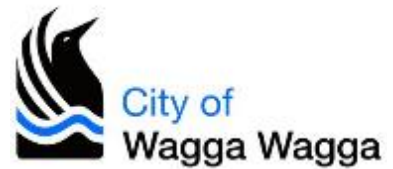




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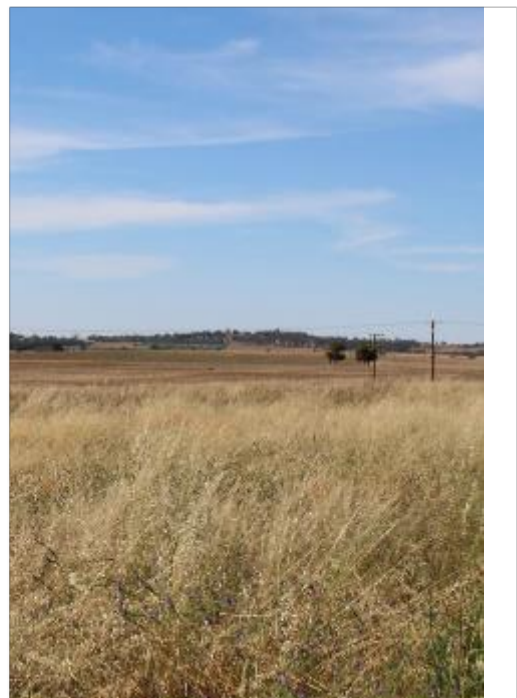


STATEMENT OF ENVIRONMENTAL EFFECTS

Riverina Intermodal Freight and Logistics (RIFL) Industrial Subdivision

June 2021

Project Number: 20-772



DOCUMENT VERIFICATION

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ACRONYMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
BC Act	<i>Biodiversity Conservation Act 2016 (NSW)</i>
Cwth	Commonwealth
DPIE	Department of Planning, Industry and Environment (NSW)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EP&A Reg	<i>Environmental Planning and Assessment Regulation 2000 (NSW)</i>
ha	hectares
Heritage Act	<i>Heritage Act 1977 (NSW)</i>
ISEPP	State Environmental Planning Policy (Infrastructure) 2007 (NSW)
km	kilometres
LEP	Local Environment Plan
m	metres
NSW	New South Wales
OEH	Office of Environment and Heritage (NSW), now Heritage NSW
RIFL	Riverina Intermodal Freight & Logistics
SAP	Special Activation Precinct
SEPP	State Environmental Planning Policy (NSW)
TEC	Threatened ecological community – as defined under the BC Act
WWDCP	Wagga Wagga Development Control Plan 2010
WWLEP	Wagga Wagga Local Environmental Plan 2010

1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by NGH, on behalf of Wagga Wagga City Council. This report supports a Development Application (DA) seeking the consideration of a proposed industrial subdivision of land located at Merino Road and Dorset Drive, Bomen.

Wagga Wagga City Council is the proponent, landowner, and the consent authority for this application. The application would be determined by the elected Council body.

1.1. OVERVIEW

The proposed development principally involves:

- The creation of fifteen (15) Torrens titled industrial lots, ranging in area from approximately 2.5 hectares to 28 hectares, and two public reserves.
- The consolidation of Lot 21 DP 1230517 with proposed lot 1.
- The dedication of public roads.
- The construction of 3 (three) detention basins.
- Provision of essential infrastructure, installation of utilities, and associated earthworks.

The subject land is zoned IN1 General Industrial under the provisions of the Wagga Wagga Local Environmental Plan (LEP) 2010.

The proposed development would facilitate the increase of available industrial land resources within the Bomen Business Park to support industrial activity, stimulate employment opportunities and drive economic growth in the region. The proposed lots would benefit from their proximity to the Riverina Intermodal Freight & Logistics (RIFL) Hub, currently being developed by Wagga Wagga City Council (Council) and VISY, being provided with private operational access to the RIFL terminal.

The design of the development has been informed by site attributes and physical features present. The proposed lots would provide for sustainable, quality, industrial development, with legal vehicular access and sufficient area for parking, storage, landscaping, and setbacks.

1.2. APPLICANT AND LAND OWNERSHIP

The Applicant is Wagga Wagga City Council. Michael Keys, Director Regional Activation, has delegated authority to submit this application.

The registered proprietor of the land is Wagga Wagga City Council.

The subject land is classified as Operational Land under the provisions of the *Local Government Act 1993* (LG Act).

1.3. SUBJECT LAND AND LOCALITY

The subject land to which this DA relates to is known as 177 Merino Road, Bomen. The land is legally identified as Lot 4 DP1215424, Lot 11 DP1223041 and Lot 21 DP 1230517. The subject land is indicated in Figure 1-1 on the following page.



Figure 1-1 Subject land (Source: WWCC online mapping, 2020)

1.4. BACKGROUND

The subject land comprises holdings acquired by Council for the purpose of developing the RIFL Hub at Bomen. Council has progressed a significant body of work to enable both the development of the RIFL Hub and to stimulate industrial development of zoned land at Bomen.

The RIFL Hub is considered the core feature of the Bomen industrial precinct to drive regional economic growth, attract business, investment, and create employment opportunities for the region.

Creation of the RIFL Hub involves the construction of rail and intermodal terminal infrastructure required to load and unload freight on the main southern rail network between Melbourne and Sydney. The master siding would cater for full length trains (of up to 1,800 metres) and be operated by VISY Logistics under agreement with Council. Construction has recently commenced.

The Bomen Enabling Roads Project (\$35M) was completed in 2017. The project included the following works:

- The Eunony Bridge upgrade and road deviation to a new roundabout at Byrnes Road and Oura Road,
- Construction of an underpass of the Main Southern Line,
- Construction of Merino Road between Byrnes Road and the Olympic Highway
- Closure of the Dampier Street level crossing
- Dorset Drive connection to the established area of Bomen and a new road (as yet unnamed) from the major roundabout to the intermodal terminal (referred to herein as the RIFL Access Road).

The proposed industrial subdivision is closely associated with and would directly support the RIFL Hub. Council would subdivide the land for sale to third parties. The proposed lots are considered highly desirable due to their proximity to the Main Southern Line, private operational access to the intermodal terminal and access to other complementary and support industries established in Bomen.

In 2019, the State government announced Wagga Wagga as a Special Activation Precinct (SAP). The SAP is generally comprised by the Bomen industrial precinct and a surrounding rural landscape buffer. A draft Masterplan was exhibited in 2020. This is discussed in further detail throughout this report.

1.5. THIS REPORT

This SEE has been prepared in accordance with the requirements of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation).

The SEE report:

- Describes the proposed subdivision, the development site, and the wider locality,
- Describes the planning context and statutory approval requirements,
- Identifies and assesses the significance of impacts on environmental values, and
- Provides mitigation measures to avoid, minimise or mitigate identified impacts.

This report shall be read in conjunction with the accompanying plans and documentation listed in the table below.

Table 1-1 Accompanying Plans and Documentation.

Reference	Description	Prepared by
308442P04	Existing Status Plan – Sheet 1 of 2	Spiire
308442P04	Existing Status Plan – Sheet 2 of 2	Spiire
308442P05	Proposed Subdivision Plan – Sheet 1 of 2	Spiire
308442P05	Proposed Subdivision Plan – Sheet 2 of 2	Spiire
20-000515 011 C	Typical Cross Sections – industrial Precinct Access Road	Huon/Calibre
20-000515 106 C	Detail Plan and Long Section industrial Precinct Access Road – Sheet 1 of 5	Huon/Calibre
20-000515 107 C	Detail Plan and Long Section industrial Precinct Access Road – Sheet 2 of 5	Huon/Calibre
20-000515 108 C	Detail Plan and Long Section industrial Precinct Access Road – Sheet 3 of 5	Huon/Calibre
20-000515 109 C	Detail Plan and Long Section industrial Precinct Access Road – Sheet 4 of 5	Huon/Calibre
20-000515 110 C	Detail Plan and Long Section industrial Precinct Access Road – Sheet 5 of 5	Huon/Calibre
20-000515 405 C	Stormwater Drainage Masterplan	Huon/Calibre
20-000515 431 C	Sewer and Water Masterplan	Huon/Calibre
20-000515 601 C	Pollution Control Plan	Huon/Calibre
20-000515 623 C	Turning Movements at Access Road Intersection (B Triple Left)	Huon/Calibre
20-000515 624 C	Turning Movements at Access Road Intersection (B Triple Right)	Huon/Calibre

2. THE DEVELOPMENT PROPOSAL

2.1. BACKGROUND

The subject land is located within the Bomen Urban Release Area. Provisions pertaining to urban release areas are contained within Part 6 of the LEP. A Development Control Plan (DCP) has been prepared, which addresses criteria in accordance with clause 6.3 of the LEP.

Section 13 Bomen Urban Release Area of the Wagga Wagga Development Control Plan 2010 (DCP) specifies the concept for Bomen as *a high-quality and nationally renowned place for transport and logistics-based enterprises, well-designed and integrated with existing industry that meets the requirements of a targeted range of businesses and supporting activities to complement and nurture a more sustainable City of Wagga Wagga and Riverina Region. Council encourages sustainability within the Bomen industrial area through promoting the efficient use of all resources. Council's objective includes efficient use of land, and existing and new infrastructure, water collection and reuse, preservation of native vegetation, and improvement of existing vegetated and creek line areas.*

In 2019, the State government announced Wagga Wagga as a Special Activation Precinct (SAP). The SAP is generally comprised by the Bomen industrial precinct and a surrounding rural landscape buffer. A draft Masterplan was exhibited in 2020,) pursuant to the State Environmental Planning Policy (Activation Precincts) 2020.

The draft Master Plan and associated Schedule to the SEPP (Activation Precincts) awaits formalisation. The draft Master Plan (exhibited July-September 2020) indicates the Wagga Wagga SAP would build on the values originally identified in the Bomen DCP and Strategic Masterplan (2009). Significant investment and interventions by the State government through the Regional Growth NSW Development Corporation (RGDC) would stimulate business development and growth in the precinct. The draft Master Plan states, *The Precinct will leverage the Region's existing strengths in agriculture and the economic opportunities associated with Wagga Wagga's strategic location, midway between Sydney and Melbourne, and just 10 hours' drive to Adelaide. It will also build on the success of the employment hub and major rail and logistics infrastructure investment, which has the potential to generate economic growth and business and employment opportunities for the Riverina region.*

It is considered critical to progress the proposed industrial subdivision, to make available land for associated industries to further underpin the RIFL Terminal and associated rail siding. The proposed subdivision is consistent with the design configuration informed by the Bomen Enabling Roads Project and the SAP Precinct Structure Plan indicated in Figure 2-1. Given adoption of the draft SAP Masterplan is imminent this application is not considered premature.

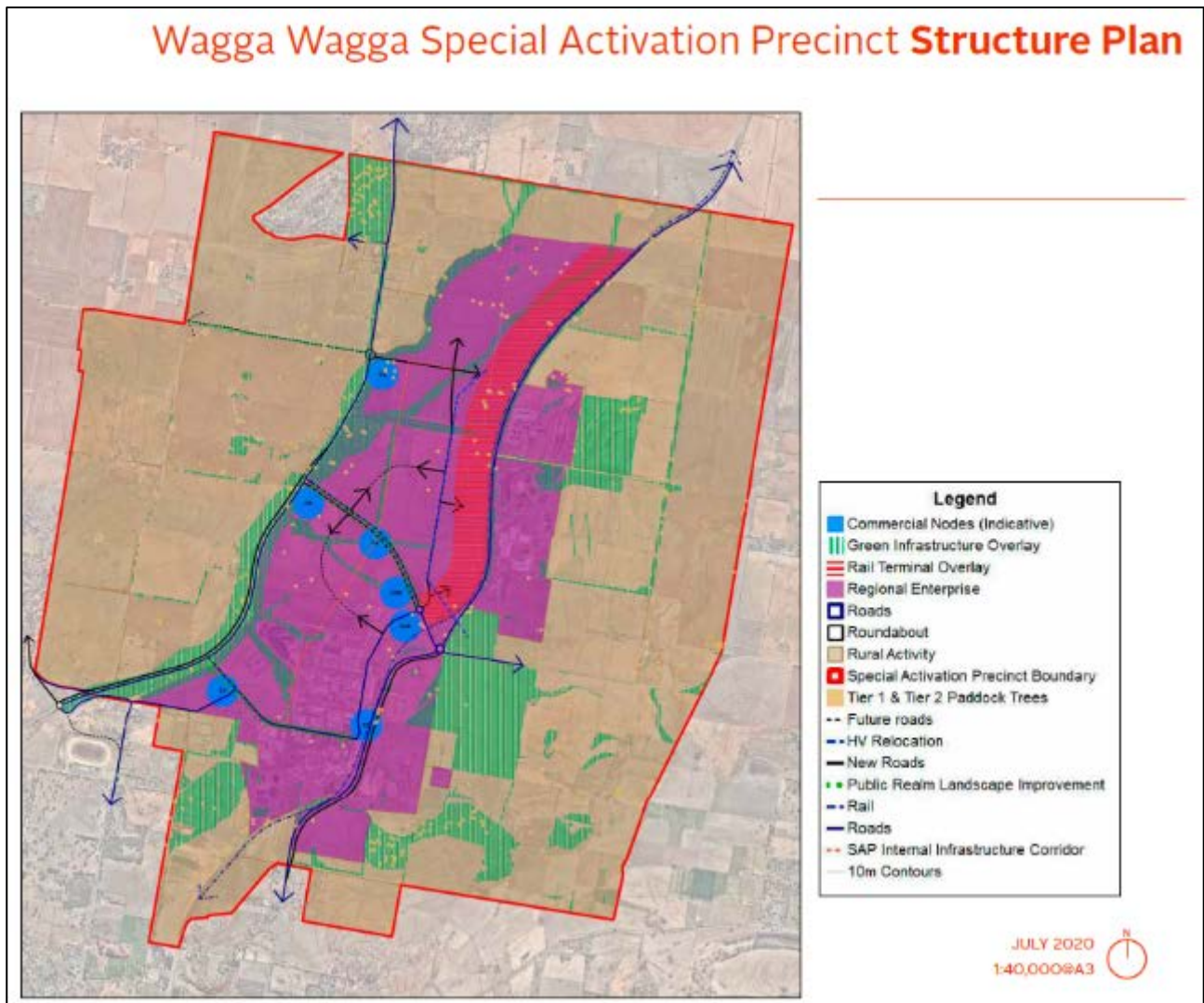


Figure 2-1 Draft Structure Plan for the SAP as exhibited (Source: Jensen Plus/DPIE, 2020)

2.2. RELATED APPROVALS

The proposed industrial subdivision would partly rely on infrastructure permitted as development without consent by a public authority (Council) under the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP). This infrastructure was assessed in a Review of Environmental Factors (NGH, 2016; NGH, 2019; NGH, 2020) prepared under Part 5 of the EP&A Act and approved by Council as the determining authority.

Broadly, the works approved by Council under a Part 5 assessment includes:

- The Bomen Enabling Roads Project including the Eunony Bridge Road deviation to a new roundabout at Byrnes Road and Oura Road, an underpass of the Main Southern Line, construction of Merino Road between Byrnes Road and the Olympic Highway, closure of the Dampier Street level crossing, the Dorset Drive connection to the established area of Bomen and a new road (as yet unnamed) from the major roundabout to the intermodal terminal (referred to herein as the RIFL Access Road).
- A 5.8km master siding off the Main Southern Line along the eastern boundary of Lot 11 DP1223041.
- Construction of the RIFL intermodal terminal (rail infrastructure facility) related to the master siding.
- Enabling works for the RIFL Industrial Estate, primarily bulk earthworks, vegetation clearing and utilities relocation and provision.

The proposed industrial subdivision would connect to the RIFL Access Road, which is approved but not yet constructed. The subdivision is not proposed to be registered with NSW Land Registry Services until such time as public road access is available via the RIFL Access Road.



Figure 2-2 Photomontages of proposed RIFL Terminal (Source: Wagga Wagga City Council, 2020)

2.3. DEVELOPMENT PROPOSAL

The proposed development involves the subdivision of the subject land into 15 Torrens title industrial lots. The proposed lots would vary in size from approximately 2.56 hectares to 27.68 hectares. A plan of the proposed subdivision is provided in Figure 2-1 on the following page. The proposal includes the consolidation of Lot 21 DP 1230517 with proposed Lot 1.

The proposed lots are well-proportioned, with a minimum frontage of approximately 80 metres. Together with the size of the allotments, exceeding 2.5 hectares, the area and configuration will support a range of industrial development envisaged for the precinct and the associated internal truck and vehicle movements.

The proposed subdivision would provide for the development of industries that would rely on and directly benefitting from their proximity to the Main Southern Line, private operational access to the intermodal terminal and access to other complementary and support industries established in Bomen.

The industrial lots would be accessed from a proposed new road, referred to as Road No. 1. The proposed new road would be a generally 60 metres wide reservation, variable in some locations due to the cul-de-sac head and intersection points. The roadway itself would comprise a sealed 10-metre-wide road including two 5 metre wide traffic lanes plus layby bays on the eastern side. Kerb and guttering would be provided. Nature strips fronting the industrial lots would be 10.6 metres from kerb to the lot boundary. The western verge and nature strip would be up to 34 metres wide from the kerb to the western boundary of the subject land. This would accommodate the extensive cut and fill required for the construction of Road No. 1 (refer to accompanying preliminary long sections prepared by Huon/Calibre). The excess area is also a product of the existing dimensions of the subject lot and uncertainty around the layout of future industrial development west of the subject land. Detailed design, in the form of the Stage 1 Delivery Plan for the SAP, is underway and will provide further clarity.

This road would connect to the existing RIFL Access Road, which is approved but not yet constructed as outlined in Section 2.1 above. A minor stub for the RIFL Access Road is currently located off the major roundabout at Merino Drive/Dorset Drive.

