with the <a href="#">Framework for Biodiversity Assessment</a>, unless otherwise agreed by OEH, by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>.</p>
<p><b>Aboriginal cultural heritage</b></p> <p>2. The EIS must identify and describe the tangible and intangible Aboriginal cultural heritage values that exist across the whole area that will be affected by the expansion of the facility and document these in the EIS. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the <a href="#">Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)</a> and consultation with OEH regional officers.</p> <p>3. Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the <a href="#">Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)</a>. The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.</p> <p>4. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the EIS. The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment will be documented and notified to OEH.</p>
<p><b>Water and soils</b></p> <p>5. The EIS must map the following features relevant to water and soils including:</p> <ul style="list-style-type: none"> <li>a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).</li> <li>b. Rivers, streams, wetlands, estuaries (as described in Appendix 2 of the <a href="#">Framework for Biodiversity Assessment</a>).</li> <li>c. Groundwater.</li> <li>d. Groundwater dependent ecosystems.</li> <li>e. Proposed intake and discharge locations.</li> </ul> <p>6. The EIS must describe background conditions for any water resource likely to be affected by the project, including:</p> <ul style="list-style-type: none"> <li>a. Existing surface and groundwater.</li> <li>b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.</li> <li>c. Water Quality Objectives (as endorsed by the NSW Government <a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.</li> </ul>



<p>d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the <a href="#">ANZECC (2000) Guidelines for Fresh and Marine Water Quality</a> and/or local objectives, criteria or targets endorsed by the NSW Government.</p>
<p>7. The EIS must assess the impacts of the expansion of the processing facility on water quality, including:</p> <ul style="list-style-type: none"> <li>a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the expansion protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.</li> <li>b. Identification of proposed monitoring of water quality.</li> </ul>
<p>8. The EIS must assess the impact of the expansion on hydrology, including:</p> <ul style="list-style-type: none"> <li>a. Water balance including quantity, quality and source.</li> <li>b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.</li> <li>c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.</li> <li>d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (eg river benches).</li> <li>e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.</li> <li>f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.</li> <li>g. Identification of proposed monitoring of hydrological attributes.</li> </ul>
<p><b>Flooding and coastal erosion</b></p>
<p>9. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:</p> <ul style="list-style-type: none"> <li>a. Flood prone land</li> <li>b. Flood planning area, the area below the flood planning level.</li> <li>c. Hydraulic categorisation (floodways and flood storage areas).</li> </ul>
<p>10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 1 in 10 year, 1 in 100 year flood levels and the probable maximum flood, or an equivalent extreme event.</p>
<p>11. The EIS must model the effect of the proposed expansion (including fill) on the flood behaviour under the following scenarios:</p> <ul style="list-style-type: none"> <li>a. Current flood behaviour for a range of design events as identified in 8) above. The 1 in 200 and 1 in 500 year flood events as proxies for assessing sensitivity to an increase in rainfall</li> </ul>

intensity of flood producing rainfall events due to climate change.

12. Modelling in the EIS must consider and document:

- a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
- b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
- c. Relevant provisions of the NSW Floodplain Development Manual 2005.

13. The EIS must assess the impacts on the proposed expansion on flood behaviour, including:

- a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
- b. Consistency with Council floodplain risk management plans.
- c. Compatibility with the flood hazard of the land.
- d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
- e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
- h. Whether the proposal incorporates specific measures to manage risk to life from flood.
- i. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
- j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

## Attachment B – Guidance material

Title	Web address
<b><u>Relevant Legislation</u></b>	
<i>Coastal Protection Act 1979</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+13+1979+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+13+1979+cd+0+N</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>Threatened Species Conservation Act 1995</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+101+1995+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+101+1995+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>	
NSW Biodiversity Offsets Policy for Major Projects (OEH, 2013)	<a href="http://www.environment.nsw.gov.au/biodivoffsets/1480biofpolmp.htm">http://www.environment.nsw.gov.au/biodivoffsets/1480biofpolmp.htm</a>
Framework for Biodiversity Assessment (OEH, 2013)	<a href="http://www.environment.nsw.gov.au/biodivoffsets/1480biofpolmp.htm">http://www.environment.nsw.gov.au/biodivoffsets/1480biofpolmp.htm</a>
Fisheries NSW policies and guidelines	<a href="http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation">http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation</a>
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="http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm">http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm</a>
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)	<a href="http://www.environment.nsw.gov.au/resources/parks/policyRevocations.pdf">http://www.environment.nsw.gov.au/resources/parks/policyRevocations.pdf</a>
<b><u>Aboriginal Cultural Heritage</u></b>	
Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/com consultation/09781ACHconsultreq.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/com consultation/09781ACHconsultreq.pdf</a>

