



Department of
Infrastructure, Planning and Natural Resources

**REPORT ON THE ASSESSMENT OF
A MODIFICATION APPLICATION NO. MOD-61-7-2003-i
PURSUANT TO SECTION 96(2) OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT, 1979**

**PROPOSAL BY CARGILL FOODS AUSTRALIA LTD TO
MODIFY THE APPROVED UPGRADE AND EXPANSION OF THE BOMEN
ABATTOIR, WAGGA WAGGA (DA-220-07-2002-i)**

Department of Infrastructure, Planning and Natural Resources

October 2003

TABLE OF CONTENTS

1. SUMMARY	2
2. THE EXISTING SITUATION	2
3. THE PROPOSED MODIFICATION	2
4. STATUTORY PLANNING FRAMEWORK	3
4.1 Section 96	3
4.2 Wagga Wagga Local Environmental Plan 1987	3
4.3 Other Relevant Planning Instruments/Policies	4
5. CONSULTATION AND EXHIBITION	4
6. CONSIDERATION OF ENVIRONMENTAL ISSUES	5
6.1 Noise	5
6.2 Odour	5
6.3 Visual	6
6.4 Soil Contamination	6
6.5 Traffic	7
6.6 Water Quality	7
6.7 Railway Corridor	8
6.8 Re-Zoning	8
7. PROPOSED MODIFICATIONS TO THE CONSENT	8
8. SECTION 79C CONSIDERATION.....	8
9. CONCLUSION	8
10. RECOMMENDATIONS	9
APPENDIX A – SECTION 79C(1) CONSIDERATIONS	10
APPENDIX B - SUMMARY OF SUBMISSIONS	13

1. SUMMARY

On 1 July 2003, Cargill Foods Australia Pty Ltd (the Applicant) lodged an application under Section 96(2) of the *Environmental Planning and Assessment Act 1979* (the Act) to modify its development consent (DA-220-07-2002-i), which was granted by the then Minister for Planning on 27 February 2003, for the upgrade and expansion of its existing abattoir at Dampier Street, Wagga Wagga, located in the Wagga Wagga local government area.

The proposed modification involves modifying the layout of the abattoir, carparking area and cattle yards to improve the operational performance of the abattoir.

The development, as modified, would be substantially the same development.

Consequently, the Department recommends that the Minister approve the proposed modification.

2. THE EXISTING SITUATION

On 27 February 2003, the then Minister for Planning approved a development application (DA-220-07-2002-i) for the upgrade and expansion of the existing Cargill abattoir located at Dampier Street, Wagga Wagga, in the Wagga Wagga local government area (refer to Figure 1, tagged "C").

The approved development involves:

- 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 the 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, carparking, security gatehouse and associated infrastructure to service the abattoir;
- Increasing production from 850 to 2,000 head of cattle per day; and
- Operating 24 hours a day, seven days a week.

The proposed development is expected to be implemented over a 10-15 year period, with the seven day operation and 14,000 head per week production capacity to be realised in the final stages of implementation. Figure 2 (tagged "D") illustrates the layout of the approved development.

The proposed upgrade and expansion involves a capital investment of \$30 million and would generate an additional 740 new full-time positions at the abattoir. As such, the Minister was the consent authority for the development in accordance with *State Environmental Planning Policy No.34 – Major Employment Generating Development* (SEPP 34).

3. THE PROPOSED MODIFICATION

On 1 July 2003, the Applicant lodged a section 96(2) modification application with the Department to modify the development consent granted by the then Minister for Planning on 27 February 2003.

The Applicant is seeking to amend the footprint of the approved abattoir to facilitate the expansion of the facility to the south-east of the existing buildings, as opposed to the west as originally approved. In addition to this modification, the Applicant is also proposing to:

- Relocate and expand the cattle yards within the footprint of the existing cattle yards; and
- Relocate, reconfigure and expand the carpark within the footprint of the existing carpark to the southeast of the existing abattoir buildings.

All other remaining components of the development, as approved, would not be effected by the proposed modification. This includes the approved effluent treatment system augmentation and odour mitigation measures.

Figure 3 (tagged "E") illustrates the proposed revised layout of the abattoir.

