



Tey's Australia Beef Abattoir

State Significant
Development
Modification Assessment
(DA 220-07-2002-i MOD 10)



October 2018

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Cover photo

Grazing cattle in regional New South Wales (Department of Planning and Environment 2018)

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Glossary

Abbreviation	Definition
ASRS	Auto Sortation and Retrieval System
CEMP	Construction Environmental Management Plan
Consent	Development Consent
Council	Wagga Wagga City Council
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
m	Metres
Minister	Minister for Planning
OEMP	Operational Environmental Management Plan
Planning Secretary	Planning Secretary of the Department of Planning and Environment
RMRP	<i>Riverina Murray Regional Plan 2036</i>
SEE	Statement of Environmental Effects
SSD	State Significant Development



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1. Introduction

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

The modification application seeks approval for minor alterations and additions to the approved Auto Sortation and Retrieval System (ASRS) building, retention of the existing battery charge building, and relocation of the approved dock office building.

The application was lodged on 10 September 2018 by Teys Australia Southern Property Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (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**).

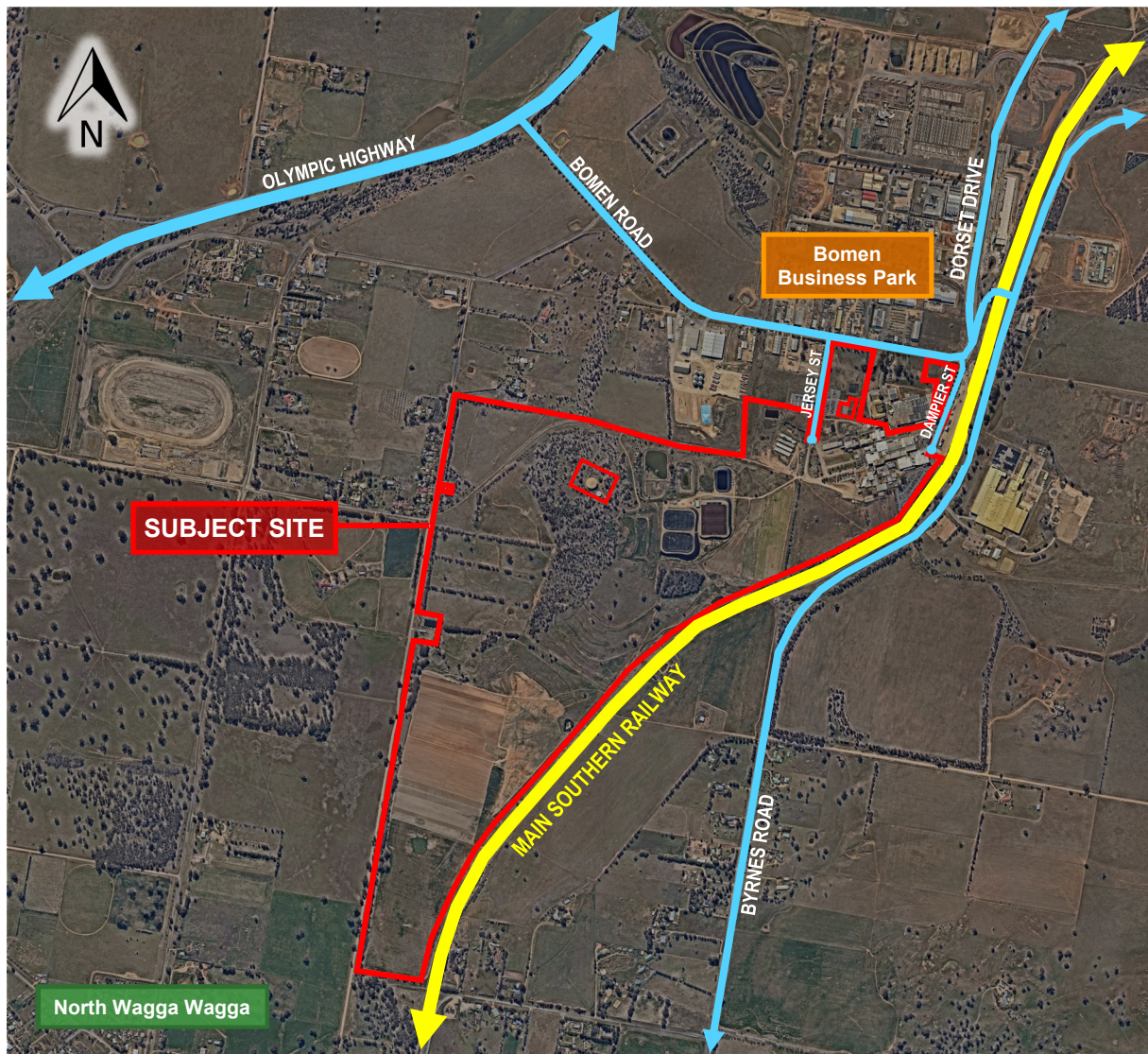


Figure 1 | Site Context

The site is irregular in shape and approximately 115.8 hectares in area. The site is bounded by Bomen Road to the north, and Dampier Street, the Main Southern railway line and rural residential properties are to the east. The city of Wagga Wagga is located approximately five kilometres to the south, whilst unaffiliated rural residential properties and the area of Cartwrights Hill is located to the west. Over the years, the Applicant has amalgamated the land parcels that make up the site. The development now sits on one lot and is legally described as Lot 1 in Deposited Plan 1213252 (see **Figure 2**).

