

SUPPLEMENTARY ITEMS

COUNCIL MEETING ON 9 DECEMBER 2021

15. **OFFICER'S REPORT:**

15.8 Proposed Ministerial Call In Response - Wanless3

Doc ID No: A7771589

This matter has been determined to be of a significant nature and approval has been given to refer this report to the Council as a late item.

ITEM: 15.8

SUBJECT: PROPOSED MINISTERIAL CALL IN RESPONSE - WANLESS

AUTHOR: MANAGER, CITY DESIGN

DATE: 3 DECEMBER 2021

EXECUTIVE SUMMARY

This is a report concerning the proposed Ministerial call in of the development application 10674/2019/CA for a combined application consisting of a landfill and a waste transfer/resource recovery facility and associated infrastructure lodged by Wanless Pty Ltd.

RECOMMENDATION/S

That the Chief Executive Officer provide a response to the notice of proposed call in dated 29 November 2021. The response is to include, at minimum, a summary of the matters the subject of this report.

RELATED PARTIES

There are no related parties associated with this matter.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Planning Minister has powers that can be enacted in response to development applications that relate to state interests. These powers are called a Minister's call in and are dealt with under the *Planning Act 2016*. A ministerial call in is a process whereby the Planning Minister (in this case the Deputy Premier, Steven Miles MP) may seek to utilise these powers to assess and determine a development application. Importantly, the Planning Minister can call in an application after a decision has been made by Council and can make a new decision, including a different decision to that made by Council.

In summary, the process involves the following steps:

1. The Minister can propose a call in during the processing of the application, at certain stages after an application is decided (including deemed refusal/approval) or after an appeal is commenced.
2. Before the matter is formally called in, a proposed call in notice (correspondence issued 29 November 2021 – Attachment 1).

3. The application which the Minister has proposed to call in is application 10674/2019/CA. Decision Notice – Attachment 2.
4. A call in is commenced on the basis that the Minister believes that the proposal:
 - a. affects an economic or environmental interest of the State or a part of the State; or
 - b. affects the interest of ensuring the purpose of the *Planning Act 2016* is achieved.
5. Any current process (including appeals) is paused for the duration of the notice of intent.
6. The Council (and submitters) can make representations in response to this notice of intent– this is optional.
7. Representations can be made about:
 - a. whether or not the proposed development involves a state interest;
 - b. whether or not the Minister should exercise their powers to call in the development application; or
 - c. any matter stated in the proposed call in notice.
8. In the event the call in proceeds, the decision that has been made by Council has no effect, and the appeal that has been commenced is discontinued.
9. In the event that the call in proceeds, the assessment process will recommence from the decision stage and will be entirely outside of Council control
10. The ministers decision is not able to be appealed in the Planning and Environment Court.

This call in relates to a decision made by Council on the Wanless application (application 10674/2019/CA).

Related Development Application (10674/2019/CA)

On 16 September 2021 Council resolved to approve (in part) a development application located at 82A, 82B, 82C, 82D, 82E, 2F and 82H Lanes Road, Ebenezer, Lot 312, 266-304 and 350 Coopers Road, Ebenezer, 166-198, 202-282 Bergmans Road, Ebenezer, and Lot 257 Unnamed Road, Ebenezer (Decision Notice – Attachment 2). The application consisted of:

- Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots
- Material Change of Use (MCU) - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) and associated Environmentally Relevant Activity (ERA) 60(2)(h)
- Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void
- Material Change of Use - Special Industry (Waste Transfer and Resource Recovery Facility – includes waste recycling, reprocessing, storing, dismantling, baling, treating, screening, washing, crushing, grinding, milling, sizing or separating activities) and associated ERAs 54(2)(c) and 62(1)(b).

The proposed development was assessed in relation to the applicable assessment benchmarks. The proposed Reconfiguring a Lot and Material Change of Use for Special Industry (Waste Transfer and Resource Recovery Facility) components of the proposal

generally complied with the assessment benchmarks. The proposed Waste Activity Uses involving Landfill and Rehabilitation of Mining Voids could not be supported in accordance with section 5 and section 60 of the *Planning Act 2016*, as the proposal did not advance the purpose of the Act and the development conflicts with the applicable codes of the Planning Scheme and TLPI No. 2/2018 (Waste Activity Regulation) with no sufficient grounds to justify the decision despite the conflict.

The assessment of the proposal by Council officers was supported by a hearing and report of the Independent Decision Review Panel. Having reviewed the draft officer recommendation and upon considering the matters raised at the public hearing, the IDRPs provided an Independent Decision Review Panel Report on 25 August 2021 which concluded that it was satisfied with the intention of the recommendation, being to approve in part (subject to conditions) and to reject in part the proposed development. Whilst the IDRPs agreed with the intention of the recommendation, the Independent Decision Review Panel Report also made several recommendations to Council which were considered in the decision on this matter.

On 15 October 2021 Appeal No 2715 of 2021 was commenced in the Planning and Environment Court by Wanless. Wanless seeks to have Council's decision to refuse in part overturned and approved by the Court. If the proposed call in (Attachment 1) proceeds to a formal call in, the appeal will be discontinued.

Consideration of Call In

On the 29 November 2021 Council was notified by the Minister about his decision to exercise his ministerial powers to call in, reassess and redecide the development application. (Attachment 1)

The minister has explicitly requested a response to the following:

I am interested in finding out:

- *if you believe the proposed development involves a state interest*
- *whether or not I should exercise my power under the Planning Act to call in the development application.*

Does the proposed development involve a state interest?

On three previous occasions, Council has written to the Planning Minister to request an application for a landfill to be called in.

On 2 March 2018, Mayor Andrew Antoniolli wrote to the Minister for State Development, Manufacturing, Infrastructure and Planning, Cameron Dick MP (Attachment 3). A response to the letter was received (Attachment 4).

On 13 June 2018, Acting Mayor Wayne Wendt wrote to the Minister for State Development, Manufacturing, Infrastructure and Planning, Cameron Dick MP (Attachment 5). The letter highlighted the four major landfill applications and appeals that were underway at the time. The applications were, Bio Recycle, BMI, Lantrak and Cleanaway. The letter highlights the

legal costs to Council in defending the decision and potential future decision by Council with respect to the applications. The letter also highlights the opportunity for the State to consider the cumulative impacts of all four proposals. A response to the letter was received on 22 August 2018 (Attachment 6). The letter states that the Minister would not be issuing call in notices for these development applications.

On 12 August 2019, Interim Administrator Greg Chemello wrote to the Minister for State Development, Manufacturing, Infrastructure and Planning, Cameron Dick MP (Attachment 7). The letter requests the Minister to exercise ministerial powers to call in development applications related to waste and landfill proposals. A response to the letter was received on 16 August 2019 (Attachment 8) which states that there are no grounds for a call in and that the Minister will not exercise ministerial call in powers at this time.

Had the earlier landfill applications been the subject of a ministerial call in, considerable uncertainty and in the order of \$6.7 million in legal expenses defending Council's decisions would have been avoided, not to mention the expenses born by the other parties along with the Queensland Government.

Council is of the view that waste/landfill applications are a matter of state significance. This is most clearly articulated in the letter and attachments dated 12 August 2019 from the Interim Administrator Greg Chemello (Attachment 7 and 8).

After considering representations, should the Minister now hold the view that waste/landfill applications in Ipswich are now matters of state significance, then Council's earlier requests for a ministerial call in for the waste applications currently awaiting judgment in the Planning and Environment Court were entirely relevant and justified. The Minister should also consider if future development applications for waste/landfill would warrant the use of ministerial call in powers.

Should the Minister exercise his power to call the matter in?

In the notice, the Minister has stated that:

I consider the proposed development involves, or is likely to involve:

- *economic interests of the state or part of the state, and*
- *environmental interests of the state or part of the state.*

It is difficult to see by comparison to the development that is occurring across the Ipswich economy that the Wanless proposal is on par with or larger than many proposals which are planned and under way. The proposal put to Council was for a resource recovery facility as well as a residual landfill.

The landfill component was described in the application material as an ancillary aspect of the recycling centre and not a major economic driver on its own. Council's refusal of this part was on sound, justifiable reasons and it was considered that the recycling centre could operate in isolation of the landfill component.

The proposed action of the minister to call in this application will see the minister consider if the landfill component of the proposal should be approved. It is difficult to see how a landfill proposal of the nature and scale proposed is of a scale that warrants a state economic and environment issue.

