

Statement of Environmental Effects

SECTION 75W MODIFICATION APPLICATION FOR TEYS
AUSTRALIA BOMEN BEEF PROCESSING FACILITY

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Australia Bomen Beef Processing Facility

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1 EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) is submitted to the Department of Planning and Environment in support of an application to modify the development approved under DA 220-07-2002-i at 1 Dampier Street Bomen, 2650. This report has been prepared on behalf of Teys Australia.

The application to modify a consent is submitted under the now-repealed Section 75W of the *Environmental Planning and Assessment Act 1979*. This process is in accordance with the transitional arrangements for approved Part 3A projects under clause 8J(8)(b) of the *Environmental Planning and Assessment Regulation 2000*.

On 11 February 2003, the NSW Minister for Planning and Environment approved DA-220-07-2002-i for alterations, additions and associated upgrades to the beef processing facility.

The proposed modification seeks to construct an awning over an existing annex.

The proposed modification will be undertaken in accordance with development plans prepared by Xeros Piccolo Consulting Engineers. The development plans are attached as Appendix A.

2 INTRODUCTION

This Statement of Environmental Effects (SEE) is submitted to the Department of Planning and Environment in support of an application to modify the development consent for DA-220-07-2002-i. The modification is pursuant to (the now-repealed) section 75W of the Environmental Planning and Assessment Act 1979 (EP&A Act). This process is in accordance with the transitional arrangements for approved Part 3A projects under clause 8J(8)(b) of the Environmental Planning and Assessment Regulation 2000.

The modification seeks approval to construct a skillion awning over an existing annex, which is used for the storage of chilled meat products prior to distribution. The proposal is minor and does not seek to amend the existing approved capacity of the facility.

The existing annex, being an older building, has degraded with age and rainwater is able to penetrate the roof during heavy rain events. This causes the contamination of products and results in loss of productivity and financial loss.

The proposed awning will provide a weatherproof cover that will prevent water permeation during heavy rainfall events. The proposed awning will ensure a dry environment and safeguard the packaging of chilled meat products from becoming water damaged. Currently, water damage results in the necessity to repackage the chilled meat products occasioning a loss of resources. The proposed awning will contribute to a reduction of costs arising from loss of time and materials and provide an improved environment facilitating compliance with food safety regulations.

The SEE has been prepared by NGH Environmental for the proponent, Teys Australia. It describes the site, its surroundings, the approved development under DA-220-07-2002-i, and the proposed amendments in detail. Given the minor nature of the proposal, a new and/or amended Secretaries Environment Assessment Requirements (formerly DGRs) is not required and a revised assessment of the DRG's has not been undertaken.

In summary, the proposed modification includes:

- Construction of a skillion awning over the existing chilled meat annex.

The SEE shall be read in association with architectural plans prepared by Xeros Piccolo Consulting Engineers. The development plan set comprises plans listed below:

- | | | |
|--------------|------------------------------|------------|
| • 160435-1 A | Footing Plan & Details | July 2016 |
| • 160435-2 A | Steel Marking Plan & Section | March 2016 |
| • 160435-3 A | Elevations | March 2016 |
| • 160435-4 A | Steel Details | March 2016 |

A copy of the development plan set is provided in Appendix A. Photos of the site are provided in Appendix B.

2.1 THE APPLICANT AND LANDOWNER

This SEE has been prepared for Teys Australia Southern Property Pty Ltd by NGH Environmental in support of an application to modify a development consent relating to 1 Dampier Street, Bomen, North Wagga Wagga, NSW 2650.

2.2 BACKGROUND

A State Significant Development (SSD) for alterations and additions and associated upgrades to the abattoir was approved by the former Department of Urban Affairs (now the Department of Planning) on the 27 February 2003 under DA 220-7-2002-i.

The original development application was approved under Part 3a of the EP&A Act and was State significant development under the now repealed State Environmental Planning Policy No. 34 – Major Employment Generating Industrial Development.

