

Engineers Dept  
Wagga Wagga City Council  
CNR Morrow & Baylis St  
Wagga Wagga

Re DA 19/0412  
Two Lot Subdivision  
Lot 2 DP 734976  
411 Hampden Ave  
Cartwrights Hill

Copy- TJ Hinchcliffe & Associates

Sir,  
I refer to ( Copy Attached)

I would like to make it clear from the outset that I am committed to ensuring that the proposed redevelopment [REDACTED] intends has zero effect on any encroachments to my property in relation to all essential services and access ways..

Secondly- Any changes to fence lines, tree removal, relocation of essential services and the production of waste material from associated work and any costs attributed are to be met by the proposer in full.

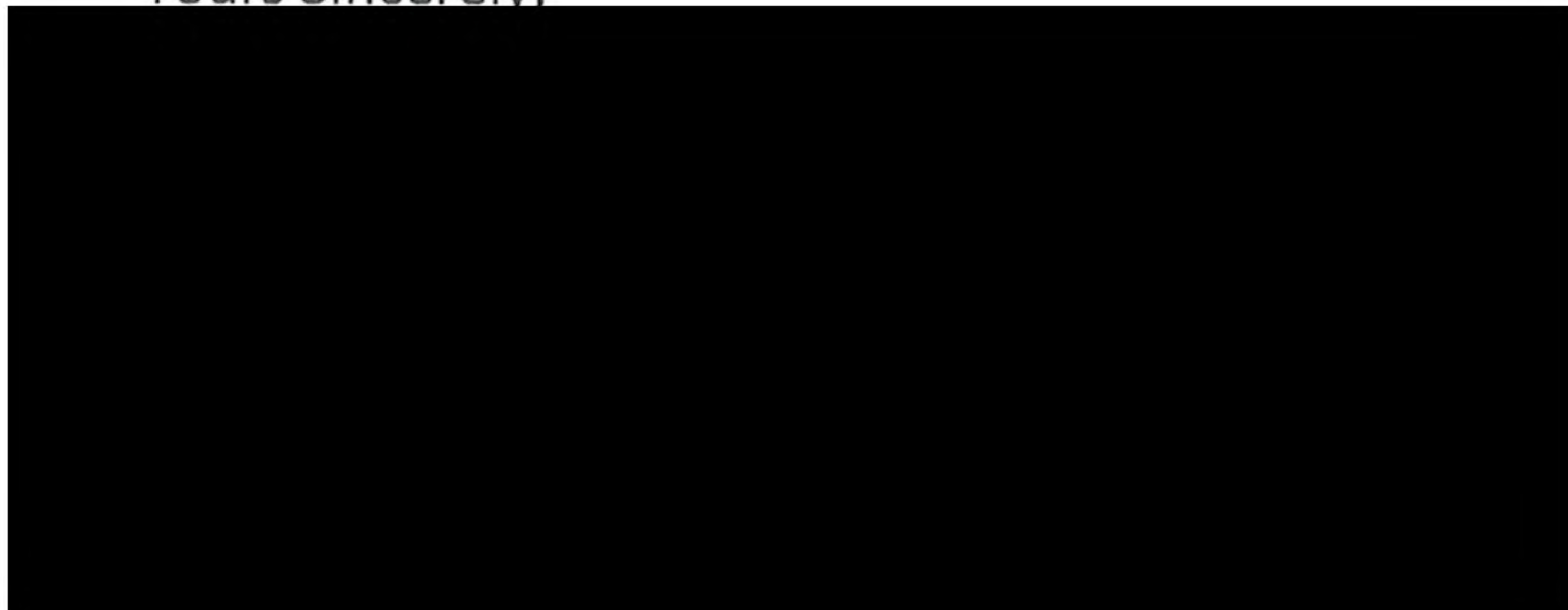
Thirdly- The. proposed driveway be constructed using bitumen as the cover material.  
Anything less than this would create a constant environmental hazard producing dust antigens.

Four- As the redevelopment will have most impact on my property and as I have an intimate understanding of constant variations and potential engineering changes during the course of all proposed redevelopments-I wish to be constantly counselled and advised to any such variants prior to their implementation.

Five- The existing fence line has been consistently damaged by falling trees which are all located on the neighbours property. This fence line under the redevelopment proposal will need to be replaced as part of the redevelopment project and it is suggested a solid fence ( Colorbond) be the material to alleviate wind and dust.

I am also highly aware of the necessity for the proposed to create a redevelopment that strictly stays within the mainframe policy of the EPA and within the boundaries as set by State Development.

Yours Sincerely,

A large black rectangular redaction box covering the signature and name of the sender.