While the call in will mean that Council would avoid future legal costs in defending its original decision, it is considered that in this instance for this proposal the allowing the process to continue without intervention is the best course, given where this present matter is in terms of process, and its relevance to other matters currently before the Planning and Environment Court.

Council's consideration of the original proposal and decision

It is considered that the original decision of council was the right decision. The Council's consideration of the proposal was based on a thorough assessment of the proposal by Council's officers. This assessment was further scrutinised as part of an Independent Decision Review Panel, made up of experienced professionals and who further supported the recommendations of the officers (as outlined in the officer's report, Attachment 10).

In responding to the call in, it is further recommended that the main grounds for refusal be reinforced (as outlined in the officer's report, Attachment 10).

The current course allows the community to continue to have its say and involvement in the planning process by being represented in the court appeal, the Ipswich community have demonstrated a preparedness to stand with Council on its stance on these matters.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:
Planning Act 2016

RISK MANAGEMENT IMPLICATIONS

It is important that Council provide a response to the proposed Ministerial call in notice by 21 December 2021 to ensure that the content of this report is clearly articulated.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation: That the Chief Executive Officer provide a response to the notice of proposed call in dated 29 November 2021. The response is to include the content of this report in addition to any relevant matters which may be identified in a detailed review by Council officers.

(b) What human rights are affected?	Human rights are not affected by this decision, as any person is also able to make representations regarding the proposed call in notice.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications associated with this recommendation.











COMMUNITY AND OTHER CONSULTATION

No consultation has been undertaken as part of this recommendation, however the development application it relates to was the subject of public notification.

CONCLUSION

It is recommended that a response to the correspondence from the Deputy Premier and Planning Minister dated 29 November 2021 be provided prior to the close of business on the 21st of December 2021. Such a response should include a summary of the matters raised in this report and attachments.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Proposed call in notice ↓ 
2.	10674/2019/CA Decision Notice ↓ 
3.	Letter from Council to Planning Minister 2 March 2018. ↓ 
4.	Letter from Planning Minister to Council 2 March 2018 ↓ 
5.	Letter from Council to Planning Minister 13 June 2018 ↓ 
6.	Letter from Planning Minister to Council 22 August 2018. ↓ 
7.	Letter from Council to Planning Minister 12 August 2019 ↓ 
8.	Attachment A of Letter from Council to Planning Minister 12 August 2019 ↓ 
9.	Letter from Planning Minister to Council 16 August 2019 ↓ 
10.	10674/2019/CA Officers report ↓ 

Brett Davey
MANAGER, CITY DESIGN

I concur with the recommendations contained in this report.

Peter Tabulo
GENERAL MANAGER, PLANNING AND REGULATORY SERVICES

“Together, we proudly enhance the quality of life for our community”



Hon Steven Miles MP
Deputy Premier
Minister for State Development, Infrastructure,
Local Government and Planning
Minister Assisting the Premier on Olympics Infrastructure

Our ref: MC21/4687

29 November 2021

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Ipswich City Council
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ABN 65 959 415 158

Dear Ms Cooper

I am writing to advise you that I am considering exercising my ministerial powers under the *Planning Act 2016* (the Planning Act) to call in and reassess and redetermine a development application made by Wanless Recycling Park Pty Ltd, to the Ipswich City Council (the council) for a development permit for reconfiguring a lot and material change of use for a resource recovery and landfill facility.

The site is located at 266-304 and 350 Coopers Road, Ebenezer.

Pursuant to section 102(2) of the Planning Act, please find enclosed the proposed call in notice for your consideration. The purpose of this notice is to advise you of my intention to call in this development application and to invite written representations from you about the proposed call in.

I am interested in finding out:

- if you believe the proposed development involves a state interest
- whether or not I should exercise my power under the Planning Act to call in the development application.

The effect of calling in a development application is that:

- I reassess and redetermine the development application in place of the original assessment manager, the council
- my decision on the development application is taken to be the original assessment manager's decision and cannot be appealed.

Please address your representations to:

Deputy Premier
Minister for State Development, Infrastructure, Local Government and Planning
Minister Assisting the Premier on Olympics Infrastructure
c/- Director, Development Assessment Division
Planning Group
Department of State Development, Infrastructure, Local Government and Planning

Email: ministerial.callin@dsdilgp.qld.gov.au

Post: PO Box 15009
CITY EAST QLD 4002

Please be advised that any representations you wish to make must be received by
5.00pm on 21 December 2021.

Yours sincerely



STEVEN MILES MP
DEPUTY PREMIER
Minister for State Development,
Infrastructure, Local Government and Planning
Minister Assisting the Premier on Olympics Infrastructure

Enc

**PROPOSED CALL IN NOTICE FOR A DEVELOPMENT APPLICATION UNDER THE
PLANNING ACT 2016**

266 - 304 & 350 COOPERS ROAD, EBENEZER

Pursuant to section 102 of the *Planning Act 2016* (the Planning Act), I give notice that I am proposing to call in and reassess and decide a development application by Wanless Recycling Park Pty Ltd located at 82A Lanes Road, Ebenezer QLD 4340, 82B Lanes Road, Ebenezer QLD 4340, 82C Lanes Road, Ebenezer QLD 4340, 82D Lanes Road, Ebenezer QLD 4340, 82E Lanes Road, Ebenezer QLD 4340, 82F Lanes Road, Ebenezer QLD 4340, 82H Lanes Road, Ebenezer QLD 4340, Lot 312 Coopers Road, Ebenezer QLD 4340, 266-304 Coopers Road, Willowbank QLD 4306, 350 Coopers Road, Willowbank QLD 4306, 166-198 Bergmans Road, Ebenezer QLD 4340, 202-282 Bergmans Road, Ebenezer QLD 4340, Lot 257 Unnamed Road, Ebenezer QLD 4340, Lot 1 Coopers Road, Ebenezer QLD 4340 (under road licence).

The development application information is set out below:

Applicant:	Wanless Recycling Park Pty Ltd
Assessment manager:	Ipswich City Council (the council)
Properly made date:	24 December 2019
Confirmation notice issued:	15 January 2020
Development approval sought (Application):	<p>Development permit for:</p> <ul style="list-style-type: none">• Reconfiguring a Lot - Boundary Realignment (Thirteen (13) Lots into Five (5) Lots)• Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area• Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area• Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year

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- Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including operating a facility for recycling, reprocessing, storing, treating or disposing of regulated waste
- Material Change of Use - Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year
- Environmentally Relevant Activities (ERA 54 – 2(c): Mechanical Waste Reprocessing: operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 1 regulated waste more than 10,000t; ERA 60 – 2(1)(b)(h): Waste Disposal: operating a facility for disposing of any combination of general waste and no more than 10% limited regulated waste: >200,000t/yr; ERA 62 – 1(b): Resource Recovery and Transfer Facility Operation: operating a facility for receiving and sorting, dismantling, baling or temporarily storing category 1 regulated waste)

Level of assessment: Impact assessable (MCU) (60 properly made submissions were received during the public notification period)
Code assessment (RoL)

Referral triggers: The chief executive of the distribution entity or transmission entity (Energex) as an advice agency. Schedule 10, Part 9, Division 2, Table 2, Item 1 – Electricity Infrastructure

The chief executive administering the *Planning Act 2016* as concurrence agency for:

- Schedule 10, part 3, division 4, table 2, item 1 – Clearing native vegetation
- Schedule 10, part 3, division 4, table 3, item 1 – Clearing native vegetation
- Schedule 10, part 5, division 4, table 2, item 1 – Environmentally relevant activities
- Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 – State transport infrastructure
- Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 – State transport infrastructure

Decision notice: The council issued a decision notice (Part Approval), including conditions on 17 September 2021 (Application no: 10674/2019/CA).

The decision is the subject of an appeal to the Queensland Planning and Environment Court, appeal number 2715/21. The parties to the appeal include council, the applicant, the chief executive administering the Planning Act and various submitters.

A request to call in the application has been made by the applicant (the call in request).

The documentation for the development application can be accessed through the council's website at:

https://www.ipswich.qld.gov.au/services/searches-and-enquiries/application_enquiry

(Application reference: 10674/2019/CA)

Reasons for the proposed call in

Under section 91 of the Planning Act, I may call in a development application only if the application involves, or is likely to involve, a state interest. A state interest is defined in Schedule 2 of the Planning Act as '*an interest that the Minister considers—*

- (a) affects an economic or environmental interest of the State or a part of the State; or*
- (b) affects the interest of ensuring this Act's purpose is achieved.'*

I consider the proposed development involves, or is likely to involve:

- economic interests of the state or part of the state, and
- environmental interests of the state or part of the state.

