

Environmental Assessment Report

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

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1 EXECUTIVE SUMMARY

This Environmental Assessment Report (EAR) has been prepared on behalf of Teys Australia and is submitted to the Department of Planning and Environment in support of an application to modify the approved extensions (DA 220-07-2002-i) at 1 Dampier Street Bomen, 2650. The application to modify a consent is submitted under the now-repealed Section 75W of the *Environmental Planning and Assessment Act 1979*.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 Minister approved DA-220-07-2002-i for alterations, additions and associated upgrades to an abattoir. The approval has been modified seven times to date.

This modification seeks to:

- Increase the area of the existing stockyards, located on the southern side of the allotment, by approximately 500m². The new stockyard would include the construction of a shade structure.
- Install a skillion awning, approximately 120m² in area, to the existing box room.
- Demolish a portable office building to make way for the modification to the stockyards area.

The proposed modification is detailed in the plans prepared by GHD.

2 INTRODUCTION

This EAR 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Environment in support of an application to modify the development consent for DA-220-07-2002-i pursuant to (the now-repealed) section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).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*.

This modification primarily seeks to increase the size of the existing stockyards, construct an awning to an existing building and demolish a portable office building. The proposal relates to an established abattoir but does not seek to amend the existing approved capacity of the facility. The modifications proposed seek to enhance animal welfare and the efficiency of existing components of the facility. The proposed modifications would enable additional comfort to stock while being processed through the stockyard consignment areas and allow goods such as cardboard boxes to be stored safely undercover.

The EAR 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 relatively minor nature of the proposal, a new and/or amended Secretaries Environment Requirements (formerly DGRs) is not required and a revised assessment of the DRG has not been undertaken.

In summary, the proposed modifications include:

- Construction of a skillion awning addition to the existing box room
- Expansion of the existing stockyard including construction of a shade structure
- Demolition of a portable office building

The EAR is based on Architectural Drawings prepared by GHD as provided in Appendix A. Photos of the site are provided in Appendix B.

2.1 THE CLIENT

This Environmental Assessment Report (EAR) 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 an 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 4 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. 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

- 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.

- 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.

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 on the eastern side of East and Jersey Streets and on the western side of Byrnes Road, as indicated on the image below. The site has an eastern boundary of approximately 3000m to Byrnes Road, an eastern boundary of approximately of 1987m, a southern boundary of 200m and a northern boundary of approximately 427m.

