



# Teys Australia Beef Abattoir Modification 12

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State Significant Development Modification Assessment  
(DA220-07-2002-I-Mod-12)

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# Glossary

Abbreviation	Definition
<b>Applicant</b>	Teys Australia Southern Property Pty Ltd
<b>BCA</b>	Building Code of Australia
<b>CEMP</b>	Construction Environmental Management Plan
<b>Council</b>	Wagga Wagga City Council
<b>Department</b>	Department of Planning and Environment
<b>DPI</b>	Department of Primary Industries
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>EPL</b>	Environment Protection Licence
<b>GFA</b>	Gross Floor Area
<b>LEP</b>	Local Environmental Plan
<b>Minister</b>	Minister for Planning
<b>OEMP</b>	Operational Environmental Management Plan
<b>Planning Secretary</b>	Secretary of the Department
<b>RAZ</b>	Rural Activity Zone
<b>REZ</b>	Rural Enterprise Zone
<b>RMRP</b>	Riverina Murray Regional Plan 2036
<b>SAP</b>	Special Activation Precinct
<b>SEPP</b>	State Environmental Planning Policy
<b>SSD</b>	State Significant Development
<b>TMP</b>	Traffic Management Plan

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# 1 Introduction

This report provides an assessment of an application to modify the State significant development (SSD) consent for the Teys Australia (formerly Cargill) Beef Abattoir (DA 220-07-2002-i).

The modification application seeks approval for the construction and operation of a new plate freezer / storage room, an associated conveyor system, an expansion to the existing switch room / temporary workshop and associated infrastructure to service the abattoir.

The application was lodged on 31 January 2022 by Teys Australia Southern Property Pty Ltd (the Applicant), pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

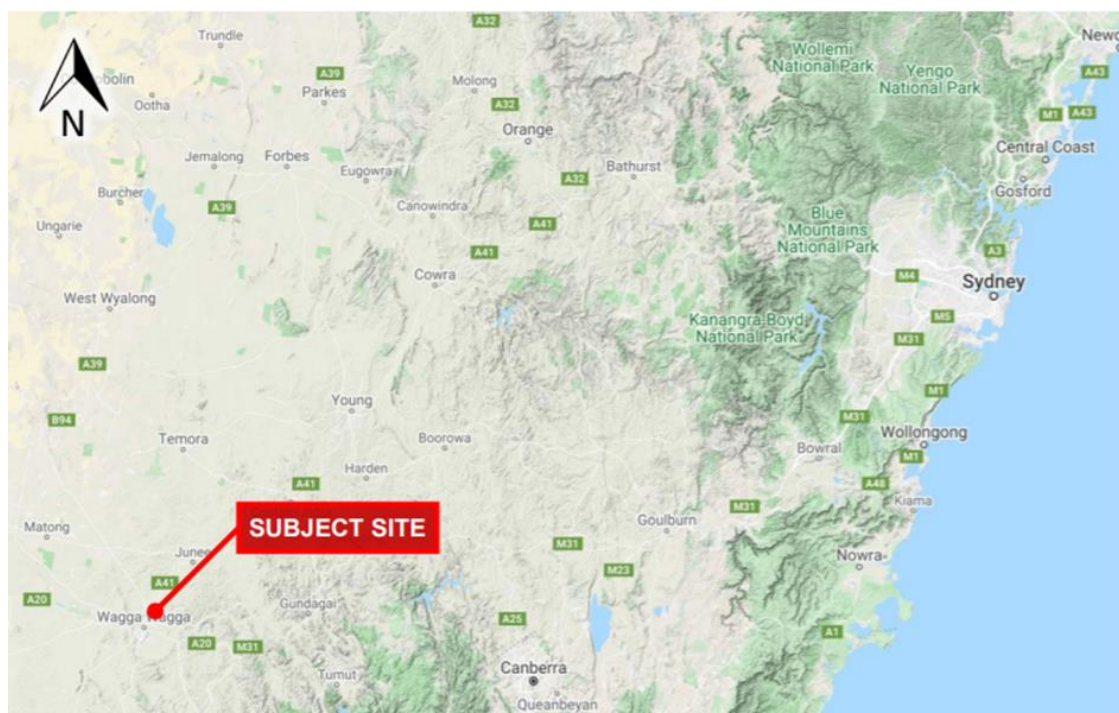
## 1.1 Background

The Applicant operates a beef abattoir at 1 Dampier Street, Bomen in the Wagga Wagga local government area (see **Figure 1**).

The Bomen abattoir was established in the late 1940s to process cattle into finished beef products for domestic consumption and export. The site currently operates under an SSD consent (DA 220-07-2002-i) which permits the abattoir to process up to 1,600 head of cattle per day. The finished beef products are for domestic consumption and for export overseas.

The abattoir is currently operated by Teys Australia in partnership with the Teys Family and Cargill Foods Australia Pty Ltd.

The proposed modification seeks consent for the upgrade and construction of additional abattoir infrastructure to improve the site's operational efficiency.