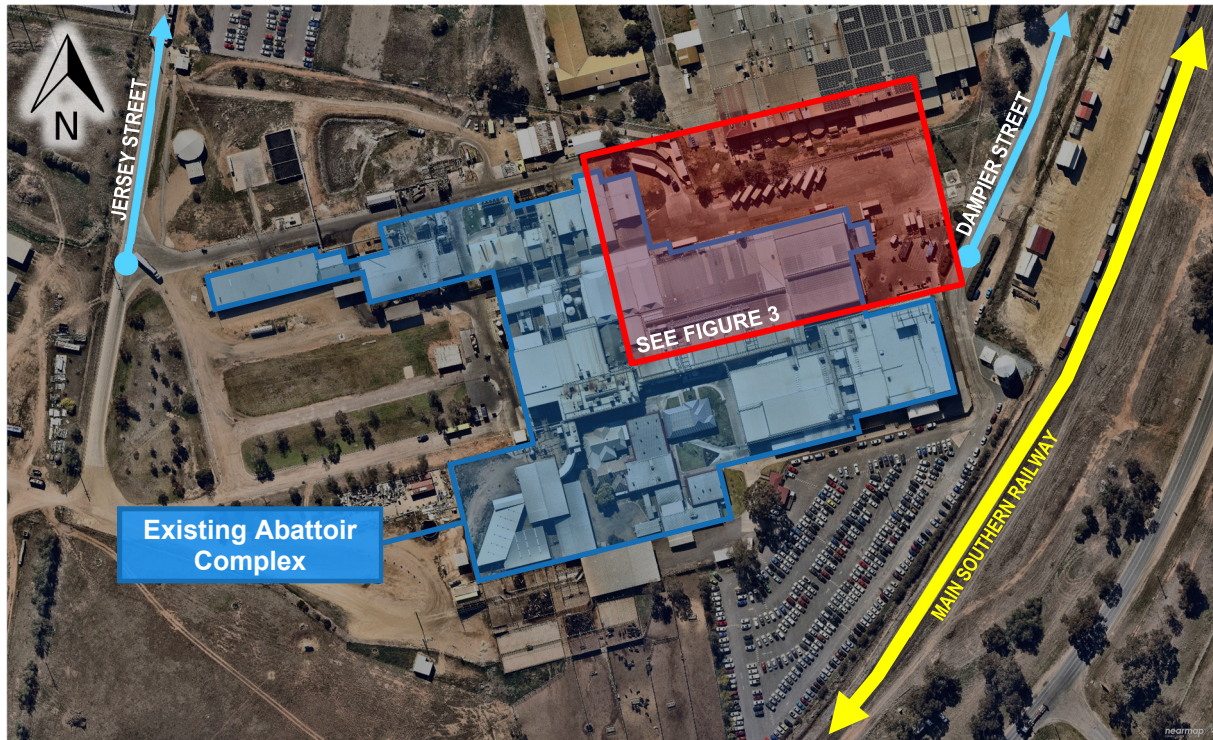


Figure 2 | Site Location

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 site currently operates below this limit and processes approximately 1,275 head of cattle per day.

Teys Australia currently operates the site. Teys Australia is a partnership between the Teys Family and Cargill Foods Australia Pty Ltd, which has owned the facility since 1991.

Surrounding land uses include industrial operations such as a waste oil refinery, bulk fuel depot and the Wagga Wagga livestock marketing centre. The nearest existing residential receiver is over 900 metres (m) to the west of the site.

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 near the centre of the site. The remainder of the site is devoted to on-site wastewater irrigation from the abattoir operation.

The Applicant is seeking to modify the development consent to facilitate the installation of an alternative conveyor system to that which was previously considered as part of DA 220-07-2002-i MOD 6, and to reduce costs associated with the relocation of the battery charge building (see **Figure 3**).