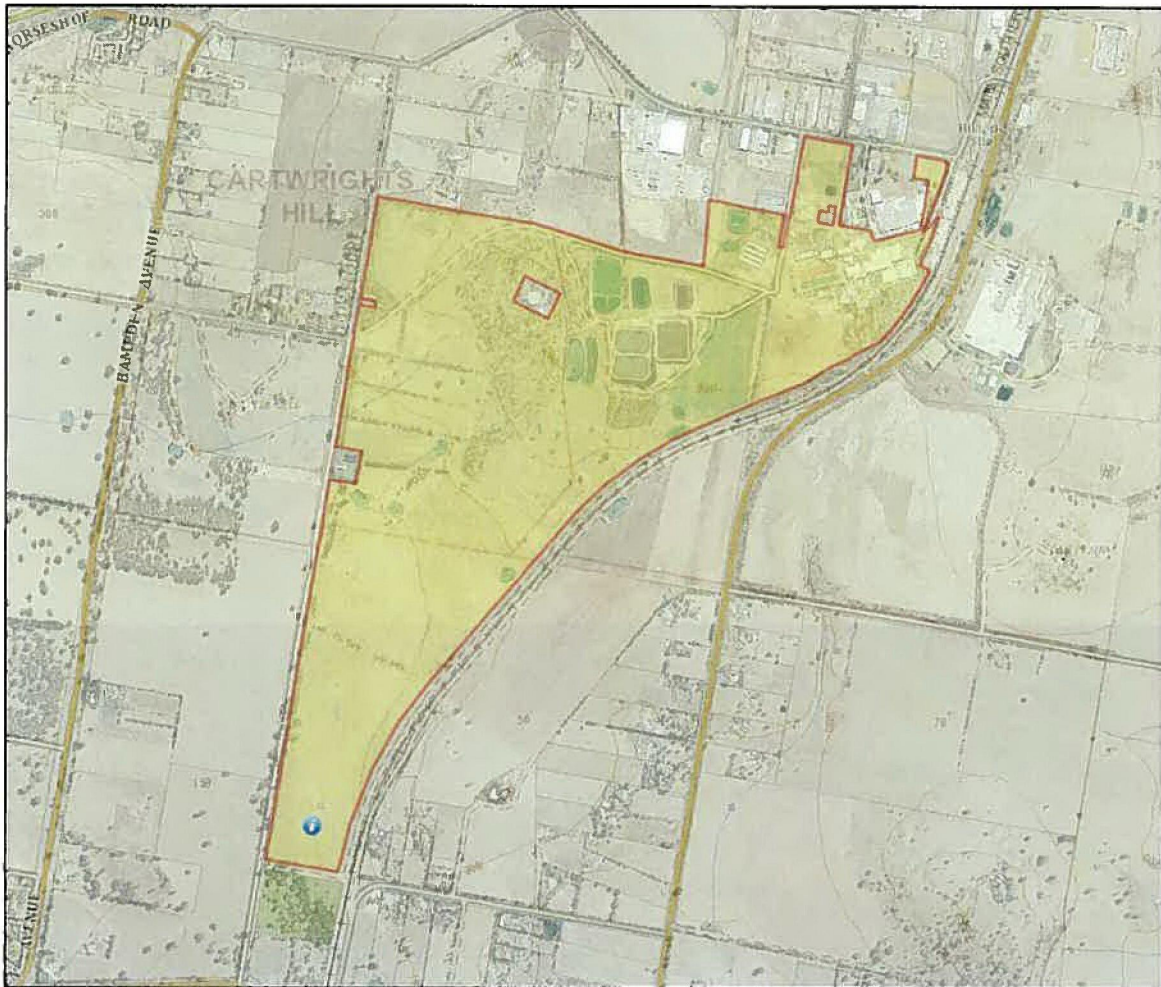


Figure 3-1 Subject site as indicated in yellow (Source: Six Maps)

3.2 LOCAL CONTEXT

Bomen is located within the greater area of North Wagga Wagga and 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 site is located within an industrial precinct of the Bomen Business Park and is surrounded by a range of hazardous industrial activities, including a waste oil refinery and bulk fuel depot. Other

surrounding industrial businesses include, but are not limited to, Heinz Watties, Austrak and BOC gases.