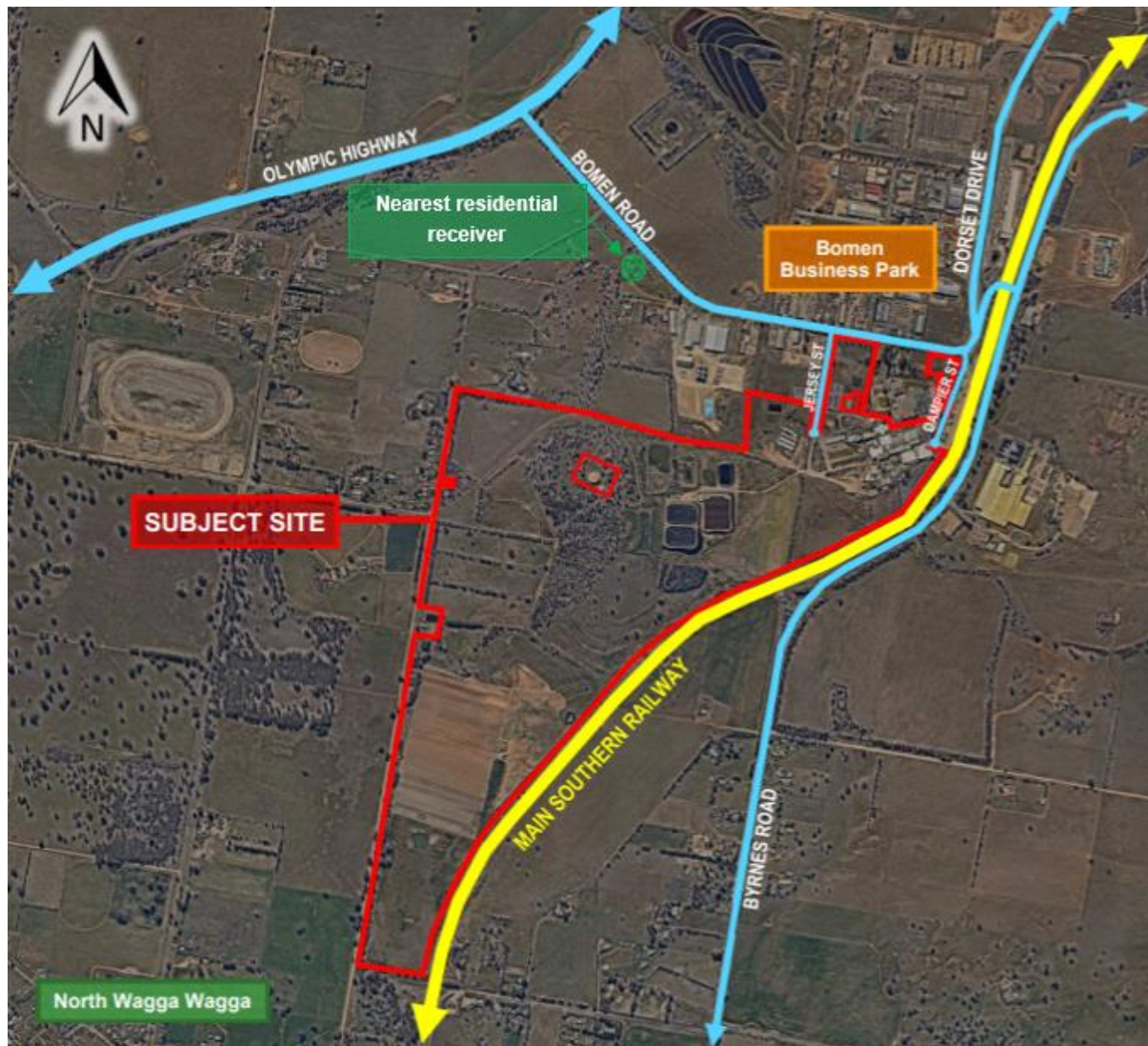


**Figure 1 | Regional context**



## 1.2 Subject site

The site is legally described as Lot 1 DP 1213252 and known as 1 Dampier Street, Bomen. The site is irregular in shape and approximately 160 hectares in area (see **Figure 2**).



**Figure 2 | Subject site and surrounding context**

The site is highly modified. The majority of abattoir-related buildings and hardstand areas are located in the north-eastern part of the site. Anaerobic wastewater treatment ponds are located to the south-west of the main abattoir complex, while the remainder of the site devoted to on-site wastewater irrigation from the abattoir.

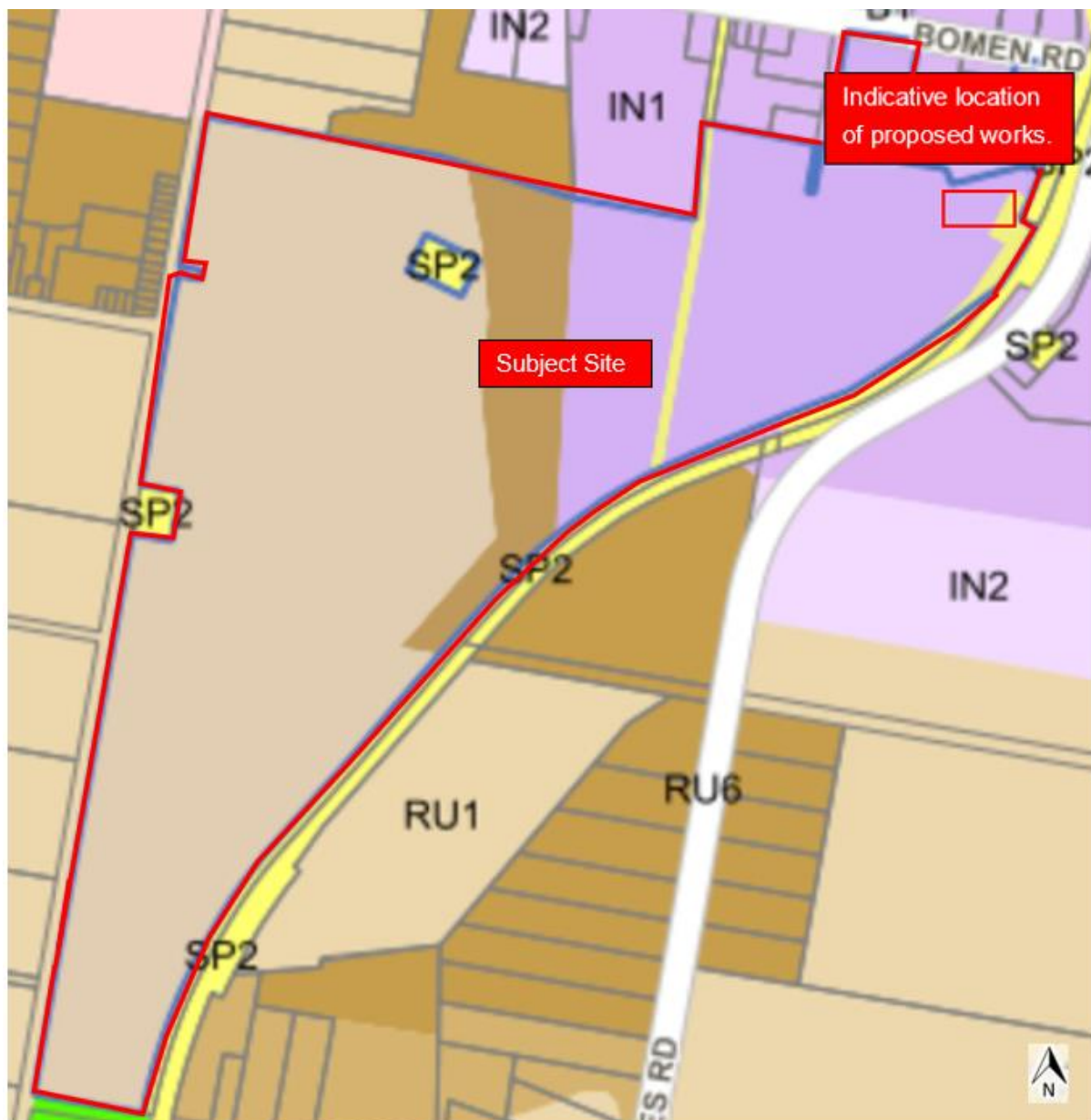
Heavy vehicles enter and exit the site via the southern end of Jersey Street. Staff, visitors and service vehicles access the site via Dampier Street along the eastern side of the site.