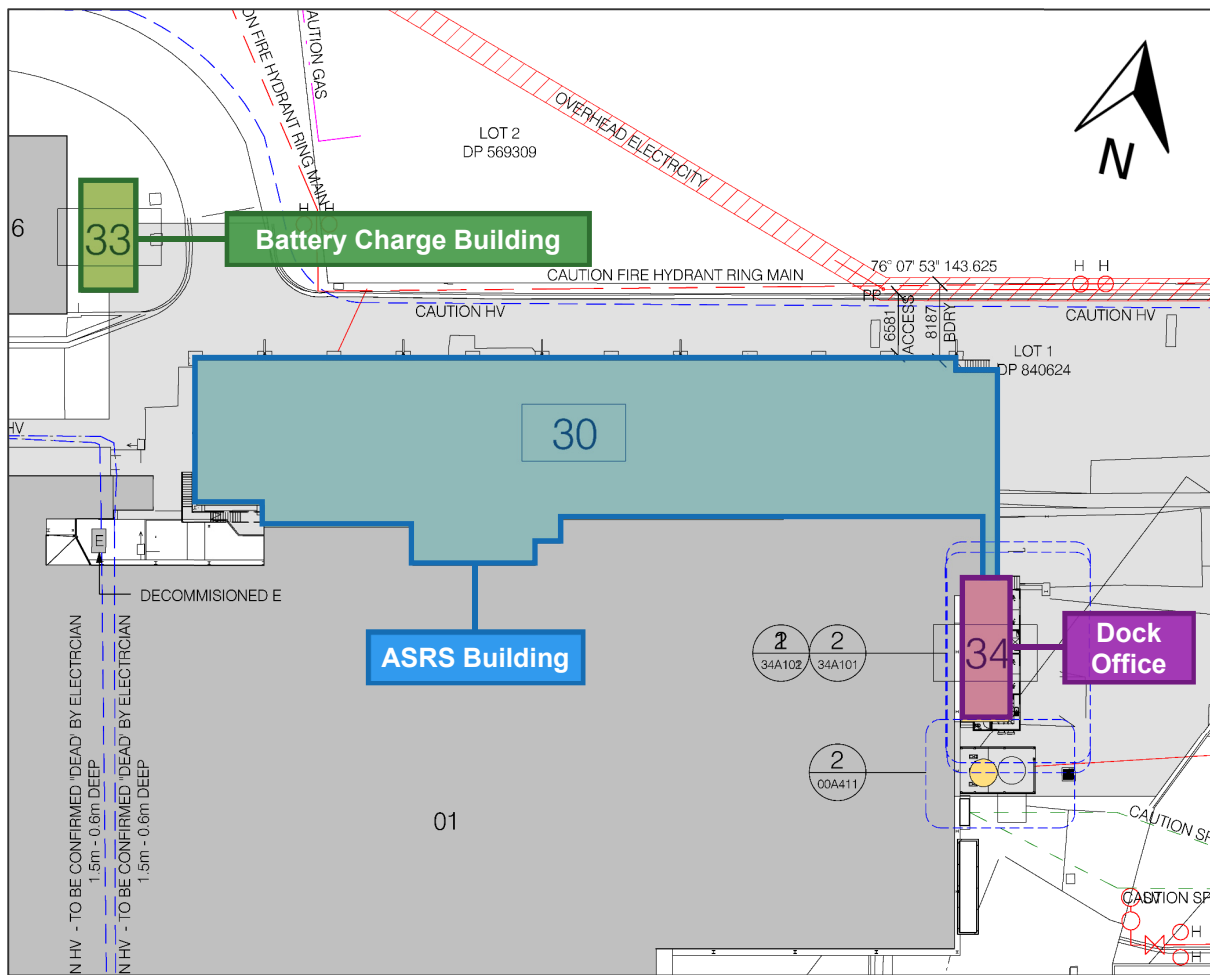


Figure 3 | Location of key works approved under DA 220-07-2002-i MOD 6

1.2 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 nine previous modifications. A summary of each modification is provided in **Table 1** below.

Table 1 | Summary of Modifications

MOD Number	Summary of Modifications	Approval Date
MOD-61-1-2003-i (MOD 1)	The modification permitted amendments to the layout of the approved abattoir upgrade.	3 November 2003
MOD-4-1-2004-i (MOD 2)	The modification amended requirements relating to on-site soil remediation.	31 March 2004
MOD 3	The modification permitted the construction and operation of a covered wastewater treatment system.	29 June 2009
MOD 4	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
MOD 5	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
MOD 6	The modification permitted the refurbishment and expansion of the existing cold store building, relocation of the battery charge building, and construction of a new loading dock, gatehouse, vehicular access point and stormwater drainage system.	7 July 2015
MOD 7	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
MOD 8	The modification permitted the expansion of the cattle stockyards, and the construction of an awning over the carton storage area.	11 October 2016
MOD 9	The modification permitted the construction of an awning over the existing annex of the meat chiller facility.	12 January 2017



2. *Proposed Modification*

On 10 September 2018, 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 Statement of Environmental Effects (SEE) included in **Appendix B** and is illustrated in **Figure 4** and **Figure 5** below.

The modification application proposes the following:

- a 5.2 m expansion of the western end of the ASRS building to the full building height
- a 2.6 m expansion of the mezzanine level at the eastern end of the ASRS building
- demolition of the existing loading dock to the west of the ASRS building
- construction of a conveyor system maintenance workshop at the western end of the ASRS building
- construction of a small office/control room in the proposed mezzanine expansion
- retention of the battery charge building in its current location, and the subsequent relocation of the approved dock office building
- construction of a new external staircase against the northern wall of the ASRS building
- construction of a new internal staircase connecting the approved load out area and the proposed mezzanine expansion.

The modification application does not seek to amend the processing activities on site or increase the cattle processing capacity of the abattoir. Rather, the modification seeks approval for minor amendments to the layout and built form of the ASRS building, dock office and battery charge building approved under DA 220-07-2002-i MOD 6. At the time of writing this report, construction of these buildings has not commenced.

The Applicant has indicated these changes are necessary to accommodate the installation of an alternative conveyor system to that which was previously considered as part of DA 220-07-2002-i MOD 6, and to improve the operational efficiency of the development.