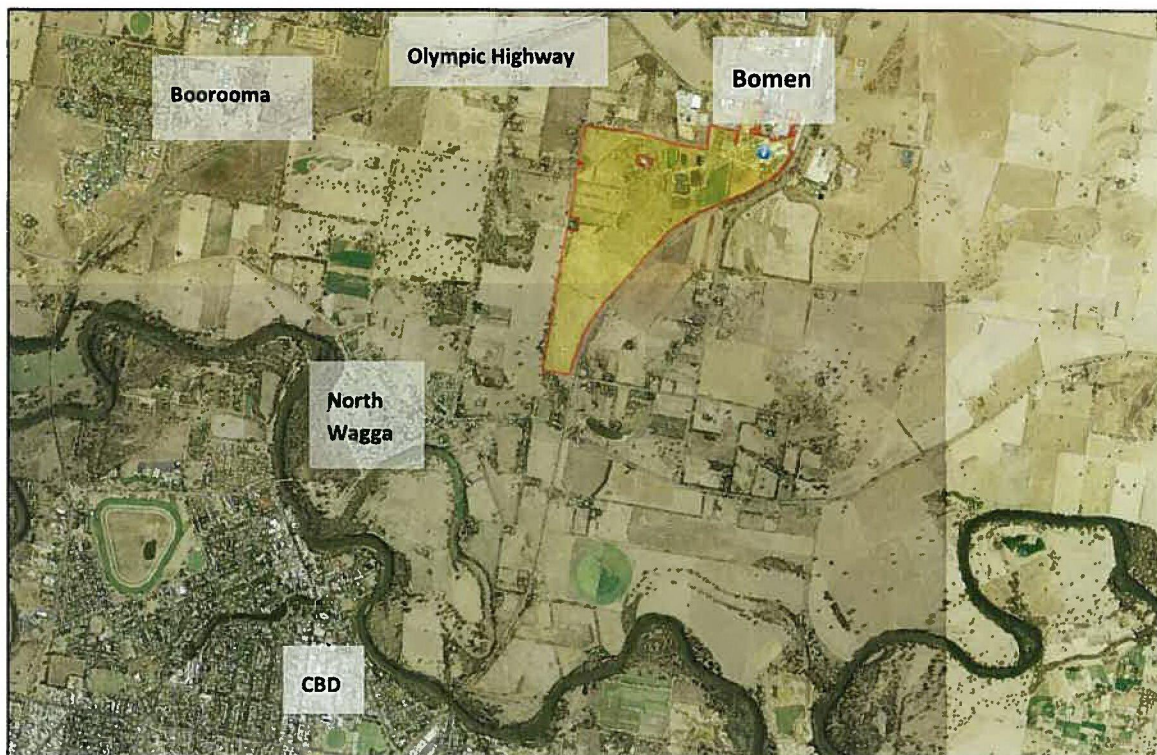


Figure 3-2 The subject site and surrounding areas (Source: Six Maps)

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 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 Envirosciences Pty Ltd (HLA) accompanied the application. In the EIS, CBA proposed to '*intensify existing production at the Bomen Beef Processing Facility to 14,000 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 MODIFICATIONS

This modification application relates to an existing abattoir operation and includes the following (as detailed in Figure 4-1 and Appendix A - Plans):

- Construction of a skillion awning addition to the existing box room
- Expansion of the existing stockyard including construction of a shade structure
- Demolition of a portable office building

The purpose of the proposed modifications is to enhance the amenity of the facility. There would be no increase in production of head of cattle per annum as a result of this modification.

