

Our reference: DOC10/43431  
Contact: Tobl Edmonds (02) 6229 7094

Mr Phil Pinyon  
General Manager  
Wagga Wagga City Council  
P.O Box 20  
Wagga Wagga NSW 2650

Dear Mr Pinyon

**Submission to the Draft Wagga Wagga Local Environmental Plan 2010 (LEP) – Amendment no. 1 (Deferred Areas)**

Thank you for the opportunity to comment on the above proposal by Wagga Wagga City Council to amend the zoning and lot size provisions for the areas at Cartwrights Hill and Old Narranderra Road that were deferred from the Wagga Wagga LEP gazetted in 2010. The Department of Environment Climate Change and Water (DECCW) has interests in the proposal regarding biodiversity certification and residential amenity and provides comments on these matters below.

Biodiversity Certification

The areas at Cartwrights Hill and Old Narranderra Road are included in the proposed biodiversity certification area for the Wagga Wagga LEP. However, the proposed changes to the zoning of the land and the allowable lot sizes will not affect the protection mechanisms specified in the biodiversity certification proposal and therefore will not have an impact on biodiversity values.

Residential Amenity

DECCW has considered the proposed amendments (described in the Deferred Matters Report), and notes that DECCW Regional Staff in Albury have made a number of submissions on this issue in the past. The following comments reiterate previous DECCW advice on this matter.

The Bomen Industrial Park contains industrial activities that have the potential to cause amenity issues (e.g. noise, odour and light) for residential premises that are located in close proximity to these activities. The construction of at least 40 additional dwellings and the associated population increase of approximately 100-180 people in close proximity to the industrial park have the potential to result in significant and long-term/intractable land-use conflicts.

Council has commissioned a recent study ('*Odour Modelling and Impact Study, Bomen Industrial Estate, Wagga Wagga. Holmes Air Sciences, January 2008*') which shows that the area identified in the Deferred Matters Report as suitable for zoning as R5 (Large Lot Residential), falls between the 50 odour unit (OU) contour and the 7 OU contour. The DECCW Guidelines state that for areas

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with a population of ~125 the threshold is 4 OU. Given that this modelling has been done only on existing industries in Bomen and has not taken into account the future odours that will result from development of Bomen as an industrial hub as outlined in the 'Bomen Master Plan 2009' it is likely that Cartwrights Hill will be subject to greater levels of odour and noise in the future. There has been no discussion in the Deferred Matters Report which describes how the odours at Cargill Foods (identified as the major source of odour within the 'Odour Modelling and Impact Study') will be reduced to acceptable levels, prior to large lot residential development being permitted.

Having considered the information provided in the Deferred Matters Report and the 'Odour Modelling and Impact Study', DECCW objects to the proposed R5 zoning at Cartwrights Hill as the odour modelling shows that the OUs at Cartwrights Hill would exceed the odour performance criteria set out by DECCW and adopted by the Department of Planning (NSW Best Practice Odour Guidelines – April 2010). DECCW raises no objection to the proposed R5 zoning of the land at Old Narrandera Road.

If you wish to discuss these matters further, please contact Tobi Edmonds on (02) 6229 7094 or by email at [tobi.edmonds@environment.nsw.gov.au](mailto:tobi.edmonds@environment.nsw.gov.au).

Yours sincerely

*Dimitri Young* 1 October 2010

DIMITRI YOUNG

A/Manager Landscape & Aboriginal Heritage Protection

cc: Graham Judge – Department of Planning