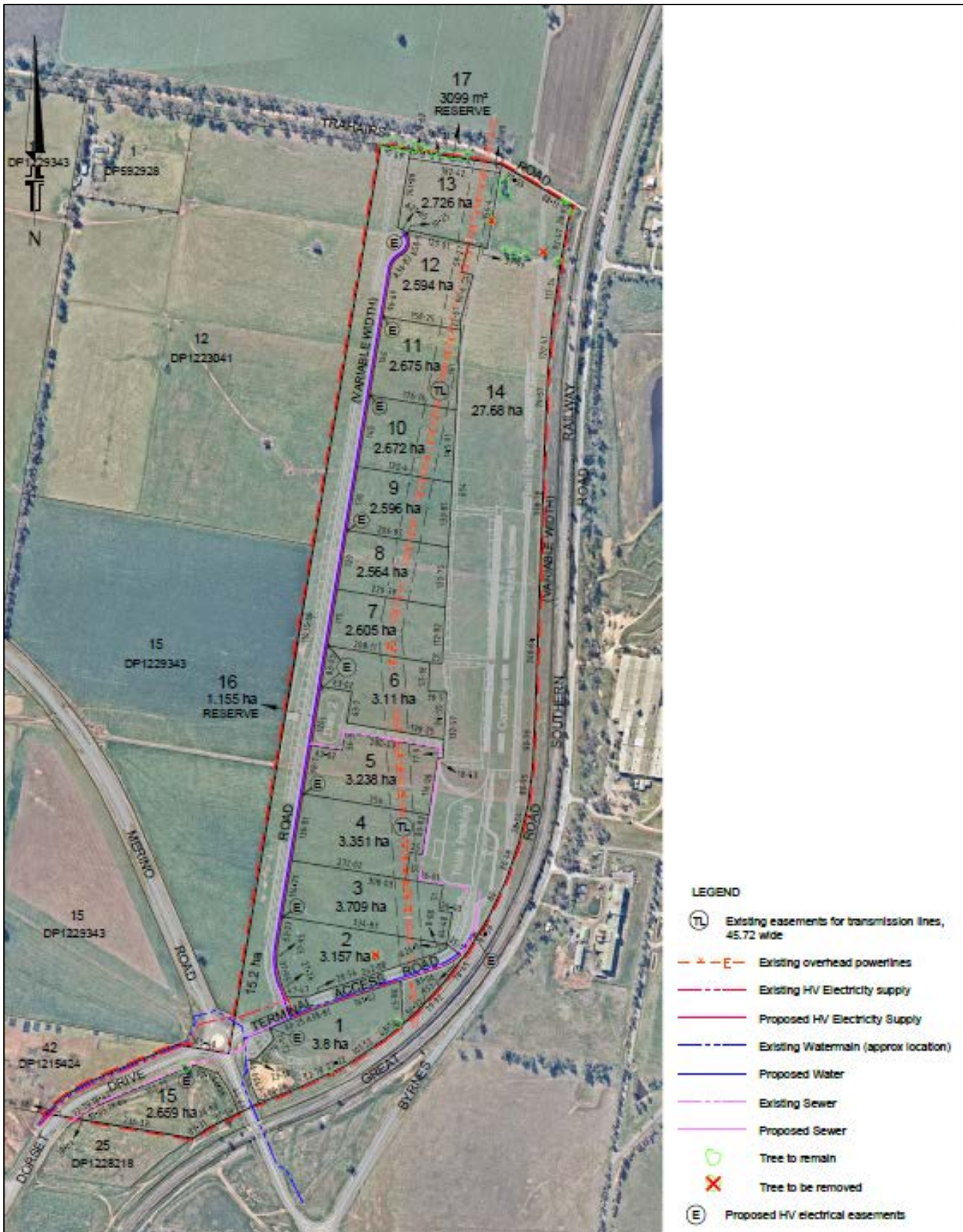


Figure 2-3 Layout of the proposed development (Source: Spiire, 2021)

Three detention basins would be located within the development; one of which would be sited within a drainage reserve being Lot 16. Another would be within the reservation of Road No.1 and therefore potentially removed and replaced elsewhere should Road No. 1 be extended further north across Trahairs Road in future. A third basin, which was established as part of the Bomen Enabling Roads Project, is located on the north-eastern

side of the Merino Road/Dorset Drive roundabout. This would form part of the road reservation of the RIFL Access Road.

Public infrastructure including overhead high voltage (HV) electricity, telecommunications, mains water and sewerage would be extended to each of the proposed industrial allotments. The allotments would also be connected to Council's reticulated drainage network.

One existing mature tree is present within existing Lot 41 and twelve are present within existing Lot 11. Clearing of trees and non-native pasture was approved under previous REFs for enabling works (NGH, 2020). However, trees would be retained wherever possible, subject to final engineering design. Based on the preliminary design, it is necessary to remove three trees as indicated on the accompanying plans.

3. ENVIRONMENTAL ANALYSIS

3.1. SITE ANALYSIS

The subject land comprises Lot 41 DP1215424, Lot 11 DP1223041 and Lot 21 DP 1230517. Lot 41 has a total area of 5.716 hectares, Lot 11 a total of 80 hectares and Lot 21 has an area of approximately 1200sqm. The lots are irregular in shape. Extracts of the deposited plans, highlighting subject land, are shown in Figure 3-1 and Figure 3-2 below and on the following page.

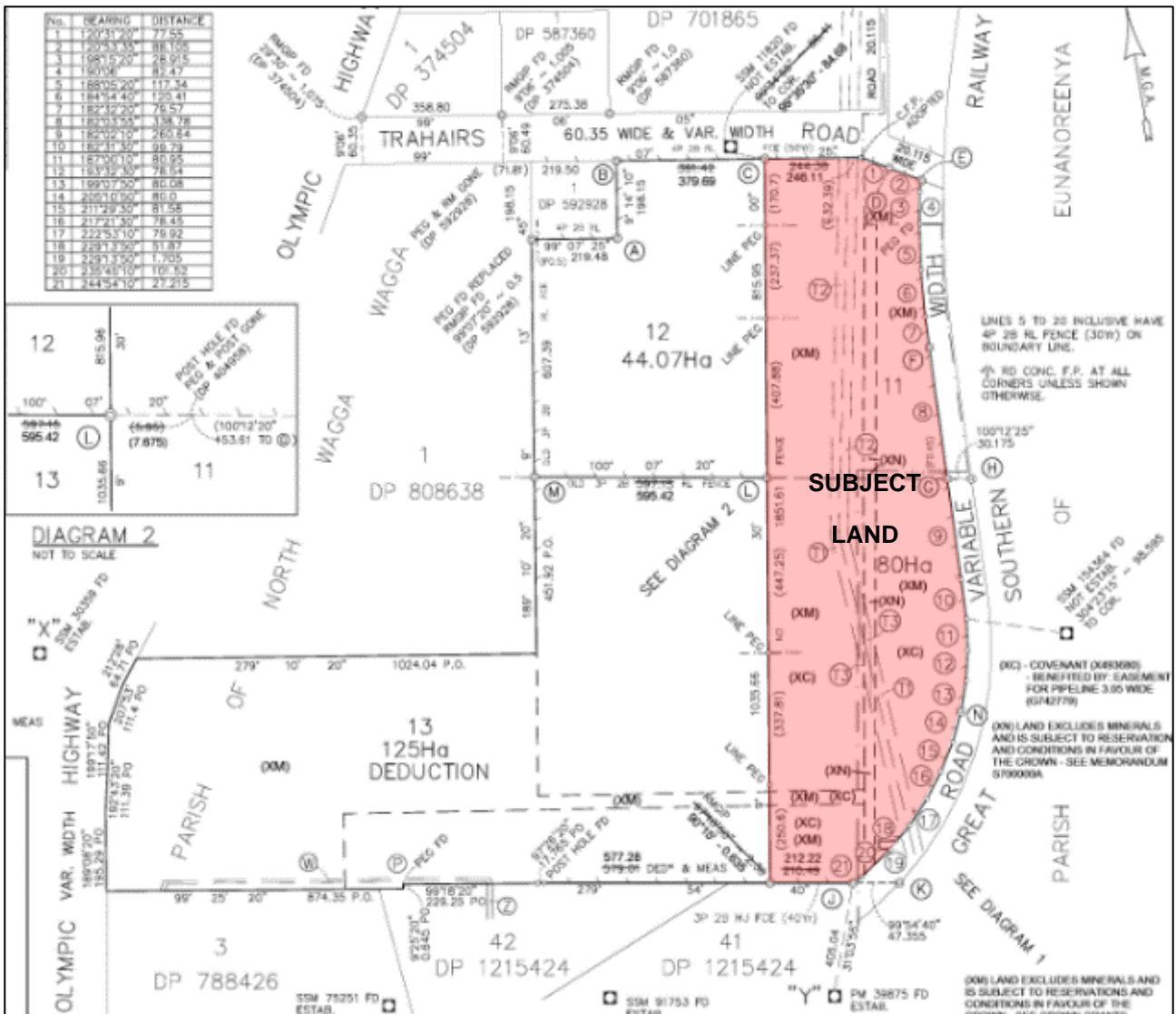


Figure 3-1 Extract of Deposited Plan 1223041 (Source: WWCC Online Mapping, 2020)

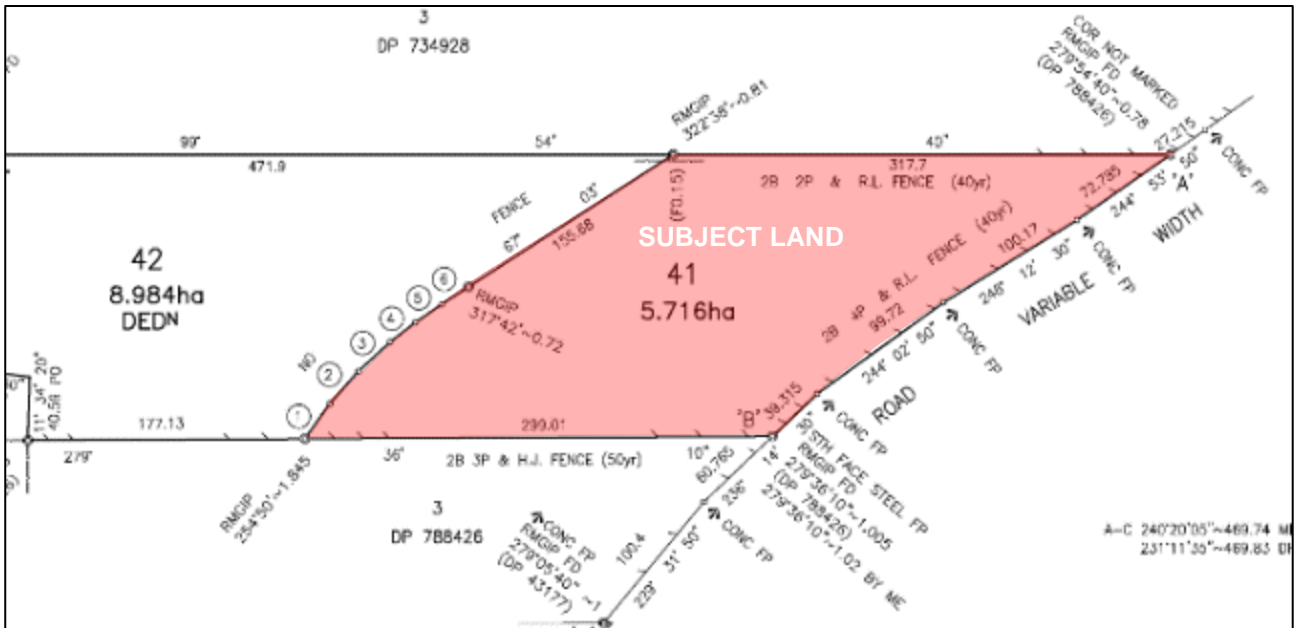


Figure 3-2 Extract of Deposited Plan 1215424 (Source: WWCC Online Mapping, 2020)

The land flanks Merino Road (at its intersection with Dorset Drive) and is bound by Trahairs Road to the north, and the Main Southern Line (Sydney to Melbourne) to the east, as indicated in the following figures.



Figure 3-3 Photograph from Merino Road looking east, the bank of the existing detention basin can be seen in the centre middle ground of the photo (Source: NGH, 2020)



Figure 3-4 Photograph from north-eastern corner of the subject land looking along the eastern boundary adjacent to the rail corridor (Source: NGH, 2020)

The landform is described as undulating. The land rises away from Trahairs Road and Merino Drive. A valley runs east-west approximately midpoint through the lot. The subject land is mostly devoid of native vegetation, though several substantial isolated paddock trees are present adjacent the northern boundary and as indicated in the following figures.



Figure 3-5 Photograph from north-western corner of the subject land looking east (Source: NGH, 2020)



Figure 3-6 Photograph from northern boundary of the subject land looking south (Source: NGH, 2020)



Figure 3-7 Landscape relief map extract from draft SAP Structure Plan (Source: Jensen Plus, 2020)

The established industrial area of Bomen is located further to the south, whilst the subject land forms part of the next phase of new development at Bomen. The subject land is located approximately 7.5 kilometres north-east of the Wagga Wagga CBD.

The residential precincts of Brucedale and Cartwrights Hill are located approximately 2km north-west and south-west of the subject land, as indicated in the figure below.

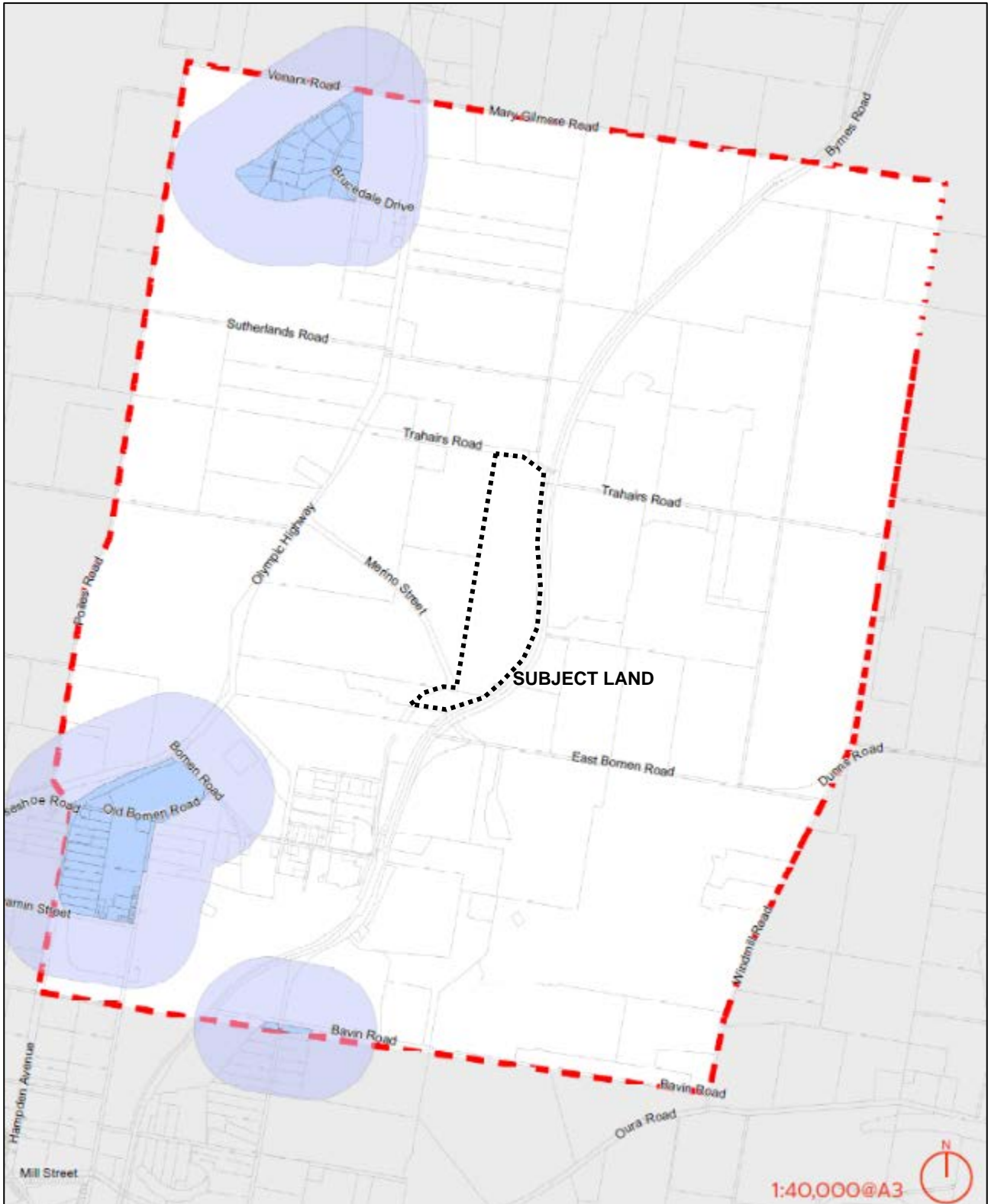


Figure 3-8 Nearby rural residential precincts of Brucedale and Cartwrights Hill (Source: Jensen Plus, 2020)

3.2. SITE HISTORY

The subject land has been zoned for industrial development since the gazettal of the WWLEP 2010. Historically the land has been used for agricultural activities (predominantly crop and pasture). Historic and recent land use is evidenced by aerial imagery (1966 to 1990) indicated in the following figures.



