

Development Consent Compliance Table – Borg Panels – SSD 7016

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
<b>Schedule 2 – Part A: Administrative Conditions</b>				
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
A1	In addition to meeting the specific performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the Development.	Compliant	<p>The Operational Environmental Management Plan (OEMP) provides the strategic framework for environmental management of the existing development (e.g. the MDF plant). The Construction Environmental Management Plan (CEMP) details the environmental management and control measures to be implemented for construction activities associated with the particle board manufacturing facility and alterations to the existing facility. It is noted that the OEMP will be updated to include the Project prior to commencing operation.</p> <p>Generally, there were some minor reportable incidents during the audit period as described below, however no material harm was shown to occur to the environment.</p>	
<b>TERMS OF CONSENT</b>				
A2	<p>The Applicant, in acting on this consent, must carry out the Development in accordance with the:</p> <p>(a) State significant development application SSD 7016;</p> <p>(b) EIS and RTS;</p> <p>(c) development layout plans and drawings in the EIS (see Appendix A);</p> <p>(d) Management and Mitigation Measures (see Appendix B); and</p> <p>(e) documents and drawings of the Existing Development (see Appendix</p>	<b>Non-Compliant</b>	<p>The Development at Borg Panels was undertaken generally in accordance with these documents. However, non-compliances in accordance with some of the following documents were identified. These non-compliances are discussed below and throughout this Compliance Table:</p> <p><b>(a) Non-Compliant conditions have been identified during the audit period and are described in this table and in the main Audit Report.</b></p> <p><b>(b) The proposed hardstand area (located adjacent to the site entrance) approved in the EIS for an area of 14000m<sup>3</sup> (refer to Appendix 5 – Plate 4). During the audit it was observed that this area was currently under construction and based on the areas disturbed it appeared to be larger than the approved area in the EIS (and development layout plans contained in Appendix A). The exact size of this area under construction could not be verified during the audit.</b></p> <p><i>It is recommended that Borg Panels verifies the disturbance footprint for the proposed hardstand area and confirm if this is consistent with the EIS and development layout plans contained with Appendix A. Borg should also confirm the size of the disturbance footprint located near the second hardstand area (12000 m<sup>3</sup>), emergency basin and first flush basin.</i></p> <p><b>(c) As above</b></p> <p><b>(d) Non-compliances have been identified against management and mitigation measures listed in Appendix B and are described in this table and in the main Audit Report.</b></p> <p>(e) Compliant</p>	Borg commits to follow up with survey report and detailed information on the footprint.

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	C).			
A3	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	Noted		
A4	The Applicant must comply with any written requirement(s) of the Secretary arising from the Department's assessment of: a) any strategies, reports, plans or correspondence that are submitted in accordance with this consent; and  ((b) the implementation of any actions or measures contained within these reports, plans or correspondence.	Compliant	Correspondence with DPE on 13 June 2017: <ul style="list-style-type: none"> <li>Approval of CEMP and associated sub plans</li> <li>DPE specified that the operational noise management plan is to be prepared by a suitably qualified noise expert. The Revision History of the operational noise management plan outlines that this document was prepared by a qualified acoustic specialist.</li> </ul> Correspondence with DPE on 21 December 2017: <ul style="list-style-type: none"> <li>Approval of OEMP and associated sub plans</li> <li>DPE have asked that the OEMP and associated sub plans are updated prior to the commencement of the operation of the Project. Construction is still in progress and therefore the OEMP and sub plans have not been reviewed and updated.</li> </ul>	
<b>LIMITS OF CONSENT</b>				
A5	This consent lapses five years after the date from which it operates, unless the Development has physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under section 95 of the EP&A Act.	Compliant	The consent was granted on 29 May 2017 and construction commenced on 2 November 2017.	
<b>Medium Density Fibreboard Facility</b>				
A6	The Applicant must ensure the MDF facility does not produce more than 380,000 m3 of MDF board per calendar year.	Compliant	The Borg Panels Oberon draft 2018 Annual Review indicated that during the 2017-2018 reporting period the Borg Panels facility manufactured 200,135 m3 of MDF (page 7). The draft 2018 Annual Review covers the twelve month reporting period from 29 May 2017 to 30 April 2018.	
<b>Particle Board Facility</b>				
A7	The Applicant must ensure the particle board facility does not produce more than 500,000 m3 of particle board per calendar year.  Note: The particle board facility is described in the EIS and RTS and forms part of the Project.	Not triggered	The particle board facility is not yet operational and therefore this condition has not been triggered during the audit period.	
<b>STAGED SUBMISSION OF PLANS OR PROGRAMS</b>				
A8	With the approval of the Secretary, the Applicant may:  (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or  (b) combine any strategy, plan or program required by this consent	Not triggered	No strategy plans or programs were staged or combined during the audit period.	
A9	If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the	Not triggered	No strategy, plan or program was staged during the audit period.	

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	strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program. A clear relationship between the strategy, plan or program that is to be combined must be demonstrated.			
A10	<p>If components of the Project commence operation at different times, the Applicant shall consult with the Secretary regarding the timing of submission of plans, programs, strategies or systems.</p> <p>Note: This condition is imposed should the alterations and additions to the MDF facility, or the construction and operation of the particle board facility commence at different times.</p>	Not triggered	No new components of the Project became operational during the audit period.	
<b>EVIDENCE OF CONSULTATION</b>				
A11	<p>Where consultation with any public authority is required by the conditions of this consent, the Applicant must:</p> <p>(a) consult with the relevant public authority prior to submitting the required documentation to the Secretary or the Certifying Authority for approval, where required;</p> <p>(b) submit evidence of this consultation as part of the relevant documentation required by the conditions of this consent; and</p> <p>(c) include the details of any outstanding issues raised by the relevant public authority and an explanation of disagreement between any public authority and the Applicant or any person acting on this development consent.</p>	Compliant	<p>Borg Panels was required to consult with public authorities (including DPE, EPA, RMS and Oberon Council) for the following conditions that were applicable to the audit period:</p> <ul style="list-style-type: none"> <li>A18 – a dilapidation report was prepared for the Project to describe current condition of Oberon Council and RMS infrastructure in the vicinity of the project. Consultation with Oberon Council and RMS was undertaken as part of EIS. Consultation with Oberon Council was undertaken via email regarding the dilapidation report and was given the opportunity to provide comment. No consultation was undertaken with RMS given that no RMS owned assets would be impacted by the Project (V. Bendeovski pers coms).</li> <li>B5 – Section 1.5 specifies that the EPA was consulted with regarding the review of the OAQMP. Email correspondence with EPA dated 29 November 2017 requests feedback from the EPA on the OAQMP.</li> <li>B32 – Evidence of consultation with DPI and EPA is available in the SWMP.</li> <li>C15 - Section 2.2 of the Audit Report summarises the consultation undertaken for this IEA and the issues raised.</li> </ul>	
<b>DISPUTE RESOLUTION</b>				
A12	In the event that a dispute arises between the Applicant and Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute must be final and binding on the parties.	Not triggered	It was confirmed during the audit that no disputes between Borg Panels or Oberon Council or any public authority occurred during the audit period (V Bendeovski pers coms).	
<b>STATUTORY REQUIREMENTS</b>				
A13	The Applicant must ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.	Compliant	The Development Consent SSD 7016 dated 29 May 2017 was obtained for the Project. Environmental Protection Licence (EPL) 3035 issued under Section 55 of the Protection of the	

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			Environment Operations Act 1997 and a Water Supply Works approval 80WA715797 issued under s87B of the Water Management Act 2000 have been obtained for the Project.	
<b>DEMOLITION</b>				
A14	The Applicant must ensure that all demolition associated with the Development is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version and the requirements of the Work Health and Safety Regulation, 2011.	<b>Not verified</b>	During the audit period demolition was undertaken for the demolition of an existing office building. The Safe Work Method Statement (SWMS) for the demolition of existing structures during the audit period was reviewed and was observed to be in accordance with the requirements of the Work Health and Safety Regulation 2011.  <b>The SWMS did not reference that the demolition was in accordance with AS 2601:2001.</b>  <i>It is recommended that Borg Panels ensure that all future demolition is undertaken in accordance with AS 2601:2001 and that this is documented in the SWMS or a demolition plan/report.</i>	Borg commits to ensuring future demolition is undertaken within the requirements of AS2601 and is documented in the relevant Safe Work Method Statement.
<b>STRUCTURAL ADEQUACY AND CERTIFICATION</b>				
A15	The Applicant must ensure all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the NCC.	Compliant	A review of the Structural Design Statement prepared by Eclipse Consulting Engineers dated 6 June 2017 identified that all new structures will be designed to comply with the Australian Standard and the Building Code of Australia.	
A16	Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the Development.	Compliant	A Construction Certificate (No J170092) for the property at 124 Lowes Mound Road Oberon dated 20 June 2017 was sighted. The certificate confirmed that the work was completed in accordance with the requirements of Part 8 of the EP&A Regulation.	
<b>UTILITIES AND SERVICES</b>				
A17	Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service providers.	Compliant	Additional electricity supply will be required for the Cogeneration Units and Particle Board Plant which are still under construction. Email correspondence (dated 6 July 2018) between Borg Panels, AMP Control Group and Essential Energy was sighted. The email correspondence approved the electrical load increase.	
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				
A18	Prior to the commencement of construction, the Applicant must  (a) consult with the relevant owner and/or provider of services that are likely to be affected by the Project to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of this report to the Secretary and Council.	Compliant	A pre-construction dilapidation report was prepared for the Project dated 16 June 2017. This report covers Oberon Council and Roads and Maritime Services (RMS) public infrastructure and assets located within the vicinity of the site. This report was sent to DPE and Oberon Council on 16 June 2017.  Consultation with Oberon Council was undertaken via email regarding the dilapidation report and was given the opportunity to provide comment. No consultation was undertaken with RMS given that no RMS owned assets would be impacted by the Project (V Bendeovski pers coms).	

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A19	The Applicant must: (a) repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the Project; and (b) (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the Project	Compliant	During the audit period as the result of a pipeline flush being conducted by council the velocity of water travelling through the council water pipes caused the pipe to rupture on the Borg Panels site (V. Bendeovski pers coms). The water discharged from the pipe contained sediment which had been mobilised due to the large volume of water travelling in the pipe. The water main was isolated and the line was repaired on the Borg Panels site and the complaint was closed out.	
<b>COMPLIANCE</b>				
A20	The Applicant must ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Compliant	Page 9 of the OEMP specifies that all employees receive appropriate environmental awareness training to suit their role. The training covers environmental legislation, due diligence, performance criteria, reporting requirements and emergency response procedures. This training is undertaken as part of employee induction.  During the site audit the Borg Panels Environmental Awareness Training package was reviewed. The Environmental Awareness Training covers Borg Panels Environmental Standards. A Training and Assessment Manual is completed by employees at the end of their training to demonstrate competency. A review of this training register was sighted during the site audit.	
<b>DEVELOPMENT CONTRIBUTIONS</b>				
A21	Within 12 months of the commencement of operation of the particle board facility, the Applicant must pay \$15,000 per annum (adjusted for Consumer Price Index) to Council for the life of the particle board facility for the purposes set out in any contributions plan made by Council under Subdivision 3, Part 4 of the EP&A Act. Note: This condition has been imposed under Section 94B of the EP&A Act.	Not triggered	The facility is not yet operational and therefore this condition has not been triggered during the audit period.	
<b>OPERATION OF PLANT AND EQUIPMENT</b>				
A22	The Applicant must ensure that all plant and equipment used for the Development is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	Borg Panels use Mainpac which is a system that manages maintenance records and scheduling of maintenance for plant and equipment for the Borg Panel site.  A work order was sighted (dated 21 June 2017) for the 6 monthly isolation gate checks for the first flush dams.  An example of a daily shift report completed on 4 July 2018 was sighted which outlined any breakdowns of plant or equipment during that shift and the follow up actions undertaken.  Also sighted a daily crane operator checklist from week ending 1 October 2017 which checks for any oil or fluid leaks, appropriate tyre pressure and working brakes etc.	