The site is surrounded by industrial land uses, including operations such as a waste oil refinery, bulk fuel depot and the Wagga Wagga livestock marketing centre. The Main Southern railway and cleared rural residential properties are located to the east, and the city of Wagga Wagga is situated approximately five kilometres to the south. The nearest residential receiver to the main abattoir complex is located over 900 metres (m) to the north-west of the site (see **Figure 2**).

Under the provisions of the Wagga Wagga Local Environmental Plan 2010 (LEP), the site comprises of a series of land use zones (see **Figure 3**) including:

- IN1 General Industrial
- RU1 Primary Production
- RU6 Transition
- SP2 Special Uses.

The proposed works are located within the IN1 and SP2 zones.



**Figure 3 | Land use zoning map**

The Applicant is seeking to modify the development consent to facilitate the installation of a plate freezer / storage room and associated infrastructure to increase the shelf life and quality of the meat products, which improves the operation's ability to manage the seasonal changes in chilled / frozen export carton numbers during the year (see **Figure 3**).

The site currently operates under an Environment Protection Licence (EPL) 2262 which will not need to be amended as the proposal is accommodated within the current EPL limits.

### 1.3 Approval history

On 27 February 2003, development consent was granted by the then Minister for Planning for the upgrade and expansion of the existing Bomen Beef Abattoir (DA 220-07-2002-i).

The development consent permits the following:

- reconstruction and expansion of the abattoir, including construction of a new administration and amenities building
- an increase in production capacity from 850 to 2,000 head of cattle per day (reduced to 1,600 head of cattle per day as part of DA 220-07-2002-i MOD 4)
- 24-hour operation, seven days a week
- installation of a bio-filter to minimise odour generated by the abattoir
- refurbishment and expansion of the existing wastewater treatment system
- demolition of disused buildings
- construction of access roads, car parking, a security gatehouse and associated infrastructure to service the abattoir.

DA 220-07-2002-i has been the subject of eleven previous modifications. A summary of each modification is provided in **Table 1** below.

**Table 1 | Summary of modifications**

Mod No.	Summary of Modifications	Approval Date
<b>MOD-61-1-2003-i (MOD 1)</b>	The modification permitted amendments to the layout of the approved abattoir upgrade.	3 November 2003
<b>MOD-4-1-2004-i (MOD 2)</b>	The modification amended requirements relating to on-site soil remediation.	31 March 2004
<b>MOD 3</b>	The modification permitted the construction and operation of a covered wastewater treatment system.	29 June 2009
<b>MOD 4</b>	The modification permitted amendments to the approved wastewater treatment system, and an associated reduction in the production capacity of the abattoir from 2,000 to 1,600 head of cattle per day.	2 August 2010
<b>MOD 5</b>	The modification permitted the expansion of the approved effluent irrigation area to the south of the site, onto land known as the Cargill Low area.	28 September 2011
<b>MOD 6</b>	The modification permitted the refurbishment and expansion of the existing cold store building, relocation of	7 July 2015



Mod No.	Summary of Modifications	Approval Date
	the battery charge building, and construction of a new loading dock, gatehouse, vehicular access point and stormwater drainage system.	
<b>MOD 7</b>	The modification permitted the construction and operation of a new bio-filter, and the subsequent demolition of the existing rendering plant bio-filter.	13 January 2016
<b>MOD 8</b>	The modification permitted the expansion of the cattle stockyards, and the construction of an awning over the carton storage area.	11 October 2016
<b>MOD 9</b>	The modification permitted the construction of an awning over the existing annex of the meat chiller facility.	12 January 2017
<b>MOD 10</b>	The modification permitted minor alterations and additions to the approved Auto Sortation and Retrieval System building.	23 October 2018
<b>MOD 11</b>	The modification permitted the construction of a blood separation and plasma collection facility, further wastewater irrigation and administrative amendments to the development consent.	22 April 2020

## 2 Proposed modification

On 31 January 2022, the Applicant lodged a modification application under section 4.55(1A) of the EP&A Act to modify development consent DA 220-07-2002-i. The modification is described in full in the Modification Report included in **Appendix B** and is illustrated in **Figure 3** to **Figure 8** below.

The modification application proposes the following:

### Plate Freezer / Storage Room

- construction of a new plate freezer / storage room, with a total gross floor area (GFA) of approximately 820 m<sup>2</sup>
- construction of an associated refrigeration system, including a new ammonia storage room (additional capacity of 23.6 tonnes of ammonia storage)
- installation within the refrigeration of a manual blast options, including a manual blast area to allow frozen carton storage, and an auto blast tunnel
- installation of an elevated, enclosed conveyor tunnel connecting the plate freezer to the existing boning room.

### Switch Room / Temporary Workshop

- an increase in the building footprint of the existing switch room / temporary workshop
- relocation and augmentation of electrical equipment to support the new plate freezer
- installation of two roller shutter doors.

### Associated Work

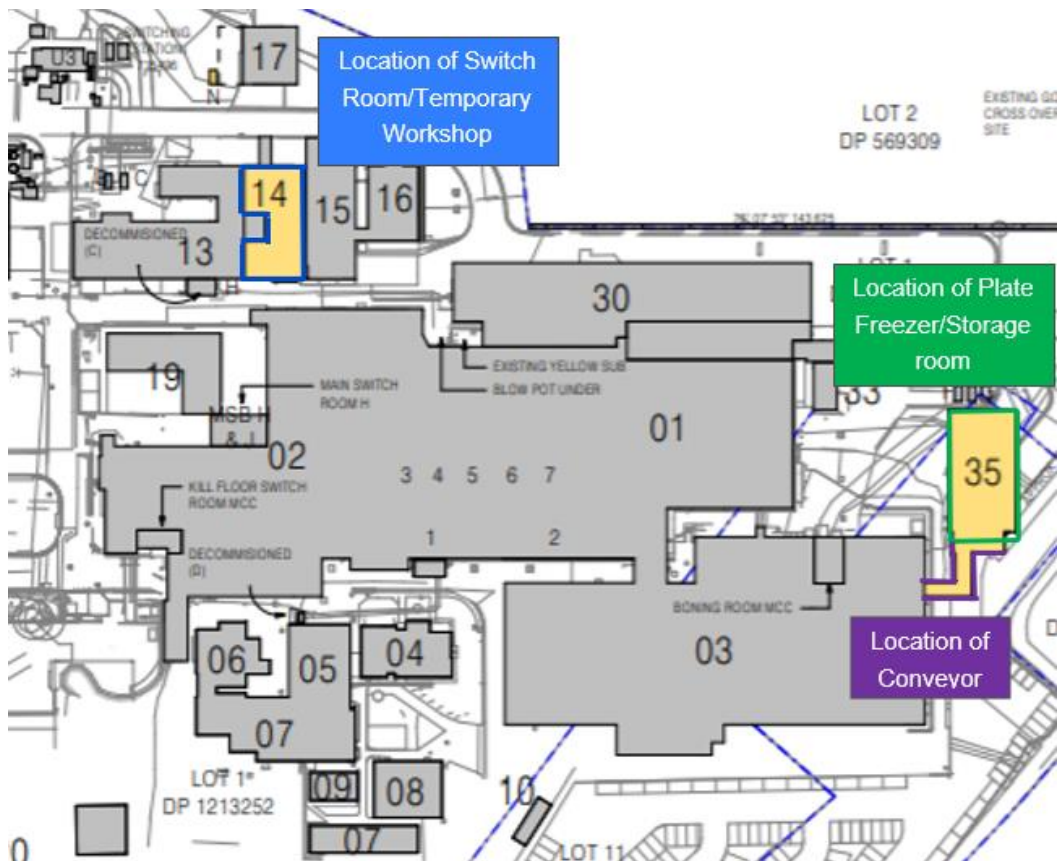
- realignment of an existing internal road to the staff car park to accommodate the new plate freezer / storage room
- a new landscaping area adjoining the realigned internal road
- realignment of approximately 52 m of fencing along the eastern boundary (galvanised chain wire mesh with 3-strand barbed wire).