*Teys Australia Southern Pty Ltd,  
trading as Teys Australia Wagga*

17 October 2019

**City of Wagga Wagga**  
243 Baylis St  
(PO Box 20)  
Wagga Wagga NSW 2650

**RE: DA19/0412 FOR TWO LOT RESIDENTIAL SUBDIVISION AT CARTWRIGHTS HILL**

Dear Christine,

This correspondence is provided in relation to the proposed two lot subdivision of the site 411 Hampden Ave, Cartwrights Hill NSW 2650.

In close consultation with the NSW Environmental Protection Authority (EPA), Teys Australia (and formerly as Cargill Beef Australia) has made a number of submissions to Council and the JRPP dating back to 2010, regarding other proposed amendments to zoning of the Cartwrights Hill area under the Wagga Wagga LEP. Consistent throughout this period, has been our strong opposition to the introduction of incompatible land uses adjacent to the well-established, and growing Bomen Industrial Estate. This opposition has been based on objective evidence as is referred to in this and prior submissions and a body of independently prepared technical, scientific community and economic data.

Teys object most strongly to the proposed amendment to Wagga Wagga LEP and redevelopment of the Site. Justification of Teys objection is provided in summary below:

**1. The proposed development undermines the strategic purpose of Bomen as an industrial area of State and Local significance, placing regional employment, growth and economic participation at risk**

Bomen Business Park is already a thriving industrial hub, responsible for major contribution to the regional economy. There continues to be a significant investment into industrial purpose within the Bomen Business Park from both private and Government sources. Some examples are provided below, with each having the effect of growing the footprint and intensity of the Bomen Industrial Area:

- (a) Increased production capacity of the Renewed Metal Technologies (RMT) battery recycling facility in Bomen (owned and operated by Enirgi). Enirgi have identified plans to consolidate and further expand operations to maximize

production at this facility in the near future, a move to support Wagga Wagga employment and local economy;

- (b) Continued Development of the Riverina Intermodal Freight and Logistics (RiFL) Hub, an independently operated rail terminal and 95 hectare precinct for bulk, intermodal, agricultural and industrial sites. This major development is actively supported and championed by Wagga Wagga City Council with State Government Support. The City of Wagga Wagga has recognised that improving productivity is critical to the success of the Bomen Business Park. An improved Higher Mass Limit (HML) capable road network, known as the Bomen Enabling Roads project, and the development of the Riverina Intermodal Freight and Logistics (RiFL) Hub which will help facilitate the effective and efficient movement of freight to and from markets in Sydney, Melbourne and in the future, Brisbane. This project is underway and is critical to existing industry in the region and attracting new industry. In addition to its' significance for the local economy and industrial activity it is worth noting that it has the impact of significantly increasing freight movements and frequency within the Bomen area. RiFL is now very much a reality which enables increased industrial activity, as the Council has already entered into a framework agreement with both GWA and Visy; and,
- (c) A major \$18 Million upgrade of Teys' Wagga Facility, which is currently underway and signifies Teys' commitment to further major investment into our Wagga processing Facility, on the basis of planning security in the well-established Bomen Industrial Estate. Teys is actively developing a growth strategy for the value add (TAFS) activities as this business increases employment stability and both increases and stabilizes the primary processing activity.

All of the above listed industrial activities are located within close proximity to the proposed development.

The significance of the Bomen Business Park as a key Industrial Area was recently recognized in the DRAFT Wagga Wagga City Council Activation Strategy 2040. In this document, the Council has also recognized that strategic planning (including zone restrictions) is integral to the success of the Bomen Industrial Precinct. Teys reinforce commentary made by Council in this document, as it states Bomen will benefit from '*protection of industrial activity from non-compatible uses*' and '*concentration of heavy industry*'.

**2. The proposal conflicts with those specific objectives of the Regional Strategy. Specifically, The Riverina Murray Regional Plan 2036 which identifies a number of key directions to promote and support economic growth including, 'To promote business activities in Industrial and Commercial Areas'**

This direction underpins the purpose of the Regional Plan, to promote more local jobs through a stronger agribusiness sector; expanded advanced and value added manufacturing; diversified energy production; and forestry and tourism.

Agriculture is integral to the success of the economy and a major force in the State. The Riverina Murray makes the largest regional contribution to agricultural production in NSW (\$1.4 billion). The region is positioned well as it offers agricultural productivity and strategic locational advantages which support industrial and value-added manufacturing capabilities.

Against a backdrop of many Australian manufacturers withdrawing, Teys are committed to regional Australia, as supported by continued investment into our facilities. Teys Wagga Wagga is estimated to underpin \$300 million of the region's gross industry value added and support almost 1,900 FTE jobs locally. This equates to 3.5 percent of the gross regional product and 2.9 percent of FTE employment when flow-on effects are taken into account. Teys has established further value adding operation satisfying the definition of value added manufacturing.