The Applicant states that these changes have been identified as part of the final design process for the facility, and are required in order to improve the operational performance of the abattoir. However, none of the proposed changes would result in any increase in production capacity.

4. STATUTORY PLANNING FRAMEWORK

4.1 Section 96

Under Section 96(2) of the Act, a consent authority may, on application being made by the Applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all),*

The proposed modification involves the relocation of several elements of the approved development, but would not facilitate any changes to the function or capacity of the abattoir. While the proposed modification would alter the area to be redeveloped, the Department has reviewed the potential impacts associated with this relocation and is satisfied that the proposed modification would not result in any additional impacts (refer to Section 6). Consequently, the Department is satisfied that the development, as modified, would be substantially the same development and will not result in any significant increase in impacts.

- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent;*

The Environment Protection Authority (EPA) issued General Terms of Approval for the original development application, as the proposal required a licence under the *Protection of the Environment Operations Act 1997*. Consequently, the Department consulted with the EPA regarding the modification application. The EPA reviewed the modification and informed the Department that it had no objections to the modification and that it was satisfied that the proposed modification would not result in any additional environmental impacts.

- (c) *it has notified the application in accordance with the regulations, if the regulations so require, or a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and*

The Department has satisfied the public notification requirements of the *Environmental Planning and Assessment Regulation 2000* (refer to section 5 of this report).

- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Submissions received during the exhibition of the modification application have been considered in the Department's assessment (refer to section 5 & 6 of this report).

4.2 Wagga Wagga Local Environmental Plan 1987

Under the *Wagga Wagga Local Environmental Plan 1985*, the abattoir site is zoned as Rural (1), Industrial (4) and Special Uses (5). Abattoirs and associated activities are permissible with consent under both the Rural (1) and Industrial (4) zoning. Under the Special Uses (5) zoning, abattoirs are permissible without consent.

The portion of the site affected by the proposed modification is zoned Special Uses (5). The objectives of the Special Uses (5) Zone includes to ensure that certain portions of land within this zone (unhatched in the LEP) are owned or used for public or community purposes and that other land in this zone (hatched in the LEP) would be acquired by a public authority for the particular public or community purpose shown on the map. The Cargill Abattoir is shown as unhatched on the LEP map, however the LEP indicates that the development can occur without the need for development consent. The Department considers that the modification is consistent with the objectives of the zone.

Note: A portion of the land, currently utilised by the abattoir carpark, is currently owned by Wagga Wagga City Council. It has been assumed that this portion was unintentionally overlooked during the original transfer of the land when the Applicant purchased the abattoir from Council. Council has indicated to the Department that it has resolved to transfer this land to the Applicant as soon as its reclassification under the *Local Government Act 1993* has been approved.

4.3 Other Relevant Planning Instruments/Policies

The modification has been assessed against the relevant provisions in the following planning instruments/policies:

- *State Environmental Planning Policy No.11 – Traffic Generating Development;*
- *State Environmental Planning Policy No.33 – Hazardous and Offensive Development;*
- *State Environmental Planning Policy No. 55 - Remediation of Land*
- *Wagga Wagga Local Environmental Plan 1985;*
- *Wagga Wagga Development Control Plan 1986;*
- *Development Control Plan No.2 – Road Traffic and Arterial Road Network Strategy;*
- *Development Control Plan No.3 – Flood Mitigation Strategy;*
- *Development Control Plan No.4 – Drainage Strategy;*
- *Development Control Plan No. 5 – Sewer Strategy*

This assessment concludes that the modification is consistent with the relevant aims and objectives of these instruments, and satisfies the relevant assessment criteria (see Section 6 and Appendix A).

5. CONSULTATION AND EXHIBITION

In accordance with the *Environmental Planning and Assessment Regulation 2000*, the Department publicly exhibited the modification application for 18 days between Monday 21 July 2003 and Thursday 7 August 2003 at the following locations:

- Department of Infrastructure, Planning and Natural Resources, Planning Head Office, Sydney;
- Department of Infrastructure, Planning and Natural Resources, Regional Planning Office, Queanbeyan; and
- Wagga Wagga City Council.

In addition, the Department placed an advertisement in the *Wagga Daily Advertiser* and notified Government authorities, Council and residents who made a submission on the original development application, inviting them to provide any comments on the proposed modification.