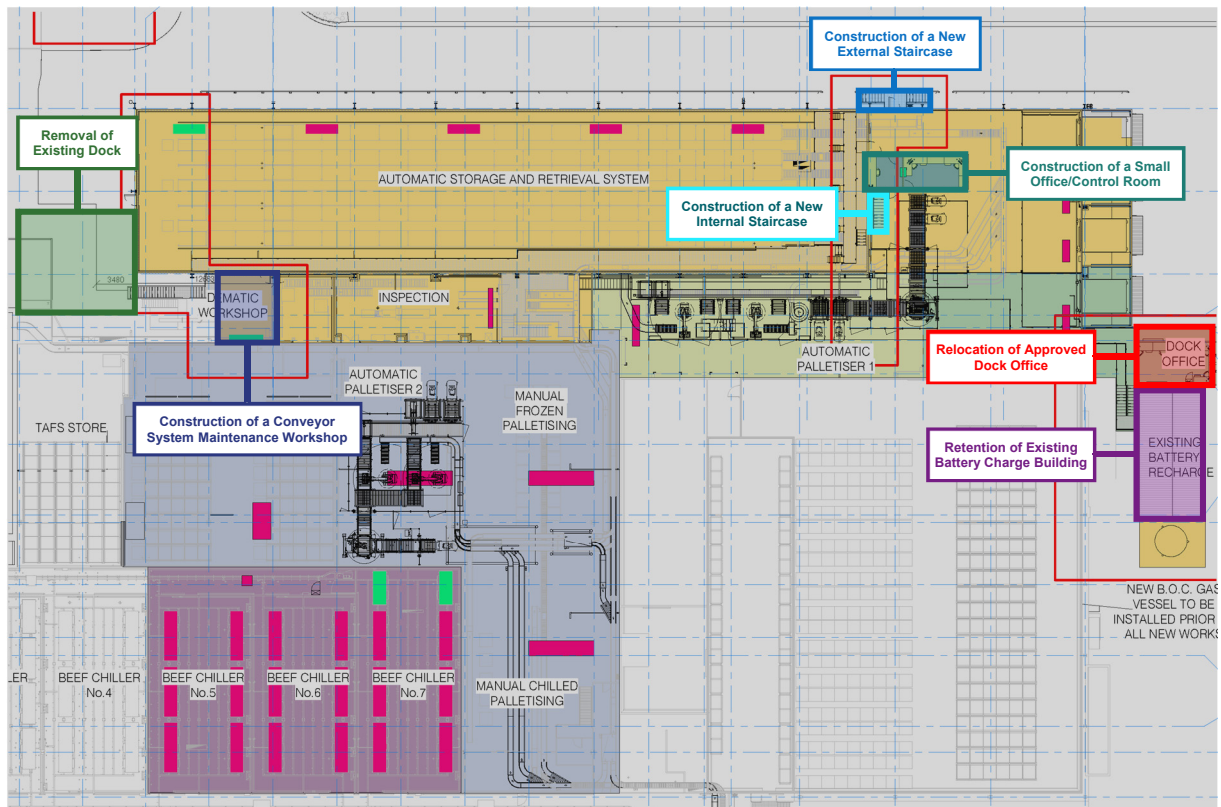


Figure 4 | Overview of internal alterations and additions to the approved ASRS building