Figure 3-9 Aerial photograph of subject site in 1966 (Source: NSW Spatial Services, 2020)



Figure 3-10 Aerial photograph of subject site in 1986 (Source: NSW Spatial Services, 2020)

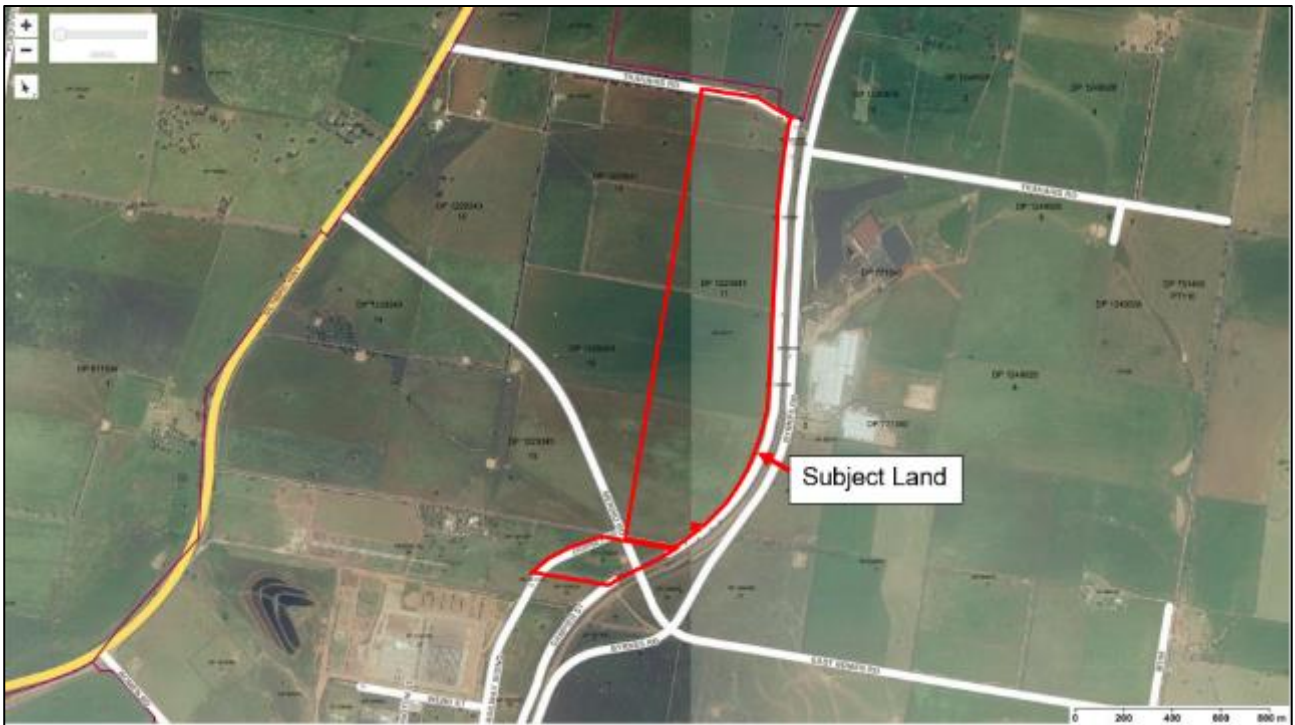


Figure 3-11 Aerial photograph of subject site in 1990 (Source: WWCC Online Mapping, 2020)

3.3. LAND HAZARDS

3.3.1. Bushfire

The subject land is not mapped as bushfire prone, as indicated on Council's online mapping (as of 16 February 2021) and in the figure below.

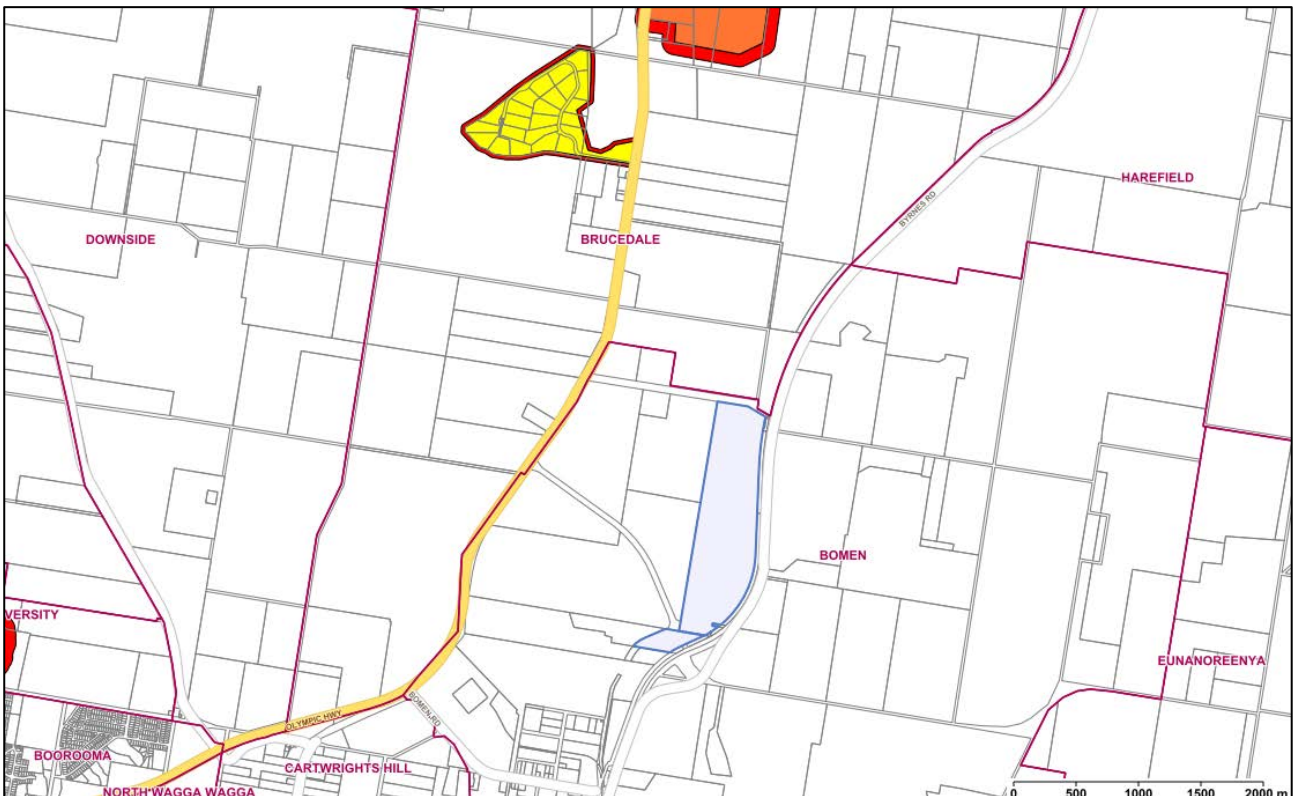


Figure 3-12 Subject land and its proximity to bushfire prone lands (Source: WWCC Online Mapping, 2021)

3.3.2. Flood Prone Land

The subject land is not mapped as Flood Prone Area, as indicated on Council's online mapping (as of 16 February 2021) and in the figure below.

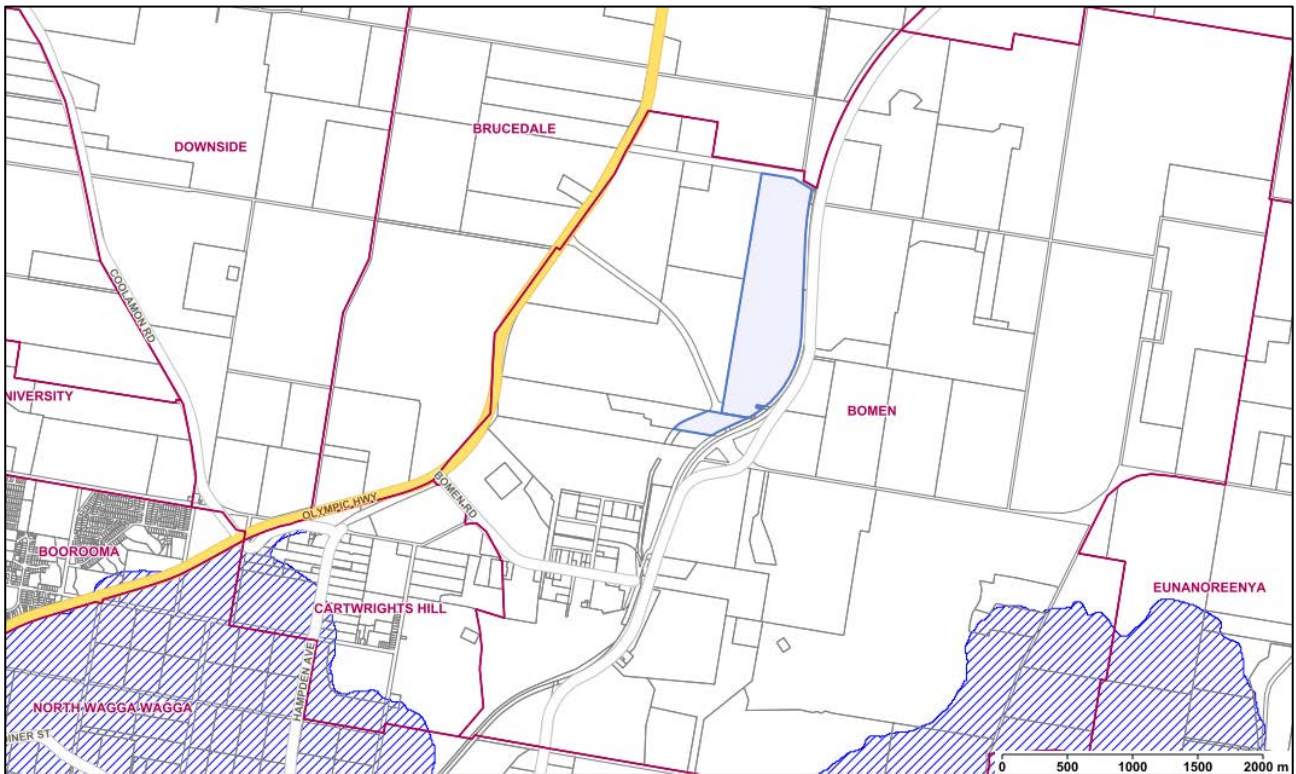


Figure 3-13 Subject land and its proximity to flood prone lands (Source: WWCC Online Mapping, 2021)

3.4. CHARACTER AND STREETScape

3.4.1. Existing character

The subject land is described as rural in character, located within an undeveloped area of the Bomen Business Park, as indicated in Figure 3-6. Surrounding land, particularly to the north and to the west of the site is rural in character and used predominantly for broadacre cropping and livestock grazing.

The Main Southern Line is located along the eastern boundary of the subject land. The rail line passes over Merino Drive, with a substantial concrete overpass in place. Two large roundabouts flank the overpass. The newly upgraded and constructed roads in this area are visually dominant within the otherwise rural environment as indicated in Figure 3-3.

Land further to the east fronting Byrnes Road is industrial or Agri-industrial in character, located generally on larger lots. Existing industries comprise the Riverina Oils canola processing plant, Enirgi battery recycling plant, BOC gas plant and other manufacturing industries.

Land further to the south along Bomen Road and surrounds comprises the established area of Bomen. Existing land uses are generally indicated in the figure on the following page. Teys meat processing plant, Heinz Watties food processing/packaging plant, Southern Oil Refinery and other general industries are established within this area of Bomen. The northern fringe of Bomen is generally defined by Council's Livestock Marketing Centre, located approximately 500 metre to the south west.

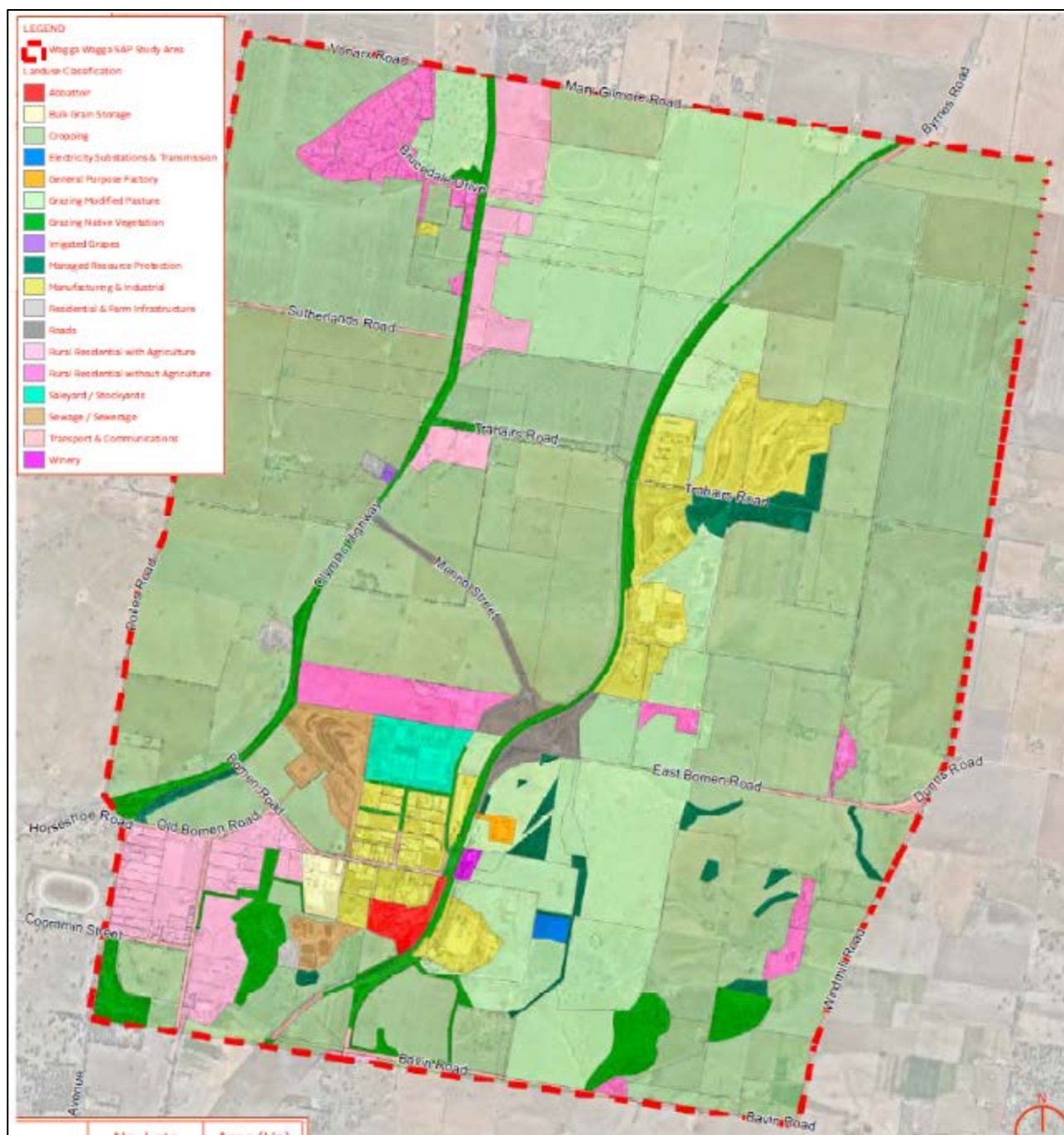


Figure 3-14 Existing land use map extract from draft SAP Structure Plan (Source: Jensen Plus, 2020)

3.4.2. Emerging character

The subject land, forms part of an undeveloped area of the Bomen Business Park. This area has been identified for industrial development since the gazettal of the Wagga Wagga Local Environmental Plan in 2010.

The subject land and wider precinct have since been incorporated into the Wagga Wagga (Bomen) SAP. The subject land and wider precinct are proposed to be subject to a new State Environmental Planning Policy, as outlined earlier in this report, and rezoned to Regional Enterprise Zone, refer to Figure 3-15 on the following page.

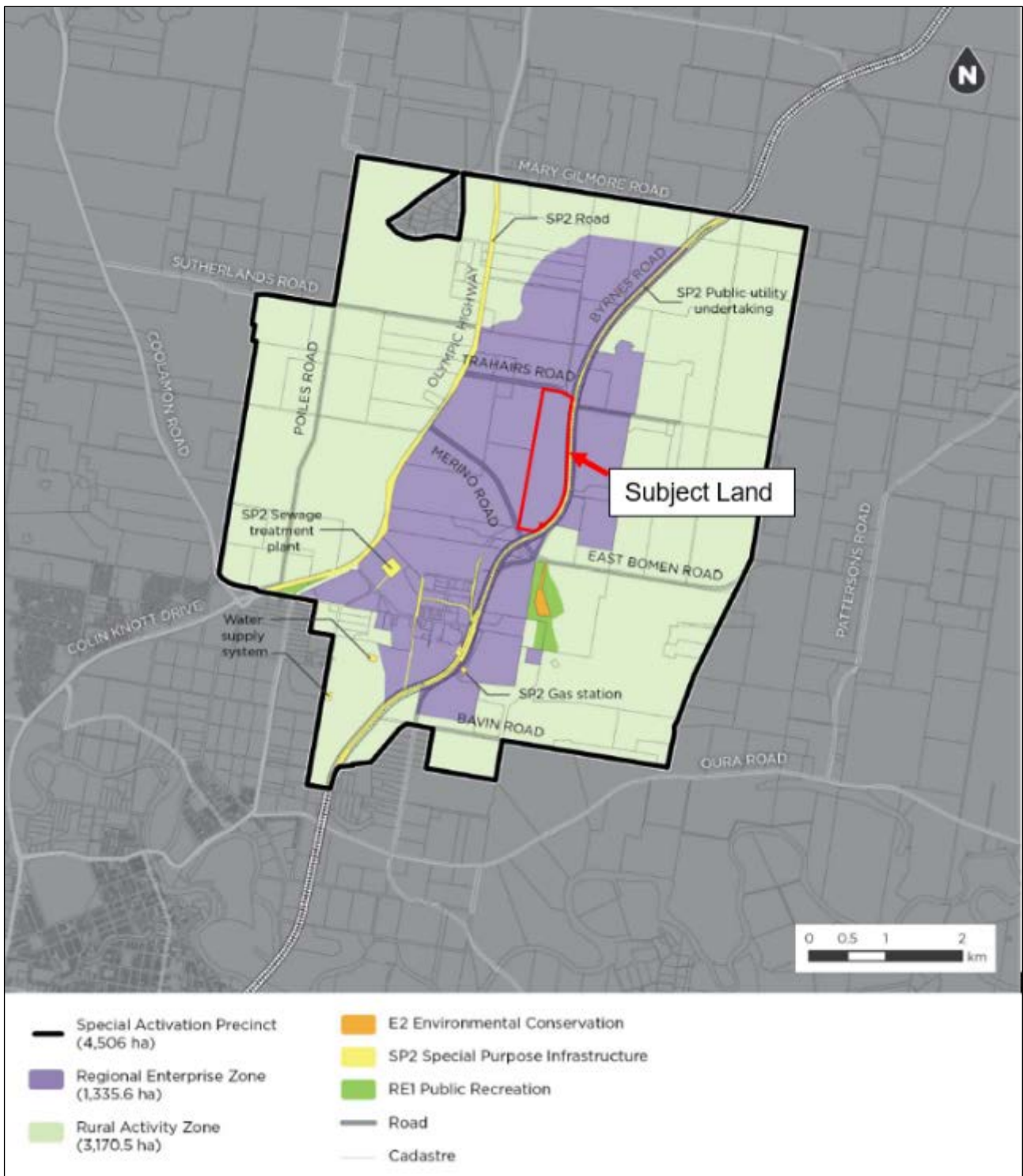


Figure 3-15 Subject land within the Regional Enterprise Zone according to the draft SAP Masterplan (Source: DPIE, 2020)

The Regional Enterprise Zone would comprise the industrial and economic core of the SAP, whilst surrounding land would be managed as a buffer area and zoned Rural Activity. The desired character of the industrial core will provide for industrial development with a focus on advanced manufacturing and logistics uses. The development of the precinct and transition to industrial use would occur over the next few decades. The land surrounding Merino Road, including the subject land, is highlighted for the first stage of delivery.