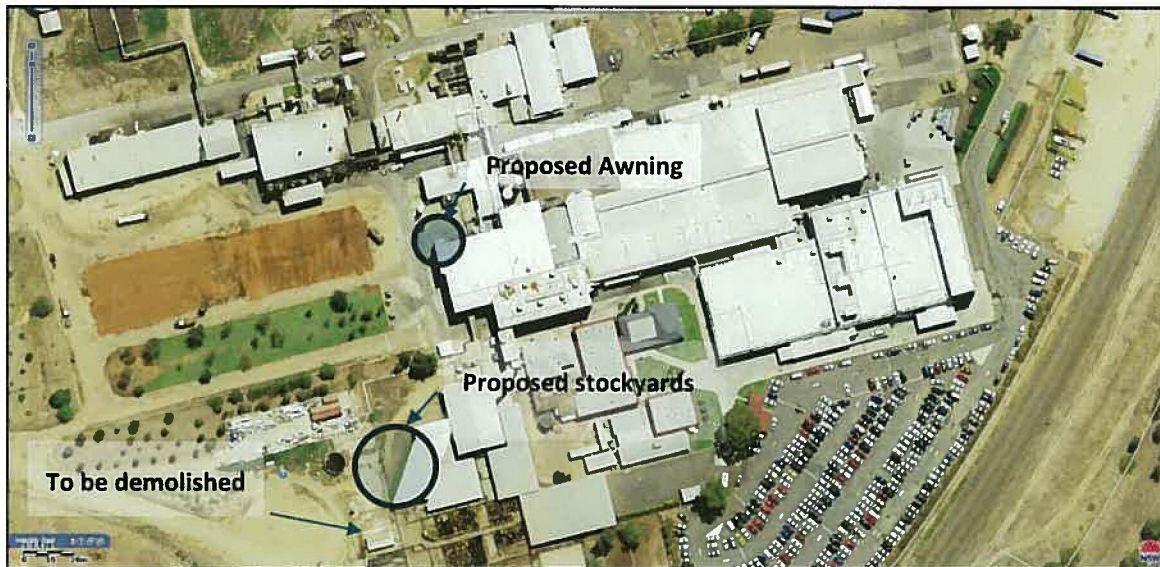


Figure 4-1 Location of proposed works

4.2.1 The Awning

The proposed awning to the box room will provide additional protection from wet weather when handling and processing boxes on site. The awning will be 5.0 – 4.0m in height with an area of 119m². It is proposed to construct it over an existing hardstand area. The relocation of existing bollards and fence will be required to allow for the installation of the awning columns.

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

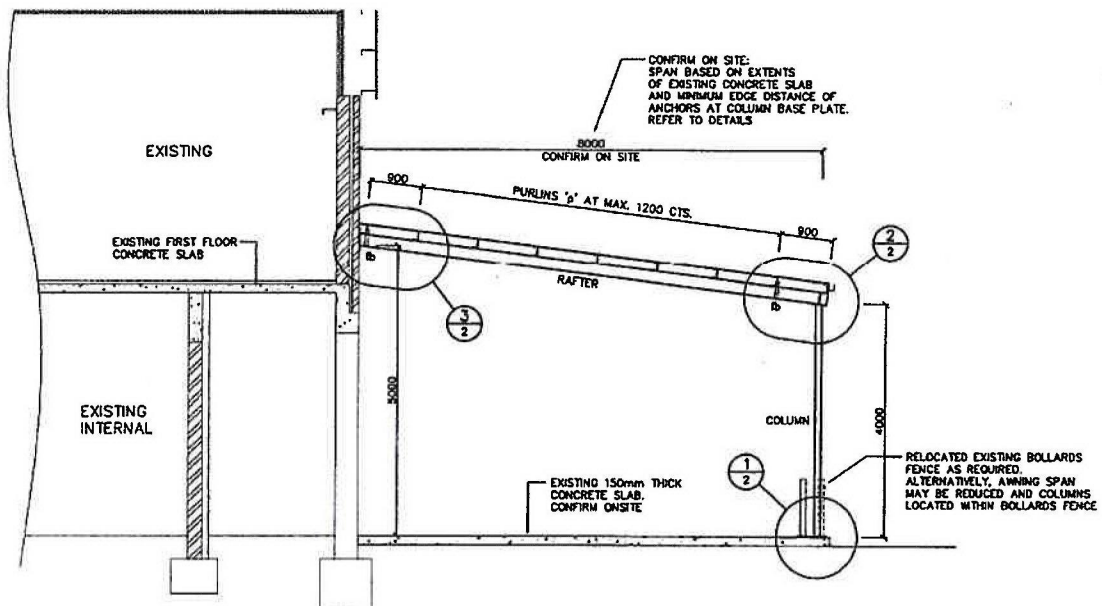


Figure 4-2 Typical section of the proposed awning

4.2.2 The Stockyard Consignment

The proposed additions to the holding yards will provide much needed amenity in the terms of additional shelter for livestock and protection from the weather in terms of the sun and heat.

The extension to the stockyard area would be approximately 500m². Typically, the construction of the stockyards would involve the following:

- Concrete slab
- Construct stockyard rails and gates
- Construct of the roof
- Associated stormwater works

The proposal would increase impervious surfaces by approximately 500m². The additional impact to existing stormwater infrastructure as a result of the modification is expected to be low. It is proposed to connect new downpipes to the existing services that are considered being capable of handling the additional load.