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<b>EASEMENTS</b>				
A23	<p>The creation/modification of easements for services, rights of carriageway and restrictions as to user are applicable under section 88E of the Conveyancing Act 1919, including (but not limited to) the following:</p> <p>(a) drainage easements are to be placed over all subsurface drains and interallotment drainage on the site, benefiting and burdening the property owners;</p> <p>(b) maintenance of the subsurface drains is to be included in the 88E Instrument;</p> <p>(c) restriction as to user and positive covenant relating to the:</p> <ul style="list-style-type: none"> <li>• on-site detention system/s;</li> <li>• stormwater pre-treatment system/s; and</li> <li>• overland flowpath works.</li> </ul>	Not triggered	No creation or modification of easements occurred during the audit period (V Bendeovski pers coms).	
A24	Prior to the issuing of a Subdivision Certificate, the Applicant must provide documentary evidence of any proposed/modified easements to the Certifying Authority or Council.	Not triggered	It was confirmed that the boundary re-alignment as proposed in the EIS has occurred near the WoodChem site. However the remaining proposed subdivision has not occurred. It was confirmed that a subdivision certificate will be applied for after all subdivision has been undertaken and will be provided to Oberon Council (V Bendeovski pers coms).	
<b>SUBDIVISION</b>				
A25	The Applicant must subdivide the site generally in accordance with the subdivision plan DA 04 Issue A titled 'Consolidation Plan', prepared by Borg Construction, dated 19 May 2016 (See Appendix A, Figure 3). A copy of the Subdivision Certificate must be provided to the Secretary.	Not triggered	It was confirmed that the boundary re-alignment as proposed in the subdivision plan and EIS has occurred near the WoodChem site. However the remaining proposed subdivision has not occurred. It was confirmed during the site audit that a subdivision certificate will be applied for after all subdivision has been undertaken and will be provided to the Secretary (V Bendeovski pers coms).	
<b>MODIFICATION OF EXISTING DEVELOPMENT CONSENT</b>				
A26	Within 6 months of the date of this consent, the Applicant must modify DA 27/95 as specified in Schedule 3 to this consent, in accordance with Clause 97 of the EP&A Regulation	<b>Non-Compliant</b>	<p>Schedule 3 of SSD 7016 requires Borg Panels to modify specific conditions of DA 27/95, which is to occur within 6 months from 29 May 2017. Effectively these modifications seek to remove the Borg Panel's site that is now approved under SSD 7016 from DA 27/95.</p> <p><b>Borg Panels submitted an application under Clause 97 of the Environmental Planning and Assessment Regulation 2000 to the DP&amp;E on 30 November 2017 to remove itself from DA27/95 (this was one</b></p>	Borg will seek formal response from DP&E. This has formed part of Modification 1 for SSD 7016.

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			<p>lodged one day late). Borg Panels advised during the audit that DPE did not concur with this modification request and therefore DA 27/95 is still applicable to the Borg Panels site. However, it is noted that there is no formal written reply from DPE available to document the above.</p> <p>During the site audit Borg indicated (V Bendevski pers coms) that a s96 Modification under the Environmental Planning and Assessment Regulation 2000 was submitted to DPE to remove Condition A26 from SSD 7016. As of the date of this audit this application was still under assessment by DPE.</p> <p><i>It is recommended that Borg Panels seek formal written response from DPE regarding the required modifications to DA27/95 and seek clarity regarding the ongoing applicability of the conditions of DA27/95 to the Borg Panels site. It should be noted that if the s96 Modification is approved then the above recommendation will no longer be applicable.</i></p>	
<b>Schedule 2 – Part B: Environmental Performance and Management</b>				
<b>AIR QUALITY</b>				
<b>Meteorological Station</b>				
B1	Prior to the commencement of construction, the Applicant must install and subsequently maintain during the life of the Development, a suitable meteorological station on the site that complies with the requirements in the EPA's Approved Methods for Sampling of Air Pollutants in NSW.	Compliant	<p>Page 14 of the Borg Panels Oberon daft Annual Review 2018 identifies that Borg operates and maintains a meteorological monitoring station located east of the existing Spring Dam. A review of the available calibration certificates identified that the facility was last calibrated on 30 November 2017 and passed all tests. During the audit the meteorological monitoring station was observed to be well maintained.</p> <p><i>It is recommended that the Annual Review report demonstrates how the meteorological station complies with the requirements of the EPA Approved Methods for Sampling of Air Pollutants in NSW.</i></p>	
<b>Dust Minimisation</b>				
B2	The Applicant must implement all reasonable and feasible measures to minimise dust generated by the Development.	Compliant	<p>Page 28 of the CEMP outlines management measures to minimise the generation of dust on site and to prevent the migration of dust offsite. The CEMP inspection checklist (Appendix I of the CEMP) identifies the effectiveness of dust mitigation and management measures. A review of the monthly CEMP inspections from September 2017 to March 2018 indicates that dust management measures have been implemented adequately.</p> <p>The Operational Air Quality Management Plan (OAQMP) outlines management measures to manage air quality (such as dust) from the operation of the site.</p> <p>A review of the Community Complaints Register identified that there has only been one air related complaint during the audit period on 26 March 2018</p>	

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			and this related to dust/material found on a car 1200 m from the Borg Panels site. It was determined that this was not likely caused by Borg Panels operations as the wind direction was from the north west and the complaint was from the south. Plant conditions were normal at the time of the complaint. During the site audit dust management measures were observed including active use of water carts, water cart re-fill stations, and wood dust captured in a closed system.	
B3	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the Development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Compliant	The CEMP inspection checklist checks for all items a, b, c and d on a monthly basis. A review of the monthly CEMP inspections from September 2017 to March 2018 indicates that generally the construction work is not generating dust from stockpiles or site works, tracking mud is not present on public roads and trucks are covering their loads when leaving site. During the site audit it was observed that works have been staged to avoid the amount of exposed surfaces where practical.	
<b>Air Quality Discharges</b>				
B4	The Applicant must install and operate equipment in line with best practice to ensure that the Development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL for the site.	Compliant	Section 7 of the OAQMP outlines "Borg Panels conduct air emissions monitoring to assess compliance with the approval criteria performance indicators and to meet the monitoring requirements of the EPL". A review of the draft 2018 Annual Review identified an exceedance of the annual criteria for depositional dust at DG1. It should be noted that dust deposition monitoring is not a requirement of a consent or licence.  A review of the Community Complaints Register identified there had only been one air related complaint during the audit period. It was determined that this was not likely caused by Borg Panels operations as the wind direction was from the north west and the complaint was from the south.  The Environmental Awareness Training undertaken by Borg Panels employees as part of their induction covers the Borg Panels Environmental Standards including air quality. This standard outlines how to prevent and mitigate the pollution of air and requires an examination at the completion of the induction to demonstrate competency.  The CEMP inspection checklist also inspects for the adequate management of dust during construction. A review of the CEMP inspection checklists from September 2017 to March 2018 demonstrates that construction activities have generally not been generating dust.	

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<b>Operational Air Quality Management Plan</b>				
B5	<p>Within 6 months of the date of this consent, the Applicant must prepare an Operational Air Quality Management Plan (OAQMP) for the Existing Development to manage air quality to the satisfaction of the Secretary. The OAQMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C9. The OAQMP must:</p> <p>(a) be prepared by a suitably qualified expert and be prepared in consultation with the EPA;</p> <p>(b) detail and rank all emissions from all sources of the Existing Development, including particulate and formaldehyde emissions;</p> <p>(c) describe a program that is capable of evaluating the performance of the Existing Development and determining compliance with key performance indicators;</p> <p>(d) identify the control measures that will be implemented for each emission source;</p> <p>(e) outline options/strategies for reducing formaldehyde emissions;</p> <p>(f) nominate the following for each of the proposed controls</p> <ul style="list-style-type: none"> <li>(i) key performance indicator;</li> <li>(ii) monitoring method;</li> <li>(iii) location, frequency and duration of monitoring;</li> <li>(iv) record keeping;</li> <li>(v) complaints register;</li> </ul> <p>(vi) response procedures; and</p> <p>(vii) compliance monitoring.</p>	<b>Administrative non-compliance</b>	<p>The Borg Panels OAQMP (dated 28 November 2017) was approved by DPE on 21 December 2017. <b>The OAQMP was submitted to DPE on 30 November 2017, which was one day late (not within 6 months from the date of consent SSD 7016).</b></p> <p>Section 2.2 of the OAQMP outlines the conditions of consent relevant the operation of the existing facility and details how these conditions will be met. The relevant conditions and where they have been considered in the OAQMP are listed below:</p> <p>Refer to Section 1.5</p> <p>Refer to Section 3 &amp;4</p> <p>Refer to Section 7</p> <p>Refer to Section 6</p> <p>Refer to Section 6.2</p> <p>Refer to Section 3</p> <p>Refer to Section 7</p> <p>Refer to Section 7</p> <p>Refer to Section 9</p> <p>Refer to Section 9. A review of the Community Complaints register identified one air related community complaint from the 2018 reporting period. The complaint was investigated and closed out in accordance with the OAQMP.</p> <p>Refer to Section 8</p> <p>Refer to Section 7. A review of the draft 2018 Annual Review has not identified any exceedances of air quality criteria during the reporting period.</p>	
B6	<p>Prior to commencement of operation of the Project, the Applicant must update the OAQMP as required by Condition B5 to incorporate the Project and its management to the satisfaction of the Secretary. The updated plan must be prepared in accordance with the requirements of Condition B5 and must incorporate the following:</p> <p>(a) details of emissions from all sources of the Development;</p> <p>(b) description of the air quality monitoring to measure the performance of the Development against this consent and the EPL; and</p> <p>(c) description of any additional measures that would be implemented to ensure the Development complies with this consent and the EPL.</p>	Not triggered	<p>The Project is still in construction and therefore this condition has not been triggered during the audit period.</p>	
<b>Odour Management</b>				
B7	<p>The Applicant must ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act)</p>	Compliant	<p>The CEMP inspection checklist identifies if work sites are free from odours. A review of monthly CEMP inspections from September 2017 to March 2018 has indicated that the works have generally</p>	

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			been free of odour. No odour related community complaints were identified during the 2018 reporting year.	
<b>Cogeneration Units</b>				
B8	The Applicant must ensure the two cogeneration units are capable of meeting Group 6 emissions standards outlined in the Clean Air Regulation.	Not triggered	The Cogeneration Units are still in construction and therefore this condition has not been triggered during the audit period.	
B9	Within 3 months of commissioning the two cogeneration units, the Applicant, in consultation with the EPA, must undertake post-commissioning air monitoring of exhaust gases from the two cogeneration units to demonstrate these comply with the Group 6 emission limits in the Clean Air Regulation. Within 1 month of completing the study, the Applicant must submit a report outlining the findings of the study to the Secretary and the EPA	Not triggered	As above.	
B10	Should the post-commissioning emissions verification study indicate the two cogeneration units have not met the requirements of condition B8, a detailed investigation and an outline of any management measures necessary to prevent exceedances must be submitted to the Secretary and the EPA, as part of the study.	Not triggered	As above.	
<b>Air Emissions Verification</b>				
B11	Within 6 months of the commencement of operation of the Project, the Applicant must undertake an air emissions verification study at all air discharge points for the Development identified in the Air Quality Impact Assessment Revised Borg Manufacturing Timber Panels Processing Facility Expansion (AQIA), prepared by Todoroski Air Sciences, dated 16 February 2017, to the satisfaction of the Secretary. The study must: (a) be undertaken by a suitably qualified expert (b) include a verification of actual monitored emissions against the assumptions adopted in the AQIA; (c) confirm, through direct measurements, that applicable EPL requirements are being complied with; and (d) confirm, using reasonable means, the effectiveness of any emission control measures that have implemented to minimise air quality impacts Within 1 month of completing the study, the Applicant must submit a report outlining the findings of the study to the Secretary and the EPA.	Not triggered	The Project is still in the construction phase and therefore this condition has not been triggered during the audit period.	
B12	Should the air emissions verification study indicate the Development has not complied with applicable EPL requirements, or where the verification indicates that greater impacts than predicted in the EIS may arise, a detailed investigation and an outline of any management measures necessary to prevent exceedances must be submitted to the Secretary and the EPA, as part of the study.	Not triggered	As above.	
<b>NOISE</b>				
<b>Hours of Work</b>				
B13	The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Secretary.	Not verified	Section 7.2.2 of the CEMP reference that works are to occur in accordance with the hours listed in Table 1. V Bendeviski also stated that training is undertaken	Borg will communicate to the workforce and enforce approved construction hours of work via weekly Toolbox talks.