There is one Item of Environmental Heritage in the vicinity of the subject land, Item I26, known as Hopevale, indicated in the figure below. The item is over 1km from the subject land. Accordingly, no further post-European heritage assessment or reporting is considered necessary.



Figure 3-17 Subject land (Lot 11) and its proximity to environmental heritage item I3 (Source: WWCC Online Mapping, 2020)

3.6. BIODIVERSITY CONSIDERATIONS

Vegetation on the land is limited to exotic dominated grassland and a small number of isolated mature trees. These features are reiterated in the Preliminary Biodiversity Assessment supporting the draft SAP Masterplan (WSP, 2020). Biodiversity values are limited to the several isolated native trees (both with and without hollows) within the subject land.

Vegetation along Trahairs Road forms part of a Threatened Ecological Community (TEC) under the NSW *Biodiversity Conservation Act 2016* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. This would not be impacted by the proposed development. The vegetation is considered likely to form part of a fauna movement corridor as indicated in the figure on the following page.

One existing mature tree is present within existing Lot 41 and twelve are present within existing Lot 11. Clearing of trees and non-native pasture was approved under previous REFs for enabling works (NGH, 2020). However, trees would be retained wherever possible, subject to final engineering design. Based on the preliminary design, it is necessary to remove three trees as indicated on the accompanying plans.

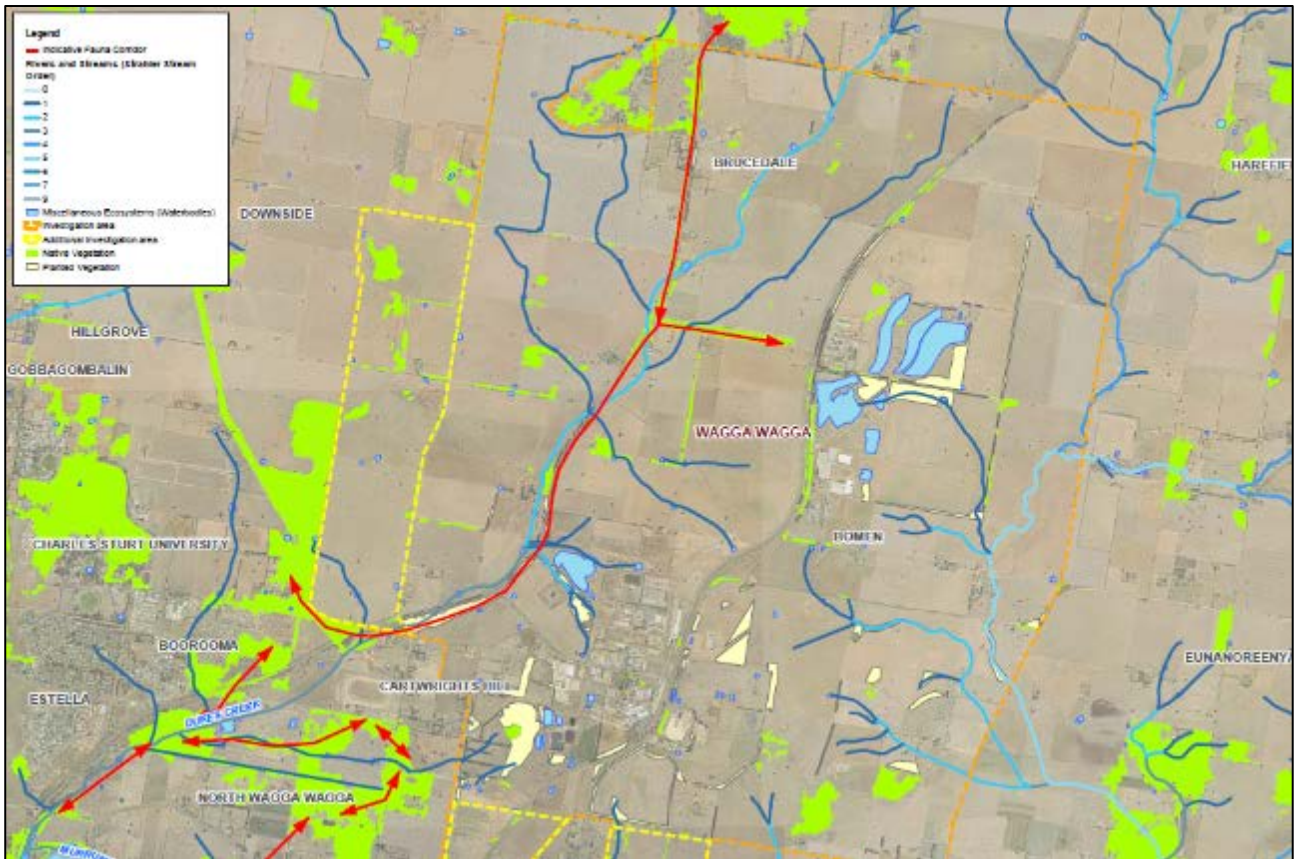


Figure 3-18 Habitat connectivity map extract from draft SAP Biodiversity Assessment (Source: WSP, 2020)

4. INFRASTRUCTURE AND SERVICE PROVISIONS

4.1. SITE ACCESSIBILITY

4.1.1. Access to the development site

Existing Lot 11 has frontage to Merino Road and unformed Trahairs Road. The subject land does not have frontage to Byrnes Road due to the existing rail corridor. Existing Lot 41 has frontage to Merino Road and Dorset Drive. It is understood the existing section of Dorset Drive that appears to be on the western boundary of Lot 41 forms part of Lot 41 at this stage. It is proposed to formally dedicate this section of Dorset Drive as public road as part of this application.

The subject land has frontage to Trahairs Road along the northern boundary; however, this is not a feasible access point given the road is unsealed. An upgrade of Trahairs Road is not envisaged by the draft SAP Master Plan given the corridor would need to be widened and significant vegetation removed. The vegetation forms part of a TEC that is listed as critically endangered and which provides a fauna movement corridor for several threatened species, as outlined in the draft SAP Biodiversity Assessment (WSP, 2020) and the Wagga Wagga Local Environmental Study (EcoLogical Australia, 2009).

The subject land is well-serviced by surrounding main thoroughfares. The accompanying swept path analysis indicates the intersection of the RIFL Access Road and Road No. 1 can cater for B-Triple turning movements.

The draft SAP Transport and Traffic Plan indicates upgrades within and around the SAP would not be required prior to 2030. Further detail regarding road layouts, hierarchy and the requirement for upgrades would be identified in the Stage 1 Delivery Plan under the SAP Master Plan.

4.1.2. Access within the development

The scale of the proposed subdivision ensures the lots are of sufficient width (a minimum 80 metre frontage and exceeding 100 metres for most of the proposed lots) to provide for adequate access to each lot and spacing between future driveways and associated turning movements. The lots are of sufficient size to ensure all truck turning movements can be facilitated within private land and vehicles can enter and exit the individual lots in a forward direction. No issues in this regard are anticipated.

As outlined in Section 2 of this report, the proposed lots would be accessed from a proposed new industrial road referred to as Road No. 1 (to be named).

As indicated previously, the proposed new road would be a generally 60 metres wide reservation, variable in some locations due to the cul-de-sac head and intersection points. The roadway itself would be a sealed 10-metre-wide road including two 5-metre-wide traffic lanes plus layby bays along the eastern side, as indicated by the road cross sections on the following page. Kerb and guttering would be provided. Nature strips fronting the industrial lots would be 10.6 metres from kerb to the lot boundary.

The western verge and nature strip would be up to 34 metres wide from the kerb to the western boundary of the subject land. This would accommodate the extensive cut and fill required for the construction of Road No. 1 (refer to accompanying preliminary long sections prepared by Huon/Calibre) And would avoid the creation of a vengeance strip. Council owns the adjoining land, being Lot 12 DP1223041 and Lot 15 DP1229343, which would be developed as part of the next stage. Detailed design, in the form of the Stage 1 Delivery Plan for the SAP, is underway and would provide further clarity.

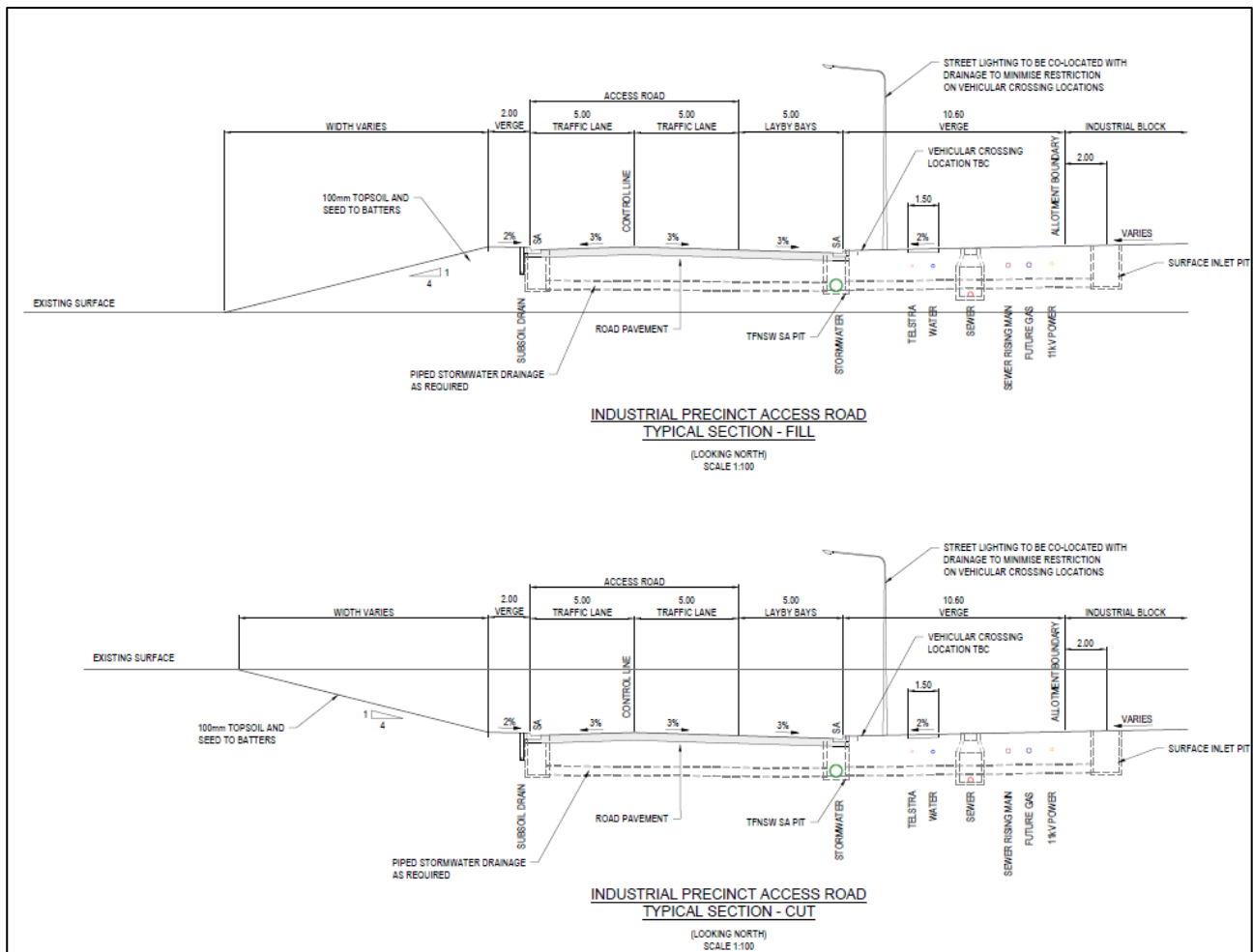


Figure 4-1 Proposed cross sections for Road No. 1 (Source: Calibre, 2021)

Road No. 1 would connect to the RIFL Access Road, which is approved but not yet constructed. The RIFL Access Road would be in place prior to the creation/registration of the proposed lots.

The RIFL Access Road further connects with the large roundabout at the Merino Road and Dorset Drive intersection. Merino Road is an existing industrial road that provides a critical connection and desired travel path between the Olympic Highway and Byrnes Road. Merino Road also provides a direct connection into the established area of Bomen via Dorset Drive. In late 2020, a submission was made by Council to the Independent Panel for the NSW Government Road Classification Review project, to seek the reclassification of Merino Road to a Regional Road and transferred to a State Road.

Proposed Lot 15 would have frontage to Merino Road and to Dorset Drive. Proposed Lot 1 would have frontage to Merino Road and to the RIFL Access Road. A restriction would be applied to proposed Lot 1 and 15 to ensure direct vehicular access to Merino Road is avoided.

4.2. PUBLIC UTILITIES

Essential infrastructure is available in the surrounding precinct. Major trunk mains and lines are predominantly located along major roads such as Byrnes Road, in close proximity to the subject land.

Mains water supply, high voltage electricity and telecommunications (NBN) would be supplied to each proposed industrial allotment, being Lots 1 to 15. Connections are not proposed to be provided to Lots 16 and 17 as public reserves. Higher specification connections are to be provided in some instances given the subject lots will cater for high-productivity industry.

High voltage electricity

High voltage electricity would be connected to each proposed industrial allotment. This is not an essential requirement of Essential Energy; however, it is considered necessary that these lots are provided with such a connection, given the anticipated high-productivity industries that would utilise these specialised lots. It is critical that a DA condition be applied in this regard, to ensure the necessary information can be obtained from Essential Energy and the required capacity provided.

Mains water supply

The subject land and surrounding SAP precinct are predominantly located within Riverina Water's North Wagga Wagga supply system, where supply is managed by several reservoirs, as indicated in the figure below. The infrastructure assessment supporting the draft SAP Masterplan (WSP, 2020) indicates that supply would likely be fed by the East Bomen Reservoir, which is considered *"likely to have substantial available capacity before tank and pump station upgrades would be required. This would be adequate to allow for suitable elevation/pressure level to service most of the SAP area"*. Refer to figure below.