During the exhibition period, the Department received seven submissions. Of these submissions, four of the submissions were from Government agencies and 3 from the general public.

All the submissions from the general public opposed the proposed modification. The key issues raised in these submissions include:

- Odour emissions from the abattoir;
- Visual, including lighting and landscaping;
- Traffic impacts, relating to the possible removal of the approved alternative access;
- Water Quality; and
- Re-zoning of surrounding land by Council to restrict future residential development.

The majority of these submissions opposed the development as a whole, reiterating their objection and issues raised during the exhibition period for the original application.

Submissions from government agencies were received from the Roads and Traffic Authority (RTA), Wagga Wagga City Council, the Environment Protection Authority (EPA) and Rail Estate. None of the authorities objected to the proposal, however Council, the RTA and Rail Estate recommended several conditions should the Minister determine to approve the modification.

A submission was also received from the Natural Resources branch of the Department (formerly Department of Land and Water Conservation), who raised no concerns with the proposed modification.

The issues raised in the submissions received during the exhibition period have been considered in the Department's assessment of the modification (refer to section 6). A summary of the submissions has been provided in Appendix B of this report.

6. CONSIDERATION OF ENVIRONMENTAL ISSUES

6.1 Noise

Applicant's Position

As the proposed modification would involve the relocation of the carpark and the components of the abattoir to the southern portion of the site, the proposal does have the potential to increase noise levels detected at certain neighbouring residences, particularly those located along Byrnes Road.

The Applicant argues that while the proposal would alter the position of some noise sources at the facility, it would not increase the total noise emissions as determined for the approved facility. This is on the basis that the development, as modified, would be distanced further from the closest residential receptor and that it would still be subject to the noise limits specified in the consent issued for the development.

Issues Raised in Submissions

Submissions from the general public raised concerns with the potential increases in noise levels detected at residential areas along Byrnes Road.

The EPA raised no concerns with the proposed relocation in respect to noise emissions.

Department's Position

The Department has considered the issues raised in the submissions and the Applicant's position, and is satisfied that the total noise emissions detected at nearby residences would not increase. Regardless of this, the abattoir, as modified, would still be subject to the noise limits specified in the existing conditions of consent and would still be subject to an Operational Noise Audit in order to confirm the predicted noise levels in the Environmental Impact Statement (EIS). This process would require the Applicant to implement additional noise mitigation measures should noise exceed the permitted levels. Consequently, the Department is satisfied that, should the Minister approve the modification, that the surrounding residential receptors would not be adversely effected by the proposed relocation.

6.2 Odour

Applicant's Position

The proposed modification would involve the relocation of the stock holding yards 50 metres closer to residential receptors west of the abattoir. The EIS for the original development application identified this component as a low contributor to total odour emissions from the abattoir, stating that management practices would ensure that emissions are minimised. The Applicant argues that while the proposed stock holding yards would be located closer to residential areas to the west, the revised layout would improve the efficiency of cattle movement to slaughter, reducing holding times and odour emissions. With all other odour emitting components of the abattoir unaffected by the proposed modification, the Applicant has subsequently concluded that odour emissions from the abattoir would not alter as result of the modification.

Issues Raised in Submissions

Two submissions reiterated their concerns with the management of the cattle yards and the expressed concerns regarding the management of effluent at the open stock yards.

Council expressed concerns that the proposed relocation of the carpark would occupy the existing open cattle yards, and that the compensatory cattle yards may be required. Council subsequently requested that the compensatory yards be chosen with consideration of odour, dust and visual amenity. (Note: The Applicant has indicated that no compensatory open stock yards would be provided, stating that the existing cattle yards to the west of the carpark would be used.)

The EPA raised no concerns with respect to odour levels, stating that the proposed modification would not result in any significant increases in environmental impacts.

Department's Position

The Department concurs with the Applicant and EPA that the proposed modifications are unlikely to increase total odour emissions from the abattoir. The development, if modified, would still be subject to stringent odour conditions imposed in the Minister's existing consent, which includes a twelve month monitoring of odour emissions and the implementation of additional measures should the EPA odour criteria be exceeded at residential receptors. In addition, the Applicant would still be required to prepare an Odour Operational Environmental Management Plan for the modified development, which would include management procedures at the stock holding yards to manage effluent odour at this source. Consequently, the Department is satisfied that the proposed modifications would not result in any additional potential impacts on neighbouring residential receptors.