The modification would also require the relocation of existing Telstra communications infrastructure within the footprint of the proposed plate freezer / storeroom. However, these relocation works would be undertaken separately, and do not form part of this application. Construction of the proposed works will occur over a two-month period.

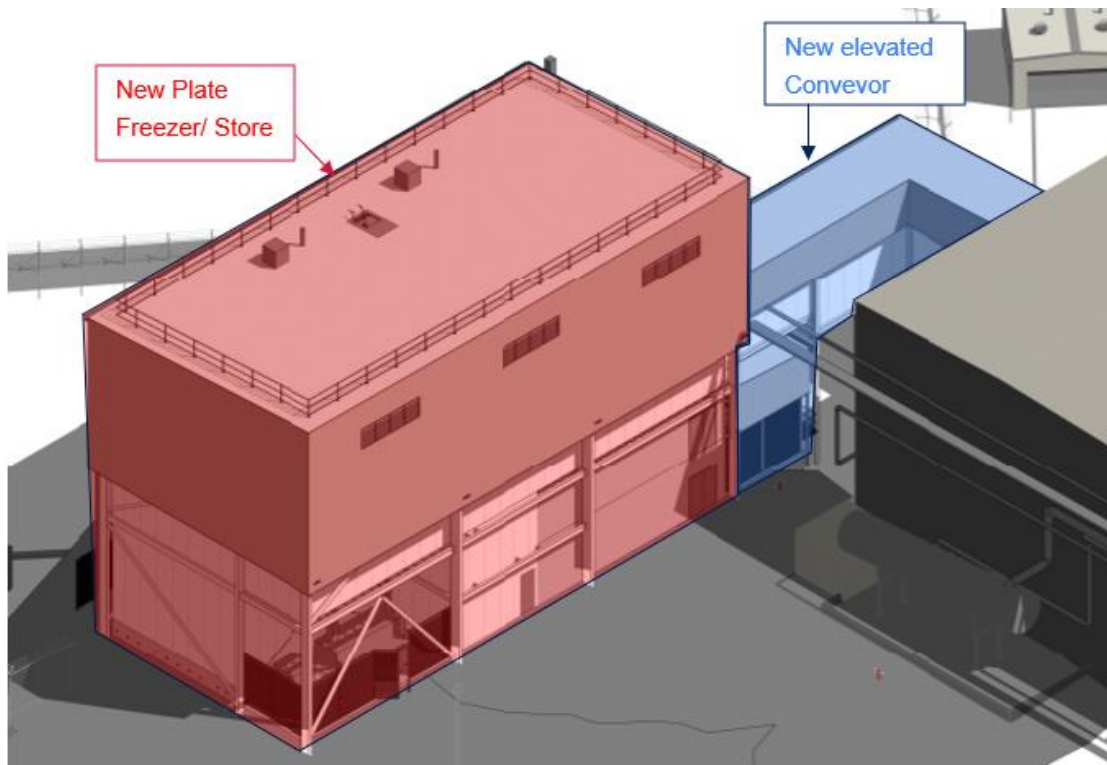
In addition, the application does not seek to amend the existing cattle processing capacity of the abattoir and does not require any changes to EPL 2262.

### 2.1 Applicant's justification for the modification

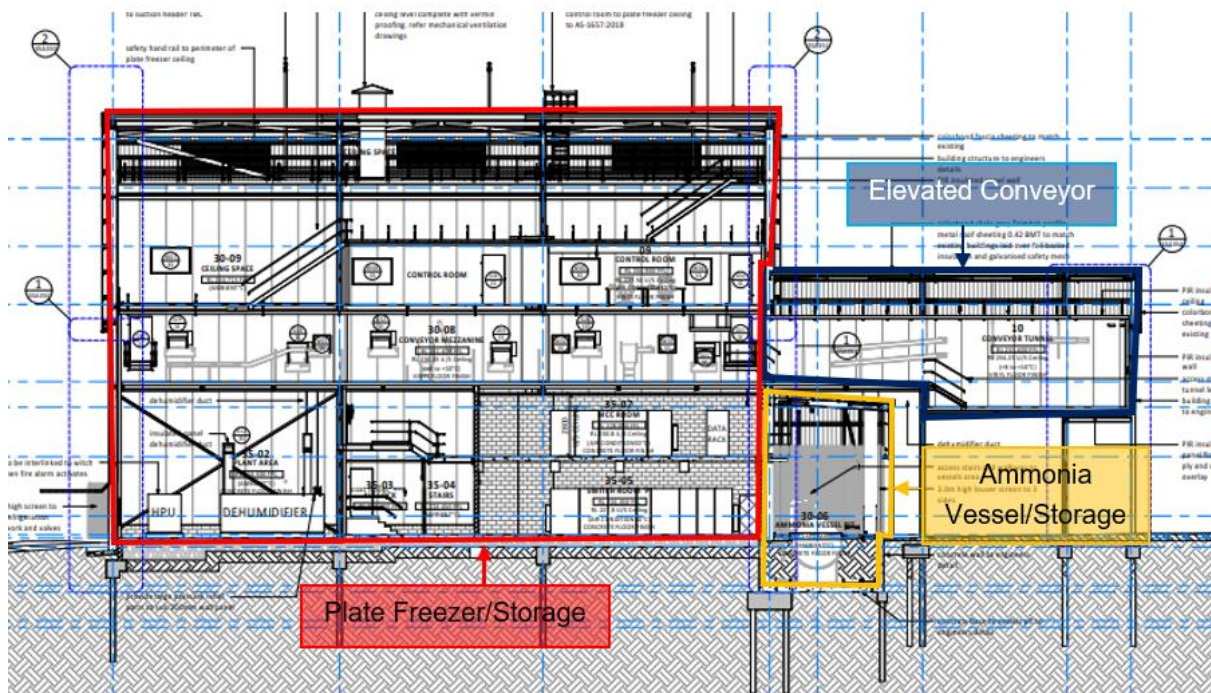
The Applicant has advised the proposed modification would allow it to improve the efficiency of existing operations at the site through the introduction of new technologies and upgrades to existing plant and equipment. The new plate freezer will automate the freezing and handling of various meat products and, as a result, will increase the quality and shelf life of its frozen meat products. This will provide the Applicant with greater ability to plan for seasonal changes in chilled / frozen export carton numbers, and subsequently improve the operational efficiency of the abattoir.