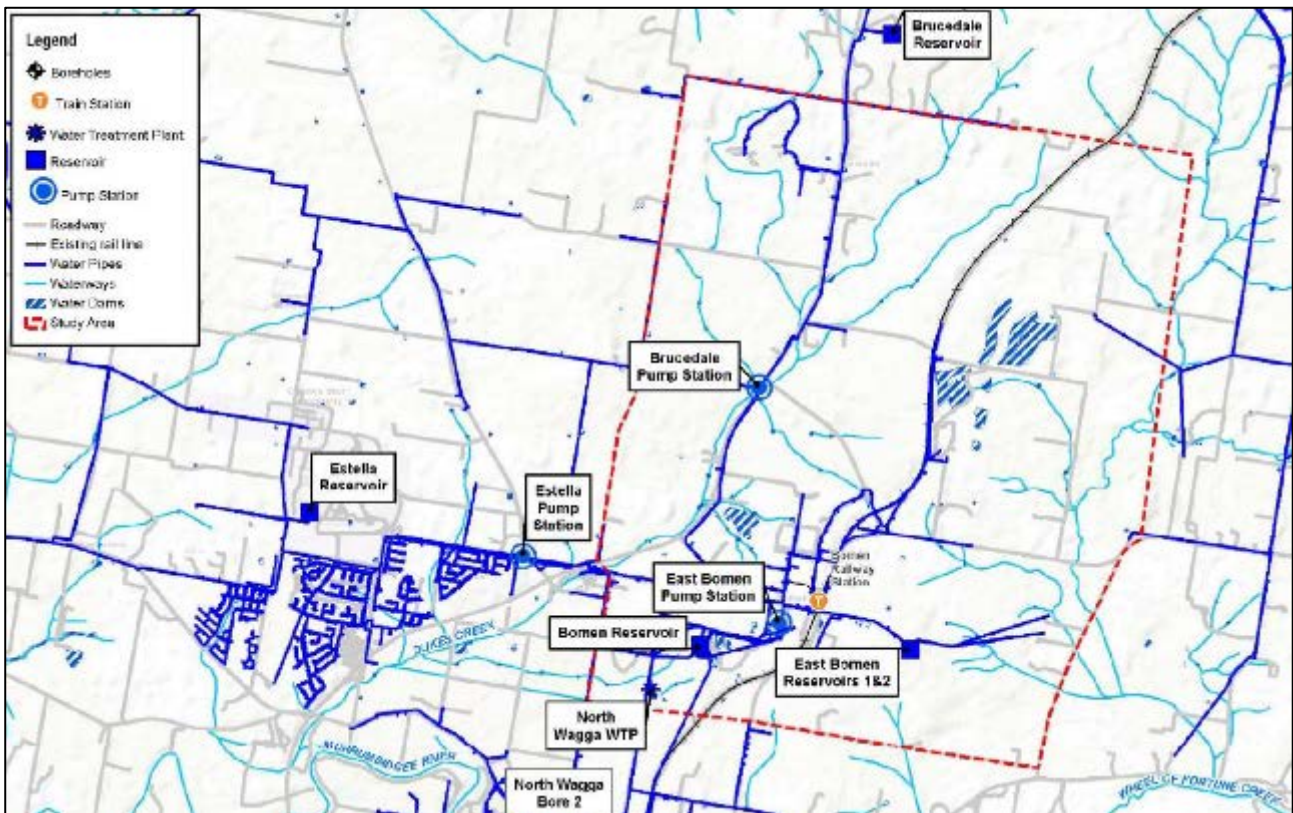


Figure 4-2 Existing water mains infrastructure map extract from draft SAP Infrastructure Strategy (Source: WSP, 2020)

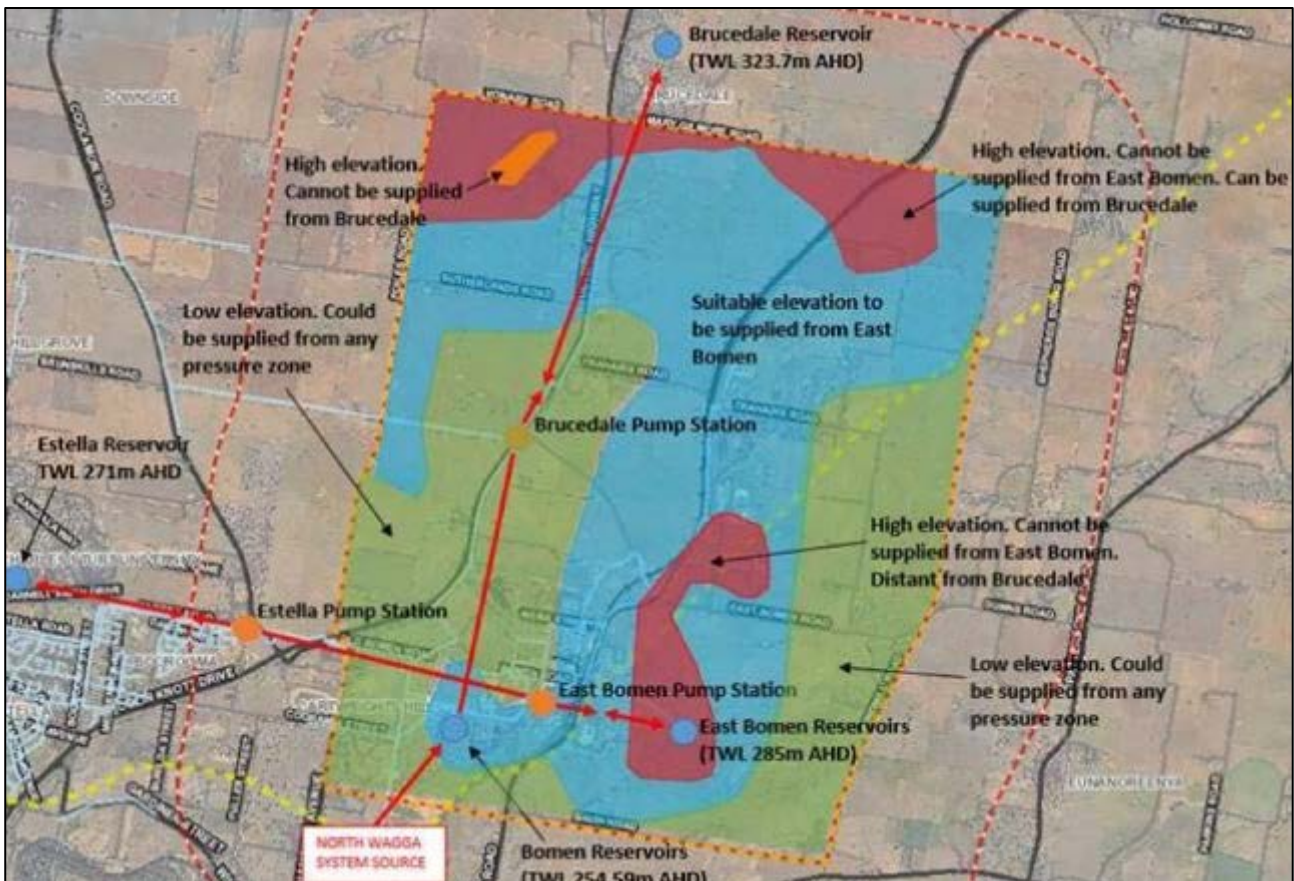


Figure 4-3 Water servicing concept map extract from draft SAP Infrastructure Strategy (Source: WSP, 2020)

NBN telecommunications

High speed broadband is available within the established area of Bomen and being extended throughout the precinct. Fibre to the premise (FTTP) connections with speeds of up to 1,000 megabytes per second (Mbps) download are to be provided as part of the Bomen Area Switch Project, a \$1.4 million project funded by the NSW Government, in collaboration with Council and NBN Co.

FTTP connections would be provided to individual industrial allotments.

Gas

The gas distribution network can be readily expanded to service the Bomen precinct, due to proximity to the City Gate, a substation that distributes gas from the high-pressure gas main.

At this stage of the Bomen precinct development, is not intended to provide gas connections to the proposed industrial lots, to instead encourage the use of renewable and decarbonised energy including solar and hydrogen.

4.3. SEWER AND DRAINAGE INFRASTRUCTURE

4.3.1. Stormwater and Drainage Management

Stormwater within the precinct follows natural drainage paths including Dukes Creek, before ultimately discharging to the Murrumbidgee River. There is an existing reticulated stormwater network within the established area of Bomen.

Stormwater drainage from the subject land would be via the three detention basins, which would limit discharge to pre-development flows. Stormwater drainage infrastructure downstream of detention basin 2 and 3 would be established as part of forthcoming industrial development of this area in the short term, as would be outlined in the Stage 1 Delivery Plan currently being developed under the SAP Masterplan. As a temporary measure, stormwater would drain via natural flows paths as well as swale drains along Merino Road, as indicated in the figure below. Subject to detailed stormwater drainage design at construction certificate stage, there may be a requirement for on-site stormwater detention within the industrial lots. Consultation with Council's Infrastructure section and with RGDC is ongoing.

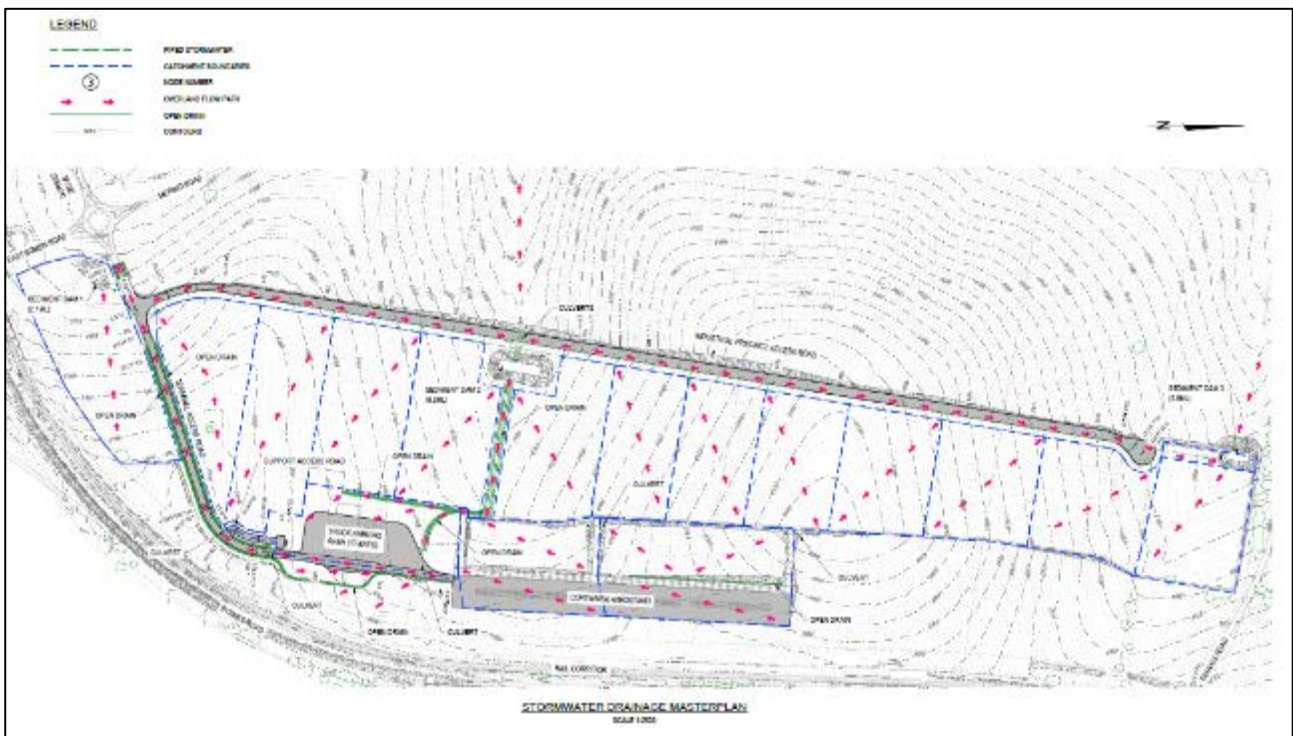


Figure 4-4 Concept stormwater drainage strategy for the proposed development (Source: Calibre, 2021)

4.3.2. Effluent Disposal

The existing pre-treatment plant at Bomen Road receives all wastewater loads from the local serviced area in Bomen. From here, partially treated sewage is pumped south-east and conveyed to one of the main treatment plants in the city, the Narrung Street Wastewater Treatment Plant (WWTP).

Sewer infrastructure serving the RIFL Terminal has been approved but not yet constructed. A rising main is required, to pump sewerage south to the existing infrastructure near the Merino Road/Dorset Drive roundabout. This infrastructure would be in place prior to the creation/registration of the proposed lots.

All proposed industrial lots would be provided with an individual sewer connection and would connect to the reticulated sewer network in accordance with Council's Engineering guidelines. Due to the topography of the land, two sewer pump stations as well as rising and gravity mains are proposed along Road No. 1, as indicated in the figure below. A sewer easement in favour of Council would be provided over proposed Lot 13 where the proposed sewer main and pump station would be located within private land.

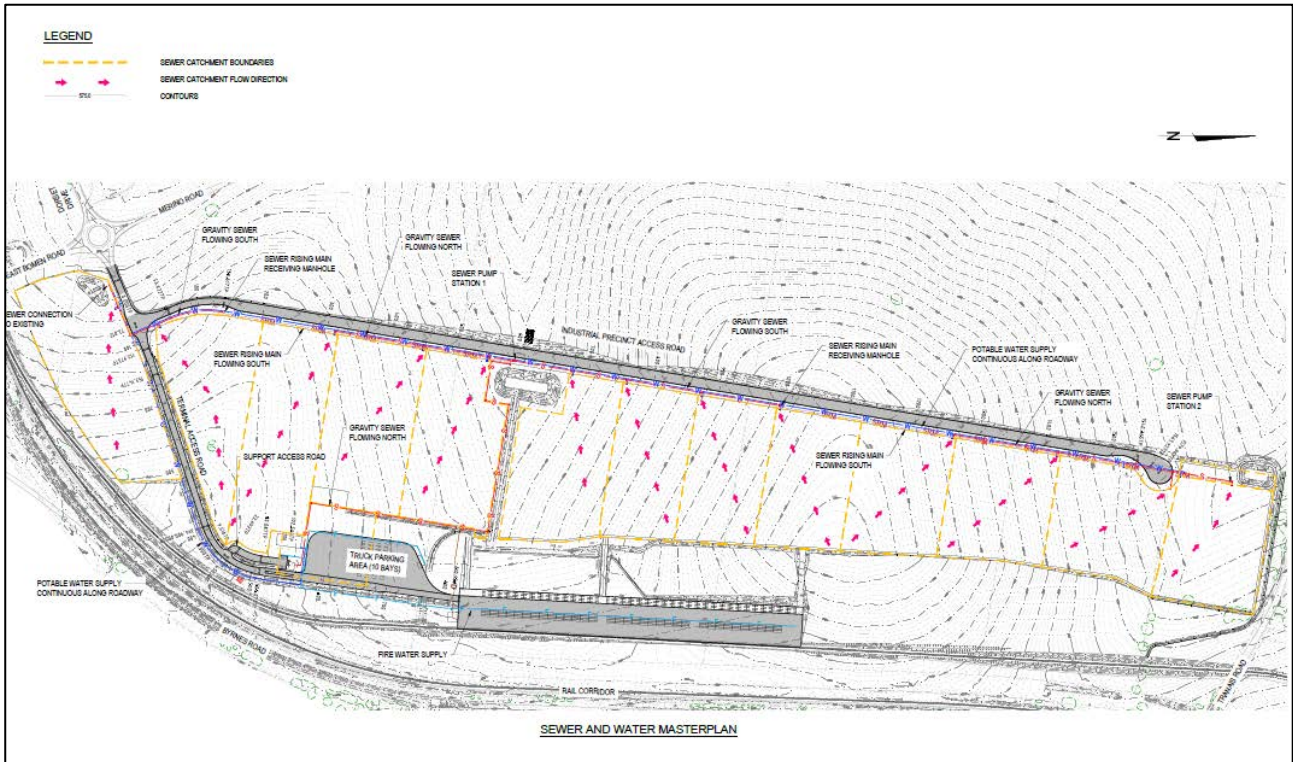


Figure 4-5 Concept sewer strategy for the proposed development (Source: Calibre, 2020)

5. STATUTORY FRAMEWORK

5.1. STATE PLANNING CONTROLS

5.1.1. Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and associated regulations and instruments set the framework for development assessment in NSW. The proposed development would be assessed under the provisions of Part 4 of the EP&A Act.

The proposed development is not considered Integrated Development as indicated in Table 4-1 below.

Table 5-1 Clause 4.46 What is “integrated development”? of the EP&A Act 1979.

Relevant Act and approval for integrated development	Approval required
Coal Mine Subsidence Compensation Act 2017 Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district.	Not relevant to proposed development.
Fisheries Management Act 1994 Aquaculture permit. <i>Permit to carry out dredging or reclamation work.</i> <i>Permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease.</i> Permit to— (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat.	Not relevant to proposed development.
Heritage Act 1977 Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57(1).	Not relevant to proposed development.
Mining Act 1992 Grant of mining lease.	Not relevant to proposed development.
National Parks and Wildlife Act 1974 Grant of Aboriginal heritage impact permit.	Not required for the proposed development.
Petroleum (Onshore) Act 1991 Grant of production lease.	Not relevant to proposed development.
Protection of the Environment Operations Act 1997 <i>Environment protection licence to authorise carrying out of scheduled development work at any premises.</i> <i>Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a “waste activity” but including any activity described as a “waste facility”).</i> <i>Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.</i>	Not relevant to proposed development.

<p>Roads Act 1993</p> <p>Consent to—</p> <p>(a) erect a structure or carry out a work in, on or over a public road, or</p> <p>(b) dig up or disturb the surface of a public road, or</p> <p>(c) remove or interfere with a structure, work or tree on a public road, or</p> <p>(d) pump water into a public road from any land adjoining the road, or</p> <p>(e) connect a road (whether public or private) to a classified road.</p>	<p>Not relevant to proposed development.</p>
<p>Rural Fires Act 1997</p> <p>Authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes.</p>	<p>Not relevant to proposed development.</p>
<p>Water Management Act 2000</p> <p>Water use approval, water management work approval or activity approval under Part 3 of Chapter 3.</p>	<p>Not required for the proposed development.</p> <p>The dam and drainage line identified on topographic mapping is no longer present or identifiable through a site inspection. It was necessary that the dam and drainage line were infilled to construct Merino Drive, as part of the Bomen Enabling Roads project. The drainage line would no longer be considered waterfront land according to pre-consultation with NRAR.</p>

5.1.2. Biodiversity Conservation Act 2016

The subject land was previously covered by the Wagga Wagga Biodiversity Certification Order 2010; however, this expired in December 2020.

One existing mature tree is present within existing Lot 41 and twelve are present within existing Lot 11. Vegetation clearing was approved under previous REFs for enabling infrastructure.

No further biodiversity assessment would be required to support the development application.

5.1.3. State Environmental Planning Policy (Infrastructure) 2007

The State Environmental Planning Policy (Infrastructure) 2007, referred to as ISEPP, contains provisions that facilitate the development and redevelopment of land for the purposes of infrastructure and service delivery.

Clause 100 Development on proposed classified road/Clause 101 Development with frontage to classified road

The subject land does not have frontage to a classified road or to land that is reserved for the purposes of a proposed classified road.

However, Council has sought to have Merino Road reclassified as a Regional Road and therefore the principles of the ISEPP have been considered. The proposed development is not considered to compromise the existing or likely future functions of Merino Road as it is consistent with the vision for the precinct as outlined

by Council as part of the wider Bomen enabling projects and RIFL development. It is also consistent with the vision outlined in the draft SAP Master Plan.