Economic and environmental state interests

I consider the application involves or is likely to involve economic and environmental interests of the state, or a part of the state, including for the following reasons:

Economic

- The application states that the proposed development includes the redevelopment of disused mining voids that will create economic opportunities for the area.
- The call in request identifies that the project includes a \$200M capital investment to establish a new resource recovery facility on the site and will initially create 300 jobs during the construction phase, with an additional 50 ongoing permanent jobs from the commencement of the operation of the site.
- The call in request identifies that the site and proposed development represent an opportunity to create economic development and to establish a market leading recycling facility.
- *ShapingSEQ* identifies the site, along with surrounding land as being within the Ebenezer major enterprise and industrial area Regional Economic Cluster and these areas are intended to advance the economy and drive greater levels of local employment.

Environmental

This application involves complex and significant environmental issues associated with potential rehabilitation of mining voids and the environmental impacts of waste activities.

- Specifically, the material relevant to the application raises the following significant issues:
 - the application of the planning framework to the rehabilitation and reuse of existing mining voids
 - the role of waste facilities, such as the proposed development, in contributing to, or enhancing, recycling in Queensland
 - the environmental and amenity impacts of the proposed development.
- The site is subject to planning scheme provisions and a temporary local planning scheme (TLPI) which contemplate that mining voids will be filled and rehabilitated to allow for possible future use in this location. The *State Planning Policy*, which is made to protect or give effect to state interests, is also concerned with ensuring this type of development is compatible with surrounding land uses.
- The importance of appropriate regulation of waste activities in this location is reflected in the continuing application of a TLPI to this site currently, TLPI No 2 of 2020 (Waste Activity Regulation) which regulates applications for new or expanded waste activities including for the current site, to protect existing and planned sensitive receiving uses from adverse impacts for waste activities.

I am proposing to call in this application for the following reasons:

1. I consider that the proposed development involves, or is likely to involve, the state interests set out above.
2. The application is for the development of a resource recovery facility and associated landfill activities that involve the filling of existing mining voids on the site.
3. The application involves complex and significant environmental issues associated with the potential rehabilitation of mining voids and the environmental impacts of waste activities.
4. The call in request asserts that the project includes a \$200M capital investment to establish a new resource recovery facility on the site and will initially create 300 jobs during the construction phase, with an additional 50 ongoing permanent jobs from the commencement of the operation of the site.
5. The importance of appropriate assessment of waste activities in this location is reflected in the planning instruments including the making of the TLPI and the current TLPI No 2 of 2020 (Waste Activity Regulation).
6. On 18 November 2021 Ipswich City Council resolved to make a new TLPI (Temporary Local Planning Instrument No. 1 of 2022 – Resource Recovery and Waste Activity Regulation). It is understood that this TLPI replaces two existing TLPIs for waste activity regulation that will expire in early 2022.
7. Ipswich City Council has indicated that it is presently in the process of drafting a new planning scheme for the Ipswich local government area, and once implemented is to provide a contemporary policy approach for waste and resource recovery industries.

8. In November 2021 the Council of Mayors South East Queensland (CoMSEQ) released the South East Queensland Waste Management Plan 2021. This plan sets a path forward for collaboration across the Councils of South East Queensland to jointly address waste management and long-term infrastructure planning.
9. I am informed that there are three Planning and Environment Court appeals which relate to proposed landfill developments in the Ipswich City Council local government area. These appeals are awaiting judgement.
10. Further, I am informed that:
 - a. this application is the subject of a current Planning and Environment Court appeal
 - b. there were 60 properly made submissions for the application
 - c. there are in excess of 50 submitter co-respondents.
11. This indicates the level of complexity associated with the assessment of waste activities in this area and the significant community concern.
12. Should the application be called in, it will be open to me as the Planning Minister to decide at what stage the assessment process will restart. I can also have regard to any matter I consider relevant in addressing the above issues in providing for a full and comprehensive assessment of the application.
13. In accordance with the *Human Rights Act 2019*, I have considered and given proper consideration to the human rights relevant to my decision whether to issue this proposed call in notice. I have been provided with a human rights assessment document prepared by the Department of State Development, Infrastructure, Local Government and Planning (the department) to assist my consideration. Based on this, I have determined that my decision to issue this proposed call in notice is compatible with human rights.

Proposed call in

If I decide to call in the development application:

- any appeal for this application is discontinued
- the process for assessing and deciding the development application under the Development Assessment Rules is proposed to restart at the start of the decision stage; and
- I do not intend to direct the decision-maker to assess all or part of the application.

If I decide to call in the development application, my decision on the development application is taken to be the original assessment manager's decision.

Although my decision is taken to be a decision of the assessment manager, my decision cannot be appealed in the P&E Court, as the application is an excluded application for the purposes of section 229 and Schedule 1 of the Planning Act.

Representations on the proposed call in notice

Written representations can be made to me about the proposed exercise of my power to call in the development application.

Representations are specifically sought about:

- whether or not the proposed development involves a state interest
- whether or not I should exercise my powers to call in the development application
- any matter stated in this proposed call in notice.

Representations must be made by **5:00pm on 21 December 2021** to:

Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympics Infrastructure
c/- Director, Development Assessment Services
Development Assessment Division
Department of State Development, Infrastructure, Local Government and Planning

Email: ministerial.callin@dsdilgp.qld.gov.au

Post: PO Box 15009
CITY EAST QLD 4002

Findings on material questions of fact and evidence or other material on which findings of material questions of fact were based

Prior to making my decision I was provided with a briefing note including a preliminary assessment report (assessment report) prepared by departmental officers dated 25 November 2021. I have had regard to these documents and the following information in making my decision.

Site and development application details

Name of Applicant	Wanless Recycling Park Pty Ltd
Approved development	<ul style="list-style-type: none"> Reconfiguring a Lot (Thirteen (13) Lots into Five (5) Lots) Material Change of Use – Special Industry (Waste Transfer and Resource Recovery Facility – includes waste recycling, reprocessing, storing, dismantling, baling, screening, washing, crushing, grinding, milling, sizing or separating activities) over part of proposed Lot 101 of Development Approval 10674/2019/CA (over existing Lots 230 CH3132 and 231 CH3132) Environmentally Relevant Activity 54 - 2(c): Mechanical Waste Reprocessing: operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste more than 10,000t (in accordance with the SARA referral agency response) Environmentally Relevant Activity 62 - 1(b): Resource Recovery and Transfer Facility Operation: operating a facility for receiving and sorting, dismantling, baling or temporarily storing general waste (in accordance with the SARA referral agency response) Environmentally Relevant Activity 60 - 2(1)(b)(h): Waste Disposal: operating a facility for disposing of any combination of general waste and no more than 10% limited regulated waste: >200,000t/yr (in

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	accordance with the SARA referral agency response).
Applicable planning scheme	Ipswich Planning Scheme (the Planning Scheme) which commenced on 23 January 2006; and Temporary Local Planning Instrument (TLPI) No 2 of 2018 (Waste Activity Regulation)
Land zoning	Regional Business and Industry Investigation zone
Level of assessment	Impact assessable (MCU) Code assessment (RoL)
Site address	82A Lanes Road, EBENEZER QLD 4340 82B Lanes Road, EBENEZER QLD 4340 82C Lanes Road, EBENEZER QLD 4340 82D Lanes Road, EBENEZER QLD 4340 82E Lanes Road, EBENEZER QLD 4340 82F Lanes Road, EBENEZER QLD 4340 82H Lanes Road, EBENEZER QLD 4340 Lot 312 Coopers Road, EBENEZER QLD 4340 266-304 Coopers Road, WILLOWBANK QLD 4306 350 Coopers Road, WILLOWBANK QLD 4306 166-198 Bergmans Road, EBENEZER QLD 4340 202-282 Bergmans Road, EBENEZER QLD 4340 Lot 257 Unnamed Road, EBENEZER QLD 4340 Lot 1 Coopers Road, EBENEZER QLD 4340 (under road licence)
Real property description	Lot 2 SP 167885, Lot 231 CH 3132, Lot 230 CH 3132, Lot 240 CH 3132, Lot 241 CH 3132, Lot 242 CH 3132, Lot 1 RP 24569, Lot 1 SP 167885, Lot 243 CH 3132, Lot 254 CH 31200, Lot 257 CH 31247, Lot 312 CH 31969, Lot 2 RP 24570, and Lot 1 RL 8701.
Assessment manager	Ipswich City Council
Referral agencies	The chief executive of the distribution entity or transmission entity (Energex) as an advice agency. The chief executive administering the Planning Act as concurrence agency.
Date application properly made	24 December 2019
Date of council information request	20 January 2020
Date of SARA information request	18 February 2020
Date of response to council information request	27 April 2020
Date of response to SARA information request	27 April 2020

Date of SARA further advice	22 May 2020 16 September 2020 21 January 2021
Date of response to SARA further advice	10 August 2020 19 October 2020 & 13 November 2020 2 March 2021, 30 April 2021 & 6 May 2021
Date of SARA decision	2 July 2021
Date of Council decision	16 September 2021
Date decision notice given by the council	17 September 2021
Date of appeal	15 October 2021

Requests to call in the development application

One request from the applicant relating to the exercise of my powers to call in the development application has been received.