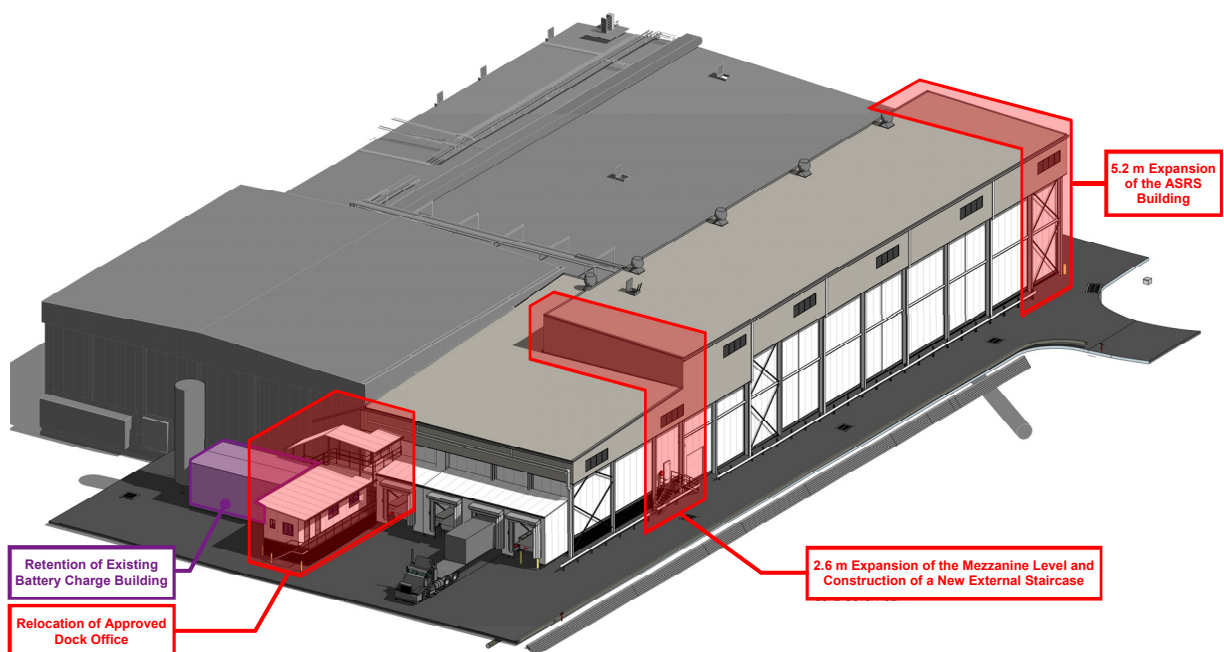


Figure 5 | Overview of external alterations and additions to the approved ASRS building



3. Strategic Context

3.1 Premier's Priorities

One of the Premier's key priorities for the State is 'Creating Jobs', whereby the NSW Government aims to provide 150,000 new jobs by 2019. The development would continue to contribute toward 'Creating Jobs' by providing 15 construction jobs during the construction of the ASRS building and supporting more than 800 existing operational jobs at the abattoir. In addition, the proposed modification represents a capital investment of approximately \$234,000 in industrial development which would service other livestock-intensive industries across the Riverina Murray region.

3.2 Riverina Murray Regional Plan 2036

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 ASRS building 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 is satisfied that the proposed modification would result in minimal environmental impacts, and relates to substantially the same development as the original development consent (as last modified under section 75W of the EP&A Act) on the basis that:

- the primary function and purpose of the approved development would not change as a result of the proposed modification
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act
- the approved cattle processing capacity of the development would remain unchanged as a result of the proposed modification
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of consent.

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 is the consent authority for the application under section 4.5(1) of the EP&A Act. Under the Minister's delegation of 11 October 2017, the Director, Industry Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection and
- a political disclosure statement has not been made and
- there are no public submissions in the nature of objections.



5. Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on Friday 14 September 2018, 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.



6. Assessment

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

- SEE provided to support the proposed modification (see **Appendix B**)
- assessment report for the original development application and subsequent modification applications
- existing conditions of consent (as modified)
- submission received from Council (see **Appendix C**)
- 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's assessment of the modification application is provided in **Table 2** below.

Table 2 | Assessment of Issues

Issue	Findings	Recommendation
Visual impacts	<ul style="list-style-type: none">• The proposed extensions to the approved ASRS building and the relocation of the approved dock office have the potential to increase the visual impact of the development.• The Department notes the visual impact of the development was assessed as part of the original SSD consent and modification 6, both of which concluded the site is located within an established industrial precinct and is largely screened from surrounding sensitive receivers by existing buildings and vegetation.• The nearest residential receiver is located over 900 m to the west of the site.• In its review of the modification, Council indicated it did not have any concerns in relation to visual impact, and noted the area to the east of the site is currently transitioning from rural-residential to industrial land uses.• The Department is satisfied the visual impacts of the proposed modification would be minor, given the extensions to the ASRS building are of a similar bulk and scale to the approved building form, are located internally within the site, and would be shielded from surrounding sensitive receivers by existing industrial buildings and vegetation. In addition, the relocated dock office and	<ul style="list-style-type: none">• Manage through the existing conditions of consent, and the existing CEMP and OEMP.

external staircase would also be shielded by existing buildings and trees on-site.