The proposed development is not considered to impact on the safety and efficiency of Merino Drive now or into the future, as the lots would rely on access via Road No. 1 and the RIFL Access Road. Further, the proposed subdivision for industrial purposes is not a type of development that is sensitive to road noise or vehicle emissions. The proposed development would also not cause any additional costs for the future development or management of Merino Road as a potential classified road, should Council's application for reclassification be supported.

Proposed Lot 15 would have frontage to Merino Road and to Dorset Drive and proposed Lot 1 would have frontage to Merino Road and to the RIFL Access Road. Therefore, a restriction would be applied to proposed Lot 1 and 15 to ensure direct vehicular access to Merino Road is avoided.

Clause 104 Traffic generating development

The proposed development is not considered to be traffic generating development, in accordance with Schedule 3 of the ISEPP, given the proposal involves the creation of 15 new lots. This is below the threshold of 50 proposed lots, where access to a classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road) is proposed.

5.1.4. State Environmental Planning Policy (Koala Habitat Protection) 2020

The subject land is located within the Wagga Wagga LGA, which is listed in Schedule 1 of the State Environmental Planning Policy (Koala Habitat Protection) 2020 (Koala SEPP). The proposal also applies to an area greater than 1 hectare. The Koala SEPP therefore applies to the proposed development under Clause 7.

Clause 8 of the SEPP indicates that Council is not prevented from granting consent if Council is satisfied that the land is not potential koala habitat, and not core koala habitat as outlined in clause 9. It is considered the proposed development poses no concerns as the trees present are Yellow Box and White Box and not koala feed trees species identified in Schedule 3 of the SEPP. It is also understood a resident population of koalas is not considered present in the Wagga Wagga area.

5.1.5. State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No. 55 — Remediation of Land requires consideration of site contamination.

The subject land is not on the list of Contaminated Sites Notified to the NSW EPA under the *Contaminated Land Management (CLM) Act 1997* or on Council's register of potentially contaminated land.

The subject land has historically been used for and continues to be used for agricultural purposes. 'Agricultural activities' is listed as a potentially contaminating activity in Table 1 of the Managing Land Contamination Planning Guidelines. Where land has been used for a purpose referred to in Table 1 of the Guidelines, the consent authority must consider the findings of a preliminary investigation of the land concerned where an application is made for a change of use. The proposed development relates to the subdivision of land for future industrial development; however, no new uses are proposed as part of this application.

Industrial use of the subject land is considered to have commenced, given construction of subdivision enabling infrastructure and the RIFL Terminal commenced in early 2021, approved under previous REFs by Council. Previous REFs did not consider contamination constraints to be present, apart from an area near the former Dampier Street and Bomen Road intersection associated with a rail siding (Dorset Drive now bisects this). A

PSI was prepared (McMahon Earth Science, 2016)¹, which determined the preliminary soil testing results were below soil threshold levels for commercial/industrial use and the levels of contamination reported did not warrant further investigation.

As indicated in section 3.2 of this report, historic aerial imagery from 1966 onwards indicates the extensive agricultural activities conducted on the subject land have included broadacre cropping and livestock grazing only. The activities have not included horticultural activities. Low levels of agricultural residues would not be incompatible with the proposed dedication of the lots for industrial purposes.

A Preliminary Site Investigation (PSI) was prepared in support of the draft SAP Masterplan (WSP, 2019)². The PSI notes the presence of existing industrial activities within the precinct; however, the area is primarily cleared agricultural land with rural dwellings.

One site in the SAP, the Tasco fuel depot on Bomen Road, has been notified to the EPA and 11 premises hold an Environment Protection License (EPL), the closest to the subject land being the Riverina Oils & Bioenergy plant further east on Trahairs Road. The PSI indicates there are no former licensed activities, gasworks or waste management sites known to have been conducted on the subject land. There are no PFAS investigation areas in the SAP, nor are there any former stock dips as mapped by DPI.

A review of historic aerial imagery as part of the PSI notes that the SAP generally comprised farmland as of 1971. Some dwellings were present along Bomen Road, with orchards located to the west of these. No orchards or other intensive agricultural activities are noted in the PSI to have occurred on the subject land. Over the following decades, industrial development slowly progressed, primarily contained to Bomen Road, with isolated buildings at the former woolcombing site and Vinindex site.

The PSI also conducted a review of Council's contaminated sites GIS layer and associated Council records. The subject land was not identified as a site on Council's GIS layer or other "notable site" in this review.

The PSI identifies the former woolcombing site as a notable site, which is located on the opposite side of Byrnes Road. The PSI notes a clean-up notice was issued in 2011, primarily in relation to two leaking intermediate bulk containers (IBCs); however, this has since been resolved to EPA satisfaction through the capping/removal of IBCs from the site and provision of an Environmental Management Plan as referenced in the clean-up notice. A further clean-up notice was not required to be issued, as initially foreshadowed in the initial notice. The application to surrender the EPL for greasy wool or fleece processing was approved by the EPA in January 2014, which notes the removal of all processing infrastructure from the site. The review of Council GIS and associated records in the PSI notes a contamination assessment in support of a proposed development on the woolcombing site found pesticide and hydrocarbons concentrations in a groundwater monitoring well on the site were well below the laboratory limits of detection.

In relation to former agricultural land, the PSI concluded that potential contamination impacts during construction can be managed through an unexpected finds protocol in a Construction Environmental Management Plan (CEMP).

The PSI concluded there were no potential contamination constraints identified for the subject land and concluded the land would be suitable for Regional Enterprise zoning under the new instrument, as mapped in Appendix A of the PSI, and indicated in the figure on the following page.

¹ *Preliminary Contamination Assessment Dampier Street Bomen*, McMahon Earth Science, 2016.

² *Preliminary Site Investigation Wagga Wagga Special Activation Precinct*, WSP, 2019, <https://www.planningportal.nsw.gov.au/WaggaWaggaSAP>

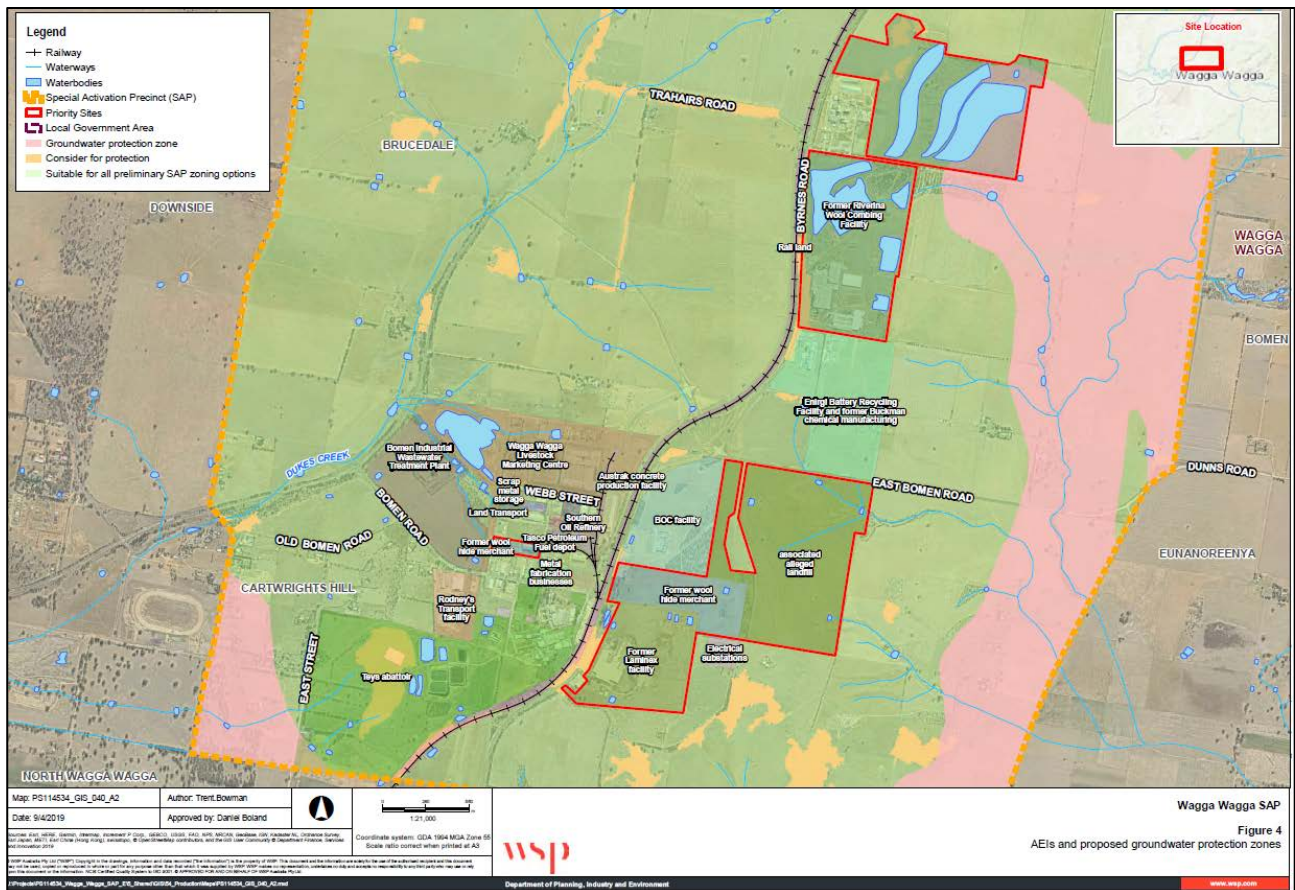


Figure 5-1 Areas of Environmental Interest (WSP, 2019)

5.1.6. Draft State Environmental Planning Policy (Activation Precincts) 2020

A draft Masterplan has been formally exhibited for the Wagga Wagga SAP and it is intended to form a new schedule to the State Environmental Planning Policy (Activation Precincts) 2020 (Activation Precincts SEPP) upon formal adoption.

As indicated in Figure 3-15, the subject land would be zoned as Regional Enterprise, according to the draft SAP Masterplan. The proposed subdivision of the land, to be dedicated to industrial purposes, is consistent with the draft SAP Masterplan and associated Activation Precincts SEPP. The Regional Enterprise zone provides for a wide range of industrial uses that are consistent with the logistics and advanced manufacturing activities that are envisaged for these specialised lots. Future individual applications would need to be consistent with the adopted provisions of the Activation Precincts SEPP at that time.

The principles of the draft Masterplan have been considered in Table 5-2 below.

Table 5-2 Principles of the East Wagga Wagga SAP draft Master Plan

Principle	Response
Economic development <ul style="list-style-type: none"> A nationally significant economic precinct A future-proofed Precinct A strategic approach to managing growth 	<p>The proposed subdivision would contribute to the achievement of this principle by providing for the development of rail-associated industries in conjunction with the RIFL hub, which is a critical component of the SAP as a nationally significant economic precinct.</p>
Place and landscape <ul style="list-style-type: none"> Industry in the landscape 	<p>The proposed subdivision would be located centrally in the SAP allowing for visual screening by other</p>

- **A good neighbour**
- **Quality design**

industry and the rural landscape buffers as indicated in the draft SAP Master Plan. Future development would be required to meet the quality design objectives.

Environment and sustainability

- **Eco-Industrial precinct**
- **Circular economy**
- **Green energy**
- **Water security and quality**

Not relevant at subdivision stage. Future development on individual lots would consider the environmental and sustainability objectives.

Community

- **A connected, green place**
- **Connection to Country**

Works are planned throughout the precinct to provide for connected spaces, care for Country and enhancing landscape character.

Infrastructure and transport

- **Digital connectivity**
- **Integrated utilities**
- **Great access for all modes**

The proposed subdivision would include the provision of high specification utilities connections to each of the proposed lots, ensuring future industrial development has the tools required for high productivity and performance.

5.2. LOCAL PLANNING CONTROLS

5.2.1. Wagga Wagga Local Environmental Plan 2010

The subject land is zoned IN1 General Industrial under the provisions of the Wagga Wagga Local Environmental Plan (LEP) 2010, as indicated in Figure 5-2 below.

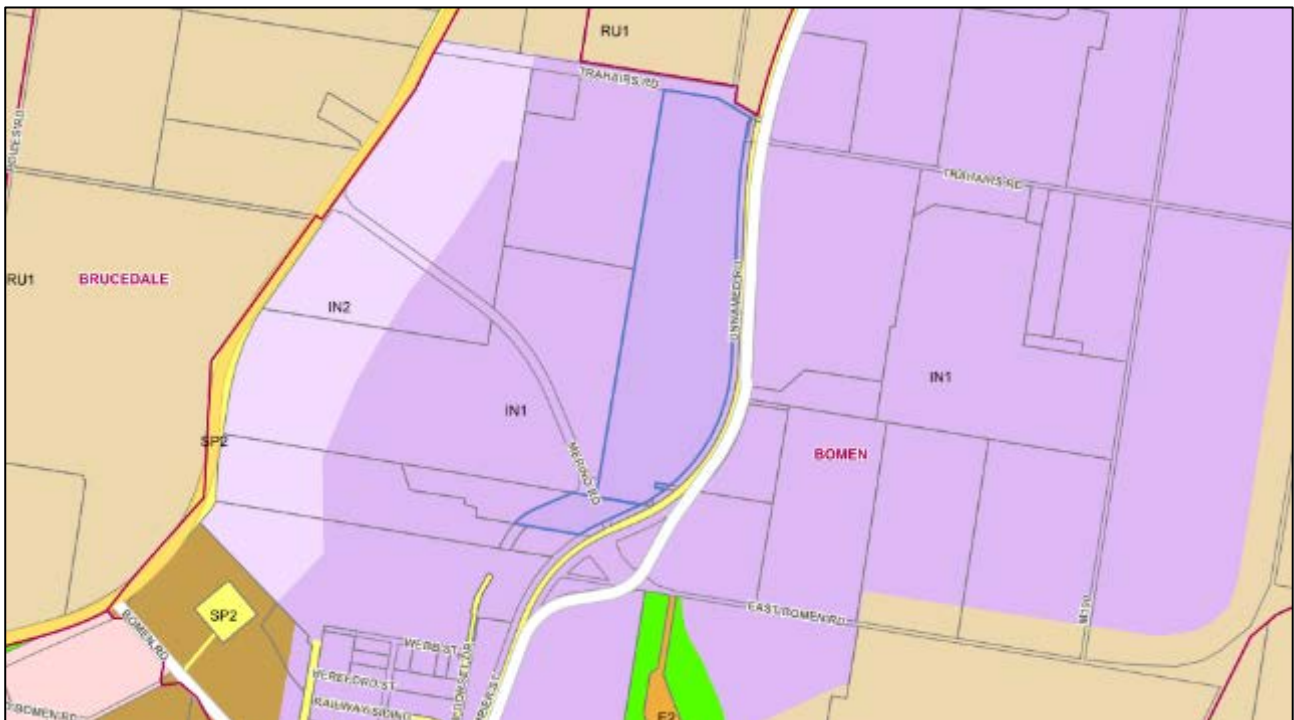


Figure 5-2 Land zoning (Source: WWCC Online Mapping, 2020)

Permissibility of the proposal

The subdivision of land is permitted under clause 2.6 of the LEP. The proposed lots would be dedicated to industrial.

Objectives of the zone

The proposed land subdivision complies with the objectives of the IN1 General Industrial as discussed in the table below.

Table 5-3 LEP 2010 objectives

IN1 General Industrial Zone Objectives	Comment
<i>To provide for a wide range of industrial and warehouse land uses.</i>	The objective is satisfied given the proposal would create 15 new industrial allotments within the Bomen Business Park and SAP, an area that is designated as the preferred location for industrial development within the LGA. The proposed allotments would be of adequate size and configuration to support the type of development that would utilise and benefit from the approved master rail siding.
<i>To encourage employment opportunities.</i>	The objective is satisfied given the proposed subdivision and associated works would provide for construction jobs, and the final subdivision would provide for the establishment of general industrial land uses, thereby facilitating permanent employment opportunities within the SAP and benefitting the LGA.
<i>To minimise any adverse effect of industry on other land uses.</i>	The proposed subdivision would provide for the establishment of industrial land uses, with associated potentially adverse impacts on residential receivers. The subject land is located centrally within the SAP and is considered adequately buffered from residential receivers. Adverse effects are not anticipated, though a thorough assessment of individual industrial uses would occur as part of future applications.
<i>To support and protect industrial land for industrial uses.</i>	The objective is satisfied as the proposal would dedicate the land for industrial purposes.

Clause 5.10 – Heritage Conservation

The proposed development does not include any work within a heritage conservation area or to an item of environmental heritage.

Clause 6.1 – Arrangements for designated State public infrastructure

Council would consult with the Department of Planning, Industry and Environment to confirm any necessary arrangements for designated State public infrastructure for the proposed development.

Clause 6.2 – Public utility infrastructure

The arrangements for public utility infrastructure are outlined in Section 4 of this report.

Clause 6.3 – Development control plan

A Development Control Plan (DCP) is in place for the subject land, under Section 13 of the WWDCP 2010. The controls for the DCP are discussed later in this report.

Clause 7.1A - Earthworks

Bulk earthworks have been approved under the previous REFs approved by Council.

Clause 7.2 – Flood planning

As discussed previously in section 3.6.2 of this report, the subject land is not mapped as flood prone land.

Clause 7.3 – Biodiversity

Parts of the subject site are mapped as having biodiversity sensitivities, as indicated in Figure 5-3 below.

Some vegetation removal, infrastructure and earthworks within the biodiversity sensitive area has been approved under previous REFs approved by Council. The proposed subdivision is not considered to result any notable adverse impacts on a native vegetation community, habitat of threatened species, wetlands.

No works are proposed to the Trahairs Road corridor as part of the proposed development, therefore impacts on its function as a habitat corridor would not occur. A 0.3 hectare public reserve is proposed to be dedicated to Council as part of the proposed development to provide for future habitat enhancement of Trahairs Road.