Title	Web address
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf</a>
Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/20110263ACHguide.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/20110263ACHguide.pdf</a>
Aboriginal Site Recording Form	<a href="http://www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf">http://www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf</a>
Aboriginal Site Impact Recording Form	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf</a>
Aboriginal Heritage Information Management System (AHIMS) Registrar	<a href="http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm">http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm</a>
Care Agreement Application form	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/20110914TransferObject.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/20110914TransferObject.pdf</a>
<b><u>Water and Soils</u></b>	
<b>Acid sulphate soils</b>	
Acid Sulfate Soils Planning Maps	<a href="http://canri.nsw.gov.au/download/">http://canri.nsw.gov.au/download/</a>
Acid Sulfate Soils Manual (Stone et al. 1998)	<p>Manual available for purchase from:  <a href="http://www.landcom.com.au/whats-new/the-blue-book.aspx">http://www.landcom.com.au/whats-new/the-blue-book.aspx</a></p> <p>Chapters 1 and 2 are on DPI's Guidelines Register at:  Chapter 1 Acid Sulfate Soils Planning Guidelines:  <a href="http://www.planning.nsw.gov.au/rdaguidelines/documents/NSW%20Acid%20Sulfate%20Soils%20Planning%20Guidelines.pdf">http://www.planning.nsw.gov.au/rdaguidelines/documents/NSW%20Acid%20Sulfate%20Soils%20Planning%20Guidelines.pdf</a></p> <p>Chapter 2 Acid Sulfate Soils Assessment Guidelines:  <a href="http://www.planning.nsw.gov.au/rdaguidelines/documents/NSW%20Acid%20Sulfate%20Soils%20Assessment%20Guidelines.pdf">http://www.planning.nsw.gov.au/rdaguidelines/documents/NSW%20Acid%20Sulfate%20Soils%20Assessment%20Guidelines.pdf</a></p>
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	<a href="http://www.derm.qld.gov.au/land/ass/pdfs/lmg.pdf">http://www.derm.qld.gov.au/land/ass/pdfs/lmg.pdf</a> This replaces Chapter 4 of the Acid Sulfate Soils Manual above.
<b>Flooding and Coastal Erosion</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.dnr.nsw.gov.au/floodplains/manual.shtml">http://www.dnr.nsw.gov.au/floodplains/manual.shtml</a>
Guidelines for Preparing Coastal Zone Management Plans	Guidelines for Preparing Coastal Zone Management Plans <a href="http://www.environment.nsw.gov.au/resources/coasts/101019GdlnsCZMPs.pdf">http://www.environment.nsw.gov.au/resources/coasts/101019GdlnsCZMPs.pdf</a>
NSW Climate Impact Profile	<a href="#">NSW Climate Impact Profile</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>
<b>Water</b>	
Water Quality Objectives	<a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	<a href="http://www.mincos.gov.au/publications/australian_and_new_zealand_guidelines_for_fresh_and_marine_water_quality">http://www.mincos.gov.au/publications/australian_and_new_zealand_guidelines_for_fresh_and_marine_water_quality</a>



Title	Web address
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	<a href="http://deccnet/water/resources/AWQGuidance7.pdf">http://deccnet/water/resources/AWQGuidance7.pdf</a>
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	<a href="http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf">http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf</a>

Date: 21 May 2015  
Our Ref: 2008/040669-03  
Your Ref: 14.072

Pamela Morales  
Planning Officer  
Industry Assessments  
Department of Planning & Environment  
23-33 Bridge Street  
SYDNEY NSW 2000  
T 02 9228 6386

**UNCLASSIFIED**

Dear Pamela,

**RE: BORG PANELS REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS - TIMBER PANEL PROCESSING FACILITY**

Thank you for the opportunity to review and comment on the *Borg Panels - Request for Secretary's Environmental Assessment Requirements (SEARs)* and associated *Borg Panels - Addendum to SEARs*, submitted in April 2015 to the Department on behalf of Borg Panels - Timber Panels Processing Facility, Oberon.

The applicant proposes to continue to operate the existing major hazard facility (MHF) located on Lot 22, DP 1017454 (Woodchem) in isolation to the other applicant owned and controlled sites, nominated by the applicant to be included in the proposed new Development Application (DA).

Sites proposed for inclusion in the new DA include (*refer to SEARs - page 8*):

- MDF Site (owned by Borg)
- Lot 22 DP 1017454 - Woodchem (owned by Borg)
- Lot 2902 DP 10567654 (owned by Borg)
- Lot 15 DP 749692 (owned by Borg)

The development aims to increase the storage capacity and production output of Schedule 15 Hazardous Chemicals at Woodchem to facilitate the increase in production and efficiency for the whole of site, being the overall aim of the project. As a result Woodchem will be linked by ownership and business activities to the sites proposed by the new DA.

**Requirement:**

WorkCover NSW requires the applicant to justify the rationale for not considering the total area in the proposal as an MHF.

Note WorkCover NSW is prepared to meet with the Department and the applicant to discuss this issue if necessary.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Battye', with a long horizontal stroke extending to the right.

*Andrew Battye*

Team Coordinator

Dangerous Goods & Explosive Materials

**WorkCover Authority of NSW**