I was provided with a copy of the request as well as a summary of the issues raised in the requests. This summary is included in the department's preliminary assessment report and the request is included with the report.

The request raises a number of issues including matters which are potentially relevant to whether the proposed application involves matters of state interest in particular with respect to the economic and environmental interests of the state.

I have had regard to these issues in making my decision.

The council's decision

The application is subject to a current Queensland Planning and Environment Court appeal.

Submissions

60 properly made submissions were received.

State interests

Under section 91 of the Planning Act, I may call in a development application only if the application involves, or is likely to involve, a state interest. A state interest is defined in schedule 2 of the Planning Act as '*an interest that the Minister considers—*

- (a) affects an economic or environmental interest of the State or a part of the State; or*
- (b) affects the interest of ensuring this Act's purpose is achieved.'*

The material I was provided with included a summary of the potential state interests that this development involves or is likely to involve, together with discretionary grounds relevant to the decision whether to issue the proposed call in notice. I have had regard to the material in determining that the development application involves, or is likely to involve, a state interest and in deciding to exercise my power to issue this proposed call in notice.

Documents considered

In forming my decision to propose to call in the development application, I had regard to the following material:

Documents

Departmental briefing note (Reference: MBN21/1567) and attachments, including:

- Preliminary Assessment Report prepared by the department including schedules
- draft proposed call in notice
- draft correspondence to the assessment manager, applicant and the referral agencies and submitters enclosing the proposed call in notice.

Legislation and statutory instruments relevant to my decision are:

- *Planning Act 2016*
- *Planning Regulation 2017*
- *State Planning Policy July 2017*
- *South East Queensland Regional Plan 2017 (ShapingSEQ)*
- *Ipswich Planning Scheme*
- *TLPI No. 2 of 2018 (Waste Activity Regulation)*

Dated: 29 November 2021



STEVEN MILES MP
DEPUTY PREMIER
Minister for State Development, Infrastructure,
Local Government and Planning
Minister Assisting the Premier on Olympics Infrastructure



- Hand
- Delivered by Ursula McInnes
 - 29 Nov 2021 4:15pm
 - accepted by Romana Therese

Your reference
Our reference 10674/2019/CA
Contact Officer Sandeep Nanjappa
Telephone (07) 3810 7267



Ipswich City Council

1 Nicholas Street
PO Box 191
IPSWICH QLD 4305

Phone (07) 3810 6666
Fax (07) 3810 6731
Email council@ipswich.qld.gov.au

ipswich.qld.gov.au

Wanless Recycling Park Pty Ltd
C/- Urbis Pty Ltd

Attn: Steve Buhmann
sbuhmann@urbis.com.au
tauckland@urbis.com.au

17 September 2021

Dear Steve

Re: Development Application – Part Approval
Application No: 10674/2019/CA

- Proposal:**
- Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots
 - Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area;
 - Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area;
 - Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;
 - Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including operating a facility for recycling, reprocessing, storing, treating or disposing of regulated waste;
 - Material Change of Use - Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Ebenezer

- / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year;
- ☐ Environmentally Relevant Activity 54 - 2(c): Mechanical Waste Reprocessing: operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste more than 10,000t
 - ☐ Environmentally Relevant Activity 60 - 2(1)(b)(h): Waste Disposal: operating a facility for disposing of any combination of general waste and no more than 10% limited regulated waste: >200,000t/yr
 - ☐ Environmentally Relevant Activity 62 - 1(b): Resource Recovery and Transfer Facility Operation: operating a facility for receiving and sorting, dismantling, baling or temporarily storing general waste

Property Location: 82A Lanes Road, EBENEZER QLD 4340
82B Lanes Road, EBENEZER QLD 4340
82C Lanes Road, EBENEZER QLD 4340
82D Lanes Road, EBENEZER QLD 4340
82E Lanes Road, EBENEZER QLD 4340
82F Lanes Road, EBENEZER QLD 4340
82H Lanes Road, EBENEZER QLD 4340
Lot 312 Coopers Road, EBENEZER QLD 4340
266-304 Coopers Road, WILLOWBANK QLD 4306
350 Coopers Road, WILLOWBANK QLD 4306
166-198 Bergmans Road, EBENEZER QLD 4340
202-282 Bergmans Road, EBENEZER QLD 4340
Lot 257 Unnamed Road, EBENEZER QLD 4340
Lot 1 Coopers Road, EBENEZER QLD 4340 (*under road licence*)

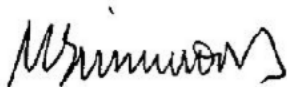
I refer to the above development application which was decided on 16 September 2021.

Enclosed with this letter is the Decision Notice, including:

- ☐ Attachments A and B – Assessment Manager’s Conditions
- ☐ Attachment C – Assessment Manager’s Reasons for Refusal
- ☐ Attachment D – Approved Plans
- ☐ Attachment E – Referral Agency Responses
- ☐ Infrastructure Charges Notice
- ☐ Appeal Rights

If you have any queries regarding this application, please contact Sandeep Nanjappa on the telephone number listed above.

Yours faithfully



Michael Simmons
DEVELOPMENT ASSESSMENT WEST MANAGER

CC.

Urban Utilities
development@urbanutilities.com.au

Queensland Government State Assessment Referral Agency (SARA)
IpswichSARA@dsdmip.qld.gov.au
DAAT@dsdmip.qld.gov.au

Energex
townplanning@energex.com.au
scott.pearson@energyq.com.au

Department of Natural Resources, Mines and Energy

Malcolm.Irwin@dnrme.qld.gov.au

Department of Defence
DSRGIDEP.executivesupport@defence.gov.au
land.planning@defence.gov.au

Our Reference 10674/2019/CA:
Contact Officer Sandeep Nanjappa
Telephone (070 3810 7267



17 September 2021

DECISION NOTICE PART APPROVAL
(Given under section 63(2) of the *Planning Act 2016*)

Applicant details

Applicant name: Wanless Recycling Park Pty Ltd C/- Urbis Pty Ltd
Applicant contact details: sbuhmann@urbis.com.au
tauckland@urbis.com.au

Application details

Application number: 10674/2019/CA
Application type: Reconfiguring a Lot & Material Change of Use
Description of proposed development:

- ☐ Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots
- ☐ Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area;
- ☐ Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area;
- ☐ Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;
- ☐ Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including operating a facility for recycling, reprocessing, storing, treating or disposing of regulated waste;
- ☐ Material Change of Use - Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year;
- ☐ Environmentally Relevant Activity 54 - 2(c): Mechanical Waste

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Reprocessing: operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste more than 10,000t

- Environmentally Relevant Activity 60 - 2(1)(b)(h): Waste Disposal: operating a facility for disposing of any combination of general waste and no more than 10% limited regulated waste: >200,000t/yr
- Environmentally Relevant Activity 62 - 1(b): Resource Recovery and Transfer Facility Operation: operating a facility for receiving and sorting, dismantling, baling or temporarily storing general waste

Date application received: 19 December 2019

Site details

Property location:

82A Lanes Road, EBENEZER QLD 4340
82B Lanes Road, EBENEZER QLD 4340
82C Lanes Road, EBENEZER QLD 4340
82D Lanes Road, EBENEZER QLD 4340
82E Lanes Road, EBENEZER QLD 4340
82F Lanes Road, EBENEZER QLD 4340
82H Lanes Road, EBENEZER QLD 4340
Lot 312 Coopers Road, EBENEZER QLD 4340
266-304 Coopers Road, WILLOWBANK QLD 4306
350 Coopers Road, WILLOWBANK QLD 4306
166-198 Bergmans Road, EBENEZER QLD 4340
202-282 Bergmans Road, EBENEZER QLD 4340
Lot 257 Unnamed Road, EBENEZER QLD 4340
Lot 1 Coopers Road, EBENEZER QLD 4340 (*under road licence*)