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	<p><b>Table 1: Hours of Work</b></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Earthworks and Construction</td> <td>Monday – Friday</td> <td>7 am to 7 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> <tr> <td>Operation</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Earthworks and Construction	Monday – Friday	7 am to 7 pm	Saturday	8 am to 1 pm	Operation	Monday – Sunday	24 hours		<p>to ensure workers are aware of this requirement.</p> <p><b>Construction hours of work could not be verified during the site audit or through any documentation (pre-start briefing records).</b></p> <p><i>It is recommended that Borg Panels review their existing log on / log off and / or timesheet system to ensure it records the start and finish time of construction activities for the remainder of the construction period in order to demonstrate compliance with this condition.</i></p>	
Activity	Day	Time													
Earthworks and Construction	Monday – Friday	7 am to 7 pm													
	Saturday	8 am to 1 pm													
Operation	Monday – Sunday	24 hours													
B14	<p>Works outside of the hours identified in Condition B13 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers;</p> <p>(b) works agreed to in writing by the Secretary;</p> <p>(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.</p>	Compliant	<p>During the site audit, Borg Panels staff outlined that the delivery of the dryer rings was required outside construction hours due to the oversize vehicle required to deliver the dryer ring. An Over mass/Oversize Permit was obtained from Roads and Maritime Services dated 17 July 2017 for the oversize delivery outside of regular construction hours. The delivery was required outside of normal construction hours due to safety reasons.</p>												
<b>Construction Noise Management Plan</b>															
B15	<p>The Applicant must prepare a Construction Noise Management Plan (CNMP) for the Project to manage construction noise. The plan must form part of the CEMP required by Condition C1 and must:</p> <p>(a) be prepared by a suitably qualified and experienced noise expert;</p> <p>(b) be approved by the Secretary prior to the commencement of construction of the Project;</p> <p>(c) describe procedures for achieving the noise limits in Table 2;</p> <p>(d) describe the measures to be implemented to manage noisy works such as rock/concrete breaking activities, in close proximity to sensitive receivers;</p> <p>(e) include strategies that have been developed with the community for managing noisy works;</p> <p>(f) describe the community consultation undertaken to develop the strategies in e) above; and</p> <p>(g) include a complaints management system that would be implemented for the duration of the Project.</p>	Compliant	<p>The Borg Panels Construction Noise Management Plan (CNMP) dated 1 June 2017 was approved by DPE on 13 June 2017. Section 2.2 of the CNMP outlines the conditions of consent relevant to noise and details how these conditions will be met. The relevant conditions and where they have been considered in the CNMP are listed below:</p> <p>Refer to Revision history</p> <p>Refer to Appendix A</p> <p>Refer to Section 6</p> <p>Refer to Section 6</p> <p>Refer to Table 7 and Section 9.1.2</p> <p>Refer to Section 9.1.2</p> <p>Refer to Section 9.2. A review of the community complaints register identified a total of two noise related complaints during the 2018 reporting period. One of these complaints has been closed out however the second is still under investigation.</p>												
<b>Operational Noise Limits</b>															
B16	<p>The Applicant must ensure that noise generated by the Development does not exceed the noise limits in Table 2.</p> <p><b>Table 2: Noise Limits dB(A)</b></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day LAeq(15 minute)</th> <th>Evening LAeq(15 minute)</th> <th>Night LAeq(15 minute)</th> </tr> </thead> <tbody> <tr> <td>All sensitive receivers</td> <td>55</td> <td>50</td> <td>45</td> </tr> </tbody> </table> <p>Note: Noise generated by the Development is to be measured in accordance with the</p>	Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	All sensitive receivers	55	50	45	Compliant	<p>The Borg Panels Operational Noise Management Plan (ONMP) dated 1 December 2017 was reviewed. Section 2.2 of the ONMP outlines the noise limits in Table 2 and Section 4 outlines how the operation of the facility will comply with these limits (e.g. noise monitoring at nearby sensitive receivers – locations are detailed in Table 6 of the ONMP).</p> <p>During the 2018 reporting period there were two</p>				
Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)												
All sensitive receivers	55	50	45												

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.		noise related complaints that as part of the investigation involved the installation of noise loggers. The complaint from July 2017 was closed out, however the complaint from April 2018 is still being investigated through the use of noise loggers. A review of the Borg Panels Annual Operational Noise Monitoring Reporting for Reporting year 2017-2018 was reviewed and identified that Borg Panels operations complied with the noise limits during the annual survey at all monitoring locations.	
<b>Noise Mitigation</b>				
B17	The Applicant must ensure all noise attenuation measures already installed for the Existing Development are maintained in good working order for the life of the Development.	<b>Not verified</b>	<b>It was not able to be verified if Borg Panels undertake maintenance and/or condition assessments to ensure these devices are in good working order.</b> <i>It is recommended that Borg Panels undertakes a condition assessment survey of all noise attenuation devices associated with the Existing Development and develops a maintenance schedule to ensure the devices are kept in good working order.</i>	Noise monitoring for the site demonstrates continual compliance with limits set in the EPL. Borg will investigate procedural controls via the maintenance system, MainPac.
<b>Operational Noise Management Plan</b>				
B18	<p>Within 6 months of the date of this consent, the Applicant must prepare an Operational Noise Management Plan (ONMP) for the Existing Development, to manage operational noise to the satisfaction of the Secretary. The ONMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C9. The ONMP must:</p> <p>(a) be prepared by a suitably qualified and experienced noise expert;</p> <p>(b) describe the measures that will be implemented to minimise noise from the Existing Development including:</p> <ul style="list-style-type: none"> <li>(i) all reasonable and feasible measures being employed on site;</li> <li>(ii) maintain equipment to ensure it is in good order;</li> <li>(iii) traffic noise is effectively managed;</li> <li>(iv) the noise impacts of the Existing Development are minimised during any meteorological conditions when the noise criteria in this consent do not apply;</li> <li>(v) compliance with the relevant conditions of this consent;</li> </ul> <p>(c) includes a noise monitoring program that:</p> <ul style="list-style-type: none"> <li>(i) must be carried out until otherwise agreed to in writing by the Secretary;</li> <li>(ii) is capable of evaluating the performance of the Existing Development; and</li> </ul>	<b>Administrative non-compliance</b>	<p>The Borg Panels Operational Noise Management Plan (ONMP) dated 11 December 2017 was approved by DPE on 21 December 2017. <b>The ONMP was submitted to DPE on 30 November 2017, which was one day late (not within 6 months from the date of consent SSD 7016).</b></p> <p>Section 2.2 of the CNMP outlines the conditions of consent relevant to noise and details how these conditions will be met. The OEMP adequately address conditions C4 and C9.</p> <p>Refer to revision history Refer to Section 6</p> <p>Equipment is maintained in good working order through daily checks and regular servicing managed through Borg Panels Mainpac system.</p> <p>Refer to Section 7 and Section 9</p> <p>Operational compliance monitoring is undertaken for the Existing Development at each location identified in the ONMP once per year during the day, evening and night. In the event of a noise complaint the compliant is to be investigation as soon as practicable,</p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>(iii) includes a protocol for determining exceedances of the relevant conditions of this consent and responding to complaints; and</p> <p>(d) include a procedure for implementing noise mitigation measures, should the Applicant be directed by the EPA or the Secretary, or should non-compliances be detected.</p>		Refer to Section 8	
B19	<p>Prior to the commencement of operation of the Project, the Applicant must update the ONMP required under Condition B18, to incorporate the Project and its management, to the satisfaction of the Secretary. The updated plan must be prepared in accordance with the requirements of Condition B18, and must incorporate the following:</p> <p>(a) description of the noise monitoring program to measure the performance of the Development against this consent and the EPL; and</p> <p>(b) description of any additional measures that would be implemented for the Development to ensure compliance with the noise limits in Condition B16 and the EPL.</p>	Not triggered	The Project is still in construction and therefore this condition has not been triggered during the audit period.	
<b>Noise Verification</b>				
B18	<p>Within 3 months of commencement of operation of the Project, the Applicant must undertake a noise verification study for the Development to the satisfaction of the Secretary. The study must:</p> <p>(a) be undertaken by a suitably qualified expert;</p> <p>(b) include an analysis of compliance with noise limits specified in Condition B16;</p> <p>(c) demonstrate achievement of the sound power levels in Table 12 of the Borg Panels Timber Panel Processing Facility Noise and Vibration Impact Assessment, dated May 2016 and prepared by Global Acoustics;</p> <p>(d) include an outline of management actions to be taken to address any exceedances of the limits specified in Condition B16; and</p> <p>(e) describe the contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.</p> <p>Within 1 month of completing the study, the Applicant must submit a report outlining the findings of the study to the Secretary and the EPA.</p>	Not triggered	The Project is still in construction and therefore this condition has not been triggered during the audit period.	
B21	Should the noise verification study indicate the Development has not complied with the noise limits in Condition B16 and applicable EPL requirements, or where the verification indicates that greater impacts than predicted in the EIS may arise, a detailed investigation and an outline of any management measures necessary to prevent exceedances must be submitted to the Secretary and the EPA, as part of the study.	Not triggered	As above.	
<b>Mobile Wood Chippers</b>				
B22	During construction, the Applicant must ensure that mobile wood chippers are not operating simultaneously with rock/concrete breaking activities.	Not triggered	It was noted that no concrete/rock breaking activities have occurred during the audit period (V Bendevski pers coms).	
B23	<p>The use of mobile wood chippers on site is restricted to the day time period only and to periods of breakdown or maintenance of the permanent wood debarkers and electric chippers, and must not operate under the following conditions:</p> <p>(a) in the open when winds are from the north-west through to the north-east (315°, through 0°, to 45°); or</p> <p>(b) when winds are from the west through to the east (270°, through 0°, to 90°), two or more mobile wood chippers are not to operate simultaneously.</p>	Compliant	<p>Section 3 of the MWCOMP specifies that "Wind directional data clearly signifying when one or two mobile chippers may be operated, or when they are not to be operated, is to be displayed as a live feed from the meteorological station in full view of the Log Yard Supervisor. The Supervisor will review data and advise operators when wind direction prevents operation and to shut down equipment".</p> <p>During the site audit Borg Panels advised that they were currently investigating a text message alert</p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
			system for the Supervisors.	
B24	Within 6 months of the date of this consent or the commencement of construction of the Project, whichever occurs first, the Applicant must prepare a Mobile Wood Chipper Operation Management Plan for the Development. The plan must outline how the requirements under Conditions B22 and Condition B23 will be achieved and must include any reasonable and feasible mitigation measures to limit operation to periods of breakdown or maintenance of the permanent debarkers and electric chippers	<b>Administrative non-compliance</b>	The MWCOMP was approved by DPE on 21 December 2017. <b>The MWCOMP was submitted to DPE on 30 November 2017, which was one day late (not within 6 months from the date of consent SSD 7016).</b>	
<b>Cogeneration Units</b>				
B25	The Applicant must ensure the two cogeneration units are acoustically treated as described in the Gas Fired Co-Generators Noise Impact Assessment (NIA) prepared by Vipac Engineers and Scientists, dated 2 July 2015.	Compliant	It was confirmed that the cogenerations units have been acoustically treated during the audit period as required including acoustic shielding. This was viewed during the site inspection (refer to Plate 1 and 2 in Appendix 5 in the main Audit Report).	
B26	Within 3 months of commissioning the two cogeneration units, the Applicant, in consultation with the EPA, must undertake post-commissioning noise monitoring of the cogeneration units to demonstrate the operation of the cogeneration units do not exceed the noise criteria at sensitive receivers as described in Section 7.0 of Gas Fire Co-generators Noise Impact Assessment prepared by Vipac Engineers and Scientists, dated 2 July 2015.  Within 1 month of completing the study, the Applicant must submit a report outlining the findings of the study to the Secretary and the EPA.	Not triggered	This condition has not been triggered during the audit period.	
B27	Should the post-commissioning emissions verification study indicate the two cogeneration units have not demonstrated compliance with the NIA, a detailed investigation and an outline of any management measures necessary to prevent exceedances must be submitted to the Secretary and the EPA, as part of the study.	Not triggered	As above.	
<b>SOILS, WATER QUALITY AND HYDROLOGY</b>				
<b>Imported Soil</b>				
B28	The Applicant must:  (a) ensure that only VENM, or ENM, or other material approved in writing by the EPA is used as fill on the site; (a) keep accurate records of the volume and type of fill to be used; and (b) make these records available to the Secretary upon request.	Not triggered	No fill has been imported to the Borg Panels site during the reporting period (V Bendevski pers coms).	
<b>Erosion and Sediment Control</b>				
B29	Prior to the commencement of construction, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the Managing Urban Stormwater: Soils and Construction Guideline and the Erosion and Sediment Control Plan included in the CEMP required by Condition C1.	<b>Non-Complaint</b>	A review of the CEMP inspection checklists from September 2017 to March 2018 has identified that installed erosion and sediment controls are working and are being maintained in accordance with the Blue Book.  <b>However during the site audit it was observed that there were a large number of stockpiles present in the proposed hardstand, emergency catchment and first flush basin area that appeared to have been there for a period of time (without any stabilisation) and did not have any sediment retention traps (e.g. sediment fence) located downslope (refer to Appendix 5 – Plate 7). The stockpiles are located on the high point of the local</b>	Review and audit ERSED controls to ensure compliance.  Stockpiles were surrounded by swales and sediment basins (protection methods on the downslope).  Furthermore, land surrounding the stockpiles was graded away from sensitive receptors i.e. water course.  Stockpiles were being held in that area as they were intended for reuse in the construction of the basins.