6.3 Visual

Applicant's Position

The abattoir, as approved, involved the expansion of the facility footprint to the east and south-east of the site. The proposed modification would alter this footprint, with components of the processing buildings and carparking areas relocated towards the south-east of the site. This would marginally reduce the distance separating the abattoir from residences along Byrnes Road.

The Applicant states that the revised layout would have minimal amenity impacts on neighbouring properties as the buildings (as modified) would be a similar height to the existing buildings (approx 12 metres), and that the buildings would be designed to reduce the perceived scale and bulk of the buildings. Furthermore, the Landscape Management Plan, required by the Minister's consent, would mitigate the potential amenity impacts from the proposed relocation. The Applicant subsequently concluded that the proposed modification would create no additional impacts on visual amenity.

Issues Raised in Submissions

Two submissions from the general public stated that the proposed modification would increase the visual amenity impacts of the abattoir, with the majority of the abattoir relocated closer to residential receptors. In addition, the submissions expressed concerns with the existing lighting arrangements and the potential for the intensification of these amenity impacts.

Council requested that the revised carparking and stock yards be suitably screened and maintained, as part of the Landscape Operational Environmental Management Plan, in order to reduce the visual amenity impacts of the proposal.

(Note: The existing condition of consent requires the preparation of the Landscape Operational Environmental Management Plan to provide suitable screening of the abattoir buildings, carpark and stock pens from nearby residential receptors).

Department's Position

The Department acknowledges that due to the relocation of some aspects of the abattoir closer to residences along Byrnes Road, the proposed modification may result in some minor visual impacts. However, the Department considers that this impact is not expected to be significant due to the proposed upgrade of the abattoir providing for significant improvements to its general urban design and since the proposed modification will not significantly alter this proposed upgrade. Notwithstanding this, the Department is satisfied that the existing conditions of consent, which includes landscaping, building design and lighting control, would ensure that the visual amenity impacts of the proposed modification are sufficiently mitigated and managed in the long-term.

6.4 Soil Contamination

Applicant's Position

Due to the presence of contaminated soils at the redundant sheep skin shed, the Applicant originally proposed to remediate these soils once this area was required for the western expansion of the abattoir buildings. This decision was based on the argument that the contaminated soils did not represent a risk to the environment if left undisturbed.

As this area will no longer be disturbed by the proposed footprint of the abattoir (if approved), the Applicant has indicated that it would no longer implement a Remedial Action Plan for the site. However, the Applicant has informed the Department that the redundant buildings west of the existing plant have been demolished.

Issues Raised in Submissions

This issue was not raised in any submissions received by the Department.

Department's Position

As part of the requirements of *SEPP No.55 – Remediation of Land*, the Minister is unable to grant consent to a development unless it has been sufficiently demonstrated that the land is suitable for the intended use of the site. While the Applicant states that the effected area will no longer be disturbed, the Department is concerned that the removal of the sheep skin sheds and decision not to implement a Remedial Action Plan is inconsistent with the recommendations of the Environmental Impact Statement for the original application.

Consequently, in order to achieve the requirements of clause 7 of *SEPP No.55 – Remediation of Land* and to ensure that any potential contamination issues are adequately resolved, the Department recommends that the Applicant should be required to implement a Remedial Action Plan for the effected area prior to the commencement of any construction work on-site. In addition, the Applicant would still be required to validate the site prior to the issuing of an occupation certificate, as conditioned in the existing Minister's consent for the site. Consequently, the Department is satisfied that this would ensure that the site is suitable for the intended use and that the disturbance of this soil would not result in any adverse environmental impacts.

6.5 Traffic

Applicant's Position

The Applicant has indicated that the existing access driveway would be utilised for the initial phase of the proposal. An assessment of this intersection indicates that the performance of the intersection would remain at a Level of Service 'A' (few delays and spare capacity). The additional site access driveway, as approved under the original application, would be retained and constructed in association with the later stages of the proposal.