Real property description: Lot 2 SP 167885, Lot 231 CH 3132, Lot 230 CH 3132, Lot 240 CH 3132, Lot 241 CH 3132, Lot 242 CH 3132, Lot 1 RP 24569, Lot 1 SP 167885, Lot 243 CH 3132, Lot 254 CH 31200, Lot 257 CH 31247, Lot 312 CH 31969, Lot 2 RP 24570, Lot 1 RL 8701

Decision

Date of decision: 16 September 2021

Decision Authority: Full Council

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1. Decision Details:

Development	Approval Type	Decision	Currency Period
Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots	Development Permit	Approved in full subject to the conditions set out in Attachment A	Six (6) years
Material Change of Use – Special Industry (Waste Transfer and Resource Recovery Facility – includes waste recycling, reprocessing, storing, dismantling, baling, screening, washing, crushing, grinding, milling, sizing or separating activities) over part of proposed Lot 101 of Development Approval 10674/2019/CA (over existing Lots 230 CH3132 and 231 CH3132)	Development Permit	Approved in full subject to the conditions set out in Attachment B	Six (6) years
<p>Environmentally Relevant Activity 54 - 2(c): Mechanical Waste Reprocessing: operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste more than 10,000t</p> <p>Environmentally Relevant Activity 62 - 1(b): Resource Recovery and Transfer Facility Operation: operating a facility for receiving and sorting, dismantling, baling or temporarily storing general waste</p> <p>Environmentally Relevant Activity 60 - 2(1)(b)(h): Waste Disposal: operating a facility for disposing of any combination of general waste and no more than 10% limited regulated waste: >200,000t/yr</p>	In accordance with Queensland Government State Assessment Referral Agency (SARA) referral response set out in Attachment E – Referral Agency Responses	In accordance with Queensland Government State Assessment Referral Agency (SARA) referral response set out in Attachment E – Referral Agency Responses	In accordance with Queensland Government State Assessment Referral Agency (SARA) referral response set out in Attachment E – Referral Agency Responses
Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area;	Not applicable	Refused subject to the reasons for refusal set out in Attachment C	Not applicable

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Development	Approval Type	Decision	Currency Period
Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area			

2. Conditions of Assessment Manager (Ipswich City Council)

Refer to Attachments A and B for Assessment Manager conditions.

3. Approved Plans Specifications and Drawings

The approved plans, specifications and drawings for this development approval are:

- (a) The plans and documents referred to in the table below (including the amendments that are required to be made to those plans and documents); and
- (b) Where the amended version of the plans and documents referred to in the table below have been approved by the Assessment Manager, the amended version of those plans and documents.

The plans referenced below are included as Attachment D of this decision notice.

APPROVED PLANS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
Aspect of development: Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots				
BRJD7681_00_23_2	Proposed Reconfiguration of 13 Lots (Table Below) into 5 Lots at 352-392 Coopers Road Ebenezer	Land Partners	22 April 2020	Not applicable
Aspect of development: Material Change of Use for Special Industry (Waste Transfer and Resource Recovery Facility) over part of proposed Lot 101 of Development Approval 10674/2019/CA (over existing Lots 230 CH3132 and 231 CH3132)				
SD.0002	WRP locality plans, Issue P7	Sparc Architects	3 December 2019	Not applicable
SD.1001	Transfer & Resource Recovery Facility Site Plan, Issue P8	Sparc Architects	3 December 2019	Not applicable
SD.1002	Transfer & Resource Recovery Facility Roof Plan, Issue P2	Sparc Architects	3 December 2019	Not applicable
SD.1003	Transfer & Resource Recovery Facility Site Cover Calculations,	Sparc Architects	3 December 2019	Not applicable

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	Issue P1			
SD.3001	Transfer & Resource Recovery Facility Office Plan & Elevations, Issue P2	Sparc Architects	3 December 2019	Not applicable
SD.3002	Transfer & Resource Recovery Facility Primary & Secondary Sheds Elevations, Issue P2	Sparc Architects	3 December 2019	Not applicable
SD.3003	Transfer & Resource Recovery Facility Primary & Secondary Sheds Elevations, Issue P2	Sparc Architects	3 December 2019	Not applicable
SPECIFICATIONS/DRAWINGS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
Aspect of development: Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots and Material Change of Use for Special Industry (Waste Transfer and Resource Recovery Facility)				
Job No. P0016174	Landscape - Development Application Document, Revision A	Urbis	2 December 2019	Not Applicable
19-0162FSMP01-V6	Flood and stormwater Management Plan- Version 6	Peak Urban	24 June 2020	In accordance with Condition 27 'Stormwater Quantity Management' and Condition 28 'Flooding'
19BRT0485 LT03_G	Traffic Impact Statemen	TTM	6 July 2020	In accordance with Condition 25 'Roadworks - External' and Condition 26 'Access, Parking and Manoeuvring Areas'
19BRT0485 LT01_02	Traffic engineering	TTM	22 April 2020	In accordance with Condition 25 'Roadworks - External' and Condition 26 'Access, Parking and Manoeuvring Areas'
R.002.Rev1	Preliminary Dispersive Soils Management Plan	Douglas Partners	22 April 2020	In accordance with Condition 32'Design Standards'

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97334.01	Preliminary Geotechnical Investigation	Douglas Partners	22 April 2020	In accordance with Condition 30'Geotechnical/Slope Stability'
RW-1	Roadworks – Champions way	ICC	14 July 2021	Not applicable

Note: Amended plans and/or documents must be submitted for endorsement by the Assessment Manager prior to the lodgement of the first application for operational works.

4. Referral Agencies

The referral agencies for this application are:

Referral Agency	Referral Role	Aspect of Development Requiring Referral	Address
Queensland Government State Assessment Referral Agency (SARA)	Concurrence	<ul style="list-style-type: none"> □ Schedule 10, part 3, division 4, table 2 item 1 (Planning Regulation 2017) – Reconfiguring a lot involving clearing native vegetation □ Schedule 10, part 3, division 4, table 3, item 1 (Planning Regulation 2017) – Material change of use involving clearing native vegetation □ Schedule 10, part 5, division 4, table 2, item 1 (Planning Regulation 2017) – Material change of use for non-devolved environmentally relevant activities □ Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 (Planning Regulation 2017) – Development impacting on State transport infrastructure □ Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (Planning Regulation 2017) – Material change of use within 25m of a State transport corridor 	<p>Ipswich SARA Office Post: PO BOX 129, IPSWICH QLD 4305 Email: ipswichSARA@dsdmip.qld.gov.au Ph: 07 3432 2413</p> <p>State Assessment and Referral Agency {DA Advisory Team (DAAT)} Email: DAAT@dsdmip.qld.gov.au</p>

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Energex	Advice	Schedule 10, Part 9, Division 2 of the Planning Regulation 2017 - assessed against the purposes of the <i>Electricity Act 1994</i> and <i>Electrical Safety Act 2002</i> .	Energex Post: GPO Box 1461 BRISBANE QLD 4001 Email: townplanning@energex.com.au scott.pearson@energyq.com.au
Department of Natural Resources, Mines and Energy	Third Party Advice	Mining Licences, leases and Mining Environmental Authority (EA)	Attn: Malcolm Irwin Manager, Resource Planning, Geological Survey of Queensland, Department of Natural Resources, Mines and Energy Post: PO Box 15216 CITY EAST QLD 4002 Email: Malcolm.Irwin@dnrme.qld.gov.au
Department of Defence	Third Party Advice	Proximity to RAAF Base Amberley	Attn: Charles Mangion Director Land Planning and Regulation Estate Planning Branch Brindabella Business Park PO Box 7925 CANBERRA BC ACT 2610 E-mail: Charles.mangion@defence.gov.au land.planning@defence.gov.au benjamin.mclean3@defence.gov.au

Refer to Attachment E for Referral Agency conditions.

5. Variation Approval

Not applicable to this decision.

6. Further Development Permits

Further development permits, as required by the *Planning Act 2016*, must be obtained before the development can be carried out in respect of any operational works, building

works and plumbing works in relation to this approval prior to the *commencement of works/use and/or signing of the plan of subdivision* pursuant to the *Planning Act 2016*.

7. Environmental Authority

Refer to Attachment E for Referral Agency conditions.

8. Properly Made Submissions

There were 60 properly made submissions about the application received from the following submitters.