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			<p>topography and therefore are not subject to upslope surface flows. In accordance with Appendix M 41 of the Blue Book references that stockpiles should be protected upslope from surface water flow, sediment filters should be provided down slope, and stabilised to greater than 50% when remaining unattended (e.g. not adding or removing material from the stockpile) for more than 20 working days.</p> <p><i>It is recommended that Borg Panels install sediment retention traps (such as sediment fences – refer to drawing SD 6-8 of the Blue Book) downslope of stockpiles and ensure stockpiles are stabilised to more 50% if they are going to be inactive (e.g. material not added or removed) for more than 20 days.</i></p>	
<b>Water Licences</b>				
B30	<p>The Applicant is required to obtain the necessary water licences for the Development under the Water Act 1912 and/or the Water Management Act 2000.</p> <p>Note: Licences are required for groundwater bores, excavations that may intercept groundwater, dewatering activities and extraction or interception of surface water.</p>	Compliant	Water Supply Works approval 80WA715797 issued under s87B of the Water Management Act 2000 for the extraction of groundwater has been obtained for the Borg Panels site. The certificate was sighted and was dated 4 March 2015. It was noted that no new licences are required as a result of the Project (V Bendeovski pers com)	
<b>Discharge Limits</b>				
B31	The Development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.	<b>Non-Compliant</b>	<p><b>A review of the 2018 Annual Return identified that there were two exceedances of EPL limits during the reporting period. An exceedance of Biochemical Oxygen Demand (BOD) on 8 August 2017 The EPL limit for BOD is 20 mg/L and the monitored result was 21 mg/L. This is possibly due to the build-up of wood dust from prolonged dry period which may have contributed to elevated nutrients and increased BOD following a period of rain.</b></p> <p><b>Additionally, an exceedance of Total Suspended Solids occurred on 8 August 2017. The EPL limit for TSS is 50 mg/L and the monitored result was 57 mg/L. This was possible due to the build-up of dust which may have by-passed erosion controls and ended up flowing through the monitoring point 1 following a rain event.</b></p> <p><i>It is recommended that a review of the water management system, monitoring requirements and procedures should be completed with key findings used to update the water management plan (where necessary) for the Departments approval.</i></p>	<p>Review Pollution Incident Response Management Plan and update where necessary.</p> <p>Review associated procedures and training.</p> <p>Ensure implementation of recently developed Operational Environment Management Plan.</p>
<b>Surface Water Management Plan</b>				
B32	Within 6 months of the date of this consent, the Applicant must prepare a Surface Water Management Plan (SWMP) for the Existing Development that incorporates the Oberon Stormwater Management Strategy, Rev G, prepared by Parsons Brinckerhoff,	<b>Administrative non-compliance</b>	The Borg Panels Surface Water Management Plan (SWMP) dated 13 December 2017 was approved by DPE on 21 December 2017. <b>The SWMP was</b>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>dated March 2012, to the satisfaction of the Secretary. The SWMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C9. The SWMP must:</p> <p>(a) be prepared in consultation with the EPA and DPI;</p> <p>(b) detail water use, metering, disposal and management on-site;</p> <p>(c) detail the water licence requirements for the Existing Development;</p> <p>(d) describe the surface water management system on-site,</p> <p>(e) include a program to monitor:</p> <ul style="list-style-type: none"> <li>(i) surface water flows and quality;</li> <li>(ii) surface water storage and use; and</li> <li>(iii) sediment basin operation;</li> </ul> <p>(f) include a sediment and erosion control plan;</p> <p>(g) include surface water impact assessment criteria, including trigger levels for investigating and potential adverse surface water impacts; and</p> <p>(h) include a protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria.</p>		<p><b>submitted to DPE on 30 November 2017, which was one day late (not within 6 months from the date of consent SSD 7016).</b></p> <p>Section 2.2 of the SWMP outlines the conditions of consent relevant to this management plan (including Condition B32) how these conditions will be met. The SWMP adequately addresses Condition B32.</p> <p>Refer to Section 1.4</p> <p>Refer to Section 3</p> <p>Refer to Section 2</p> <p>Refer to Section 4</p> <p>Refer to Sections 4, 5 and 6</p> <p>Refer to Section 5</p> <p>Refer to Section 7</p> <p>Refer to Section 7</p>	
B33	<p>Prior to commencement of operation of the Project, the Applicant must update the SWMP required under Condition B32 to incorporate the Project and its management to the satisfaction of the Secretary. The updated plan must be prepared in accordance with the requirements of Condition B32, and must incorporate the following:</p> <p>(a) details of the proposed mitigation measures outlined in Section 6.0 of Proposed Particle Board Facility Water Cycle Impact Assessment, prepared by the Sustainability Workshop and dated May 2016, in particular, the final design specifications of the additional stormwater treatment and storage pond and emergency spill basin;</p> <p>(b) details of the stormwater harvesting and reuse scheme; and</p> <p>(e) outline the surface water monitoring program to measure the performance of the Development against this consent and the EPL.</p> <p>(f)</p>	Not triggered	The Project is in the construction phase.	
<b>TRAFFIC AND ACCESS</b>				
<b>Construction Traffic Management</b>				
B34	<p>The Applicant must prepare a Construction Traffic Management Plan (CTMP) for the Project. The CTMP must form part of the CEMP as required by Condition C1 and be prepared in accordance with Condition C9. The CTMP must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) be submitted to the Secretary for approval prior to the commencement of construction;</p>	Compliant	<p>The Construction Traffic Management Plan (CTMP) dated 3 May 2017 was prepared by The Transport Planning Partnership (TIPP) on behalf of Borg Panels. The CTMP was approved by DPE on 13 June 2017. Table 1 of the CTMP outlines the conditions of consent relevant to this management plan (including Condition B34) and how these conditions will be met (where addressed in the document).</p> <p>Refer to revision history</p> <p>Refer to Appendix A of the CEMP</p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>(c) detail the measures that would be implemented to ensure road safety and network efficiency during earthworks and construction;</p> <p>(d) detail heavy vehicle routes, access and parking arrangements;</p> <p>(e) include a Driver Code of Conduct to:</p> <ul style="list-style-type: none"> <li>(i) minimise the impacts of construction on the local and regional road network;</li> <li>(ii) minimise conflicts with other road users;</li> <li>(iii) minimise road traffic noise; and</li> <li>(iv) ensure truck drivers use specified routes;</li> </ul> <p>(f) include a program to monitor the effectiveness of these measures; and</p> <p>(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.</p>		<p>Refer to Section 5</p> <p>Refer to Sections 3.3 and 3.4</p> <p>Refer to Appendix A</p> <p>Refer to Section 6</p> <p>Refer to Section 4.7</p>	
<b>Parking</b>				
B35	The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the Development does not utilise public and residential streets or public parking facilities.	Compliant	<p>Section 3.3.4 of the CTMP outlines that parking would be provided for construction staff and there would be designated parking spaced for heavy vehicles or plant when not in use</p> <p>During the site audit dedicated parking facilities were observed for visitor sign in and parking near the administrative and workshop buildings.</p>	
<b>Operating Conditions</b>				
B36	<p>The Applicant must ensure:</p> <p>(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the latest version of AS 2890.1 and AS 2890.2;</p> <p>(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTRROADS guidelines;</p> <p>(c) the Development does not result in any vehicles queuing on the public road network;</p> <p>(d) heavy vehicles and bins associated with the Development are not parked on local roads or footpaths in the vicinity of the site;</p> <p>(e) all vehicles are wholly contained on site before being required to stop;</p> <p>(f) all loading and unloading of materials is carried out on-site;</p> <p>(g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and</p>	Compliant	<p>The CTMP addresses the traffic and transport implications during the construction phase of the development in accordance with the relevant standards.</p> <p>The CEMP inspection checklist also identifies for safe operation of heavy vehicles and in accordance with the code of conduct during the inspection. A review of CEMP checklists from September 2017 to March 2018 did not identify any issues with heavy vehicle operation.</p> <p>During the site audit vehicles and mobile plant were observed to be sticking to internal designated roads.</p> <p>Refer to Appendix D</p> <p>Refer to Appendix D</p> <p>Refer to Section 5.1</p> <p>Refer to Section 5.1</p> <p>Refer to Section 3.4</p> <p>Refer to Section 3.3.3</p> <p>Refer to Section 3.3.4</p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>(h) it has prepared and implemented a Driver Code of Conduct to:</p> <p>(i) minimise the impacts of the Development on the local and regional road network;</p> <p>(ii) minimise conflicts with other road users; and</p> <p>(iii) ensure truck drivers use the Oberon town bypass roads.</p>		Appendix A of the CTMP contains the Drivers Code of Conduct which all employees are required to read and sign. A copy of a signed Drivers Code of Conduct was sighted	
<b>HAZARDS AND RISK</b>				
B37	<p>The Applicant must continue to implement the following existing plans and systems for the site until such time as the plans and systems under Condition B39 are submitted to the Secretary:</p> <p>(a) Emergency Plan titled Emergency Response Plan, SMS 22401, REV 0, prepared by Borg Construction; and</p> <p>(b) Safety Management System titled Safety Management system, WHSMS Part A &amp; B, prepared by Borg Construction and dated May 2016.</p>	Compliant	<p>Emergency Response Plan SMS22401 dated 28 March 2018 was reviewed and is available on the Borg Panels intranet.</p> <p>Work Health and Safety Management System Part A dated August 2017 and Work Health and Safety Management System Part B dated May 2016 were reviewed and are both available on the Borg Panels intranet.</p>	
<b>Pre-construction</b>				
B38	<p>The Applicant must prepare the studies set out under subsections B38(a) to B38(d) (the preconstruction studies). Construction (not including earthworks) must not commence until the recommendations of the study have been considered and, where appropriate, acted upon. The Applicant must submit the studies to the Secretary no later than one month prior to the commencement of construction of the Project, or within such further period as the Secretary may agree.</p> <p>(a) FIRE SAFETY STUDY The site's Fire Safety Study must be updated to include any changes due to the Project. This study must cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the NSW Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study must meet the requirements of FRNSW.</p> <p>(b) HAZARD AND OPERABILITY STUDY A Hazard and Operability Study for the Project, chaired by a qualified person, independent of the Development. The study must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'.</p> <p>(c) FINAL HAZARD ANALYSIS A Final Hazard Analysis of the Project, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.</p> <p>(g) CONSTRUCTION SAFETY STUDY A Construction Safety Study for the Development, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 7, 'Construction Safety'. This study must also identify and address the potential hazards arises from the interactions with the existing facility during construction.</p>	Compliant	<p>All plans have been prepared and approved by the Secretary on 7 July 2017.</p> <p>The latest version of the report is Rev 0 June 2017. Page 2 of the document lists that the report has been prepared in accordance with the Hazardous Industry Planning Advisory Paper (HIPAP) No. 2 (Ref. [2]) and the Fire Safety Study Guidelines. Section 8.2 of the document references the Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. Page 4 of the document outlines the requirements for local FRNSW access and egress.</p> <p>Section 1.1 of the document outlines that this report has been prepared to satisfy the requirements of Condition B38(b).</p> <p>Page 1 outlines that this report has been prepared to meet the requirements of Condition B38 (c).</p> <p>Page 1 of the document outlines that this report has been prepared in accordance with the NSW Department of Planning's Hazardous Industry Planning Advisory Paper (HIPAP) No.7 Construction Safety.</p>	
<b>Pre-commissioning</b>				
B39	<p>Prior to commissioning of the Project, the Applicant must update and implement the plans and systems set out under subsections B39(a) to B39(b). The Applicant must submit to the Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the Project, or within such further period as the Secretary may agree.</p>	Not triggered	The Project is in the construction phase.	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>(a) EMERGENCY PLAN The site's Emergency Plan and detailed emergency procedures as required under Condition B37(a), must be updated to incorporate any changes due to the Project. The plan must include detailed procedures for the safety of all people outside of the Development who may be at risk from the Development. The plan must be in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'.</p> <p>(b) SAFETY MANAGEMENT SYSTEM The site's Safety Management System as required under B37(b), must be updated to include any changes due to the Project. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by the Secretary upon request. The Safety Management System must be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</p>			
<b>Pre-startup</b>				
B40	<p>PRE-STARTUP COMPLIANCE REPORT One month prior to the commencement of operation of the Project, the Applicant must submit to the Secretary, a report detailing compliance with conditions B38 and B39, including:</p> <p>(a) dates of study/plan/system completion, commencement of construction and commissioning; and</p> <p>(b) actions taken or proposed, to implement recommendations made in the studies/plans/systems; and</p> <p>(c) responses to each requirement imposed by the Secretary under condition B43.</p>	Not triggered	The Project is in the construction phase.	
<b>Post-startup</b>				
B41	<p>POST-STARTUP COMPLIANCE REPORT Three months after the commencement of operation of the Project, the Applicant must submit to the Secretary, a report verifying that:</p> <p>(a) the Emergency Plan required under condition B39(a) is effectively in place and that at least one emergency exercise has been conducted; and the Safety Management System required under condition B39(b) has been fully implemented and that records required by the system are being kept.</p>	Not triggered	The Project is in the construction phase.	
<b>Ongoing</b>				
B42	<p>HAZARD AUDIT Twelve months after the commencement of operation of the Project and every five years thereafter, or at such intervals as the Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the site and within one month of each audit submit a report to the Secretary.</p> <p>The audits must be carried out at the Applicant's expense by an independent qualified person or team to be approved by the Secretary, independent of the Development, prior to commencement of each audit and must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'.</p>	Not triggered	The Project is in the construction phase.	
B43	<p>FURTHER REQUIREMENTS The Applicant must comply with all reasonable requirements of the Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B38 to B42 inclusive, within such time as the Secretary may agree.</p>	Not triggered	The Project is in the construction phase.	
<b>Dangerous Goods</b>				
B44	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.	Not verified	SEPP 33 Risk Screening dated 12 May 2016 was reviewed. Dangerous good quantity limits applicable to the Project are listed in Table 4.1 of the SEPP 33	A review and update of the Chemical Substances Register is currently being undertaken on site. Once completed this will