Issues Raised in Submissions

One submission from the general public had concerns that the proposed modification eliminated the alternative access to the site that was approved under the original development application.

The RTA recommended that the carparking areas be designed in accordance with Australian Standards. (Note: This has already been conditioned in the Minister's consent).

Department's Position

The Department has reviewed this assessment and is satisfied that the interim arrangements would not have a significant impact on traffic safety or performance. Furthermore, the Department is satisfied that the construction of this access to reflect the scaled increase in production capacity would ensure that final traffic volumes associated with the facility would not result in any unreasonable impacts on neighbouring residential areas.

6.6 Water Quality

Applicant's Position

As the proposed modification would not alter the arrangements proposed in the original development application, the Applicant has not proposed any additional measures.

Issues Raised in Submissions

One submission reiterated concerns that effluent from the open holding yards was poorly managed, and often pooled near residential areas.

The Natural Resources branch of the Department raised no concerns with respect to groundwater or surface water quality.

Department's Position

As general stormwater management would not alter from that originally proposed, the Department is satisfied that the existing conditions of consent would sufficiently address issues relating to erosion and effluent management at the abattoir. However, the Department recommends that, should the Minister determine to approve the modification, that the Applicant be required to rehabilitate and manage the existing open holding yards in a manner that reduces the potential for dust, erosion and contaminated runoff, and provides for the proper management of animal waste.

6.7 Railway Corridor

The abattoir shares a common boundary with the main Southern Railway line, however the majority of the proposed modification works would be sufficiently distanced from this infrastructure. In its submission to the Department, Rail Estate requested that a number of conditions be imposed on the development to ensure the protection of the railway infrastructure during construction and operation of the facility. The Department has reviewed Rail Estate's requirements, and has recommended that, should the Minister determine to approve the modification, that several conditions be imposed on the Applicant to ensure that the requirements under the *Rail Safety Act 2002* are met during construction and operational activities. This includes a Risk Assessment Plan for construction work and the installation of fencing along the common boundary.

6.8 Re-Zoning

All submissions from the general public received by the Department on the modification application reiterated their concerns with Council's recent re-zoning of the surrounding residential land and the motion by Council to transfer a portion of land containing the existing carpark to the Applicant (refer to section 4.2). The Department acknowledges their concerns, however the issue of re-zoning and ownership transfer is a Council issue and is not relevant to this application.

7. PROPOSED MODIFICATIONS TO THE CONSENT

Several changes to the conditions of consent are recommended. These changes are detailed in Schedule 2 of the Instrument of Consent (tagged "B"). These changes have been recommended to reflect that references within the consent and to incorporate the recommendations detailed in Section 6 of this report. These changes are as follows:

- inclusion of references to the modification application and supporting information to reflect the revised site layout;
- revised conditions to ensure the appropriate remediation of the site prior to occupation;
- an additional condition to ensure the appropriate management of the open cattle yards;
- additional conditions to reflect the requirements of Rail Estate; and
- deletion of a condition due to a minor error in the consent.

8. SECTION 79C CONSIDERATION

In determining an application for the modification of a consent, the Minister as consent authority is to take into consideration the relevant matters listed under Section 79C(1) of the *Environmental Planning and Assessment Act 1979*, in accordance with Section 96(3) of the Act. Based on this evaluation (attached as Appendix A), it is considered that the Minister should approve the proposed modification based on the merit of the Application.


9. CONCLUSION

The proposed modification involves the relocation of several elements of the approved development, but would not facilitate any changes to the function or processing capacity of the abattoir. While the proposed modification would alter the area to be redeveloped, the Department has reviewed the potential impacts associated with this relocation and is satisfied that the proposed modification would not result in any additional impacts. Consequently, the Department is satisfied that the development, as modified, would be substantially the same development, and recommends that the Minister approve the modification, subject to conditions.

10. RECOMMENDATIONS

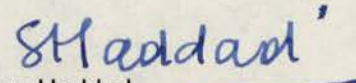
It is recommended that the Minister:

- (a) Consider the findings and recommendations of this report (tagged "F");
- (b) Agree that the development will be substantially the same should the proposed modification proceed;
- (c) Pursuant to section 96(2) of the Act, modify the development consent in accordance with the attached modifying instrument (tagged 'B') by signing the instrument.