	Name of principal submitter	Residential or business address	Electronic address (if provided)
1	Megan Barnes	14-16 Wellington Rise, Willowbank 4306	megans1976@hotmail.com
2	Greg & Lynette Knight	10 Shawfield Street, Willowbank 4306	knight228@bigpond.com
3	Ian & Gail Stewart	26 Tinworth Street, Willowbank 4306	gailian26@gmail.com ; gailian780@gmail.com
4	Diane Fraser & Richard Godsall-Thomas	15 Tinworth Street, Willowbank 4306	diane_fraser2007@hotmail.com
5	Jon Krause MP	91 Brisbane Street, Beaudesert 4285	scenicrim@parliament.qld.gov.au
6	Leon Hasted	8 Melbury Street, Willowbank 4306	<i>Not provided</i>
7	Mary Busteed	56a Minden Post Office Road, Tallegalla 4340	bmbusteed@yahoo.com.au
8	Dr Conny Turni	47 Blackall Street, East Ipswich	turniconny1@gmail.com
9	Alphonsus & Paula Pettiford	29 Tinworth Street, Willowbank 4306	arpipettiford.29@bigpond.com
10	Laurence & Lynette Protheroe	125 Willowbank Drive, Willowbank 4306	<i>Not provided</i>
11	Terri Wright	41 Cob Lane, Ebenezer 4340	<i>Not provided</i>
12	Donald Walker	133 Whitehill Road, Eastern Heights 4305	hsmythe64@gmail.com
13	Helen Smythe	133 Whitehill Road, Eastern Heights 4305	hsmythe64@gmail.com
14	Margaret & Maxwell Coxon	6 Dolben Street, Willowbank 4306	dancingmargymay@yahoo.com.au
15	Ian Dainer	52 Willowbank Drive, Willowbank 4306	kangoona@bigpond.com
16	Jacqueline Groenenberg	1 Ruby Crescent, Willowbank 4306	petjacq99@bigpond.com
17	Brian and Delphine Wall	149 Willowbank Drive, Willowbank 4306	briandelwall07@gmail.com
18	Craig Roth	5 Wellington Rise, Willowbank 4306	craig.roth@bigpond.com

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19	Ti Tree Bioenergy	55 Champions Way, Willowbank 4306	dh@dhenv.com.au
20	Robyn Whale	197 Arthur Summervilles Road, Karalee	robyp20@hotmail.com
21	Ronald & Jennifer Shaw	92A Albert Street, Rosewood 4340	jenny.shaw@outlook.com
22	Roger Stevenson	8 Banbury Court, Willowbank 4306	rog.b.steve@bigpond.com
23	Garry Powell	56-60 Willowbank Drive, Willowbank 4306	wellop52@gmail.com
24	Troy & Kerry Butler	27 Banbury Court, Willowbank 4306	royboy67@bigpond.com ; kerry.sears@defence.gov.au
25	Kelvin Williams	17-19 Wellington Rise, Willowbank 4306	kelvin.s.will@gmail.com
26	Jennifer Stevenson	8 Banbury Court, Willowbank 4306	jensteve.57@bigpond.com
27	Robyn Williams	17-19 Wellington Rise, Willowbank 4306	robby.m.will@gmail.com
28	Keith Lewis	20 Mellor Place, Brassall 4305	keith@rollracing.com.au
29	Jacob Groenenberg	1 Ruby Crescent, Willowbank 4306	<i>Not provided</i>
30	Nicholas Groenenberg	1 Ruby Crescent, Willowbank 4306	<i>Not provided</i>
31	Peter Groenenberg	1 Ruby Crescent, Willowbank 4306	<i>Not provided</i>
32	Janet Roberts	112 Willowbank Drive, Willowbank 4306	janet@acecomputerworld.com.au
33	Stacey Burch	6 Shannon Court, Willowbank 4306	staceyrburch@gmail.com
34	Wendy Armstrong	6 Shannon Court, Willowbank 4306	wendz58@hotmail.com
35	Lee Purtell and Purtell family	18 McHale Way, Willowbank 4306	leepurt@bigpond.net.au
36	Queensland Raceways	PO Box 2392, North Ipswich 4305	admin@qldraceways.com.au
37	Alyce and Adam McLean	12 McHale Way, Willowbank 4306	alycermclean@bigpond.com
38	Natasha Blaine	4 Shawfield Street, Willowbank 4306	tashblaine@gmail.com
39	Kerri Anne Lynch	9 Tinworth Street, Willowbank 4306	kerri.1960@bigpond.com
40	Troy and Michelle Freeman	31 McHale Way, Willowbank 4306	bundyfree@bigpond.com
41	Gregory and Deborah White	258 Whitehill Road, Raceview 4305	gregwhite55@hotmail.com
42	Robert Armstrong	6 Shannon Court, Willowbank 4306	rob60ert@hotmail.com
43	Rosemaree Thomasson	26 Daisy Blair Lane, Walloon 4306	rosemareethomasson@bigpond.com
44	Chris Ninness	21 Warren Court, Willowbank 4306	c.ninness@bigpond.com

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45	Christie Ninness	21 Warren Court, Willowbank 4306	clhatch@hotmail.com
46	Janelle Golden	25 Dolben Street, Willowbank 4306	jrgnissan@outlook.com
47	Mark and Tracy Meier	74 Willowbank Drive, Willowbank 4306	tracysquiz@yahoo.com.au
48	Paul Dowdle	6 Kunkala Court, Rosewood 4340	doodslah@yahoo.com.au
49	Carolyn Skellern	114 Willowbank Drive, Willowbank 4306	cbskellern@yahoo.com
50	Deon, Bonnie, Flynn and Luis Roseneder	11 McHale Way, Willowbank 4306	deon.roseneder@cummins.com
51	George Hatchman	20 Banbury Court, Willowbank 4306	gehatch@bigpond.com
52	Gregory Schostakowski	15 McHale Way, Willowbank 4306	greglyn7@hotmail.com.au
53	Stuart and Julie Weston	10 Kirrily Court, Collingwood Park 4301	juliew23@hotmail.com
54	Birdlife Southern Queensland	PO Box 375, Annerley 4103	southernqld@birdlife.org.au
55	Emma and Todd Weston	120 Willowbank Drive, Willowbank 4306	emma.foster2@hotmail.com
56	Steven and Kate Tyler	44 McHale Way, Willowbank 4306	steventyler@bigpond.com
57	Remondis Australia Pty Ltd	69 Grindle Road, Rocklea	ishrar.ali@remondis.com.au
58	Carol Ashworth	40 R Faulkners Road, Thagoona 4306	stopthewastedumps@gmail.com
59	Rosewood District Protection Organisation Inc.	PO Box 25, Rosewood 4340	president.rdp@gmail.com ; secretary.rdp@gmail.com
60	Glenys Ashton	76 Southern Amberley Road, Willowbank 4306	sunnyside.amb@bigpond.com

9. Currency period for the approval (section 85 of the Planning Act 2016)

The currency period for this approval is as outlined in part 1 – ‘decision details’ of this decision notice, starting the day the approval takes effect. Unless the currency period is extended by the Assessment Manager pursuant to section 87 of the *Planning Act 2016*, this development approval lapses in accordance with section 85 of the *Planning Act 2016*.

10. When approval lapses if development started but not completed— variation approval

Not applicable to this decision.

11. Other requirements under section 43 of the Planning Regulation 2017

Not applicable to this decision.

12. Trunk Infrastructure

Not applicable to this decision.

13. Infrastructure Charges

- (a) Council will give an infrastructure charges notice for this development pursuant to section 119 of the *Planning Act 2016*.
- (b) From 1 July 2014, the Central SEQ Distributor-Retailer Authority (QUU) will issue all Infrastructure Charges Notices for charges relating to water and wastewater. For further information, it is recommended that you contact QUU's developer customer service team on (07) 3432 2200.

14. Submitting Change Representations to Request a Negotiated Decision Notice

In accordance with section 75 of the Planning Act 2016, the applicant may submit change representations to request a negotiated decision notice, during the applicant's appeal period, about changing a matter in the development approval (other than a matter stated because of a referral agency response or a development condition imposed under a direction by the Minister).

The applicant's appeal period is 20 business days, and any change representations must be submitted and assessed during this time, unless the applicant suspends the appeal period. To ensure both the applicant and the assessment manager have sufficient time to consider the change representations, it is recommended that the applicant suspend the appeal period (refer to section 75(2) of the Planning Act 2016) prior to submitting their change representations. This will allow an additional 20 business days for the applicant to submit their change representations, if required, and up to 20 business days for the assessment manager to consider the representations from the date the change representations are received.