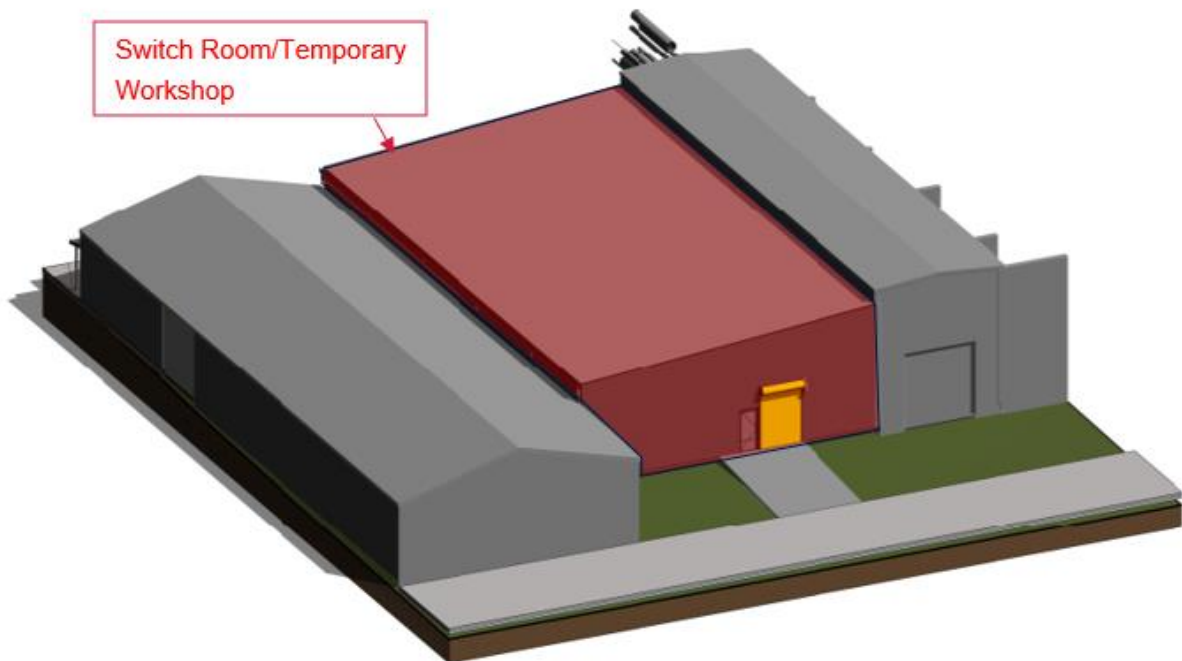
**Figure 3 |** Location of key works within the Teys site



**Figure 4 |** Plate Freezer / Storage Room & Elevated Conveyor

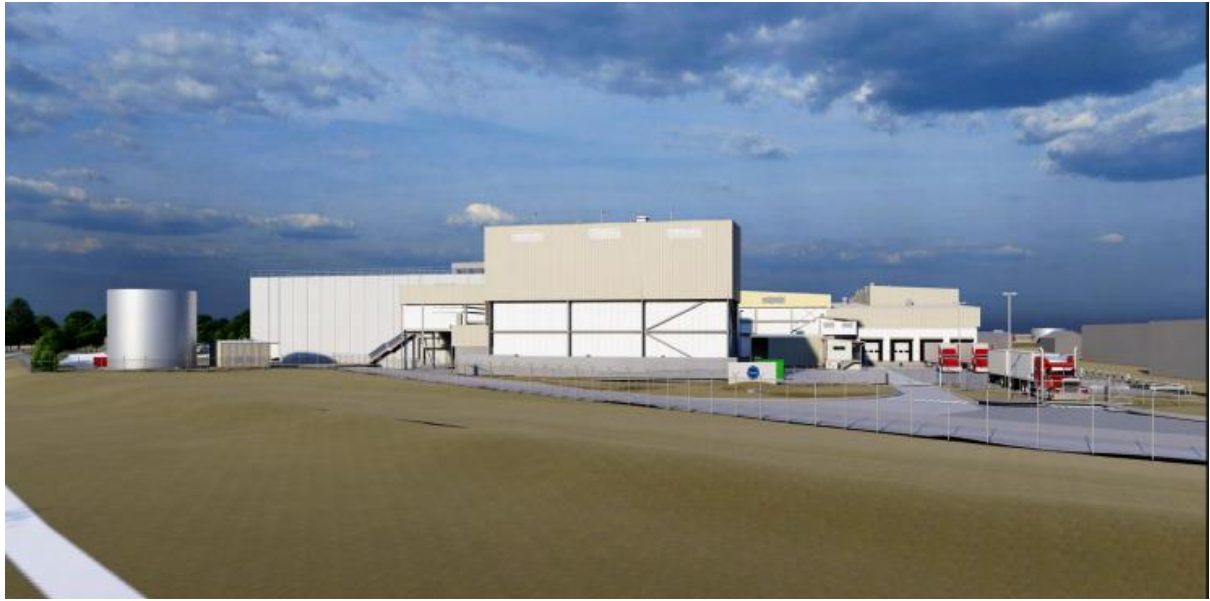


**Figure 5 | Section - Plate Freezer / Storage Room & Elevated Conveyor & Ammonia Storage**



**Figure 6 | Switch Room / Temporary Workshop**





**Figure 7 |** View of proposed works from Byrnes Road (west)



**Figure 8|** View of proposed works from Byrnes Road (north)

## 3 Strategic context

### 3.1 Riverina Murray Regional Plan

The subject site is located in the Riverina Murray region, which is supported by the *Riverina Murray Regional Plan 2036* (the RMRP). The RMRP sets out the NSW Government's 20-year blueprint for the future of the Riverina Murray and establishes a framework for guiding land use planning priorities and decisions throughout the region.