16/10/03

Caitlin Bennett
Environmental Planning Officer

Endorsed:



Sam Haddad
Executive Director

20/10/03

APPENDIX A – SECTION 79C(1) CONSIDERATIONS

The following assessment is based on the matters listed for consideration under section 79C(1) of the amended *Environmental Planning and Assessment Act 1979*.

(a) The provisions of:

(i) any environmental planning instrument;

State Environmental Planning Policy No.11 – Traffic Generating Development		
1.	The aim of the policy is to ensure that the Roads and Traffic Authority (RTA) is made aware and given the opportunity to comment on certain development listed under Schedule 1 or 2. The proposed development falls under this plan as it involves an enlargement of a building used for industry by more than 20,000m2 gross floor area.	The RTA was notified of the proposed modifications, and raised no objections. The submission received from the RTA has been considered in the section 6 of the report.
State Environmental Planning Policy No. 33 – Hazardous And Offensive Development		
1.	This policy gives a number of definitions of 'potentially hazardous industry' and 'potentially offensive' industry, and requires consideration to be given to current circulars or guidelines published by the Department of Planning relating to hazardous and offensive industry.	The proposed modification does not effect the conclusion of the original application, which concluded that the abattoir did not represent a hazardous or offensive development.
State Environmental Planning Policy No.55 – Remediation of Land		
1.	The aim of this policy is to provide a state-wide planning approach to the remediation of contaminated land and to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment.	Refer to section 6 of the report
2.	Clause 7 of the SEPP requires the consent authority to consider whether the land to which a development application relates is contaminated, and if the land is contaminated, to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) prior to granting consent.	Refer to section 6 of the report
Wagga Wagga Local Environmental Plan 1985		
.	The site is zoned Rural, Industrial and Special Uses, with the area effected by the modification zoned Special Uses.	Abattoirs and associated activities are permissible with consent under both the Rural and Industrial zones while Abattoirs are permissible without consent under Special Uses zoning
2.	Clause 9(1) sets out the objectives of each zoning that must be considered during the assessment of any development application. The objective of the Special Uses Zone is to identify areas which: (a) in the case of land shown unhatched on the map, are now owned or used for public or community purposes; and (b) in the case of land shown hatched on the map, will be acquired by a public authority for the particular public or community purpose shown on the map.	The proposed site is shown unhatched on the LEP map. The development control table of the LEP permits landuse for the purpose indicated on the LEP map (i.e. Abattoir) without development consent. N/A

4.	<p>Clause 12(3) of the LEP states that the consent authority shall not consent to the erection of a building or the carrying out of work on land within a floodway if, in the opinion of the Council, the carrying out of the development is likely:</p> <p>(a) to impede the flow of flood waters on the land or land in its immediate vicinity;</p> <p>(b) to imperil the safety of persons on the land or land in its immediate vicinity in the event of those lands being inundated by flood waters;</p> <p>(c) to aggravate the consequences of floodwaters flowing on the land or land in its immediate vicinity with regard to erosion, saltation and the destruction of vegetation; or</p> <p>(d) to have adverse effect on the water table of the land or land in its immediate vicinity.</p>	<p>The proposed development site is not located within the floodplain and consequently is not classified under the LEP as a flood plain or floodway. Therefore this clause does not apply to the proposed development.</p>
----	--	--

(ii) **any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority;**

None.

(iii) **any development control plan;**

Wagga Wagga Development Control Plan 1986		
1.	<p>Wagga Wagga Development Control Plan 1986</p> <p>(a) Rural 1(b) Small Holding</p> <p>(b) Rural 1(d) Floodplain</p> <p>(c) Rural 1(e) Future Urban</p> <p>(d) Rural 1(g) Industrial</p> <p>(e) Industrial 4(a) General</p> <p>(f) Special Uses 5(a) Abattoir</p>	<p>The proposed development is generally consistent with the DCP.</p>
Development Control Plan No.2 – Road Traffic and Arterial Road Network Strategy		
1.	<p>The aim of the DCP is to determine the road network and land needed for road reservations for the road traffic generated during the development of the Wagga Wagga LGA.</p>	<p>The proposed modification does not effect the conclusions made in the original assessment for the proposal.</p>
Development Control Plan No.3 – Flood Mitigation Strategy		
1.	<p>The aim of the DCP is to development a flood mitigation strategy for the City of Wagga Wagga and associated areas.</p>	<p>While part of the overall site is located within flood lands, all the elements associated with the proposed development are positioned above the 1 in 100 year flood line.</p>
Development Control Plan No.4 – Drainage Strategy		
1.	<p>The aim of the DCP is to develop a drainage strategy for the City of Wagga Wagga and associated areas. The strategy recommends a series of drainage works, including pumping stations and detention basins, for development in the Wagga Wagga LGA.</p>	<p>The proposed modification does not effect the conclusions made in the original assessment for the proposal.</p>