Ipswich City Council does not charge an application fee for the submission of change representations.

For more information, please refer to the State Government's fact sheet on Change Representations: <https://dilgpprd.blob.core.windows.net/general/factsheet-change-representations.pdf>.

15. Appeal Rights

Applicant's appeal rights

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- ☐ the refusal of part of the development application; or
- ☐ a provision of the development approval; or
- ☐ if a development permit was applied for, the decision to give a preliminary approval.

An appeal must be started within 20 business days after this notice is given to you.

An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Submitter's appeal rights

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- ☐ the decision to give a development approval; or
- ☐ the decision to give an approval for a change application; or
- ☐ a provision of a development approval; or
- ☐ a failure to include a provision in the development approval.

An appeal may be made to the extent that the decision or matter relates to, as applicable:

- ☐ any part of the development application or change application that required impact assessment; or
- ☐ a variation request.

An appeal must be started within 20 business days after this notice is given to you.

An appeal may be made to the Planning and Environment Court. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 2 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

An extract from the *Planning Act 2016* about appeal rights is attached to this decision notice.

Attachment A**Assessment Manager's Conditions
File No: 10674/2019/CA**

Location: 266-304 Coopers Road, WILLOWBANK QLD 4306, 82A Lanes Road, EBENEZER QLD 4340, 82B Lanes Road, EBENEZER QLD 4340, 82C Lanes Road, EBENEZER QLD 4340, 82D Lanes Road, EBENEZER QLD 4340, 82E Lanes Road, EBENEZER QLD 4340, 82F Lanes Road, EBENEZER QLD 4340, 350 Coopers Road, WILLOWBANK QLD 4306, 166-198 Bergmans Road, EBENEZER QLD 4340, 202-282 Bergmans Road, EBENEZER QLD 4340, Lot 257 Unnamed Road, EBENEZER QLD 4340, Lot 312 Coopers Road, EBENEZER QLD 4340, 82H Lanes Road, EBENEZER QLD 4340, Lot 1 Coopers Road, EBENEZER QLD 4340

Proposal: Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots

Assessment Manager (Ipswich City Council) Conditions		
Conditions applicable to this approval under the Planning Act 2016		
No.	Condition	The time by which the condition must be met, implemented or complied with
1.	Basis of Approval	
	<p>This approval incorporates as a condition, the applicant's common material (as defined in <i>Schedule 24 – Dictionary of the Planning Regulation 2017</i>) for the application and adherence to all relevant Council Local Laws and/or the <i>Ipswich Planning Scheme</i> (including Planning Scheme Policies) unless otherwise varied by this approval or varied by a condition of this approval.</p> <p>Note: Any variation in the development from that approved herein may constitute assessable development pursuant to the <i>Planning Act 2016</i>.</p>	From the commencement of the construction of the development and at all times thereafter.
2.	Minor Alterations	
	Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the assessment manager will suffice.	At all times after the approval is granted.
3.	Rates in Arrears	
	The applicant must pay any outstanding rates and other expenses as a charge against the land in accordance with the provisions of the <i>Planning Act 2016</i> .	Prior to the assessment manager signing the subdivision plan.
4.	Subdivision Plan	
	The applicant must submit to the assessment manager a subdivision plan generally in accordance with the approved plans outlined in part 3 of the development	In conjunction with the lodgement of the application to sign the subdivision plan.

	permit.	
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5.	Locality References	
(a)	<p>The applicant must ensure any place name, estate name or development name used in respect of this development in any form of advertising or communication (excluding a reference to a building, structure or the like and excluding minor, subsidiary signage within a development to Council's satisfaction) must specify the relevant, approved place name under the <i>Place Names Act 1994</i> and must comply with the following:</p> <ul style="list-style-type: none"> (i) be in the same colour, background colour, typeface, font, font characteristics and character spacing as the place/estate/development name (ii) be in lettering at least 50% of the size of the place/estate/development name (iii) be in the same orientation as the place/estate/development name (iv) be in either title case or all in upper case. 	At all times after the approval is granted.
(b)	The applicant must not at any time refer to the location of the site or the development, including the place or estate, as being located in Brisbane or a Brisbane suburb or in the metropolitan area or in the western suburbs (excluding the western suburbs of Ipswich as determined by Council in writing from time to time).	At all times after the approval is granted.

6.	Hours of Construction	
	Unless otherwise approved in writing by the assessment manager, construction works must only occur within the hours as defined in <i>Planning Scheme Policy 3 – General Works Part 5, Section 5.1.3.</i>	At all times during construction of the development.

7	Stormwater Quantity Management	
	The applicant must discharge stormwater runoff from the proposed development to lawful point of discharge in accordance with QUDM. There must not be any concentration redirection of stormwater on to any adjoining property.	From the commencement of the construction of the development and at all times thereafter.

Assessment Manager (Ipswich City Council) Advice

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

1.	Management Lots Only
	Proposed Lots 1, 11, 101, 243 and 254 are considered to contain existing established uses and are therefore 'Management Lots' not requiring the payment of Infrastructure Contributions for road network Infrastructure, and are not connected to water, wastewater (sewerage), constructed road and stormwater infrastructure. Further construction works, levies and/or contributions may be applicable to the development of Management Lots 1, 11, 101, 243 and 254 for any purpose, or for the further subdivision of Management Lots 1, 11, 101, 243 and 254, in accordance with Ipswich Planning Scheme or any other legislation relevant at the time a development application is made to Council.
2.	Flooding
	The subject site is partially inundated by the 1 in 20 development line and the Adopted Flood Regulation Line. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the applicant and in reliance of information submitted by the applicant in support thereof.
3.	Mining
	The land to which this approval relates may have been worked by underground coal mining operations. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the applicant and in reliance of information submitted by the applicant in support thereof.
4.	Fire Ants
(a)	In accordance with the <i>Biosecurity Act 2014</i> and the <i>Biosecurity Regulation 2016</i> , the State of Queensland has implemented movement controls in areas (Fire Ant Biosecurity Zones) of Queensland where the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) has been detected.
(b)	It is a legal obligation to report any sighting or suspicion of Fire Ants within 24 hours to Biosecurity Queensland on 13 25 23 (24hrs). It should be noted that works involving movements of all materials associated with earthworks (import and export) within a fire ant biosecurity zone is subject to movement controls and failure to comply with the regulatory provisions is an offence under the Biosecurity Act 2014. The Fire Ant Biosecurity Zones, as well as general information can be viewed on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/fireants .
(c)	The land over which you have made a development application is within a Fire Ant Biosecurity Zone. The presence of Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact Biosecurity Queensland to investigate the site and for you to implement any necessary matters required prior to the commencement of any works.

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5.	Portable Long Service Leave
	Where the proposed works (civil and landscaping) are valued at \$150,000 or more and match the definition of Building and Construction Industry, the Building and Construction Industry (Portable Long Service Leave) Act 1991 requires that evidence of payment of the Portable Long Service Leave (QLLeave) Levy be received by Council as a condition of issuing a development permit for building works, operational works and plumbing and drainage works applications, as defined under the Planning Act 2016.
6.	Local Government Regulation 2012
	This property may be subject to the provision of Section 116 of the <i>Local Government Regulation 2012</i> . This section of the regulation limits any increase in rates to a predetermined percentage. In accordance with Council's budget and rating resolutions, if the property is sold or reconfigured in any way (eg subdivision, dedication or partial dedication, amalgamation) this benefit will no longer apply. For further information please contact the Ipswich City Council Customer Contact Centre on (07) 3810 6666.
7.	Section 73 of the Planning Act 2016
	Pursuant to Section 73 of the <i>Planning Act 2016</i> , a development approval including any conditions of approval is binding on the owner, the owner's successor in title and any occupier of the land.
8.	Indigenous Cultural Heritage
	<p>The Applicant is advised to ensure that any development obligations pursuant to the provisions of the <i>Aboriginal Cultural Heritage Act 2003</i>, the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i> are complied with in respect to the proposed development. Applicants, developers and landowners have a duty of care under the legislation where items of cultural heritage significance are located, even if those items have not been previously recorded in a database.</p> <p>For more information, the applicant may seek information from the Registered Aboriginal Cultural Heritage Body for the Ipswich Region, the cultural heritage database, or seek the advice of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs.</p>
9.	Acronyms and Terms
	Acronyms and terms used in this notice have the following meanings:
(a)	RPEQ - A Registered Professional Engineer of Queensland suitably qualified and experienced in the particular area of expertise required.
(b)	QUDM – The latest edition of the <i>Queensland Urban Drainage Manual</i>
(c)	MUTCD - <i>The Manual of Uniform Traffic Control Devices</i> , published by DTMR
(d)	DSMP – Dispersive Soil Management Plan which is prepared in accordance with Council Implementation Guideline # 28 and certified by RPEQ.
(e)	E&SCP – Erosion & Sediment Control Management Plan which is prepared in accordance with Council Planning Scheme Policy 3 and certified by RPEQ.
(f)	PSP 3 – Council Planning Scheme Policy 3
(g)	DTMR - Department of Transport and Main Roads
(h)	DES – Department of Environment and Science