The description of the development on the Notice of Determination was:

- Demolishing some disused buildings
- Reconstructing and expanding a major portion of the abattoir, including an administration and amenities building
- Installing a bio-filter to capture and treat odour originating from rendering plant and ancillary units, the DAF/Clarifier, Rotary Screen and Save-all
- Augmenting and refurbishing the existing wastewater treatment system
- Discharging 20% of effluent directly to the sewer system
- Constructing an access road, internal roads, car parking, security gatehouse and associated infrastructure to service the abattoir
- Increasing production from 850 to 2,000 head of cattle per day
- Operating 24 hours a day, seven days a week

The original approval has been modified a number of times, as approved by the NSW Department of Planning and Environment. These are as follows:

- i) Modification application MOD-61-1-2003 – approved 3/11/2003

Alteration of the proposed layout of the facility expansion and to amend conditions 1.2 and 1.3 of the consent relating to the scope of development.

- ii) Modification application MOD-4-1-2004-I – approved 31/3/2004

Modify condition 5.23 of the consent relating to soil contamination and remediation.

- iii) Modification application DA-220-07-2002 Mod 3 – approved 29/06/2009

Vary the conditions of consent to construct and operate a new covered wastewater treatment pond and associated flare system.

- iv) Modification application DA-220-07-2002 Mod 4 – approved 2/8/2010

Construction and operation of the wastewater treatment plant upgrade, as described in Statement of Environmental Effects Effluent System Upgrade (ESU) for the facility. Prepared by

CBA and dated February 2010. As part of this modification the number of cattle permitted to be processed on the site was reduced to a maximum of 1,600 head per day.

- v) Modification application DA-220-07-2002 Mod 5 – approved 28/9/2011

Related to the proposed irrigation of the CFA Low area with treatment plant effluent. The modification request was supported by an Environmental Assessment document entitled 'Cargill Beef – CFA Low Environmental Assessment' prepared by Claus Environmental Engineering and dated May 2011.

- vi) Modification application DA-220-07-2002-I Mod 6 – approved 7/06/2015

Modifications to the existing beef processing facility involving: reinstatement of a former heavy vehicle access point off Dampier Street; construction of additional cold storage and palletising space; construction of a new loading dock; and internal refurbishments to carcass chillers and provision of new chillers.

- vii) Modification application DA-220-07-2002-I Mod 7 – approved 13/01/2016

Construct a replacement bio-filter and demolition of the existing bio-filter to manage air quality and odour from the operation.

- viii) Modification application DA-220-07-2002-I Mod 8 – pending determination

Expansion of stockyards and the construction of an awning to provide shelter to the existing box room.

3 SITE ANALYSIS AND LOCALITY

3.1 DESCRIPTION OF THE SITE

The subject site, being Lot 1, DP1213252, 1 Dampier Street, Bomen, is irregular in shape with a total area of 160.32ha.

The site is located east of East Street and west of Byrnes Road. The northern property boundary is situated south of Bomen Road and the southernmost portion of the site is located north of Hillary Street.

An image of the subject land is highlighted in the figure below.