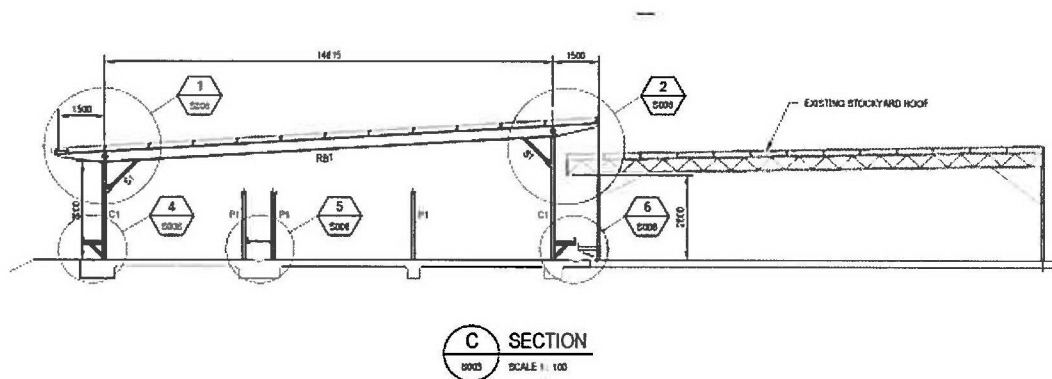


Figure 4-3 Typical section of the proposed stockyard

4.2.3 Demolition

The portable office building to be demolished is approximately 60m².

4.3 NEED FOR THE MODIFICATION

The need for the proposed awning is for the protection of goods (cardboard boxes) from weather such as rain that currently damages boxes during wet weather. The box room awning would also facilitate the continuity of production.

Currently stock are held in several holding pens before being moved to stockyard consignments and then the slaughter house. The holding pens are not covered and the stock are exposed to the weather.

The animal welfare standard advises that animals should be protected from extremes of weather to lessen stress (<http://www.animalwelfarestandards.net.au/files/2016/02/Cattle-Standards-and-Guidelines-Endorsed-Jan-2016-250116.pdf>). Although the abattoir meets national standards and

regulations, Teys Australia has identified that the extension of the stockyard consignment area is needed to improve animal welfare.

Furthermore, the demolition of the portable office building will make way for the additional covered stockyard consignment area.

4.4 CONDITIONS

With the exception of reference to approved plans, based upon the nature of the proposal it is not anticipated that any changes to existing conditions of consent are required.

5 THE STATUTORY FRAMEWORK

5.1 RELEVANT LEGISLATION

This EAR 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

<i>Environmental Planning and Assessment Regulation 2000</i>	
Clause 8J(8)(b)	<p>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 (SEPP 34)</i>.</p> <p>The SSD development application was determined under Part 4 of the EP&A Act with the Minister being the consent authority.</p> <p>SEPP 34 was repealed on 25 May 2005.</p> <p>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.</p>
<i>Environmental Planning and Assessment Act 1979</i>	
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

	<p>4 of the EP&A Act 1979.</p> <p>Section 75W still applies to this application to modify a development consent even though the section has been repealed.</p>
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5.3 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

State Environmental Planning Policies	
Plan	Comments
SEPP 33	<p><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.</p> <p>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 modifications are not deemed hazardous or offensive development under the provisions of SEPP 33.</p>
ISEPP	<p>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.</p> <p>The relevance of ISEPP to the proposed modifications is whether it would result in an operation deemed traffic generating development under the provisions of clause 104. In this case, the proposed modifications do 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 these modifications.</p>

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 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 modifications relate to an existing rural industry, being a *livestock processing industry*.

In accordance with the LEP 2010, the definition of 'rural industry' means *'the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:*

- (a) *agricultural produce industries,*
- (b) *livestock processing industries,*
- (c) *composting facilities and works (including the production of mushroom substrate),*
- (d) *sawmill or log processing works,*
- (e) *stock and stockyards,*
- (f) *the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.*

Note. Rural industries are not a type of industry—see the definition of that term in this Dictionary'.

Pursuant to Clause 1.4 the modifications would not change the land use and it is clearly demonstrated that the use is for a rural industry for livestock processing, being an abattoir.