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
			<p>report.</p> <p><b>During the site audit the quantity of dangerous goods currently stored at the Borg Panels site could not be verified.</b></p> <p><i>It is recommended that Borg Panels review the dangerous goods and limits listed in the SEPP 33 report to determine if these are still current and are consistent with what is currently stored on site. Borg Panels should introduce a mechanism to identify the quantity of dangerous goods stored on site to ensure and demonstrate compliance with this condition.</i></p>	<p>be assessed against SEPP 33 to ensure compliance.</p>
<b>Bunding</b>				
B45	<p>The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook.</p>	<b>Non-Compliant</b>	<p>The CEMP inspection checklist identifies appropriate bunding of all chemicals and fuels. A review of CEMP inspection checklists from September 2017 to March 2018 has indicated that chemicals and fuels are being stored appropriately.</p> <p><b>However during the site audit it was observed that chemicals located in the storage shed in the vicinity of the emergency catchment and first flush basin area were not stored within banded areas. Bunds were observed in the storage shed, however these were not being used (refer to Appendix 5 – Plate 8)</b></p> <p><b>During the site audit Borg Panels identified that the pavement in the Water Recycling Management Plan was designed to drain towards the treatment ponds. However there were some chemicals stored without bunding in an area that appeared to drain towards the proposed Emergency Basin (refer to Appendix 5 – Plate 5).</b></p> <p><b>During the site audit, Borg Panels personnel described that truck refuelling is undertaken with the use of portable bunds but this could not be verified with the area surround the truck refuelling area not banded and located on a hard stand area that drains to the proposed Emergency Basin currently under construction . Furthermore, the spill kits located in the truck fuelling area were not appropriately stocked and one bin contained dirty water (refer to Appendix 5 – Plate 9).</b></p> <p><i>It is recommended that a review of the fuel and chemical storage procedures should be completed with key findings used to update the CEMP and OEMP (where necessary) for the Departments approval. This should include updates to the CEMP Inspection Checklist and updates to the OEMP sub-plan checklists (where applicable) to specifically capture and inspect all hydrocarbon storage and management areas. In addition, refresher training should be rolled out to all Borg Panels employees who work with or near fuels and chemicals regarding the appropriate storage of these items and how to use and maintain spill kits.</i></p>	<p>Generally, Borg Panels remains compliant with legislative requirements however we commit to undertake a review of training with an emphasis on environmental awareness.</p>

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
<b>WASTE MANAGEMENT</b>				
B46	Waste must be secured and maintained within designated waste storage areas at all times.	<b>Non-Complaint</b>	<p>Table 3 of the Waste Management Plan (WMP) outlines how waste types will be managed on site. Section 4.5 of the WMP also describes waste storage areas located at the Borgs facility. Section 6.1 of the WMP specifies that the Yard Supervisor is responsible for managing waste and undertaking daily inspections and weekly disposal of waste to landfill.</p> <p><b>During the site audit a number of waste stockpiles of varying size were observed in existing Lot 2902 DP 1056754 and adjacent to the areas proposed for the new emergency and first flush basins (refer to Appendix 5 – Plate 6). There appeared to be no evidence of waste segregation for different waste streams and some stockpiles appeared to have been there for a period of time.</b></p> <p><b>During the site audit it was observed that there was a lack of designated / segregated waste storage areas as described in the WMP. General site rubbish including packaging rubbish was observed throughout the site particularly near the existing warehouses adjacent to the proposed hardstand area. A SEUZ paper and cardboard recycling bin was observed in the existing Manufacturing Plant</b></p> <p><i>It is recommended that a review of the WMP (including key commitments) should be completed with key findings used to update the CEMP and WMP for the Departments approval. In addition, once the WMP is updated refresher training should be rolled out to all Borg Panels employees regarding waste management requirements on the Borg Panels site.</i></p>	<p>Review WMP and ensure Environmental Standard Awareness training and assessment is completed against it.</p> <p>Implement waste segregation strategies for different waste streams where required</p> <p>The location identified in the audit is where Borg stockpiled materials that are destined for reuse. Better segregation via a stockpile plan/map will be developed which will include the intended fate of material i.e. on-site reuse, off-site disposal to landfill/recycled and appropriate ERSED controls.</p>
B47	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off-site in accordance with the EPA's Waste Classification Guidelines Part 1: Classifying Waste, November 2014, or its latest version and dispose of all wastes to a facility that may lawfully accept the waste.		<p>Section 4.4 of the WMP outlines that “Waste generated and/or stored at the premises is assessed and classified according to the NSW EPA Waste Classification Guidelines”.</p> <p>Section 6.3 specifies that Borg Panels retains all waste disposal records for traceability including waste receipts and waste transfer certificate for up to 4 years. Borg Panels provided waste tip invoices from Bathurst City Council for the disposal of waste during the audit period.</p>	
B48	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal unless the EPA has permitted the use of a particular wood waste (or wastes) at the site by conditions on the EPL for the site.	Not triggered	No waste was received from outside of the Borg Panels site during the audit period (V Bendevski pers coms).	
B49	Within 6 months of the date of this consent, the Applicant must provide documentary evidence of a Trade Waste Agreement with Council for the Development and must include and shall not be limited to:	<b>Not verified</b>	Borg Panels were not offered a renewal on their Trade Waste Service Contract with Oberon Council for the 2017-2018 reporting period. Further it was confirmed that DPI-Water also did not provide concurrence due to the category of discharge. In this regard Borg Panels now treats its liquid trade waste on site and does not discharge to the	Whilst DPI has not provided concurrence, Borg endeavours to continue investigation into a Trade Waste Agreement with Council.