The NSW Government's vision for the Riverina Murray is to create a diversified economy founded on Australia's food bowl, iconic waterways and a strong network of vibrant and connected communities.

The proposed modification would continue to support the directions and objectives of the RMRP by:

- facilitating the construction of the plate freezer / storage room and associated conveyor system, which would improve the operational efficiency and storage capacity of the development (see Direction 3)
- supporting ongoing investment in, and development of, the Bomen Business Park (see Direction 4).

## 4 Statutory context

### 4.1 Scope of modifications

The Department of Planning and Environment (the Department) has reviewed the scope of the modification application and considers the application can be characterised as a modification on the basis that:

- it would not significantly increase the environmental impacts of the development as approved
- the approved cattle processing capacity of the development would remain unchanged as a result of the proposed modification
- it is substantially the same development as originally approved
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application.

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

### 4.2 Consent authority

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

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

### 4.3 Mandatory matters for consideration

The Department undertook a comprehensive assessment of the application against the mandatory matters for consideration as part of the original assessment of DA 220-07-2002-i (under section 79C of the EP&A Act, as in force at the time).

This modification application does not result in significant changes that would alter the Department's consideration of the mandatory matters for consideration under section 4.15(1) of the EP&A Act and conclusions made as part of the original assessment.

Consideration of the State Environmental Planning Policy (Activation Precincts) Amendment (Wagga Wagga) 2021 has also been undertaken as the subject site is situated on land within the Wagga Wagga Special Activation Precinct (SAP).

The proposal has considered the works with regard to the master plan for the Activation Precinct and the draft delivery plan. The proposed development is consistent with the SAP and supports the ongoing operations of the existing Teys abattoir.

There are no other provisions of the Activation Precincts SEPP applicable to the development. As a result, the development is considered consistent with the provisions of the Activation Precincts SEPP where they would be reasonably applicable.

#### **4.4 Legislative amendments**

The Department notes that since the lodgement of the modification application, the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000) has been repealed by the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021).

Under Schedule 6(3) of the 'savings, transitional and other provisions' of the EP&A Regulation 2021, the EP&A Regulation 2000 continues to apply (instead of the new EP&A Regulation 2021) to applications made but not finally determined before 1 March 2022. As the application was lodged on 31 January 2022, the application has been assessed having regard to the requirements of the EP&A Regulation 2000.

#### **4.5 Biodiversity Conservation Act 2016**

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

Given the main abattoir complex (where the proposed works would be located) is cleared of vegetation, the Department is satisfied that there will be no additional clearing of native vegetation or habitat loss beyond that which was previously considered and assessed under the original development application.

Consequently, the Department's assessment concludes a BDAR is not necessary for the proposed modification.



## 5 Engagement

### 5.1 Department's engagement

Clause 117(4) of the EP&A Regulation 2000 requires a section 4.55(1A) modification to be notified or advertised if specified by a community participation plan. The Department's Community Participation Plan notes the exhibition requirements for such modifications are discretionary, and are based on the urgency, scale and nature of the proposal.

Given the proposed changes would result in minimal environmental impacts and relates to substantially the same development as the original development consent (see **Section 4.1**), the application was not notified or advertised. However, it was made publicly available on the Department's website on 1 February 2022 and was referred to Wagga Wagga City Council (Council) for comment.

**Council** did not object to the modification, noting the proposal is consistent with the relevant strategic documents which support the Bomen Business Park and would continue to promote the diversification of the local economy. Council requested development contributions be imposed for the additional works on the site.

During its assessment of the modification, the Department raised several matters to be resolved prior to determination of the application. These matters included clarification on architectural plan details, additional information regarding the visual impact and design of the proposed abattoir structures, and the preparation of a Preliminary Hazard Analysis (PHA) to assess the increase in on-site ammonia storage.

### 5.2 Response to submissions

On 16 February 2022, the Applicant provided a Response to Submissions (RTS) on the issues raised during the exhibition of the development (see **Appendix B**). The RTS included additional information regarding the design of the development, including the minor changes to the roller doors for the temporary switch room / temporary workshop. A PHA for the proposed modification was separately provided on 31 May 2022.

The RTS was made publicly available on the Department's website.

### 5.3 Additional information

While the information submitted adequately addressed the issues raised regarding the design of the development, the Department sought further information from the Applicant in relation to the PHA, and requested that this document be updated to include consideration of consequence analysis, the broader impacts beyond the subject site, the ammonia release scenarios and cumulative risk of the facility inclusive of proposed increase in ammonia storage.

The Department also met with the Applicant and its hazard consultant, CDM Smith Consultants, to discuss the information required to adequately address the concerns raised regarding the storage of ammonia on the subject site. On 20 July 2022, the Applicant provided an amended PHA for the development.

The Department assessed the amended PHA and requested further technical advice to provide justification of the maximum quantity of anhydrous ammonia that would be stored on the facility at any one time. On 5 October 2022, the Applicant provide the required technical information for the development.

## 6 Assessment

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

- modification report, RtS and additional information provided to support the proposed modification (see **Appendix A**)
- documentation and Department's assessment report for the original development application and subsequent modification applications (see **Appendix A**)
- advice received from Council (see **Appendix A**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

As the modification is primarily minor in nature and does not seek to change the production capacity of the site, the original studies assessed as part of the original development application and subsequent modifications are considered to remain valid for this modification.

The Department considers the key assessment issue is the storage of additional dangerous goods (ammonia) on the site. The Department's assessment of other issues is provided in **Section 6.2** below.

### 6.1 Hazards and risk

The refrigeration system associated with the proposed plate freezer building would include the storage of up to 23.6 tonnes of anhydrous ammonia at the site, which has the potential to increase the development's overall risk profile. The site is also located in close proximity to an existing high-pressure gas pipeline.

#### Ammonia storage

In its modification report, the Applicant advised the total volume of ammonia stored at the site would fall below the 200-tonne threshold for a Major Hazard Facility under the Work Health and Safety Regulation 2017. However, the Department noted the additional ammonia storage would be considered potentially hazardous under the Resilience and Hazards SEPP 2021 (former SEPP No. 33 – Hazardous and Offensive Development), as the 23.6 tonnes of ammonia would exceed the 5 tonne threshold established under the Department's *Applying SEPP 33* guidelines. As such, the Department requested the Applicant prepare a Preliminary Hazard Analysis (PHA) to assess any additional risk to people, property and the environment associated with the increase in anhydrous ammonia at the site.

The Applicant subsequently submitted a PHA prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6 – Hazard Analysis* (HIPAP 6) and *Multi-level Risk Assessment* (MLRA) guidelines. The PHA included a cumulative risk assessment of the proposed ammonia refrigeration system as well as the existing levels of anhydrous ammonia storage at the site.