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 modifications are consistent with these objectives. The modification would not impact on the land use. It is also considered that the site would continue to provide industrial related services.

As shown in Figure 5-1, the site is located on land zoned IN1 General Industrial. In accordance with the LEP 2010, development for the purpose 'shown on the Land Zoning Map, including any development that is ordinary incidental or ancillary to development for that purpose' is permissible with consent in the zone.



Figure 5-1 Land Use Zone Map - Subject Site outlined in red (Source: Wagga Wagga LEP 2010)

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 modifications. The objectives and controls relevant to the proposal are addressed in the assessment that follows.

In summary, it is considered that the proposed modifications comply 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 modifications would not increase existing odour or noise.

6 ENVIRONMENTAL IMPACTS

6.1 STORMWATER

The increase in roof water is expected to be minimal and could be effectively managed by the existing stormwater management system. This system directs stormwater collected from roofed areas to a holding pond which then discharges to Council's reticulated stormwater system. The proposed stormwater drainage plan is provided in Appendix A.

There may be some disruption to normal stormwater movement for short periods during construction and this matter would be addressed in the Erosion and Sedimentation Control Plan to be prepared prior to the commencement of construction.

6.2 EARTHWORKS

Proposed earthwork would be minimal, involving general site preparation and any excavation required for stockyard hardstand area 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 operation there would be no need for erosion and sedimentation controls relating to the proposed modifications, as there remains no exposed soil that could erode as a result of operational activity in this case.

Erosion and sediment controls will be in place for the construction of the stockyard areas.

Erosion and Sediment Control provisions are included within the enclosed Stormwater Management Plan in Appendix A.

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 modifications relate to an area of the site which has been developed and utilised for industrial activities for decades. This being the case, the impact on flora and fauna is negligible.

6.6 AIR POLLUTION

The generation of dust during construction is likely. The expected impact however is considered to be minimal given the proposal involves only minor earthworks and the generation would be short-term during the construction phase.

No additional odour is considered likely during operation given the number of stock processed by the facility would remain the same.

6.7 WASTEWATER

During construction, additional workers would use existing facilities onsite, which would contribute to the amount of wastewater generated. This impact however would be minimal and short-term.

During operation, additional wastewater would be generated by the washdown of the proposed hardstand stockyard area. This water would be directed to the existing wastewater treatment system already in place on the abattoir site.

There would be no increase in employee numbers so no additional wastewater would be generated in this respect.

6.8 HAZARDOUS MATERIALS

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

6.9 HAZARDOUS WASTE

The proposed modification would not generate any hazardous waste.

6.10 LAND HAZARD CONSIDERATIONS

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

6.11 GROUNDWATER

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

6.12 CONTAMINATED LAND

There is no known contamination of the land subject to the proposed modifications.

6.13 SOLID WASTE

The proposed modifications do not give rise to any additional volumes of solid waste. The same packaging volumes that are currently used will be maintained.

6.14 CONSTRUCTION WASTE

Part of the proposed modifications is the partial demolition of the existing facility to enable the additions. Demolition waste would therefore include, concrete, timber, steel, wiring, plumbing, fittings, windows and other demolition waste generated. This waste would be carefully controlled, particularly as the facility would remain operational during demolition and construction. Waste would be loaded into commercial waste bins at the time of the demolition and regularly removed from the site.

There is a possibility that asbestos waste will be encountered during demolition. If asbestos is located it will be removed and disposed of in accordance with the requirements of the Work Health and Safety Regulation (2011), with special attention to Chapter 8.

6.15 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 Environmental Assessment 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 increase the area of the stockyards to the south-west of the existing stockyards, resulting in an additional covered area for livestock. Other modifications include the addition of an awning and demolition of an office building. The purpose of the proposed modifications is to improve animal welfare and protect products from wet weather.

The proposed modifications do not result in an intensification of the operations.

The proposal would result in minimal adverse environmental impacts and would offer a significant benefit in terms of animal welfare.