Figure 5-3 Terrestrial Biodiversity LEP Map of the subject land and surrounds (Source: WWCC Online Mapping)

Clause 7.4 – Vulnerable Land

The subject land is not mapped as ‘vulnerable land’ on the Vulnerable Land LEP Map.

Clause 7.5 – Riparian land and waterways

The subject land is not mapped as containing riparian land and waterways on the Water Resource LEP Map.

Clause 7.6 – Groundwater vulnerability

The subject land is not mapped as ‘groundwater vulnerable’ on the Water Resource Map.

Clause 7.9 – Primacy of B3 Commercial Core

The proposed development relates to the subdivision of land for industrial purposes, within an area zoned IN1 General Industrial. It is considered the proposed development would not impact on the primacy of Zone B3 Commercial Core as the principal business, office, and retail hub of Wagga Wagga.

5.2.2. Wagga Wagga Development Control Plan 2010

The Wagga Wagga Development Control Plan (DCP) 2010 contains provisions relevant to the proposed development. The provisions, relevant to the proposed land subdivision are discussed in the table on the following page.

Table 5-4 Relevant DCP 2010 Provisions

Development Control Plan – Consideration of Relevant Clauses	
Section 1 - General	
Guiding Principles GP1 Sustainability, climate change management, and efficient use of resources GP2 Site responsive development GP3 Design quality GP4 Quality public domain	<p>The proposed development is consistent with the principles contained in Section 1 of the DCP given the proposal would make efficient use of resources to achieve the highest and best use of the land, dedicated to industrial development and specifically reserved for rail-associated industry.</p> <p>The proposal responds to the features and opportunities of the site and immediate surrounds to provide a sustainable outcome that will drive economic growth.</p> <p>The proposed development includes environmental controls to avoid or mitigate adverse environmental outcomes.</p>
Section 2 – Controls that apply to all development	
Clause 2.1 Vehicle access and movement	
C1. Access should be from an alternative secondary frontage or other non-arterial road where possible. C2. A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development. C3. Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it. C4. Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development. C5. Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application. C6. Ensure adequate sight lines for proposed driveways.	<p>C1. Byrnes Road and Merino Road are classified as sub-arterial roads and Dorset Drive is classified as a collector road according to the draft SAP Transport and Traffic Plan. However, future development would be restricted so vehicular access was not provided from Merino Road as outlined earlier in this report.</p> <p>C2. The development site is well-served by surrounding main thoroughfares. The draft SAP Transport and Traffic Plan indicates that upgrades within and around the SAP would not be required prior to 2030. Further detail regarding road layouts, hierarchy and any requirement for upgrades would be identified in the Stage 1 Delivery Plan under the SAP Masterplan. The accompanying swept path analysis indicates the intersection of the RIFL Access Road and Road No. 1 can cater for A-Double and B-Triple turning movements. It is considered further traffic assessment is not required in support of the development application.</p> <p>C3. Consistent. The proposed lots would be a minimum of 2.5 hectares, which is considered a sufficient size to allow vehicles to enter and leave an individual site in a forward direction. The DCP considers lots of approximately 2000-3000sqm could achieve this as a minimum.</p> <p>C4. Consistent. The proposed industrial allotments are of sufficient size to support loading and unloading activities within the bounds of the site.</p>

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| | <p>C5. Not relevant as no access driveways are proposed with this subdivision at this time.</p> <p>C6. As above.</p> |
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Clause 2.2 Off-Street parking

Not relevant as the proposed development relates only to industrial subdivision. The requirement to provide off-street parking will be assessed as part of a further applications for industry on the proposed allotments. The lots are adequately sized to support the necessary requirement for off-street parking.

Clause 2.3 Landscaping

Not relevant as the proposed development relates only to industrial subdivision. The requirement to provide site landscaping will be assessed as part of future applications for industry on the proposed allotments.

Clause 2.4 Signage

Not relevant as signage is not proposed with the subdivision.

Clause 2.5 Safety and security

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| <p>C1. Use good site planning to clearly define public, semi-public and private areas.</p> <p>C2. Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.</p> <p>C3. Minimise blank walls along street frontages.</p> <p>C4. Avoid areas of potential concealment and 'blind' corners.</p> <p>C5. Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.</p> <p>C6. Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.</p> | <p>C1. Public, semi-public and private areas would be defined by visual cues such as the roadway, kerb and gutter, nature strips and the like. Future development would reinforce and add to these visual cues to delineate private areas within the lots.</p> <p>C2-C8. Not relevant to the proposed subdivision. These components would be defined through considered design of future industrial buildings and individual layouts of industrial sites.</p> |
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- C7.** Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility.
- C8.** Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.

Clause 2.6 Erosion and Sediment Control Principles

Consistent. Any works proposed as part of the subdivision of land would incorporate the management of soil and erosion risks within the subject land.

Clause 2.7 Development adjoining open space

Not relevant as the proposed subdivision does not adjoin public open space.

Section 7 Subdivisions

Clause 7.3 Industrial subdivision

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| <p>C1. An acceptable minimum lot size for industrial development is considered to be 2000m² with a minimum frontage of 30m.</p> <p>C2. For industrial lots in excess of 3000m² with a single street frontage a minimum frontage of 40m is required. Where larger lots are located on a dual street frontage a minimum frontage is required to both streets.</p> <p>C3. Variations can be considered to the minimum lot size and frontage requirement where it can be demonstrated that the resulting development achieves a reasonable impact on the site and can satisfy the site and amenity considerations of this Section.</p> | <p>C1. Consistent. All proposed lots have an area exceeding 2,000sqm and frontage exceeding 30 m.</p> <p>C2. All proposed lots have a minimum frontage exceeding 40 metres.</p> <p>C3. Not relevant as no variation is requested or required.</p> |
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Section 13 Bomen Urban Release Area

Clause 13.4 Site topography and landscape character

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| <p>C1. Retain existing vegetation along the Olympic Highway and Byrnes Road and along creek lines and all other treed locations indicated on the Bomen Site Topography and landscape character plan.</p> | <p>C1. Consistent. The proposed subdivision would not impact existing vegetation along Byrnes Road and other locations identified on the DCP map.</p> <p>C2. The area of development does not include any prominent ridgelines identified in the DCP, but does include an elevated area. Future development would need to</p> |
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<p>C2. Protect ridgelines as visual features of Bomen. Ridgelines at all times, are to remain visible above the topmost ridge of all new buildings, when viewed from any point along the eastern boundary of the Bomen Urban Release Area.</p> <p>C3. Roads and pathways should generally run along the contours of the land and generally perpendicular to the contour where the land is steeper.</p> <p>C4. Development Applications shall include management and mitigation information for land identified in the LEP as environmentally sensitive.</p> <p>C5. Development with large building footprints should be sited on flatter land to avoid excess cut and fill. 3D modelling including view corridors will be required for development applications for sloping land with a gradient of over 10 percent.</p>	<p>preserve views to ridgelines; however, the development of the subject land would not compromise views to ridgelines from vantage points on the eastern boundary of the Bomen URA.</p> <p>C3. The proposed road runs perpendicular to the contours generally, given the land is quite undulating.</p> <p>C4. The subject land does not include land identified as environmentally sensitive in the LEP.</p> <p>C5. Not relevant at this stage.</p>
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Clause 13.5 Distribution of land uses

<p>C1. Development Applications shall respond to the distribution of uses proposed in the Bomen Precinct Plan.</p> <p>C2. It is preferred that the eastern side of Byrnes Road will contain larger lots (> 5Ha) (see Subdivision Design Principles Diagram. Figure 12) and that “cleaner” developments locate in that area.</p> <p>C3. It is preferred that heavier industry locates on the land west of Byrnes Road, which can accommodate a variety of lot sizes.</p>	<p>C1. Consistent. The proposed development would provide lots of a size and configuration that suits the type of industry envisaged within the IN1 General Industrial zone and the SAP.</p> <p>C2. The subject land is located to the west of Byrnes Road.</p> <p>C3. Consistent. The proposed subdivision would support heavier industry that would rely on and benefit from direct access to RIFL Terminal.</p>
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Clause 13.6.1 Location of major infrastructure corridors

<p>C1. Maintain existing easements for infrastructure, as shown in the Bomen Precinct Plan Map.</p> <p>C2. New infrastructure shall be located in major road corridors except for Trahairs Road</p> <p>C3. Subdivision can only be considered where there are appropriate arrangements for servicing (electricity, gas, water, sewer and communications).</p> <p>C4. The developer shall be responsible for providing reticulated mains sewer supply to allotments, including associated pump stations, to the satisfaction of Council.</p> <p>C5. Developers should discuss expected water usage with Riverina Water County Council at an early stage of project planning, as there may be</p>	<p>C1. The existing overhead powerlines are proposed to be relocated and the associated easements would be modified.</p> <p>C2. New infrastructure would be contained within and adjacent to the proposed roadway.</p> <p>C3. The proposed subdivision has been discussed with utility providers and high-capacity connections would be provided as outlined in Section 4 of this report. Utilities would be provided to the satisfaction of service providers prior to the registration of the subdivision. Gas is not proposed to be connected at this time, as outlined in Section 4 of this report.</p> <p>C4. The proposed subdivision includes the provision of sewer connections to each proposed industrial lot as outlined in Section 4 of this report.</p>
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restrictions of supply due to existing infrastructure capacity or topography. Development is not permitted over the utility corridor that accommodates the water supply main.

C6. Developers should refer to the Precinct Plan Map for sewer servicing planning. Detailed sewer design plans for each stage of subdivision must be submitted with the development application for that stage of subdivision.

C7. Developers should consult with Telstra to determine telecommunications requirements. Costs for providing communications infrastructure will be shared between Telstra and the developer.

C8. Gas supply depends on the type of industry that establishes in Bomen. Developers should consult with Country Energy Gas in relation to gas supply.

C9. Developers shall supply load applications to Country Energy to determine specific electrical requirements. Where sites are serviced by existing overhead 11kV electrical mains the proponent should consult with Country Energy to determine the opportunity for these lines to be placed underground. Developers are encouraged to discuss timing of placement of underground cables in order to reduce costs.

C10. Use existing available land for the purposes of a corridor to provide services and service road (refer to Proposed Road Location and Hierarchy diagram Figure 6).

C5. Consistent. The proposed development has been discussed with Riverina Water and should be able to be serviced from the East Bomen Reservoir. Further detailed design cannot be progressed by Riverina Water until development consent is available.

C6. The accompanying application is supported by the concept sewer servicing plans.

C7. Consistent. NBN fibre connections would be provided to each proposed industrial lot.

C8. Consistent. Council has discussed expected gas usage with APA Group and no limitations were identified. The proposed development does not include the provision for gas supply to industrial lots, refer to further details in Section 4 of this report. It is intended to encourage the use of renewable and decarbonised energy including solar and hydrogen.

C9. Consistent. Underground high voltage electricity would be connected to each proposed industrial allotment. It is considered necessary that these lots are provided with such a connection, given the anticipated high-productivity industries that these specialised lots would be made available. It is critical that a DA condition be applied in this regard, to ensure the necessary information can be obtained from Essential Energy and the required capacity provided.

C10. Services would include capacity for connection to future development to the west of the subject land.

Clause 13.7 Sewage and effluent disposal

C1. The developer shall be responsible for providing reticulated mains sewer supply to allotments, including associated pump stations, to the satisfaction of Council.

C2. Sewerage and Drainage provision should be installed in accordance with: Appendix A of Part 2 "Service Areas" of the City of Wagga Wagga Development Servicing Plan for Sewerage 2007, where this plan is applicable, and; the map appendix A included in Part 2 Service Area of the City Of Wagga Wagga Development Servicing Plan (DSP) for Sewerage 2007, covers the Bomen Urban Release Area.

C3. The map in Appendix C included in Part 2 "Areas of land to which this Policy applies" of the City of Wagga Wagga Development Servicing Plan (DSP) for Drainage 2007 cover the Bomen Urban Release Area.

C1. Consistent. Sewer mains would be extended to serve each proposed industrial lot, as indicated by the accompanying concept sewer servicing strategy.

C2. Consistent. The subject land falls within the area identified as subject to the DSP for Sewerage.

C3. Consistent. The subject land falls within the area identified as subject to the DSP for Drainage.

Clause 13.8 Location of principal internal movement linkages

<p>C1. The preferred road hierarchy and layout for Bomen is shown in the Proposed Road Location and Hierarchy diagram. Applications for subdivision should respond to this plan.</p> <p>C2. Road design shall be suitable for potential future use by B-triple vehicles.</p> <p>C3. The Bomen area shall include service facilities, driver facilities and rest areas, and areas for the standing of and uncoupling of large vehicles.</p> <p>C4. A maximum of one additional road access point from the Olympic Highway into Bomen between Bomen Road and Trahairs Road.</p> <p>C5. Development is not to have an active frontage with direct access onto the Olympic Highway. All access should be to internal roads. (see diagram opposite).</p> <p>C6. New industrial development shall be designed with vehicular access from internal roads only and not require access to the Olympic Highway to move within the estate.</p> <p>C7. Provision of an internal north-south road to avoid traffic using the Olympic Highway as a link between different parts of Bomen.</p> <p>C8. Carriageway and intersection widths should reflect road status and purpose.</p>	<p>C1. The proposed new road layout is generally consistent with the Proposed Road Location and Hierarchy Map of the DCP. The RIFL Access Road is indicated on the map and proposed Road No. 1 would provide road access to lots along the proposed master siding as indicated as a “possible siding” in the DCP.</p> <p>C2. The proposed new roads and cul-de-sacs have designed to cater for B-Triple vehicles, as outlined by the swept path analysis that accompanies the application.</p> <p>C3. The proposed subdivision does not intend to include the facilities at this time. It is understood a strategy is being developed as part of the SAP Masterplan and Delivery Plan.</p> <p>C4. Not relevant as the subject land does not have direct access to the Olympic Highway.</p> <p>C5. As above.</p> <p>C6. As above.</p> <p>C7. As above.</p> <p>C8. The proposed new road would exceed the industrial standards contained within Council’s Engineering Guidelines. A wider road reservation would be provided for proposed Road No. 1 as outlined in Section 2 of this report.</p>
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Clause 13.8.1 External site linkages

<p>C1. Applications for subdivision should show connection to arterial roads, as well as respond to and integrate with the road layout established in earlier stages of development and to the proposed road hierarchy for new development.</p> <p>C2. Development applications may require detailed traffic study to investigate and provide solutions to potential traffic generation impacts on the existing and proposed road network. Particular attention to the Olympic and Sturt Highways and Eunony Bridge Roads will be required, the traffic study should determine the anticipated traffic generation created by the estate and the various staging within the estate and define the required works and the critical stage at which such works are warranted to be undertaken.</p> <p>C3. The proposed additional intersection with the Olympic Highway shall be designed and constructed as a grade separated interchange, suitable for B-</p>	<p>C1. Consistent. The subdivision layout responds to the established road layout provided as part of the Bomen Enabling Roads project. The proposed allotments would be accessed from roads other than Merino Road, with proposed Road No. 1 connecting to the RIFL Access Road.</p> <p>C2. As outlined earlier in this report, the development site is well-served by surrounding main thoroughfares. The draft SAP Transport and Traffic Plan indicates that upgrades within and around the SAP would not be required prior to 2030. Further detail regarding road layouts, hierarchy and any requirement for upgrades would be identified in the Stage 1 Delivery Plan under the SAP Master Plan. The accompanying swept path analysis indicates the intersection of the RIFL Access Road and Road No. 1 can cater for A-Double and B-Triple turning movements. It is considered further traffic assessment is not required in support of the development application.</p>
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triple access. Funding and staging of this interchange shall be discussed and agreed between Council, the Roads and Traffic Authority and developers as part of the Development Application process.

C3. Not relevant as the subject land does not have direct access to the Olympic Highway.

Clause 13.8.2 Rail

C1. Land adjacent to the railway, generally 450m to 750m in width measured from the railway line, is identified for transport related facilities and industries requiring access or proximity to the railway, as shown in the Bomen Railway and Landscape Buffer Plan. Only developments requiring and utilising rail directly will be allowed adjacent to the rail corridor. This control only applies to greenfield sites within the designated area, There are a number of existing sites that have already been developed which maintain existing use status.

C2. Generally these areas are required for activities such as:

- loading and unloading of freight and containers
- storage and repair of containers
- servicing of and repairs to locomotives and rolling stock
- warehousing
- heavy vehicle servicing and parking
- transport and rail-dependent industries

C3. Developers requiring rail access shall consult with the relevant rail infrastructure provider as part of preparing any Development Application relating to the land.

C1. Consistent. The proposed subdivision has been designed to cater to industries that would directly rely on and benefit from access to the proposed RIFL Terminal and associated rail siding.

C2. Consistent. As above.

C3. Consistent. Restrictions would be in place to ensure future industries establishing upon these specialised lots are genuinely rail dependent or related. The lots will benefit from access to the rail siding, by agreement with Council and the RIFL Terminal operator.

Clause 13.9 Land release and subdivision staging

C1. Land release in Bomen shall occur in accordance with the Indicative Industrial Release Area Staging diagram.

C2. Where development proposals seek to extend infrastructure through undeveloped land, this extension will be the responsibility and at the cost of the developer.

C1. Consistent. The proposed subdivision is within land identified as Stage 1 in Industrial Release Area Staging Map in the DCP.

C2. Consistent. All infrastructure would be provided by the proponent.

Clause 13.10 Environmental conservation, biodiversity and natural resource management

C1. A development application for:

- land containing the Yellow Box Woodland remnant along the Trahairs Road road reserve west of Byrnes Road as identified in Figure 14 of the “Biodiversity Certification Report”;
- the larger areas of low conservation value treed native vegetation as identified in Figure 14 of the “Biodiversity Certification Report”; and,
- any low conservation value treed native vegetation within the mapped (biodiversity) sensitive area shown on the Natural Resources Sensitivity Map – Biodiversity, shall be accompanied by a draft management plan which will not only provide for protection but also for revegetation of the perimeter areas of the Bomen industrial zones with the multiple objectives of management for visual impact mitigation, assistance in the management of surface water runoff, acoustic protection and biodiversity offsetting and enhancement.