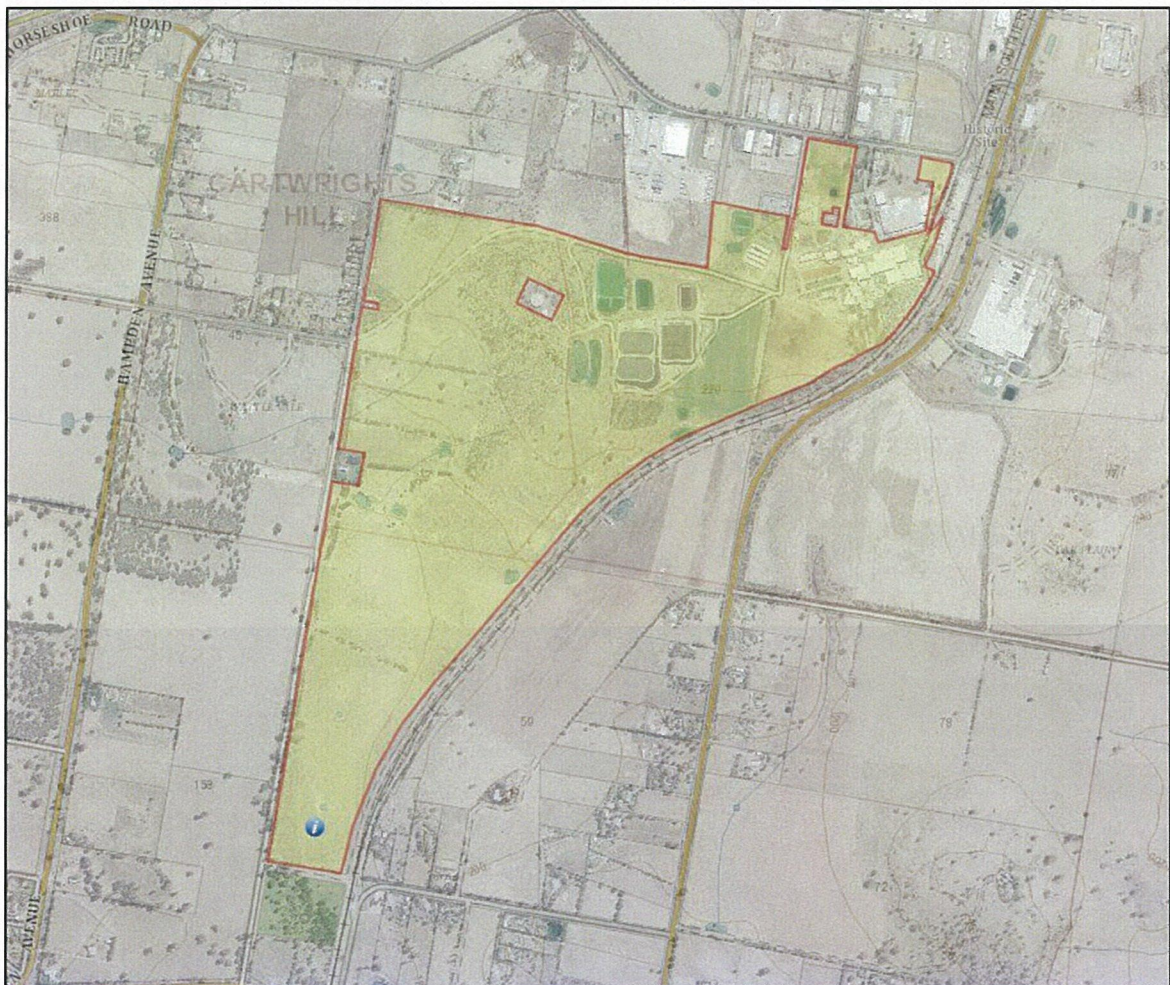


Figure 3-1 Subject land (Source: Six Maps)

3.2 LOCAL CONTEXT

Bomen is located within the greater area of North Wagga Wagga, indicated in the figure below. The site is approximately 6km north of the central business district of Wagga Wagga. Bomen is positioned between the Melbourne to Sydney railway line to the east and the Olympic Highway to the west. The site has convenient access to the Olympic, Sturt and Hume highways.

The subject land is located within an industrial precinct of the Bomen Business Park and is surrounded by a range of industrial activities.