Development Control Plan No.5 – Sewer Strategy		
1.	The aim of the DCP is to develop a sewer strategy for the City of Wagga Wagga to meet the needs of present and future sewer demands, and to define land needs for sewer needs. The EIS	The proposed modification does not effect the conclusions made in the original assessment for the proposal.

- (iv) ***any matters prescribed by the regulations that apply to the land to which the development application relates.***

None.

- (b) ***the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,***

Natural Environment

Refer to Section 6 of the report.

Built Environment

Refer to Section 6 of the report.

Social and Economic Impacts

The proposed modification does not effect the conclusions made in the original assessment for the proposal.

Amenity

The abattoir is located in an industrial area, and is 1 km away from the nearest residential property, and has been used as an abattoir since the 1950's. While the proposed modifications would result in a reduction in the distance separating nearby residences from the abattoir, the Department is satisfied that there would not be any additional impacts that cannot be sufficiently managed by the existing conditions of consent (refer to section 6 of this report).

- (c) ***the suitability of the site for the development,***

The site is considered to be suitable for development.

- (d) ***any submissions made in accordance with this Act or the regulations,***

Issues raised by the government authorities and Council in submissions are discussed in Sections 5 & 6 of this report, and summarised in Appendix B. It is considered that all the issues in these submissions have been satisfactorily addressed, and that there are no outstanding issues that would preclude the granting of development consent with conditions.

- (e) ***the public interest.***

The proposed modification does not effect the conclusions made in the original assessment for the proposal.

APPENDIX B - SUMMARY OF SUBMISSIONS

GOVERNMENT AUTHORITIES

No.	Authority	Issues Raised
1.	Mr David Cook Head Regional Operations - Murray Environment Protection Authority PO Box 544 ALBURY NSW 2640	<ul style="list-style-type: none"> No issues raised
2.	Mr Jim Tsirimiagos Manager, Land Use & Planning Rail Estate PO Box K349 HAYMARKET NSW 1238	<ul style="list-style-type: none"> Construction and operational activities near the adjacent railway line Fencing along common boundary Drainage of water onto railway corridor
3.	Mr C E Blomfield Regional Manager RTA PO Box 484 WAGGA WAGGA NSW 2650	<ul style="list-style-type: none"> Carparking in accordance with Australian Standards
4.	Mr K L Ray Development Services Manager Wagga Wagga City Council PO Box 20 WAGGA WAGGA NSW 2650	<ul style="list-style-type: none"> Relocation of cattle holding yards should take into consideration dust, odour and amenity impacts Landscaping should be provided to screen carparking and stock yards

PRIVATE SUBMISSIONS

No.	Position	Issues Raised
1.	Object	<ul style="list-style-type: none"> Concerned with the transfer of land to Cargill from Council. Poor presentation of documentation at Council
2.	Object	<ul style="list-style-type: none"> Concerned with Council's involvement with Cargill, the re-zoning of this land to prevent further residential development within the vicinity of the abattoir, and the proposed expansion closer to residential houses. Visual – will be closer to residences along Byrnes Road. Traffic – access arrangements will result in all cattle movements focused on the Dampier Street entrance, which would result in odour impacts Drainage at the cattle yards and drainage of effluent onto Byrnes Road.
3.	Object	<ul style="list-style-type: none"> Does not represent a minor modification, as described in the document Concerns with council transfer of land and re-zoning of residential land Visual – buildings will dominate the area as position on the highest part of the area Lighting – will be closer to residential areas Odour Cattle yards – drainage of cattle effluent