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	(a) covering quantities, quality, timing of the release of wastes to the sewerage system; (b) contingency plans in the event of the effluent treatment facilities; and (c) monetary for breaches of the standards.		sewerage system (V Bendeovski pers coms).  <i>It is recommended that Borg Panels seek confirmation from the Department that the new arrangements to treat its liquid wastes and reuse onsite are acceptable and that this condition is there for not applicable/triggered.</i>	
<b>Construction Waste Management</b>				
B50	Prior to the commencement of construction of the Project, the Applicant must prepare a Construction and Demolition Waste Management Plan for the Project to the satisfaction of the Secretary. The plan must form part of the CEMP required by Condition C1 and must: (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and (b) be implemented for the duration of construction works.	<b>Non-Compliant</b>	Section 7.7 of the CEMP contains the Construction and Demolition Waste Management Plan. Table 6 details the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations and adequately addressed Condition B50.  The CEMP inspection checklist identifies waste bins are not full or overflowing. A review of CEMP inspections from September 2017 to March 2018 has identified that waste bins are being managed effectively.  <b>During the site audit it was identified that the Construction and Demolition Waste Management Plan was not being implemented as required by this condition. It was observed that a number of waste stockpiles of varying size were located in existing Lot 2902 DP 1056754 and adjacent to the areas proposed for the new emergency and first flush basins. There also appeared to be no evidence of waste segregation for different waste streams and some stockpiles appeared to have been there for a long period of time. It was observed that there was a lack of designated / segregated waste storage areas as described in the management plan. General site rubbish including packaging rubbish was observed throughout the site particularly near the existing warehouses adjacent to the proposed hardstand area.</b>  <i>It is recommended that a review of Section 7.7 of the CEMP should be completed in order to address the issues identified during this audit. The review should outline the requirements for waste segregation across the site and identify designated waste storage areas. With regard to the existing waste stockpiles a plan of action should be developed that outlines what can be stored in these and confirm timing for proposed re-use on site or disposal offsite. In addition, refresher training should be rolled out to all Borg Panels employees regarding waste management requirements on the Borg Panels site during construction.</i>	Review WMP and ensure Environmental Standard Awareness training and assessment is completed against it.  Implement waste segregation strategies for different waste streams where required  The location identified in the audit is where Borg stockpiles materials that are destined for reuse however better segregation via a stockpile plan/map will be developed which will include the intended fate of material i.e. on-site reuse, off-site disposal to landfill/recycled and appropriate ERSED controls.
<b>Waste Management Plan</b>				
B51	Within 6 months of the date of this consent, the Applicant must prepare a Waste Management Plan (WMP) for the Existing Development to the satisfaction of the Secretary. The WMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C9. The WMP must:	<b>Administrative non-compliance</b>	The Borg Panels Waste Management Plan dated 24 November 2017 was approved by DPE on 21 December 2017. <b>The WMP was submitted to DPE on 30 November 2017, which was one day late (not</b>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
			<b>within 6 months from the date of consent SSD 7016).</b>	
	(a) detail the type and quantity of waste generated by the Existing Development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the POEO Act, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009); (c) detail the materials that are being reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures included in Appendix B.		Refer to Section 3 Refer to Section 4  Refer to Section 4 Refer to Section 2.3	
B52	Prior to commencement of operation of the Project, the Applicant must update the WMP required under Condition B51 to incorporate the Project and its management to the satisfaction of the Secretary. The updated plan must be prepared in accordance with the requirements of Condition B51, and must incorporate the following: (a) details of the materials to be reused and recycled for the Project; and (b) details of the procedures for managing, handling and accepting materials to be reused or recycled on-site for the Project.	Not triggered	The Project is in the construction phase.	
<b>CONTAMINATION</b>				
B53	Prior to the commencement of construction of the Project, the Applicant must prepare a site validation report for Lot 1 DP 1085563, which demonstrates the site is suitable for its intended uses(s). A copy of the site validation report must be provided to the Secretary and Council.	Compliant	The Site Validation Investigation Report for the removal of the old fuel depot dated 20 June 2017 was reviewed. The report found that following remediation of the fuel depot area that the site is considered suitable for ongoing industrial lane use as defined in the UPSS Regulation 2008 and NEPC 1999. An email was sent to DPE and Oberon Council with a copy of the report attached on 23 June 2017 (prior to construction commencing on 2 November 2017). Appendix 5 of the report contains a commitment letter from Borg Panel to continue the ongoing remediation of the excavated stockpile material on site. During the site audit Borg Panels confirmed that these stockpiles were successfully remediated below the NEPM criteria. The validation report for the remediation of the excavated stockpile material (dated 23 November 2017) was sighted and confirmed the successful remediation of the stockpiles. <i>It is recommended that the validation report for the remediation of the excavated stockpile material (dated 23 November 2017) be provided to DPE and Council.</i>	
<b>HERITAGE</b>				
<b>Unexpected Finds Protocol</b>				
B54	If Aboriginal objects are uncovered during earthworks, excavation or disturbance, work in the immediate area must stop and the Regional Operations Group of the OEH and the Registered Aboriginal Parties are to be consulted.	Not triggered	No Aboriginal heritage was encountered during the audit period (V Bendeovski pers coms).	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
B55	If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area and the OEH NSW Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act 1977 may be required before further works can continue in that area.	Not triggered	No non-Aboriginal heritage was encountered during the audit period (V Bendevski pers coms).	
<b>VISUAL AMENITY</b>				
<b>Landscaping</b>				
B56	The Applicant must ensure landscaping is carried out in accordance with the Landscape Plan DA 07 Issue A titled 'Landscape Plan' prepared by Borg Construction, dated 19 May 2016.	Not triggered	The Project is still in the construction phase and no landscaping activities have been undertaken during the audit period (V Bendevski pers coms).	
<b>Lighting</b>				
B57	The Applicant must ensure the lighting associated with the Development: (a) complies with the latest version of AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting; and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	Compliant	A letter from Crossmuller dated 11 July 2018 was sighted outlining that the lighting scheme for the Project is compliant with AS 4282.  A review of the community complaints register did not identify any complaints relating to lighting for the audit period. The site audit observed lighting installed in a way that it is not directed onto surrounding properties and roads.	
<b>COMMUNITY ENGAGEMENT</b>				
B58	The Applicant must consult with the community as required under Conditions C1 and C4 for the Development, including consultation with the nearby sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	Compliant	Section 6 of the OEMP outlines ongoing community and stakeholder consultation associated with operational activities including: <ul style="list-style-type: none"> <li>Community Consultative Committee;</li> <li>Presentations to the Oberon Business and Tourism Association Meetings;</li> <li>Consultation with the Oberon High School Principal regarding any rock or concrete breaking activities that may occur at the facility (refer Construction Environmental Management Plan); and</li> <li>Particle Board Project updates including information on the Borg website, local area advertisements, letterbox notifications and/or Project information sheets.</li> </ul> Borg Panels has a number of avenues to register inquiries or complaints associated with the construction of the Project or operation of the existing site including: <ul style="list-style-type: none"> <li>A 24-hour freecall community liaison line (1800 802 795)</li> <li>Postal address for written complaints (Borg Panels, Private Mail Bag 1, Oberon NSW 2787)</li> <li>Email address for electronic complaints (<a href="mailto:oberon_site@borgs.com.au">oberon_site@borgs.com.au</a>)</li> </ul>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
<b>Schedule 2 – Part C: Environmental Management, Reporting and Auditing</b>				
<b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>				
C1	<p>The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Secretary. The CEMP must:</p> <p>(a) be approved by the Secretary prior to the commencement of construction;</p> <p>(a) identify the statutory approvals that apply to the Project;</p> <p>(c) outline all environmental management practices and procedures to be followed during construction works associated with the Project;</p> <p>(d) describe all activities to be undertaken on the site during construction of the Project, including a clear indication of construction stages;</p> <p>(e) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;</p> <p>(g) describe the roles and responsibilities for all relevant employees involved in construction works associated with the Project; and</p> <p>(h) include the management plans required under Condition C2 of this consent.</p>	Compliant	<p>The Borg Panels CEMP was reviewed and was found to adequately address Condition C1. Appendix A of the CEMP details that the CEMP and associated sub-plans were approved by the Secretary on 13 June 2017.</p> <p>Refer to Appendix A of the CEMP</p> <p>Refer to Section 2.3 of the CEMP</p> <p>Refer to Section 7 of the CEMP</p> <p>Refer to Section 4 of the CEMP</p> <p>Refer to Section 7 and 8 of the CEMP</p> <p>Refer to Section 5 of the CEMP</p> <p>Refer to Condition C2.</p>	
C2	<p>As part of the CEMP required under Condition C1 of this consent, the Applicant must include the following:</p> <p>(a) Traffic Management (Condition B34);</p> <p>(b) Dust Management (Condition B3);</p> <p>(c) Noise Management (Condition B15);</p> <p>(d) Mobile Wood Chipper Operation Management (Condition B24);</p> <p>(e) Erosion and Sediment Management (Condition B29);</p> <p>(f) Waste Management (Condition B50); and</p> <p>(g) Community Consultation and Complaints Handling (Conditions B58).</p>	Compliant	<p>Refer to the following sections of the CEMP:</p> <p>Refer to Section 7.8 and Appendix F</p> <p>Refer to Section 7.5</p> <p>Refer to Section 7.4 and Appendix E</p> <p>Refer to Section 7.11 and Appendix H</p> <p>Refer to Section 7.3</p> <p>Refer to Section 7.7</p> <p>Refer to Sections 2.5 &amp; 11.4</p>	
C3	<p>The Applicant must carry out the construction of the Project in accordance with the CEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.</p>	Compliant	<p>Borg Panels is generally undertaking the construction of the Project in accordance with the CEMP and subplans approved by DPE on 13 June 2017.</p> <p><i>The audit identified some areas of non-compliance and areas for improvement discussed in this Compliance Table and in the main Audit Report.</i></p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
<b>OPERATIONS ENVIRONMENTAL MANAGEMENT PLAN</b>				
C4	<p>Within 6 months of the date of this consent, the Applicant must prepare an Operational Environmental Management Plan (OEMP) for the Existing Development to the satisfaction of the Secretary. The OEMP must:</p> <p>(a) be submitted to the Secretary for approval;</p> <p>(b) be prepared by a suitably qualified and experienced expert;</p> <p>(c) provide the strategic framework for environmental management of the Existing Development;</p> <p>(d) identify the statutory approvals that apply to the Existing Development;</p> <p>(e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Existing Development;</p> <p>(f) describe the procedures that would be implemented to:</p> <p style="padding-left: 40px;">(i) keep the local community and relevant agencies informed about the operation and environmental performance of the Existing Development;</p> <p style="padding-left: 40px;">(ii) receive, handle, respond to, and record complaints;</p> <p style="padding-left: 40px;">(iii) resolve any disputes that may arise;</p> <p style="padding-left: 40px;">(iv) respond to any non-compliance;</p> <p style="padding-left: 40px;">(v) respond to emergencies; and</p> <p>(g) include the following environmental management plans addressing:</p> <p style="padding-left: 40px;">(i) Air Quality (Condition B5);</p> <p style="padding-left: 40px;">(ii) Noise (Condition B18);</p> <p style="padding-left: 40px;">(iii) Mobile Wood Chipper Operation (Condition B24);</p> <p style="padding-left: 40px;">(iv) Surface Water (Condition B32); and</p> <p style="padding-left: 40px;">(v) Waste (Condition B51).</p>	Administrative non-compliance	<p>The OEMP was approved by DPE on 21 December 2017. The OEMP was submitted to DPE on 30 November 2017, which was one day late (not within 6 months from the date of consent SSD 7016).</p> <p>The Borg Panels OEMP was reviewed and was found to adequately address Condition C4. Appendix A of the OEMP outlines the Secretary's approval for the OEMP and associated sub plans dated 21 December 2017.</p> <p>Refer to the revision history of the OEMP</p> <p>Refer to Section 1.2 of the CEMP</p> <p>Refer to Section 2 of the OEMP</p> <p>Refer to Section 4 of the OEMP</p> <p>Refer to Section 6</p> <p>Refer to Appendix B, C, D, E and F.</p>	
C5	<p>The Applicant must operate the Existing Development in accordance with the OEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.</p>	Administrative non-compliance	<p>During the site audit it was observed that the existing Environmental Management Plan associated with DA27/95 was still on the Borg Panels intranet.</p> <p><i>It is recommended that Borg uploads the OEMP and associated subplans to the intranet and seeks advice from DPE regarding the interaction of the EMP with the OEMP until the Borg Panels site has been removed from DA27/95.</i></p>	Noted.
C6	<p>Prior to commencement of operation of the Project, the Applicant must update the OEMP required under Condition C4 to incorporate the Project and its management to the satisfaction of the Secretary. The updated plan must be prepared in accordance with the requirements of Condition C4, and must incorporate the following:</p> <p>(a) procedures, roles and responsibilities of key personnel involved in the environmental management of the Development;</p> <p>(b) community consultation requirements for the Development; and</p> <p>(c) updates to the environmental management sub-plans listed under Condition C4(g).</p>	Not triggered	The Project is still in the construction phase.	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
C7	The Applicant must not commence operation of the Project until the updated OEMP as required by Condition C6 is approved by the Secretary.	Not triggered	This condition has not been triggered during the audit period.	
C8	The Applicant must implement the most recent version of the OEMP approved by the Secretary for the duration of the Development's operation.	Not triggered	The current OEMP is in place and will be updated and approved by DPE once the Project becomes operational.	
<b>MANAGEMENT PLAN REQUIREMENTS</b>				
C9	<p>The Applicant must ensure that the environmental management plans required under Condition C4 of this consent are prepared by a suitably qualified person or persons in accordance with best practice and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures/criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures;</p> <p>(c) a description of the management measures that would be implemented to comply with the relevant statutory requirements, limits or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the Development; and</p> <p>(ii) effectiveness of any management measures (see (c) above);</p> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the Development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incidents;</p> <p>(ii) complaints;</p> <p>(iii) non-compliances with statutory requirements; and</p> <p>(iv) exceedances of the impact assessment criteria and/or performance criteria; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p>Note: These requirements also apply to the preparation or updates of management plans for the Existing Development and the Project.</p>	Compliant	<p>A review of the OEMP and associated sub plans has identified that all plans have been prepared by suitably qualified persons and address all requirements of Condition C9 where applicable. Refer to Appendices for subplans Refer to Section 2</p> <p>Refer to Section 5</p> <p>Refer to Section 8</p> <p>Refer to Section 7 Refer to Section 8</p> <p>Refer to Section 8</p> <p>Refer to Section 9</p>	
<b>Revision of Strategies, Plans and Programs</b>				
C10	<p>Within three months of an:</p> <p>(a) approval of a modification;</p> <p>(b) submission of an incident report under Condition C13;</p> <p>(c) approval of an Annual Review under Condition C11; or</p> <p>(d) completion of an audit under Condition C15.</p> <p>the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.</p> <p>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development</p>	Complaint	<p>It was noted that during the audit period no need was identified for revisions to any of the strategies, plans, and programs required under this consent.</p> <p><i>It is recommended that a process of regular review and revision of management plans should be established to confirm compliance with this condition.</i></p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
<b>ANNUAL REVIEW</b>				
C11	<p>By 31 July 2017, and each year thereafter, unless otherwise agreed by the Secretary, the Applicant must review and submit a report to the Secretary detailing the environmental performance of the Development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development that was carried out during the reporting period, and the development that is proposed to be carried out over the next reporting period;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the Development over the previous reporting period, which includes a comparison of these results against the:</p> <p>(i) the relevant statutory requirements, limits or performance measures/criteria;</p> <p>(ii) requirements of any plan or program required under this consent;</p> <p>(iii) the monitoring results of previous years; and (iv) the relevant predictions in the EIS;</p> <p>(c) identify any non-compliance during the reporting period, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the Development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the next reporting period to improve the environmental performance of the Development.</p>	Compliant	<p>The Borg Panels 2018 draft Annual Review dated 15 May 2018 was reviewed. The Annual Review was prepared in accordance with Condition C11. The report has not been finalised and not issued to DPE.</p> <p>Refer to Section 2 and 7 of</p> <p>Refer to Section 4 and Section 5</p> <p>Refer to Section 4 and Section 6</p> <p>Refer to Section 4</p> <p>Refer to Section 4</p> <p>Refer to Section 7</p>	
<b>REPORTING</b>				
<b>Incident Reporting</b>				
C12	<p>The Applicant must notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the Development immediately after the Applicant becomes aware of the incident.</p>	Non-compliant	<p><b>A review of Borg Panels Internal Environmental Incident Register identified nine environmental incidents during the 2017-2018 reporting period. In accordance with the Borg Panel Pollution Incident Response Management Plan if the damage of the incident is less than \$10k without discharge from site then EPA notification is not required. However if there is discharge from site then EPA notification is required. There are at least four incidents in the environmental incident register that could have potentially caused off-site impacts however this is not clearly stated in the register. It is noted that none of the incidents recorded in the site register were reported to DPE or other agencies.</b></p> <p>Following a review of the Annual Returns for the audit period I was noted that there were two exceedances of EPL limits during the reporting period. An exceedance of Biochemical Oxygen Demand (BOD) on 8 August 2017 The EPL limit for BOD is 20 mg/L and the monitored result was 21 mg/L. This was found to be possibly due to the build-up of wood dust from prolonged dry period which may have contributed to elevated nutrients</p>	<p>The Pollution Incident Response Management Plan and Emergency Response Plan provide trigger levels for notification requirements.</p> <p>Review Borg Environmental Incident Report process to ensure details of incidents captured appropriately.</p> <p>2018 Annual Review discusses environmental incidents.</p>