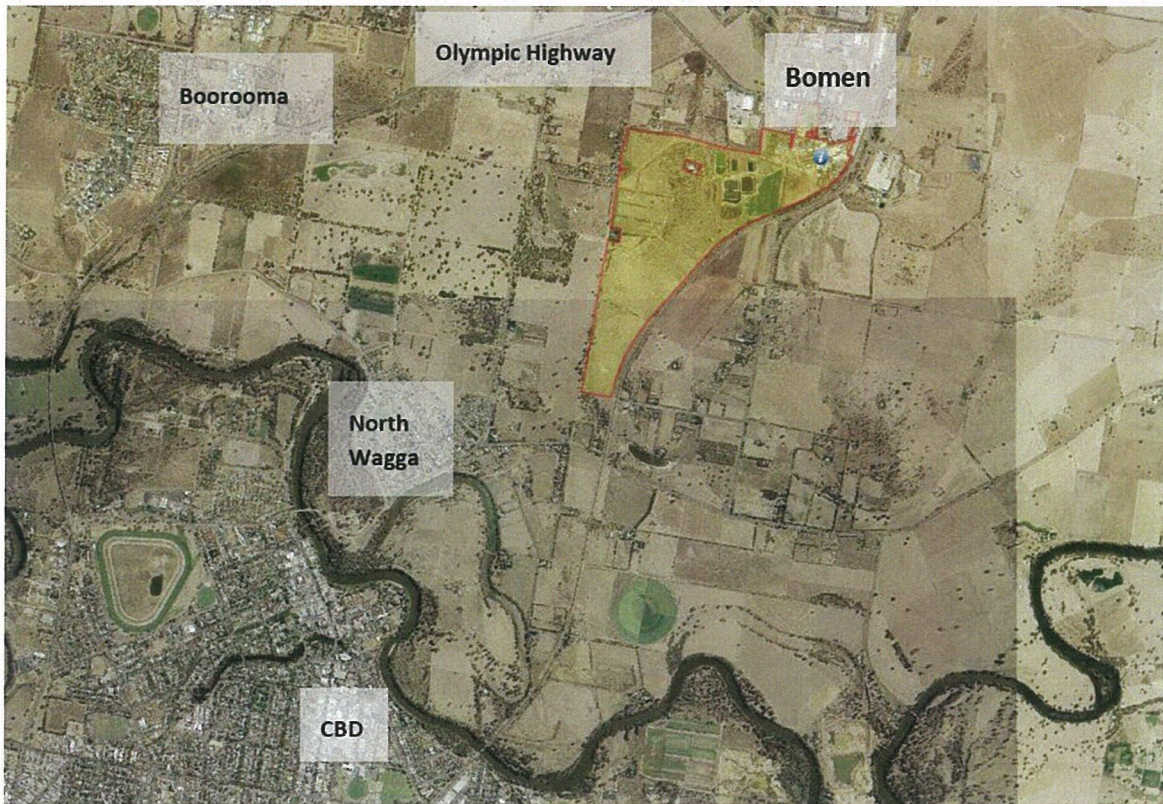


Figure 3-2 Subject site and surrounding areas (Source: Six Maps)

3.3 HISTORY/ EXISTING DEVELOPMENT

The site is currently used for the purpose of Teys Australia Bomen Beef Processing Facility (abattoir), which has operated on the site since the 1940's. The facility was owned by the local Council until 1991 when it was purchased by Cargill Beef Australia (CBA). Teys Australia is an equal partnership between the Teys Family and the Cargill Company.

3.4 SERVICES

The site is serviced by the full range of urban services included reticulated water supply, sewerage, storm water, electricity and telecommunications.

3.5 LAND OWNERSHIP

The registered owners of the site are Teys Australia Southern Property Pty Ltd.

4 DESCRIPTION OF THE PROPOSAL

4.1 THE APPROVED DEVELOPMENT

DA 220-07-2002-i involved the expansion of the facility. The proposal was classified as State Significant, Designated and Integrated Development under the (EP&A Act). An Environmental Impact Statement (EIS), prepared by HLA Envirosiences Pty Ltd (HLA) accompanied the application. In the EIS, CBA proposed to 'intensify existing production at the Bomen Beef Processing Facility to 14,000 head of cattle per week, or 2,000 head per day over a seven day working week'.

The \$30 million expansion to support the intensification included:

- An increase in load out facility
- An increase in chiller capacity
- An increase in freezer capacity
- An increase in wastewater treatment capacity
- Improvements in odour controls at the plant
- An increase in product cold storage

4.2 PROPOSED DEVELOPMENT

It is proposed to construct a skillion awning within the chiller facility. The location of the proposed awning is shown in the figure below.



Figure 4-1 Location of the proposed awning

The proposed skillion awning will be constructed over an existing annex utilised for the storage of chilled meat products. The proposed awning will provide a weatherproof cover to the existing annex.

The awning will not interfere with existing traffic movement on the site.

An indicative outline of the awning location is provided in the following figure.