- The Department's assessment concludes the visual impacts of the proposed works are negligible and can be managed through the development's Construction Environmental Management Plan (CEMP) and Operational Environmental Management Plan (OEMP).

Construction impacts

- The modification has the potential to impact upon surrounding sensitive receivers during the construction of the alterations and additions to the abattoir complex.
- At the time of writing this report, construction of the ASRS building, dock office and battery charge building as approved under DA 220-07-2002-i MOD 6 has not commenced.
- The Department notes the construction impacts of the development and the ASRS building were assessed as part of the original SSD consent and modification 6, both of which concluded such impacts would be appropriately managed through the existing conditions of consent and the development's CEMP.
- In its review of the modification, Council indicated it did not have any concerns in relation to construction impacts.
- The Department considers the construction impacts of the proposed modification would be negligible, given the alterations and additions would be constructed in tandem with the works approved under DA 220-07-2002-i MOD 6.
- The Department's assessment concludes the construction impacts of the proposed modification are negligible and can be appropriately managed through the existing conditions of consent and the development's CEMP.

- Manage through the existing conditions of consent and the existing CEMP.

Stormwater management

- The proposed extensions of the ASRS building to the full building height would not increase the volume of stormwater run-off or impact existing drainage flows on-site.
- Stormwater run-off from the extensions would be collected and disposed of by the development's existing stormwater management system.
- In its review of the modification, Council indicated it did not have any concerns in relation to stormwater impacts.
- The Department's assessment concludes the proposed extensions would have a negligible effect on stormwater management on-site, and would be effectively managed through the existing conditions of consent and the development's CEMP and OEMP.

- Manage through the existing conditions of consent, and the existing CEMP and OEMP.



7. Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The modification application seeks approval for minor alterations and additions to the approved ASRS building, retention of the existing battery charge building, and relocation of the approved dock office building.

The Department considers the impacts of the proposed modification are minor, and the existing conditions of consent can adequately manage any residual impacts. Minor amendments to the conditions are administrative in nature and required to incorporate the SEE for the modification, which contains updated plans for the ASRS building, the battery charge building and the associated dock office.

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



8. Recommendation

It is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application DA 220-07-2002-i MOD 10 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **modify** the consent DA 220-07-2002-i
- **signs** the attached approval of the modification (**Appendix D**).

Recommended by:

Patrick Copas
Planning Officer
Industry Assessments

Recommended by:

Kane Winwood
Team Leader
Industry Assessments



9. Determination

The recommendation is **Adopted** / **Not adopted** by:

Chris Ritchie

Director

Industry Assessments

23/10/18.



Appendices

Appendix A – List of Documents

The Department has considered the:

- Section 4.55(1A) modification (Modification 10) to DA 220-07-2002-i, prepared by Ethos Urban, dated 10 September 2018 and all attachments
- submission received from Wagga Wagga City Council
- Environmental Impact Statement – Bomen Abattoir Expansion Proposal, prepared by HLA Envirosiences 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
- Section 75W Modification Assessment: Cold Store Expansion and Internal Refurbishments to the Teys Australia Beef Abattoir, Bomen, DA 220-07-2002-i MOD 6, prepared by the Department of Planning and Environment, dated July 2015
- Riverina Murray Regional Plan 2036, prepared by the Department of Planning and Environment, dated July 2017
- existing conditions of consent in DA 220-07-2002-i (as modified)
- relevant environmental planning instruments, policies and guidelines
- relevant requirements of the EP&A Act.

Appendix B – Modification Application

Available on the Department's website at:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9614

Appendix C – Submissions

Available on the Department's website at:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9614

Appendix D – Notice of Modification