Following its review of the PHA, the Department requested further information from the Applicant regarding the consequence analysis of the various ammonia release scenarios and the modification application's compliance with the land use safety risk criteria established in the Department's *Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning* (HIPAP 4). The Applicant submitted an amended PHA for the modification, which provided further details regarding the possible ammonia release scenarios. The amended PHA also verified that the quantity

of anhydrous ammonia within the existing onsite refrigeration system is 41.7 tonnes, with the proposal introducing 23.6 tonnes of anhydrous ammonia, resulting in a total quantity of 65.3 tonnes for the site.

The Applicant is, however, seeking a higher level of anhydrous ammonia to be approved as part of this application in order to account for all required maintenance activities of existing and new refrigeration operations within the site.

At the request of the Department, the Applicant provided appropriate justification from a qualified refrigeration specialist (GBI Engineering) that an anhydrous ammonia tonnage of 78.4 tonnes, 20% higher than the total quantity of anhydrous ammonia onsite verified in the PHA, will allow for any routine maintenance requirements of the existing and new refrigeration equipment.

The Department is satisfied the amended PHA and further technical judgement on the numerical range for the anhydrous ammonia is adequately justified and consistent with the Department's HIPAP 6 and demonstrates that the facility complies with all relevant risk criteria in the Department's HIPAP 4.

To ensure there is no change to the hazard risk assessed under this modification, the Department has recommended a condition be applied to ensure the maximum quantity of anhydrous ammonia for the entire facility does not exceed 78.4 tonnes.

The Department's assessment concludes the implementation of the recommended conditions would ensure the final operation of the facility includes adequate safeguards to address the risks associated with the storage of anhydrous ammonia on the site.

### **High-pressure gas pipeline**

The site is located approximately 100 m north-west from APA Group's underground high-pressure natural gas pipeline easement with the operation of the asset licensed under the *Pipelines Act 1967*. This means, the proposed works must comply with the *Australian Standard 2885 Pipelines – Gas and liquid petroleum* (AS 2885).

The Department notes the proposed works would be located entirely within the existing facility's footprint. In addition, none of the operational scenarios documented in the amended PHA would impact upon the pipeline asset.

The Department has recommended a new condition be applied requiring the preparation of a Construction Safety Study for the proposed works. This study will ensure facility safety is maintained for the duration of construction and will include consideration of any potential risk associated with the site's proximity to the natural gas pipeline.

Subject to the implementation of this condition, the Department is satisfied that the development would comply with AS 2885.

### **Conclusion**

The Department considers the cumulative risk assessment of the proposed ammonia refrigeration system acceptable and the proposed works do not propose any risk to the nearby natural gas pipeline.

The Department's assessment concludes the proposed modification would comply with the land use safety risk criteria established in HIPAP 4 and would not increase the development's overall risk profile, subject to implementation of the recommended conditions of consent.



## 6.2 Other issues

The Department's assessment of other issues is provided in **Table 2** below.

**Table 2** | Assessment of other issues

Issue	Findings	Recommendations
Noise	<ul style="list-style-type: none"><li>• The proposed modification involves the construction of new plant and equipment, which has the potential to alter the development's operational noise impacts.</li><li>• The nearest residential receptor to the site of the proposed works is over 900 m to the north-west, with the region surrounding the site containing several sources of road and rail traffic noise including Byrnes Road, Olympic Highway and the Main Southern Railway.</li><li>• Noise is expected from activities such as demolition of redundant structures and minor surface works for the construction of the plate freezer / storage room and the switch room / temporary workshop. However, these activities are expected to occur over a relatively short timeframe within the construction period.</li><li>• The Department notes existing conditions of consent outline construction hours to be complied with and Condition 7.2b) which requires the preparation and implementation of a Noise Management Plan as part of the CEMP, to manage construction noise at the abattoir and its impact upon surrounding land uses.</li><li>• No additional noise impacts are expected from an operational perspective, with noise impacts continuing to be managed by existing conditions of consent (Noise Conditions 5.35 to 5.37 and 7.4d)) and the EPL (2262).</li><li>• The Department's assessment concludes any noise impacts from the modifications would be from construction works, which would be temporary, and not unreasonably impact the nearest residential receiver.</li></ul>	Manage through the existing conditions of consent, and the EPL (2262).
Air quality	<ul style="list-style-type: none"><li>• Construction equipment may emit particulates and generate dust emissions during construction.</li><li>• The Department is satisfied that dust emissions will be minor as the modification works are located on existing hardstand areas and the surrounding local road network consists of sealed roads.</li></ul>	Manage through existing conditions of consent and the EPL (2262).

Issue	Findings	Recommendations
	<ul style="list-style-type: none"> <li>• The Department notes Condition 7.2c) of the existing conditions of consent requires the preparation of a Dust Management Plan as part of the CEMP, to manage dust impacts on the site and surrounding land during construction.</li> <li>• There will be no change to the approved processing capacity and no change to the odour emissions from the operation of the site.</li> <li>• Therefore, the Department satisfied that no additional adverse air quality and odour impacts in excess of that previously assessed will occur as a result of the modification request.</li> <li>• The Department's assessment concludes the modification is acceptable, with existing conditions of consent that require the development to satisfy the requirements of the EPL continuing to adequately manage odour and air quality impacts from the site.</li> </ul>	
<b>Stormwater management</b>	<ul style="list-style-type: none"> <li>• The modification seeks approval to construct an additional 965 m<sup>2</sup> of floor space via the construction of the plate freezer / storage room and expansion of the switch room / temporary workshop.</li> <li>• The increased floor space of the proposed works will take place entirely on existing hardstand surfaces. No additional hardstand surfaces are proposed to be constructed under the modified works.</li> <li>• Revised stormwater design plans for the site were also provided demonstrating how the additional built form would connect to, and be disposed of, by the existing stormwater management system.</li> <li>• Council raised no concerns regarding the proposed works with respect to stormwater management.</li> <li>• Given that the proposed works do not increase the area of hardstand on the site, the Department is satisfied that no additional adverse stormwater drainage impacts in excess of that previously assessed will occur as a result of the modification request.</li> <li>• On this basis, the Department considers the proposed modifications to the built form on the site are acceptable.</li> <li>• The Department concludes the stormwater management system and water management plan, as required as part of the Operation Environmental Management Plan under Condition 7.4b)</li> </ul>	<p>Manage through the existing conditions of consent.</p>