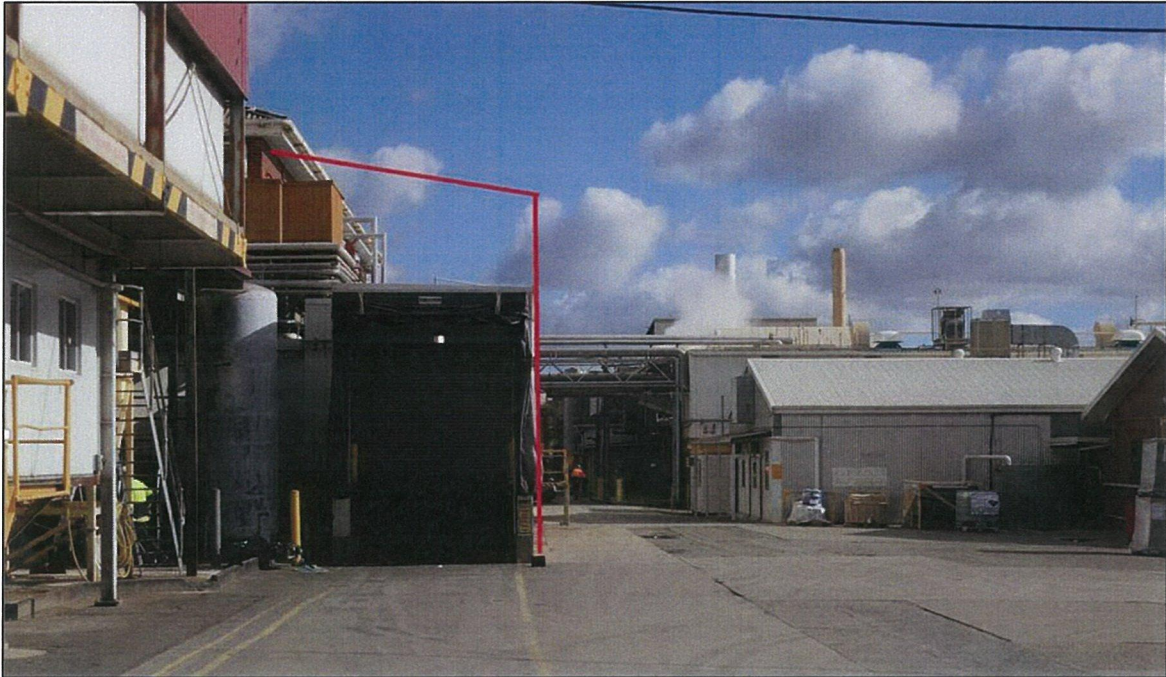


Figure 4-2 Indicative outline of the awning location

The current chilled meat annex is used repeatedly during the day, each day, for deliveries of chilled meat products. Reconstructing the annex would require a shutdown of activities within the annex. Shutting down the annex activities would have flow on affects that would require a shut-down of the production line during the annex reconstruction. Closing the production line and hence the business for the period of the annex reconstruction would create an adverse production and financial impact. Constructing an awning over the annex would allow the annex to continue to be used. This would allow production to continue without interruption. As such, an awning provides the required shelter solution with minimal impact to production.

The proposed awning has an area of approximately 233.64m² and will be constructed of steel. The image below indicates the length of the awning, measuring approximately 36m.

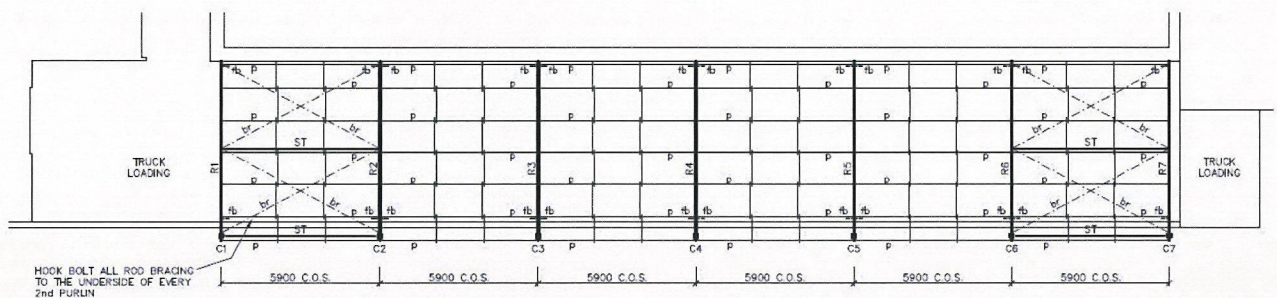


Figure 4-3 Length of the proposed awning (Source: Development Plans prepared by Xeros Piccolo)

The proposed structure will form a skillion awning that will be bolted to the adjacent existing building, as indicated below.