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
			<p>and increased BOD following a period of rain. Additionally, an exceedance of Total Suspended Solids occurred on 8 August 2017. The EPL limit for TSS is 50 mg/L and the monitored result was 57 mg/L. This was possible due to the build-up of dust which may have by-passed erosion controls and ended up flowing through the monitoring point 1 following a rain event.</p> <p>It is noted that neither of the incidents were reported to DPE or other agencies as required by this condition.</p> <p><i>It is recommended that Borg Panels reviews all environmental incidents that occurred during the 2017-2018 reporting period and assess the incidents against the Pollution Incident Response Management Plan to determine if DPE, the EPA or any other agencies should have been notified. The 2018 Annual Review once prepared should discuss environmental incidents as those that were notified to an agency and those that did not require notification. A review of the Pollution Incident Response Management Plan should be undertaken to determine its adequacy in identifying and managing an incident and updated where necessary.</i></p> <p><i>Further it is recommend that the process for completing internal environmental incident reports be revised to capture more detailed information for incidents that occur (including photos, details of people involved in the reporting/investigation process, clean up/actions taken, estimate of volumes or impacts etc.) so that these details can be included in the Internal Environmental Incident Register.</i></p>	
C13	Within seven days of the date of this incident, the Proponent must provide the Secretary and any relevant agencies with a detailed report on the incident.	<b>Non-compliant</b>	<b>The two incidents regarding the exceedances of EPL limits for BOD and TSS during the audit period were not reported to DPE or other agencies as required.</b>	Review Borg Environmental Incident Reporting process to ensure adequacy in identifying when incident notification to EPA/DPE or other agencies is necessary.
<b>Regular Reporting</b>				
C14	The Applicant must provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Compliant	The 2017 Annual Review, environmental monitoring data and relevant environmental plans are available on the Borg website at: <a href="https://www.borgmanufacturing.com.au/oberon-panels-site-information/">https://www.borgmanufacturing.com.au/oberon-panels-site-information/</a>	
<b>AUDITING</b>				
<b>Independent Environmental Audit</b>				
C15	Within 12 months of the date of this consent and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:	Compliant	Umwelt (Australia) Pty Limited was endorsed by the Secretary to complete this 2018 Independent Environmental Audit.	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals, relevant EPL(s) (including any assessment, plan or program required under these approvals);</p> <p>(d) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and</p> <p>(e) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under these consents.</p> <p>Note: This audit team must be led by a suitably qualified auditor, and include relevant experts in any other fields specified by the Secretary.</p>		<p>Approval of Daniel Sullivan as the Lead Auditor from DPE.</p> <p>Section 2.2 of the Audit report summarises the consultation undertaken and the issues raised.</p> <p>This audit assessed compliance of the relevant conditions of the Project Approval, EPL and relevant management plans.</p> <p>This audit assessed compliance of the plans against the conditions of the project approval at the time of audit (SSD 7016) and relevant management plans.</p> <p>This audit provided a range of recommendation to improve the environmental performance of the project.</p>	
C16	Within 3 months of commissioning the audit required under Condition C15, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Not triggered	This condition has not been triggered during the audit period.	
<b>COMPLAINTS HANDLING</b>				
C17	The Applicant must provide a dedicated community complaints telephone number and email address for the Development, to be operated 24 hours a day, 7 days a week. The details of these services are to be made available on the main website of the Development and placed on any public communications commissioned by the Applicant in relation to the Development.	Compliant	<p>Borg Panels has a number of avenues to register inquiries or complaints associated with the construction of the Project or operation of the existing site including:</p> <ul style="list-style-type: none"> <li>A 24-hour freecall community liaison line (1800 802 795)</li> <li>Postal address for written complaints (Borg Panels, Private Mail Bag 1, Oberon NSW 2787)</li> <li>Email address for electronic complaints (<a href="mailto:oberon_site@borgs.com.au">oberon_site@borgs.com.au</a>).</li> </ul> <p>The above information is available on the Borg website:  <a href="https://www.borgmanufacturing.com.au/oberon-panels-site-information/">https://www.borgmanufacturing.com.au/oberon-panels-site-information/</a></p> <p>The community complaints register is also available on the Borg website.</p>	
<b>ACCESS TO INFORMATION</b>				
C18	The Applicant must: (a) make copies of the following publicly available on its website:	Compliant	<p>The below information is available on the Borg website where applicable:  <a href="https://www.borgmanufacturing.com.au/oberon-panels-site-information/">https://www.borgmanufacturing.com.au/oberon-panels-site-information/</a></p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>(i) the documents referred to in Condition A2;</p> <p>(ii) all current statutory approvals for the Development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) a comprehensive summary of the monitoring results of the Development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(v) a complaints register updated on a monthly basis;</p> <p>(vi) the annual reviews of the Development;</p> <p>(vii) any independent environmental audit of the Development and the Applicant's response to the recommendations in any audit;</p> <p>(viii) any other matter required by the Secretary; and</p> <p>(ix) keep this information up to date, to the satisfaction of the Secretary.</p>		<p>The EIS, RTS, Development Consent and EPL are available on the website.</p> <p>The ES and development consent are available on the website.</p> <p>OEMP and CEMP and relevant sub plans are available on the website.</p> <p>Environmental monitoring data is available on the website.</p> <p>Complaints register from May 2017 to June 2018 is available on the website.</p> <p>The 2017 Annual Review is available on the website.</p> <p>N/A</p> <p>N/A</p> <p>Noted</p>	
<b>Appendix B – Applicant's Management and Mitigation Measures</b>				
<b>NOISE</b>				
	<p>Attenuation, as detailed in the NIA, will be implemented as follows:</p> <ul style="list-style-type: none"> <li>Conti 1 Dryer Fan air intake redesigned and the fan speed reduced to minimise noise generated. A sound power reduction from LAeq 121 dB to 114 dB or better is required.</li> <li>Booster fan will receive additional insulation and a reduction in fan speed. A sound power reduction from LAeq 116 dB to 109 dB or better is required.</li> <li>Main fibre transport fan will have a concrete enclosure constructed around it. A sound power reduction from LAeq 110 dB to 104 dB or better is required.</li> </ul>	Not triggered	<p>These works are still in progress and the verification of attenuation as described in the NIA will be undertaken during commissioning.</p>	
	<p>In short, the approach taken by Borg to mitigate noise is based on a number of factors:</p> <ol style="list-style-type: none"> <li>Continuation of the use of mobile chippers (that is, not to enclose the mobile chippers). However, these are backup items (only to be used when enclosed, electric chippers are not operational), and will not be used in enhancing met conditions.</li> <li>Implementation of additional noise mitigation measures to minimise noise generated by equipment, as detailed above.</li> <li>Provision of sound attenuation structures and enclosures to other equipment where appropriate.</li> </ol>	Compliant	<p>The ONMP and the CNMP specifies management measures to mitigation noise impacts. During the audit period there has been two noise related complaints, one of which has been closed out and the other which is still under investigation.</p> <p>During the site audit it was observed that Borg employees have a good understanding of noise as a key risk at the Borg Panels site.</p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	Irrespective of the above, Borg undertakes to meet the existing plant sound power reductions specified in the NIA. If the proposed attenuation measures to the existing plant are found to be insufficient in achieving these reductions, additional works will be undertaken.	Not triggered	This condition has not been triggered during the audit period as the noise verification study has not been undertaken.	
<b>AIR</b>				
	<p>The following mitigation measures are to be installed in to the existing MDF plant:</p> <ul style="list-style-type: none"> <li>EPA ID 23 (Paper treater) together with another additional treater, will be diverted to EPA ID 11 (Conti-2 heat plant) where 95% of formaldehyde will be removed before discharge to the atmosphere;</li> <li>EPA ID 12-2 (Conti 1 roof vent) will be diverted to EPA ID 17 (Conti-1 heat plant) were 95% of formaldehyde will be removed before discharge to the atmosphere;</li> <li>A new 'combined stack' will be installed. This stack is proposed to be 40 metres high, 2.1 metres diameter, with an approximate total flow rate of 200,000 m3 per hour;</li> <li>EPA ID 4 (DC1 baghouse) and EPA ID 5 (DC2 baghouse) will be discharged to the atmosphere through a proposed combined stack;</li> <li>A wet press fume extraction system will be installed on the Conti 2 press line, which will be emitted through the combined stack.</li> </ul>	Not triggered	These works are still under construction and are not yet complete.	
	<p>To reduce the potential amount of pollutants emitted by the Project (particleboard plant) and to achieve the outcomes as detailed in the Todoroski Air Sciences AQIA, the Proponent would install and utilise best available technologies. These would include the following:</p> <ul style="list-style-type: none"> <li>Cyclones for drying process particle capture. Wet Electrostatic precipitator (WESP)/scrubber system for the dryer with exhaust gas circulation.</li> <li>Best available Press Fume suction system for the press exhausts on the particleboard plant.</li> <li>E12 and E13 will utilise dispersion to reduce impacts.</li> <li>Low NOx burner will be used for dryer Hot gas generator.</li> </ul>	Not triggered	These works are still under construction and are not yet complete.	
	<p>Borg is committed to reducing its environmental impacts where it is possible (practicable and economically viable) to do so, and plans to conduct a pollution reduction program for the plant. It is suggested that this would be conducted in two parts as follows:</p> <p>Part 1.</p> <p>a) A detailed examination of the existing processes to identify the potential for emissions reductions, with a primary focus on formaldehyde.</p> <p>b) This may include measurement (stack testing) of the existing unmonitored sources, with a focus on formaldehyde.</p> <p>c) Where practicable and economically feasible measures can be put into place, a description of the measures and a timeframe for their implementation would be provided. This may range from minor changes to parts of the existing plant or pollution control, through to large scale upgrades of existing plant or processes. Any large scale changes may be subject to planning approval timelines.</p>	Not triggered	This program has not yet been implemented.	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>Part 2. (Post Part 1 or in parallel with Part 1 as timeframes allow).</p> <p>d) Measurement (stack testing) of the proposed and modified emissions sources would be conducted as part of the commissioning of the proposed Project.</p> <p>e. Further air quality modelling would be conducted to determine the likely actual effects of the best practice mitigation at c) if any, by utilising the actual stack test results from b), and/or if the results at d), or any other new information about the existing sources (or other PRP related changes to existing other plant) which may be identified show greater emissions than assumed.</p>			
<b>WATER</b>				
	<p>The following management and mitigation measures are proposed for water cycle management:</p> <ul style="list-style-type: none"> <li>• A new swale with a longer flow path to convey the CHH runoff around the site and in to a new treatment pond should be constructed. This will provide for the additional reduction of TSS and remove tannins. This swale should be vegetated using either appropriate grasses or macrophytes.</li> <li>• It will be necessary to construct new swales to connect overflows from the proposed pond with the existing creek line and these will all be carried out in accordance with any Controlled Activity guidelines/permits or conditions of consent</li> <li>• Construction of a new stormwater treatment pond with a minimum volume of 6 ML. This is to be located downstream of the existing pond and will accept runoff for the whole of the subject site, including any overflows from the existing stormwater treatment pond.</li> <li>• The proposed 6 ML water quality dam will be constructed at least 40m from the top of bank of the nearest watercourse. If during detailed design, it needs to be moved closer to the first order creek, a controlled activity permit will be obtained from DPI.</li> <li>• Stormwater harvesting will be undertaken as part of the development. The demand for stormwater from both the existing and future pond will be an estimated maximum of 400m<sup>3</sup>/day, i.e. 200m<sup>3</sup>/day from each pond with an estimated operational time of 300 days per year. The predicted yield for harvesting is estimated at 120 ML/year.</li> <li>• Only runoff from roof and operational areas will be harvested, including runoff from existing roads, hard stands, car parks and roofs as well as future industrial buildings, hardstands and car parks. No runoff from undeveloped rural land that feeds into the catchment will be harvested. Thus a water access licence to harvest runoff was not required.</li> </ul>	Not triggered	These works are still under construction and are not yet complete.	
	<p>Review of the EPL</p> <ul style="list-style-type: none"> <li>• The location of the approved monitoring point be moved downstream to the location shown in Figure 22 (EIS). The reason for this is to enable discharge from the proposed new pond to be included while excluding discharge from the ANL site and Endeavour Road which are not part of the Borgs existing or proposed development.</li> <li>• It is considered that the maximum discharge concentrations will be below current EPL limits. However, should this not be the case after testing, that Borgs will be required to install additional water quality treatment measures. Such measures could include the retrofitting of floating wetlands to the existing ponds, and would further improve the quality of the discharge of water.</li> </ul>	Compliant	<p>Section 4.4 of the SWMP references that In accordance with EPL 3035, Borg Panels monitor discharge from the 'v'-notch weir (EPA Identification Point 1) to the unnamed creek that discharges to Kings Stockyard Creek. This is the same as Figure 22 in the EIS. No monitoring has been undertaken yet and this will commence during operation.</p> <p>Two exceedances for water limits in the 2018 Annual Return relating to TSS and BOD. These were minor exceedances and were likely the result of a long dry period followed by a period of rain. Borg did not consider that these exceedances required the installation of additional water quality control treatments.</p>	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>In order to minimise the impacts from any accidental spills, the following recommendations were included:</p> <ul style="list-style-type: none"> <li>• The existing aerated pond should be converted into an emergency catch dam. This will require the dam to be continually drained to ensure there is adequate capacity to absorb either a spill or any firefighting water. This would prevent fire water or spills from entering in to the stormwater treatment ponds.</li> <li>• This is in addition to the already proposed additional emergency spill basin.</li> <li>• Any stormwater treatment pond should have a valve controlled outlet which could be closed to contain the contents of the spill in the new treatment pond as a last point of containment.</li> <li>• It is recommended that spill control procedures be developed, staff trained and the procedures practiced annually.</li> </ul>	Compliant	<p>These works are still under construction and are not yet complete.</p> <p>These works are still under construction and are not yet complete. Section 4.4 of the SWMP references that Penstock gate valves will be used to in the event of a spill or fire emergency.</p> <p>A Pollution Incident Response Management Plan has been developed. Spill response training is covered in the Environmental Awareness training which examines the competency of Borg employees.</p>	
	<p>Soil and Water Management during Construction</p> <ul style="list-style-type: none"> <li>• It is recommended that the proposed pond be constructed prior to site stripping and used as a temporary sediment basin and converted to a permanent water quality pond once the site has been effectively sealed.</li> <li>• All works involving excavation will be undertaken in accordance with an erosion and sediment control plan, prepared in accordance with the Blue Book.</li> </ul>	<p>Compliant</p> <p><b>Not compliant</b></p>	<p>These works are still under construction and are not yet complete.</p> <p><b>Erosion and Sediment Control Plan Issue A reviewed in the CEMP. During the site audit it was observed that generally works are being undertaken in accordance with this plan, however additional erosion and sediment controls are required to ensure compliance with the Blue Book.</b></p> <p><i>Refer to recommendations outlined for Condition B29 and in the main Audit Report.</i></p>	Review and audit ERSED controls to ensure compliance with the Blue Book
<b>TRAFFIC AND TRANSPORT</b>				