Furthermore, capital expenditure made by Teys into the Wagga facility continues to significantly contribute to local industry and employment. Previous and planned future

investment is undermined when incompatible land use and addition of further receptors threaten to compromise Teys success in the areas and communities in which we operate.

- 3. Previous work commissioned by the Council and recognized by the NSW EPA has already made recommendation not to introduce new receptors into an area that already has existing levels of noise and odour that are unacceptable to the Community.**

Bomen Industrial Area contains a number of large and potentially noise and odour generating sources, any one of which could cause a noise or odour issue individually. These aspects have been comprehensively evaluated in the documents 'Buffer Zone Impact Assessment' (undertaken by Todoroski Air Sciences, commissioned by the Council) along with the Noise Impact Assessment (prepared by Atkins Acoustics and Associated, also commissioned by the Council).

Overall there is significant potential risk of an odour or noise problem occurring at any one time due to one or more sources. The nature of the industry in the area also means there would be a complex cocktail of odours present at any time, making regulation and enforcement of odour from any individual premises a difficult task. Odour and noise impacts are cumulative and will multiply as industrial activity increases in Bomen.

Introduction of additional receptors is a direct threat to Teys operations. Blatant land use conflicts with a well-established and rapidly expanding industrial area cannot be supported by Teys Australia.

- 4. The Council has recognised odour and noise impacts generated by Bomen Industrial Area as an area of concern, and Wagga Wagga Council own LEP 2010 s.7.8 Cartwrights Hill Precinct clause states *'Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the potential impacts of odour and noise from the Bomen industrial area and the Bomen sewage treatment facility on the development'*.**

This is a result of a most recent amendment to the LEP and follows arduous consultation periods between State, Regional and Local Planning authorities. It reflects outcomes of that involvement, whereby a conflict was identified. This revision is outcome based, and intended to restrict incompatible land use nearby to Bomen and specifically prevent conflicting land use where Industry is a priority within Bomen Industrial Area.

- 5. Wagga Wagga Spatial Plan 2013-2043 identifies the area as far as North of Charles Sturt University as being *'in vicinity of odour and noise from the Bomen Industrial Sewerage Treatment Facility'* and in close proximity to major, strategic transport plans intended to improve outcomes for Industrial and Large Scale Agricultural Operators.**

The Spatial Plan is a long term planning instrument which sets out, and supports, growth of Wagga as an economic and industrial engine. The proposed conflict with residential subdivision will be multiplied over time.

- 6. Any proposed increase to residential intensity nearby to Bomen conflicts with objectives of the State Government Funded establishment of Bomen as a Special Activation Precinct.**

The NSW Government is working closely with the Wagga Wagga City Council to draft a master plan to transform approximately 4100ha in Bomen for streamlined Inland Rail, Advanced Manufacturing, Agribusiness and Freight Industry development. Any proposed increase to residential intensity conflicts with this strategic, proposed use.

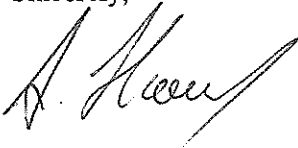
We hold serious concerns for the incompatibility in land use which would result if the proposed

residential subdivision and development of this Site were allowed to proceed. Furthermore, Teys are concerned that the Council's own management plans and strategy do not align with the proposed development of this site. It is noted that this submission is different to previous submissions made, as it includes additional reference to recognition *by Council* that land use conflict exists. Critically for Teys as one of Wagga's largest private employers, it places planned future investment in the Teys Wagga processing facility at risk.

The incompatibility of the proposed use of the Site for residential development, with adjacent and booming Industrial activity and proposed, continued industrial and transport developments is paramount. Incompatibility such as this cannot be allowed to progress as it is not in the public interest. Precedent exists in planning law whereby the NSW Land and Environment Court has specifically recognized public interest as a matter which requires consideration when making a planning determination or developing a planning policy. The proposed use of the site for subdivision and residential development is incompatible with adjacent and priority industry, and, if allowed to proceed, will produce undesirable outcomes for both the applicant and Industry operators.

Not only does the Proposal threaten current businesses within the Bomen Industrial Area, it clearly constrains the future growth of the economic engine of Wagga, limiting the future growth of the city. Teys have actively engaged with other Industrial operators as the Bomen Industrial Area becomes increasingly frustrated by residential and other incompatible land use proposals.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Thomson', written in a cursive style.

Stephen Thomson  
General Manager – Operations  
*Teys Australia Pty Ltd*