Issue	Findings	Recommendations
	are capable of managing stormwater volumes onsite.	
<b>Traffic</b>	<ul style="list-style-type: none"> <li>• There is no change to the cattle processing capacity, nor any additional traffic movements to and from the site as part of its operations beyond the volumes currently approved.</li> <li>• Council raised no issues regarding traffic impacts.</li> <li>• Construction is expected to take approximately two months, with construction traffic (consisting of heavy vehicles) entering the site via the existing access to the west of the modification area, off Bomen Road. This access is currently used for livestock deliveries and dispatch of finished beef products.</li> <li>• The Department notes Condition 7.2e) of the existing conditions of consent required the preparation of a Traffic Management Plan as part of the CEMP, which will manage construction traffic at the abattoir and its impact upon the regional road network.</li> <li>• The Department is satisfied any traffic impacts associated with the construction of the new infrastructure will be covered by this plan.</li> <li>• The Department's assessment concludes the proposed works would have negligible impacts on the existing traffic volumes on-site and along the local road network during operation, and construction traffic can be adequately managed through the existing conditions of consent and the CEMP.</li> </ul>	Manage through existing conditions of consent.
<b>Visual impact</b>	<ul style="list-style-type: none"> <li>• The overall height and building bulk of the proposed works when considered in the context to the surrounding built form achieve a commensurate scale appropriate to its role.</li> <li>• The site is located within an established industrial precinct with the works largely screened from surrounding sensitive receivers by existing buildings and vegetation.</li> <li>• The switch room / temporary workshop is nestled between two existing buildings, with a building height of 7.77 m, lower than the two adjoining buildings.</li> <li>• The switch room / temporary workshop is located internally within the site, and not visually identifiable from nearby public spaces, or neighbouring structures.</li> </ul>	No additional conditions are recommended.

Issue	Findings	Recommendations
	<ul style="list-style-type: none"> <li>• As a result, the visual impact of the bulk and scale is minimised by its location within the site and consistent scale and building height.</li> <li>• The plate freezer / storage room and associated elevated conveyor are located along the eastern boundary, visually identifiable from the adjoining public areas.</li> <li>• While there is a minor increase in the building height of the proposed plate freezer / storage room when compared to surrounding buildings (plate freezer / storeroom approximately 19 m in height, and the existing slaughter floor building approx. 16 m in height) the proposed built form does not unreasonably conflict with the height and scale of surrounding development.</li> <li>• As a result, the plate freezer / storage room and elevated conveyor are considered complementary to existing development within the site, particularly in relation to height, roof form and character.</li> <li>• The proposed plate freezer / storage room and elevated conveyor also maintain sufficient setbacks, and materiality to the streetscape interface with additional areas of landscaping to be incorporated adjoining the plate freezer / storage room, minimising the visual impact.</li> <li>• The height and scale of the development is responsive to context, compatible with that of existing adjoining development within the site, and will not result in unacceptable or jarring amenity, streetscape or broader urban design impacts.</li> <li>• The proposed works do not create any visual conflict between land uses on adjoining properties or to the visual amenity of the closest residential site 900 m to the west.</li> <li>• The Department's assessment concludes the visual impacts of the proposed works are minor and reasonable in this instance.</li> </ul>	
<b>Contributions</b>	<ul style="list-style-type: none"> <li>• Council has requested s7.12 Development Contributions under the <i>Wagga Wagga Local Infrastructure Contributions Plan 2019-2034</i> for the proposed works.</li> <li>• The Department notes development contributions have not been applied in previous modifications for the site.</li> </ul>	No additional conditions are recommended.

Issue	Findings	Recommendations
	<ul style="list-style-type: none"> <li>• The proposal does not seek to intensify the use of the site by amending the cattle processing capacity of the abattoir, nor are there any additional impacts to public infrastructure (particularly stormwater or sewerage) as a result of the development.</li> <li>• There is no clear nexus between the proposed modification and the works outlined in Council's contribution plan.</li> <li>• Consequently, the Department concludes the payment of development contributions is not warranted in this instance.</li> </ul>	



## 7 Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department considers the proposed modification is appropriate on the basis that:

- the proposed works are of a minor nature and would significantly improve operational efficiency of the development via the new plate freezer / storage room facility.
- the proposed associated infrastructure to service the abattoir will also aid the improvement in the abattoir's operational efficiencies
- the approved cattle processing capacity of the development would remain unchanged as a result of the proposed modification
- impacts associated with the modification can be managed by existing and recommended conditions of consent under DA 220-07-2002-i, as modified.

Consequently, the Department is satisfied that the modification should be approved, subject to the recommended modifying conditions of consent.

## 8 Recommendation

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

- **considers** the findings and recommendations of this report
- **determines** that the application DA220-07-2002-I-Mod-12 falls within the scope of section 4.55(1A) of the EP&A Act
- **forms the opinion** under clause 30A(2)(c) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 that a BDAR is not required to be submitted with this application as the application will not increase the impact on biodiversity values on the site
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modify** the consent DA-220-07-2002-i
- **signs** the attached approval of the modification (**Appendix B**).

**Recommended by:**




24/10/2022

**Catriona Shirley**

Senior Environmental Planner  
Industry Assessments

## 9 Determination

The recommendation is **Adopted** by:

 24 October 2022

**Joanna Bakopanos**

Team Leader

Industry Assessments

as delegate of the Minister for Planning

# Appendices

## Appendix A – List of documents

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

### Modification application

- Section 4.55(1A) modification (Modification 12) to DA 220-07-2002-i, prepared by Ethos Urban, dated 18 January 2022 and all attachments.

### Government advice

- Submission received from Wagga Wagga City Council.

### Response to Submissions

- Response to Submission letter prepared by Ethos Urban, dated 16 February 2022 and all attachments.
- Supplementary response to submission Preliminary Hazard Risk Analysis prepared by CDM Smith, dated 13 July 2022.
- Supplementary response to submission letter prepared by Ethos Urban, 5 October 2022 dated and all attachments.

### Statutory documents

- Relevant environmental planning instruments, policies and guidelines and relevant requirements of the EP&A Act.

### Other documents

- Environmental Impact Statement – Bomen Abattoir Expansion Proposal, prepared by HLA Envirosciences Pty Limited, dated 25 June 2002
- State Significant Development Assessment: Proposal by Cargill Foods Australia Ltd to upgrade and expand the Bomen Abattoir, Wagga Wagga, DA 220-07-2002-i, prepared by the Department of Planning, dated February 2003
- Existing conditions of consent in DA 220-07-2002-i (as modified).

The relevant supporting information for the subject modification may be found on the Department's website at: <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-12-new-plate-freezer-switch-room>.

## **Appendix B – Notice of modification**

The modifying instrument for the subject modification may be found on the Department's website at:  
<https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-12-new-plate-freezer-switch-room>.



## **Appendix C – Consolidated consent**

The consolidated consent for the subject modification may be found on the Department's website at:  
<https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-12-new-plate-freezer-switch-room>.