The proposed structure will include suitable netting between the existing annex and the proposed awning to provide a barrier for birds and other potential pests.

Appropriate mitigation will also be provided to the proposed structural uprights to protect against vehicular impact.

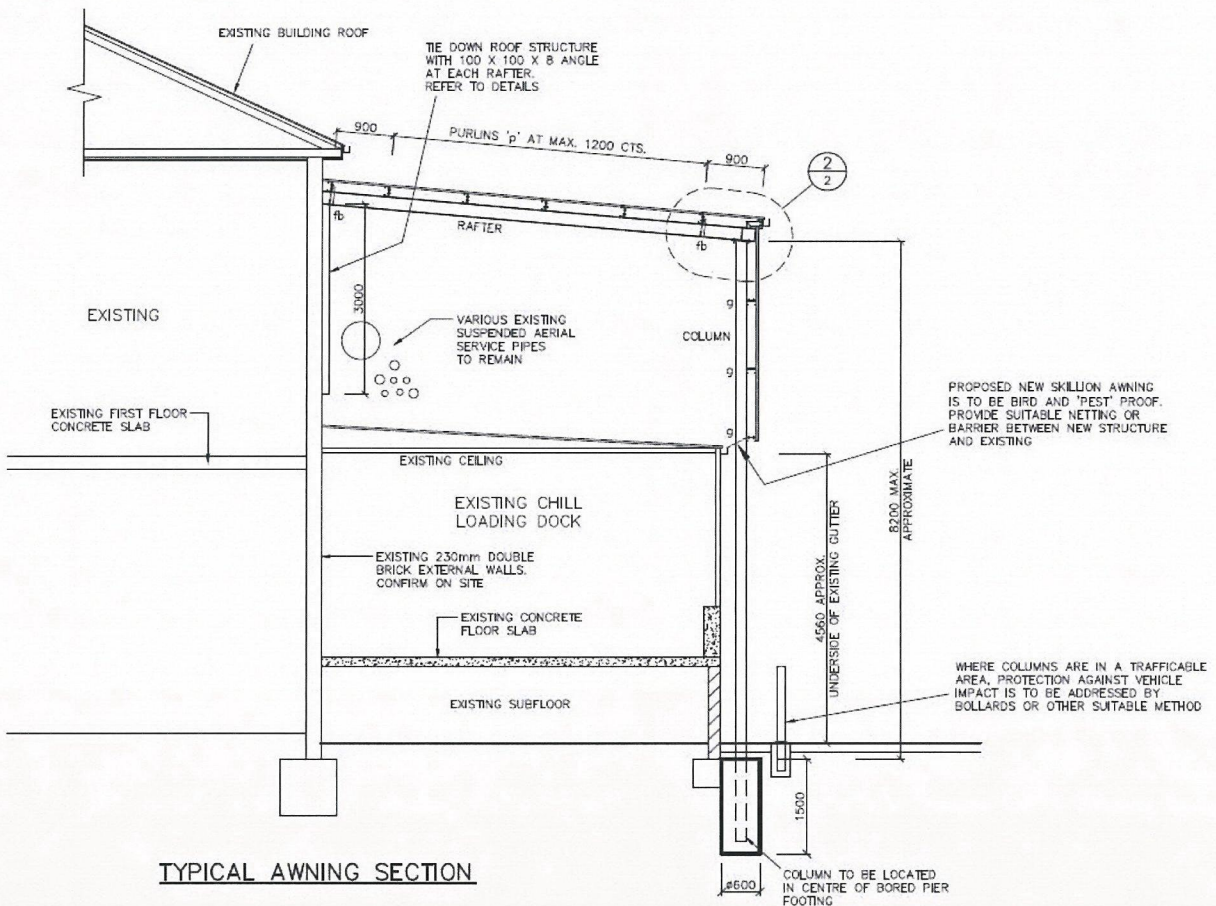


Figure 4-4 Section of the proposed awning (Source: Development plans prepared by Xeros Piccolo)

The proposed awning will cover an existing roofed area, therefore there is no proposed increase to the existing roof area, or volume of water.