C2. Trees within the area referred to in C1 are to be protected in accordance with a conservation management plan, prepared by a qualified ecologist and approved by Council.

C3. Revegetation of the area referred to in C1 is to be undertaken in accordance with a management plan approved by Council.

C4. Ridgelines identified in Figure 4 to be preserved as a landscape buffer.

C1. A draft management plan, or other relevant details that may be required by the future Stage 1 Delivery Plan, would be provided with the construction certificate for the proposed development, given that the draft SAP Masterplan indicates an intention to enhance this area. Proposed Lot 17 is to be dedicated to Council for the purpose of enhancing the Trahairs Road corridor.

C2. No further tree removal is proposed with this application.

C3. As above. Revegetation would be carried out in accordance with any requirements of the forthcoming Stage 1 Delivery Plan and SAP Masterplan once adopted.

C4. As outlined above, the subject land comprises elevated land but does not comprise the significant ridgelines identified in the DCP.

Clause 13.11 Stormwater drainage

C1. Provide stormwater detention facilities to capture rainwater and surface runoff to ensure post development flows do not exceed pre-development flows, for storm events up to and including the 1 in 100 year storm event.

C2. All new and existing roads will be required to have collector pits and an underground pipe system to carry water to the discharge point for each lot. Interallotment drainage will also be required to collect drainage from higher lots and avoid uncontrolled discharge onto lower lying properties.

C3. Developers proposing subdivision involving a variety of lots shall design lots to allow for appropriate stormwater management by means of, either kerb and gutter or swale drainage.

C1. Consistent. Stormwater management measures are proposed in support of the development and are indicated on the accompanying plans. Stormwater would be managed to ensure peak discharge does not exceed pre-development flows. Subject to detailed stormwater drainage design at construction certificate stage, there may be a requirement for on-site stormwater detention within the industrial lots. Consultation with Council’s Infrastructure section and with RGDC is ongoing.

C2. The proposed roads include the provision of collector pits and underground mains. Inter-allotment drainage is not required as each of the proposed lots would drain to the street.

C3. As above.

C4. Developers will be required to manage stormwater resulting from the development. Preferred solutions for managing stormwater include:

- Developers shall provide details of their stormwater management plan at the time of submitting a development Application.
- Collection of stormwater by rainwater tanks for re-use onsite is preferred.
- Surface water runoff may be required to be collected and treated onsite.
- Broadacre development is suitable for swale stormwater management. Small, intense development will require kerb and gutter stormwater management.

C5. Each lot is to incorporate a range of water sensitive urban design measures to achieve the nominated water quality targets.

C6. Stormwater runoff from communal areas is to be treated through communal water sensitive urban design measures to achieve the nominated water quality targets.

C4. Consistent. As outlined above, stormwater management measures are proposed in support of the development and are indicated on the accompanying plans. Reticulated stormwater mains, kerb and gutter and detention basins would be provided as part of the development.

C5. The future development of the proposed lots would require consideration of water sensitive urban design under future applications.

C6. No communal facilities are proposed at this time.

Clause 13.11.1 Water conservation

C1. Development should include the provision of rainwater collection measures for reuse onsite.

C1. Detailed stormwater calculations would be provided with the construction certificate for the proposed development, which would determine any requirement for on-site stormwater detention within the industrial lots. Consultation with Council's Infrastructure section and with RGDC is ongoing.

Clause 13.12 Heritage conservation

C1. Proponents are to comply with the provisions of the NPW Act 1974 with respect to Aboriginal cultural heritage.

C2. Prior to the commencement of development within the Bomen Urban Release Area further investigations of PADS and areas of high or moderate sensitivity as shown on the Heritage Plan, are required at the development assessment stage, to identify whether or not Aboriginal objects are present. Such investigations must comply with the provisions of the National Parks and Wildlife Act 1974.

C3. Proposals must be designed to avoid harm to Aboriginal objects and/or Aboriginal places by designating the areas where they are located and

C1. Consistent. Previous cultural heritage assessments have surveyed for Aboriginal sites and potential areas of deposit, and it is considered no further assessment is required.

C2. Further assessment has been conducted as outlined in Section 3.5.1 of this report.

C3. There are no existing Aboriginal objects or places within the subject land.

C4. Consultation with Aboriginal parties was carried out as part of the ACHA in accordance with the relevant guidelines.

C5. Not relevant as no harm to Aboriginal objects or places is proposed.

appropriate buffers as open space and documenting proposed management practices to ensure the conservation of those objects and/or places.

C4. Satisfactory consultation is to be carried out with Council and Aboriginal stakeholders to confirm the proposed method of management for areas containing Aboriginal objects and/or Aboriginal Places.

C5. Council must be provided with documented justification where proposals cannot avoid harm to Aboriginal objects and/or Aboriginal Places.

C6. Where harm to Aboriginal objects and/or Aboriginal Places is proposed, the development will be 'Integrated Development' under section 91 of the Environmental Planning and Assessment Act 1979 and necessary approvals must be obtained from DECCW in accordance with the NPW Act prior to Council determining the development application.

C7. A member of the Wagga Wagga Local Aboriginal Land Council or other Aboriginal stakeholder group must be invited to supervise works carried out in proximity to an Aboriginal object, Aboriginal place, or other site with Aboriginal cultural heritage values.

C6. As above.

C7. Aboriginal parties participated in the fieldwork for the ACHA, in accordance with the relevant guidelines.

13.13.2 Odour

C1. Uses located within 400 metres of residential land are to be limited to those emitting minimal or no odour compatible with adjoining residential/rural residential land uses.

C2. Developments that have processes, inputs and outputs that are likely to generate significant or offensive odour will be required to undertake an odour modelling and assessment process to ascertain the impact of such odours on sensitive receptors and to outline measure to minimize and mitigate against such odours.

Not relevant as the proposed development relates only to the subdivision of land. There are no odour-generating activities proposed as part of the subdivision. Any industries that would potentially generate odour would need to comply with the odour limitations outlined in the draft SAP Masterplan.

13.13.3 Noise

C1. New noise sensitive uses should be located away from potential noise sources, such as road and rail.

C1. Not relevant as the proposed development relates only to the subdivision of land. The proposed lots would have direct access to the approved main rail siding and as such all potential land uses would be compatible with and require access to the rail network. New noise sensitive uses are not proposed.

13.13.4 Contamination

C1. Development Applications shall include an assessment of the potential contamination of the development site, and details of measures to address any contamination identified.

C1. As detailed in Section 5.1.5, the subject land has been used for extensive agriculture only (confirmed by historic aerial imagery from 1966 onwards). It is considered that the likelihood of contamination is minimal and would not be incompatible with the proposed use of the land for industrial purposes. A PSI prepared for the SAP precinct did not indicate any contamination constraints affecting the subject land and concluded the land would be suitable for Regional Enterprise zoning under the new instrument.

13.14.2 Topography, views and setting

C1. Lot orientation, size and frontages should be suitable to accommodate energy efficient development, required setbacks, landscaping, vehicle movement and parking. Consideration should be given to maximising lot orientation to take advantage of solar orientation in gaining thermal efficiencies. Subdivision layouts will reflect consideration of sewer and drainage servicing, topography, legibility, safety and security, functionality and utilities.

C2. Maintain existing mature trees where possible or provide a reasonable strategy for replanting mature specimens in the subdivision.

C3. It is preferred that subdivision east of Byrnes Road be restricted to lots greater than five (5) hectares to reduce runoff, allow onsite stormwater management and mitigate the impact of development on adjoining rural land uses.

C1. Consistent. It is considered that the proposed lots are of sufficient area to accommodate the likely type of industrial development and supporting infrastructure such as loading areas, carparking, landscaping and adequate setbacks.

C2. Consistent. No tree removal is proposed under this application.

C3. Not relevant as the proposed subdivision is to the west of Byrnes Road.

13.14.3 Design for use and accessibility

C1. Neighbourhood road networks are to maximise connectivity. Avoid long roads with few connecting side streets that reduce the ability to readily access the area. New local roads shall link with the Internal Roads Map with details of proposed bus routes to service the business to be provided by the developer and agreed by Council prior to development approval.

C2. Connect to the existing street network and adjoining neighbourhoods.

C3. Shared paths, located on both sides of collector roads (Byrnes Rd and the major east west arterial annotated as 1 on the proposed road location and hierarchy sketch) and constructed in accordance with Council's standards, are

C1. The proposed layout is generally consistent with the Proposed Road Location and Hierarchy Map of the DCP. The RIFL Access Road is indicated on the map and proposed Road No. 1 would provide road access to lots along the proposed master siding as indicated as a "possible siding" in the DCP. Future connections to Road No. 1 can be easily made available if determined to be required according to the Stage 1 Delivery Plan under the SAP Masterplan.

C2. Consistent. Proposed Road No. 1 would connect to approved RIFL Access Road and further to the existing roundabout on Merino Road as intended.

to be provided to service the development, and constructed by the developer at the same time as the roads.

Shared paths - at least 2.5m in width

C4. Avoid cul-de-sac roads in locations where the dead end would limit links through the estate.

C5. Roads shall be located predominantly along the contours of the land to assist with stormwater containment and management.

C3. Not relevant as no collector roads are proposed at this stage.

C4. The proposed subdivision would provide a cul-de-sac road; however, this has long been the intended design for the subdivision of existing Lot 11. Further investigation to determine the future of Trahairs Road is currently underway as part of the finalization of the SAP Masterplan and preparation of the Stage 1 Delivery Plan. Proposed Road No. 1 can remain as a cul-de-sac, or if required and determined to be the most desirable outcome, can be extended north or west. Future connections to Road No. 1 can be easily made available if determined to be required according to the Stage 1 Delivery Plan under the SAP Masterplan. The design is flexible and accommodating, while prioritising the necessary creation of lots to support the RIFL Terminal in the short term.

C5. The proposed road runs perpendicular to the contours generally, which is necessary given the land is quite undulating. The management of stormwater would adequately respond to this road layout and associated runoff patterns.

13.15 Industrial development

Not relevant as the proposed development relates to the subdivision of land only. Future development would be assessed under separate future applications.

5.3. OTHER RELEVANT SECTION 4.15 MATTERS FOR CONSIDERATION

Section 4.15 of the *Environmental Planning and Assessment Act 1979* states that in determining a development application, a consent authority is to take into consideration other relevant matters. These matters are listed in the table below.

Table 5-5 Relevant Section 4.15 matters

Other relevant Section 4.15 matters for consideration	
<ul style="list-style-type: none"> <i>any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority.....:</i> 	The land is subject to the draft SAP Masterplan intended to be formally adopted for the Activation Precincts SEPP.
<ul style="list-style-type: none"> <i>any planning agreement.....:</i> 	There are no known planning agreements applicable to the development proposal.
<ul style="list-style-type: none"> <i>the suitability of the site for the development...:</i> 	Based on the evidence provided and discussions in this report, the site is considered suitable for the proposed development. The proposed development is consistent with a long-held vision for the subject land and surrounding area. The proposed lots would be closely related to the functions of the RIFL hub and will drive economic growth for the region.
<ul style="list-style-type: none"> <i>any submissions.....:</i> 	Council will undertake appropriate public consultation and consider any submissions as a result of public notification.
<ul style="list-style-type: none"> <i>the public interest.....:</i> 	<p>The public interest is supported with this application as the proposal is in accordance with the publicly endorsed planning policies and guidelines.</p> <p>The proposed development accords with the LEP provisions.</p> <p>The proposed development will allow compatible and sustainable development on the site as envisioned by the draft SAP Masterplan.</p> <p>The proposed development will contribute to the critical first stages of the SAP development, which will drive regional economic growth.</p>

6. ENVIRONMENTAL ASSESSMENT

Table 6-1 Statement of Environmental Effects

Primary Matters	Likely Impacts	Safeguards and Mitigation Measures
Context and Setting	<p>Positive. The proposed development is consistent with the principles contained in the DCP given the layout design has considered the local environment and responds to the context of the site.</p> <p>The land is zoned for industrial use and the proposed subdivision layout and lot sizes would be compatible with the vision for this precinct.</p>	No specific measures were considered required.
Privacy, Views and Sunlight	<p>Acceptable. The proposed allotments are generously proportioned to accommodate energy efficient industrial development, required setbacks and landscaping.</p> <p>The proposed lots would be located centrally within the SAP and adequately buffered from sensitive receivers in the surrounding area. No impacts on residential privacy and solar access would occur.</p>	No specific measures were considered required.
Access and Traffic	<p>Minimal. The subject land is adequately supported by existing major thoroughfares and the subdivision would not create unintended traffic impacts on the surrounding area. Proposed Road No. 1 can accommodate A-Double and B-Triple vehicles.</p> <p>The proposed lots are also of adequate size and width to facilitate loading/unloading, access and turning movements and ensure the continued safety and efficiency of the existing road network.</p>	No specific measures were considered required.
Infrastructure	<p>Positive. The proposed industrial lots would be connected to essential services. Preliminary talks with utility providers did not identify any fundamental constraints. Further detailed design can only be progressed by the providers once development consent is available.</p>	No specific measures were considered required.
Heritage	<p>An ACHA has been completed for the subject land and surrounds previously. There are no Aboriginal objects present on the land and no further assessment is necessary.</p>	No specific measures were considered required.
Construction	<p>Minimal. All work would be designed and constructed in accordance with Council's engineering guidelines.</p>	Minimise any interruption to the surrounding road network. Ensure

Statement of Environmental Effects
Riverina Intermodal Freight and Logistics (RIFL) Industrial Subdivision

	Construction work would be managed with minimal nuisance to the surrounding road network and undertaken only within approved construction hours.	traffic controls are provided as required.
Land Resources	Positive. The proposal will allow for the creation of additional allotments that will provide for industrial development within the SAP. The proposed lots would cater for specific industry that would rely on and benefit from the RIFL Terminal and associated siding.	No specific measures were considered required.
Soil and Water	Minor. Bulk earthworks have been approved as part of previous REFs (NGH, 2020). However, soil and erosion controls would be implemented during the construction phase of the subdivision to avoid any adverse impacts.	Maintain vegetative cover where possible and implement soil and erosion control measures during the construction phase.
Air and Micro-climate	Nil. Potential air and microclimate impacts associated with industrial development would be assessed with future individual applications. The draft SAP Masterplan provides controls for the management of odour impacts within the precinct and provides certainty to stakeholders.	No specific measures were considered required.
Noise and Vibration	Minimal. Potential acoustic impacts associated with industrial development would be assessed with future individual applications. The draft SAP Masterplan provides controls for the management of acoustic impacts within the precinct and provides certainty to stakeholders.	No specific measures were considered required.
Flora and Fauna	Minor. Vegetation clearing has been approved as part of previous REFs. No further impacts are proposed with this application. A 0.3 hectare reserve adjoining Trahairs Road is proposed to be dedicated to Council for the purpose of future enhancement and habitat connectivity works.	No specific measures were considered required.
Waste	Nil. Any construction waste would be recycled or disposed of as appropriate by the civil works contractor.	Where possible, design cut and fill to be balanced across the proposal site to reduce excess spoil volumes.
Land Hazards	Nil. The subject land is not flood or bushfire prone. No proposed works would increase land hazard risk to the site.	No specific measures were considered required.
Contaminated Land	Minor. The subject land is not on the list of Contaminated Sites notified to the NSW EPA. Consultation with Council's Strategic Planning section indicated the subject land is also not listed on Council's Contaminated Lands Register. The subject land was historically used	Not applicable.

	for agricultural purposes (extensive agriculture only) and any minor residual contamination would not be incompatible with the proposed use of the land for industrial purposes. A PSI prepared for the SAP precinct did not indicate any contamination constraints affecting the subject land and concluded the land would be suitable for Regional Enterprise zoning under the new instrument.	
Social Impacts	Positive/significant. The public interest is supported by the development, which will provide substantial social and economic benefits through the provision of industrial allotments and employment opportunities in close proximity to the approved master rail siding. The development forms part of the Special Activation Precinct, which will drive regional economic growth and provide significant employment lands for the city and wider region. The proposal development is intended to predominantly attract value-add industries, building on the key strengths and competitive advantages of the region.	Not applicable.
Economic Impacts		Not applicable.
Cumulative Impacts	Minimal. The proposed subdivision would have no identifiable adverse impacts on the surrounding area and all potential cumulative impacts from the development of the precinct has been addressed in the Planning stages for the precinct.	No specific measures were considered required.

7. CONCLUSION

This Statement of Environmental Effects (SEE) has been prepared to support a Development Application seeking Council's consideration for a proposed industrial subdivision of land at 177 Merino Road, Bomen.

The proposed subdivision would create 15 new industrial lots within the Bomen Business Park and Wagga Wagga SAP. The proposal supports the strategic vision for the precinct, to cater for high-performing, advanced manufacturing and logistics industry. The lots would support sustainable, quality industrial development, with vehicular access and sufficient area for loading, parking, storage, landscaping, stormwater management and setbacks.

The proposed development includes the construction of a new road and provision of essential services and utilities. As outlined in this report, enabling works for the subdivision have been considered in previous REFs prepared for the RIFL Terminal, siding and associated development and have been approved by Council under those previous assessments.

The proposed development is located centrally within the Bomen Business Park and therefore, buffered from sensitive receivers. The subject land is largely free of complex environmental constraints. This report introduces controls to manage and mitigate potential impacts on the local environment and it is considered that the proposed development would avoid adverse outcomes.

The public interest is supported by the proposed development, given its contribution to the development of the SAP, a key economic driver for the future of the region. The proposal also supports the functions of the RIFL Hub and contributes to its development and future growth.

The SEE demonstrates that the proposed development would comply with the relevant provisions of the *Environmental Planning and Assessment Act 1979*, and the Wagga Wagga Local Environmental Plan 2010 and contribute to the achievement of the IN1 zone objectives.

APPENDIX A DEVELOPMENT PLAN SET