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<p>The following mitigation measures are proposed:</p> <ul style="list-style-type: none"> <li>• Preparation of a detailed Construction Traffic Management Plan for the construction phase of the development in accordance with Roads and Maritime's Traffic Control at Worksites Manual (version 4.0 June 2010), which specifies: <ul style="list-style-type: none"> <li>○ Hours of haulage, which do not impose on peak periods and school drop-off and pickup times.</li> <li>○ Haulage routes, including the source of locations and their access points for the site.</li> <li>○ Designated areas within the site for truck movements, parking, loading and unloading.</li> <li>○ Sequence for implementing traffic works and traffic management devices if required.</li> <li>○ Safety principles for construction activities, such as speed limits around the site and procedures for specific activities.</li> <li>○ Procedures for inspections and record keeping for maintaining traffic control measures.</li> <li>○ Undertake a pavement inspection pre- and post-construction to ensure the pavement condition has not been further degraded due to construction traffic.</li> </ul> </li> </ul> <p>Further to the above, the following mitigation measures may be implemented to monitor and enhance the safety of pedestrian and vehicle movements around the site during operation:</p> <ul style="list-style-type: none"> <li>• Appropriate implementation of accessible parking as specified in Sections 5.1.1 and 5.2 of the traffic report and allocation for use by staff and visitors as required.</li> </ul>	Compliant	<p>A CTMP was prepared for the Project dated 3/05/17 and was approved by DPE on 13 June 2017. The CTMP addresses the requirements.</p> <p>Section 3.3.4 of the CTMP outlines parking for construction staff. During the site audit staff and visitor parking was noted near the site entrance and near the administration building.</p>	
<b>FLORA AND FAUNA</b>				
	<ul style="list-style-type: none"> <li>• Implement standard erosion and sediment control measures over the development site whilst construction works are underway as part of CEMP.</li> <li>• Retain all remaining native vegetation within proposed development site where feasible.</li> <li>• Noxious weeds should be controlled/eradicated where feasible.</li> <li>• Consider native revegetation within development site with endemic native species.</li> <li>• Develop and implement a Vegetation Management Plan for the development site.</li> </ul>	Not compliant	<p><b>During the site audit it was observed that additional erosion and sediment controls are required to ensure compliance with the Blue Book.</b></p> <p><i>Refer to recommendations outlined for Condition B29 and in the main Audit Report.</i></p> <p>Landscaping Plan (Issue B) identifies vegetation on the site to be retained.</p> <p><b>No reference to the management of noxious weeds in the OEMP or CEMP.</b></p> <p>Landscape Plan (Issue B) identifies areas for revegetation/landscaping. <b>A list of species is not available in the Landscape Plan or the EIS.</b></p> <p>The Vegetation Management Plan has not been developed. It was noted that this will be prepared and implemented following completion of construction activities.</p>	<p>Review and audit ERS&amp;D controls to ensure compliance with the Blue Book</p> <p>Intended to be incorporated into the Operational Plans post construction.</p>

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
<b>GREENHOUSE GASES</b>				
	<p>Installation of a 50 MWth biomass heat plant to produce hot air for the flake drying process. This significantly reduces the potential GHG emissions from using fossil fuel for this process, and also utilises a by-product of the production of MDF and particle board.</p> <ul style="list-style-type: none"> <li>A small 8MW oil heater operating with combustion air preheating operating on gas will be used to generate hot oil for the press and other plant and equipment.</li> <li>Variable speed drives on fans and pumps to reduce overall electricity demand.</li> <li>Extensive use of a SCADA system and sub-metering to assist in monitoring plant performance, provide feedback and improve plant control, allowing for ongoing monitoring and improvement in plant performance.</li> <li>Electric chippers have a higher overall efficiency and lower noise compared with diesel chippers when analysed over the full and part load operating cycles, and have been implemented in the Project.</li> </ul>	Not triggered	<p>The biomass heat plant has been installed but is not operational.</p> <p>Not started</p> <p>Not started</p> <p>Sighted SCADA system during the site audit.</p> <p>One operational chipper and the other is being constructed. The two diesel chippers will remain as backup.</p>	
<b>SOIL</b>				
	<ul style="list-style-type: none"> <li>The existing site is largely disturbed and used for industrial purposes. No change is proposed to occur and the majority of the site is to be sealed.</li> <li>The first stage of the Project is the expansion of the existing water treatment ponds and drainage swales. These will capture any loose soil material prior to dispersal into Kings Stockyard Creek.</li> <li>In addition, appropriate erosion and sediment control fencing, in accordance with the Blue Book, will be implemented during the construction phase in order to ensure that impacts are minimised.</li> <li>There is the potential for some soil contamination at the location of the former fuel depot, fronting Lowes Mount Road. Appropriate remediation to this land to the NEPM standard will be required. Any remediation will need to be to a level suitable for the use of the site for the proposed industrial development.</li> </ul>	Compliant	<p>During the site audit it was observed that the majority of the site is already sealed.</p> <p>These works are still under construction and are not yet complete.</p> <p><b>During the site audit it was observed that additional erosion and sediment controls are required to ensure compliance with the Blue Book.</b></p> <p><i>Refer to recommendations outlined for Condition B29 and in the main Audit Report.</i></p> <p>The validation report for the former fuel depot was reviewed and was submitted to DPE and Oberon Council on 23/06/17. The remediation of the site was undertaken in accordance with the NEPM and it was identified that the site is suitable for continued industrial land use.</p> <p>Appendix 5 of the report contains a commitment letter from Borg Panel to continue the ongoing remediation of the excavated stockpile material on site. During the site audit Borg Panels confirmed that these stockpiles were successfully remediated below the NEPM criteria. The validation report for the remediation of the excavated stockpile material (dated 23 November 2017) was sighted and confirmed the successful remediation of the stockpiles.</p>	<p>Review and audit ERSED controls to ensure compliance with the Blue Book</p> <p>Report to be provided to DPE and Oberon Council</p>

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
			<i>It is recommended that the validation report for the remediation of the excavated stockpile material (dated 23 November 2017) be provided to DPE and Council.</i>	
<b>HERITAGE</b>				
	<ul style="list-style-type: none"> <li>No mitigation measures are proposed for European Heritage. No adverse impacts on listed European heritage items are anticipated to occur as a result of the Project being undertaken.</li> <li>It is considered that the probability of Indigenous heritage items being located on site is low. However, if such items are found then all works will be stopped and consultation with the Local Aboriginal Land Council and National Parks and Wildlife Service representatives will be undertaken.</li> </ul>	Not triggered	<p>Management measures outlined in Section 7.10 of the CEMP. No European heritage encountered during the audit period.</p> <p>Management measures outlined in Section 7.10 of the CEMP. No Aboriginal heritage encountered during the audit period.</p>	
<b>VISUAL IMPACTS</b>				
	<p>The Project is considered to have an overall low impact on the visual character of the area, and this can be further mitigated through the following mitigation measures:</p> <p><b>LANDSCAPING</b></p> <ul style="list-style-type: none"> <li>Provide screening vegetation where possible along the boundary and/or around the new warehouse in the northern part of the site.</li> <li>Provide screening vegetation along the western boundary of the site in the south-west corner to screen new development when viewed from the road. The aim should be to replicate the effect of the existing screen planting along Lowes Mount Road.</li> <li>Add screening vegetation along the southern boundary of the site in the south-west corner to match existing landscaping. The aim should be to replicate the effect of the existing screen planting which screens the existing facility from view.</li> </ul>	Not triggered	Landscaping plan (Issue B) is available on the Borg website. No landscaping activities were undertaken during the audit period.	
	<p><b>MATERIALS AND COLOURS</b></p> <p>For the proposed buildings within the Project Area select:</p> <ul style="list-style-type: none"> <li>Facade materials that are of low reflectivity.</li> </ul>	Compliant	During the audit the facade materials were observed to be of low reflectivity and the colour palette of new buildings matches the existing development.	

Condition Number	Condition	Compliance	Evidence and Comments	BORG PANELS Response
	<ul style="list-style-type: none"> <li>A colour palette that matches the existing development. This will enable the built form to blend in with its landscape context and reduce its visibility from View Points with a medium and long distance of view.</li> </ul> <p><b>VISUAL INTEREST</b></p> <ul style="list-style-type: none"> <li>Provide an entry feature at the southern entrance on Lowes Mount Road (Gate 4). This could be a landscape statement, a signage element or a public art element. This feature should provide visual interest in the landscape and enhance views along Lowes Mount Road</li> </ul>	Not triggered	The entry features have not been constructed.	
	<p><b>LIGHTING</b></p> <p>The facility operates twenty-four hours per day. Lighting must be designed to minimise impacts on surrounding residential development and local roads. Recommended mitigation measures are:</p> <ul style="list-style-type: none"> <li>only lighting required spaces within the Project Area;</li> <li>focusing lights down, not up or out;</li> <li>providing minimum lux levels to achieve the desired outcomes of safety and security;</li> <li>minimising reflective material throughout the Project Area.</li> </ul>	Compliant	<p>Section 7.1.2 of the CEMP specifies that “lighting is designed to Project downwards to minimise impacts on the amenity of the area and to increase overall site safety”.</p> <p>During the site audit the lighting was observed to project downwards and away from surrounding receivers and roads. A letter from Crossmuller was sighted that demonstrated lighting for the Project is compliant with AS 4282.</p>	
<b>RECOVERED WOOD MATERIALS/PRODUCTS</b>				
	EPA approval will be obtained prior to the use of recycled materials in the particle board manufacturing process.	Not triggered	This condition has not been triggered during the audit period.	
<b>HAZARD AND RISK</b>				
	Where the need is identified the separation between the Woodchem operations and the rest of the site will be reinforced through additional fencing to clearly delineate the different operations and ensure that access can be achieved over the Project site without any intrusion in to areas of construction or storage.	Not triggered	This condition has not been triggered during the audit period.	
<b>SOCIAL AND ECONOMIC</b>				
	Given the positive impacts on local employment levels, and the resultant positive social impacts from the Project, no management or mitigation measures are proposed to be undertaken.	Noted		