Water from the proposed awning will be discharged to the existing stormwater network in accordance with Council's Engineering guidelines.

5 THE STATUTORY FRAMEWORK

5.1 RELEVANT LEGISLATION

This SEE details the proposed modification's compliance against applicable environmental planning instruments and development control plans (refer to tables below):

- *Environmental Planning and Assessment Act 1979*
- Environmental Planning and Assessment Regulation 2000
- State Environmental Planning Policy 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- Wagga Wagga Local Environmental Plan 2010 (LEP 2010)
- Wagga Wagga Development Control Plan 2010 (DCP 2010)

Having regard to the applicable legislative framework, it is considered that the proposed modification is consistent with the aims and objectives of the relevant environmental planning instruments and development control plan.

5.2 STATE LEGISLATION

Environmental Planning and Assessment Regulation 2000	
Clause 8J(8)(b)	The original proposal was deemed state significant development (SSD) under the provisions of <i>State Environmental Planning Policy No. 34 – Major Employment Generating Industrial Development</i> (SEPP 34). The SSD development application was determined under Part 4 of the EP&A Act with the Minister being the consent authority. SEPP 34 was repealed on 25 May 2005. Clause 8J(8)(b) of the <i>Environmental Planning and Assessment Regulation 2000</i>, allows a proposed modification of a development consent granted by the Minister under SEPP 34 to be considered under the now repealed section 75W of the EP&A Act.
Environmental Planning and Assessment Act 1979	
Section 75W	State Significant Development Application development consent No. 220-07-2002-i was originally granted by the Minister as State Significant Development (SSD) under Part 4 of the EP&A Act 1979.

	Section 75W still applies to this application to modify a development consent even though the section has been repealed.
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5.3 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

State Environmental Planning Policies	
Plan	Comments
SEPP 33	<i>State Environmental Planning Policy 33 – Hazardous and Offensive Development</i> (SEPP 33) defines 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment' for all NSW planning instruments, existing and future. The definitions enable decisions to approve or refuse a development to be based on the merit of proposal. The proposal does not involve an increase in the storage of hazardous materials and chemicals beyond that deemed as to require a preliminary hazard analysis (PHA) or result in the operations changing such that it would be offensive. Subsequently, the modification is not deemed hazardous or offensive development under the provisions of SEPP 33.
ISEPP	The aim of the <i>State Environmental Planning Policy (Infrastructure) 2007</i> (ISEPP) is to facilitate the effective delivery of infrastructure across the State, including providing for consultation with relevant public authorities about certain development during the assessment process. The relevance of ISEPP to the proposed modification is whether it would result in an operation deemed traffic generating development under the provisions of clause 104. In this case, the proposed modification does not seek to intensify the existing approved use of the operations. Therefore, there would be no additional traffic movement to and from the site beyond that currently approved. For this reason concurrence should not be required from the NSW Roads and Maritime Service (RMS) for the modification.

5.4 LOCAL ENVIRONMENTAL PLAN (LEP)

5.4.1 Wagga Wagga Local Environmental Plan 2010

Clause 1.2 - Aim of the Plan

The proposed development is consistent with the aims of the Local Environmental Plan (LEP) 2010, in particular:

- to optimise the management and use of resources and ensure that choices and opportunities in relation to those resources remain for future generations,
- to promote development that is consistent with the principles of ecologically sustainable development and the management of climate change,
- to promote the sustainability of the natural attributes of Wagga Wagga, avoid or minimise impacts on environmental values and protect environmentally sensitive areas,
- to co-ordinate development with the provision of public infrastructure and services.

Clause 1.4 - Definitions

The proposed modification relates to an existing industry, being a *livestock processing industry*. The LEP defines the existing development as follows:

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

Pursuant to Clause 1.4 of the LEP the proposed modification would not change the land use. The proposed development is ancillary to the existing use.

Clause 2.3 Zone objectives and land Use table

The relevant objectives of the zone are:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*

The proposed modification is consistent with the zone objectives. The modification would not impact on the existing land use and the site would continue to provide industrial related services.

The subject land comprises multiple land zones however the proposed modification will be occur on land zoned IN1 General Industrial.

A land zone plan is shown below in Figure 5-1.



Figure 5-1 Land Use Zone Map - Subject Site outlined in blue (Source: Wagga Wagga Online Mapping)

5.5 DEVELOPMENT CONTROL PLAN PLANS (DCP)

The Wagga Wagga Development Control Plan 2010 (DCP 2010) supports the LEP 2010 by providing additional objectives and controls. Many of the objectives and controls are not relevant to the proposed modification. The objectives and controls relevant to the proposal are addressed in the assessment that follows.

In summary, it is considered that the proposed modification complies with the relevant numerical controls and the objectives in WWDCP 2010 Cartwrights Hill Precinct—odour and noise assessment.

The subject site is located in close proximity to the Cartwrights Hill Precinct, however it is considered the proposed modification would not increase existing odour or noise.

6 ENVIRONMENTAL IMPACTS

6.1 STORMWATER

There will be no change to the volume of stormwater generated, given the roof surface area would not and no additional hard surfaces are created by the proposal. Water collected would be discharged to the existing stormwater infrastructure in accordance with Council's Engineering Guidelines.

6.2 EARTHWORKS

Proposed earthwork would be minimal, involving footing preparation for foundations. The proposal would not adversely affect or disrupt drainage or flood patterns, flood storage or soil stability in the area.

6.3 EROSION AND SEDIMENT CONTROL

During construction erosion and sedimentation controls would include the placement of excavated soils within skips. Containment of excavated soils would prevent the placement of soil on the adjacent hardstand where it might be prone to erosion. Excavations would be backfilled with steel and concrete as soon as possible to minimise the risk of inundation.

6.4 FLOOD

Wagga Wagga City Council's online mapping indicates that the southern part of the site is subject to flooding, as shown in Figure 6-1. The existing abattoir buildings however are not located on flood prone land.



Figure 6-1 Wagga Wagga Flood Map (Source: Wagga Wagga Online Maps)

6.5 FLORA AND FAUNA

The proposed modification relates to an area of the site which has been developed and utilised for industrial activities. The local environment comprises a large hardstand and vegetation is non-existent. Therefore, no impact is expected.

6.6 AIR POLLUTION

It is anticipated that the generation of dust and vehicle exhausts during construction would be minimal and consistent with the current land use.

6.7 HAZARDOUS MATERIALS

There would be no increase in hazardous materials as a result of the proposed modification.

6.8 HAZARDOUS WASTE

The proposed modification would not generate any hazardous waste.

6.9 LAND HAZARD CONSIDERATIONS

The site is not subject to landslide, flooding, bushfire, tidal inundation, subsidence or acid sulphate soils.

6.10 GROUNDWATER

No impact on groundwater is considered likely. Appropriate stormwater and wastewater treatment systems already exist.

6.11 CONTAMINATED LAND

Previous contaminated land has been remediated. The development is not expected to impact on or mobilise any contamination.

6.12 SOLID WASTE

The proposed modification does not give rise to any additional volumes of solid waste from the process. The same packaging volumes that are currently used will be maintained.

6.13 CONSTRUCTION WASTE

The construction of the awning would result in minor amounts of soils and concrete waste from the construction of the footings. Where this material is not recycled in on site as general fill it would be disposed of at an approved waste disposal facility. The construction would also result in minor amounts of metal waste. This waste would be sent to an approved metal recycler.

6.14 ACID SULPHATE SOILS

Acid sulphate soils are not identified as present in the area of the proposed modification. Soil disruption would be limited to the area of existing development.

7 CONCLUSION

This Statement of Environmental Effects has been prepared to accompany an application to modify development consent DA-220-07-2002-i under the savings provisions of section 75W of the Environmental Planning and Assessment Act 1979.

This modification primarily seeks to construct an awning to provide a weatherproof environment for an existing annex.

The proposed modification does not result in an intensification of the operations.

The proposal would result in minimal adverse environmental impacts and would offer a benefit in terms of reducing potential losses of resources and time losses spent repacking, space lost due to lack of storage in wet areas, and cardboard used to repack product.

APPENDIX A - PLANS