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(i)	DNRME – Department of Natural Resources, Mines and Energy
(j)	DSDIP – Department of State Development, Infrastructure and Planning
(k)	AEP – Annual Exceedance Probability - used to define flood frequency and severity
(l)	AHD - Australian Height Datum (m)

Attachment B
Assessment Manager's Conditions

File No: 10674/2019/CA

Location: Over part of proposed Lot 101 of Development Approval 10674/2019/CA (over existing Lots 230 CH3132 and 231 CH3132)

Proposal: Material Change of Use –Special Industry (Waste Transfer and Resource Recovery Facility – includes waste recycling, reprocessing, storing, dismantling, baling, screening, washing, crushing, grinding, milling, sizing or separating activities)

Assessment Manager (Ipswich City Council) Conditions		
Conditions applicable to this approval under the Planning Act 2016		
No.	Condition	The time by which the condition must be met, implemented or complied with

1.	Basis of Approval	
	<p>This approval incorporates as a condition, the applicant's common material (as defined in <i>Schedule 24 – Dictionary of the Planning Regulation 2017</i>) for the application and adherence to all relevant Council Local Laws and/or the <i>Ipswich Planning Scheme</i> (including Planning Scheme Policies) unless otherwise varied by this approval or varied by a condition of this approval.</p> <p>Note: Any variation in the development from that approved herein may constitute assessable development pursuant to the <i>Planning Act 2016</i>.</p>	From the commencement of the construction of the development and at all times thereafter.
2.	Minor Alterations	
	Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the assessment manager will suffice.	At all times after the approval is granted.
3.	Rates in Arrears	
	The applicant must pay any outstanding rates and other expenses as a charge against the land in accordance with the provisions of the <i>Planning Act 2016</i> .	Prior to the assessment manager signing the subdivision plan.
4.	Development Plans	
	The applicant must undertake the development generally in accordance with the approved plans outlined in Part 3' Approved Plans, Specifications and Supporting Material' of this development permit.	From the commencement of the construction of the development and at all times thereafter.

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5.	Requirements before the Development may Start	
(a)	The applicant must not start the development until the Subdivision Plan for proposed Lot 101 of Development Approval 10674/2019/CA (Attachment A) has been registered with the Department of Natural Resources and Mines or equivalent.	At all times after the approval is granted.
6.	Cancel existing Approvals	
	Any existing permits/approvals/mining leases for the existing Use (Clay-Bentonite, Shale extraction activities etc) over Lot 230 CH3132 and 231 CH3132 and as relevant only to the Special Industry (Waste Transfer and Resource Recovery Facility) Use footprint as nominated on the approved plans (<i>referred at Part 3' Approved Plans, Specifications and Supporting Material' of this development permit</i>) must be lawfully cancelled/extinguished/surrendered as relevant.	Prior to the commencement of the use.
7.	Locality References	
(a)	<p>The applicant must ensure any place name, estate name or development name used in respect of this development in any form of advertising or communication (excluding a reference to a building, structure or the like and excluding minor, subsidiary signage within a development to Council's satisfaction) must specify the relevant, approved place name under the <i>Place Names Act 1994</i> and must comply with the following:</p> <ul style="list-style-type: none"> (i) be in the same colour, background colour, typeface, font, font characteristics and character spacing as the place/estate/development name (ii) be in lettering at least 50% of the size of the place/estate/development name (iii) be in the same orientation as the place/estate/development name (iii) be in either title case or all in upper case. 	At all times after the approval is granted.
(b)	The applicant must not at any time refer to the location of the site or the development, including the place or estate, as being located in Brisbane or a Brisbane suburb or in the metropolitan area or in the western suburbs (excluding the western suburbs of Ipswich as determined by Council in writing from time to time).	At all times after the approval is granted.

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8.	Hours of Construction	
	Unless otherwise approved in writing by the assessment manager, construction works must only occur within the hours as defined in <i>Planning Scheme Policy 3 – General Works Part 5, Section 5.1.3.</i>	At all times during construction of the development.
9.	Limits of Approval	
(a)	Unless otherwise approved in writing by the Council, heavy vehicles accessing and leaving the subject development site are limited to Cunningham Highway and Champions Way.	From the commencement of the construction of the development and at all times thereafter.
(b)	Access and haulage by any heavy vehicles used in conjunction with the development is not permitted through residential areas including but not limited to Coopers Road.	From the commencement of the construction of the development and at all times thereafter.
(c)	The location and extent of area/s to be used for the 'Special Industry (Waste Transfer and Resource Recovery Facility)' over the development site is strictly limited to the locations and areas as identified on the approved plans (including any amendments required by the conditions of this approval) outlined in part 3 of this development permit.	From the commencement of the use and at all times thereafter.
(d)	All activities/works associated with waste recycling/reprocessing including dismantling, baling, screening, washing, crushing, grinding, milling, sizing or separating activities, must be undertaken indoors within the confines of buildings identified on the approved plans. Outdoor paved/hardstand areas identified on the approved plans must only be used for vehicle parking, manoeuvring and external storage purposes.	From the commencement of the use and at all times thereafter.
(e)	The facility must not accept/process more than 1,000,000 tonnes of waste material in any calendar year.	From the commencement of the use and at all times thereafter.
(f)	The applicant must maintain records of the waste material received on the development site (including type of waste/material, volume of waste/material (tonnes and cubic metres), and associated vehicle trips) relating to the Special Industry (Waste Transfer and Resource Recovery Facility). Such records must be preserved for a minimum period of five (5) years and must be provided by the applicant/operator of the facility to the Council upon request.	From the commencement of the use and at all times thereafter.
(g)	The applicant must maintain and submit to the Council a record of the total number of all waste vehicles (including details on hourly and daily movements) that enter and exit the site.	On a 12-monthly basis from the commencement of the use.

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10.	Particular Use	
	The applicant must not use any of the structures associated with the 'Special Industry (Waste Transfer and Resource Recovery Facility)' inclusive of car parking and any associated outdoor areas on the premises, for any other purpose, unless, in the written opinion of the Council, such use is ancillary and incidental to the predominant use of the premises for a 'Special Industry (Waste Transfer and Resource Recovery Facility)'.	From the commencement of the construction of the development and at all times thereafter.
11.	Weigh Bridge	
	The applicant must install, maintain and use a 'Weigh Bridge' at all entry/exit access points that would normally be used by heavy vehicles to access/exit the development site pursuant to the conditions of approval.	Prior to the commencement of the use and at all times thereafter.
12.	Wheel Wash	
	The applicant must install and maintain a wheel wash system for all vehicles exiting the development site. The wheel wash must be provided at a location within the development site adjacent to the external road access.	Prior to the commencement of the use and at all times thereafter.
13.	Traffic Management Plan (relating to Ipswich Motorsports Precinct)	
(a)	<p>In conjunction with the amended traffic report required as per Condition 25 'Roadworks – External', the applicant must submit, for written approval by the assessment manager, a Traffic Management Plan to demonstrate how the impacts from the proposed site operations (in terms of generated vehicle traffic etc) during events/activities at the Ipswich Motorsport Precinct, will be managed. The Traffic Management Plan must amongst other matters address the following:</p> <ul style="list-style-type: none"> (i) Scenarios where the site operations of Special Industry (Waste Transfer and Resource Recovery Facility) Use would coincide with events at the Ipswich Motorsport Precinct must be taken into consideration, and suitable strategies and mitigation measures to eliminate any adverse impacts on the operation of the Ipswich Motorsport Precinct must be demonstrated. (ii) Overlay of event traffic demand during Ipswich Motorsport Precinct events. 	Prior to the lodgement of the first application for operational works.

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	<ul style="list-style-type: none"> (iii) Detailed consideration with respect to the management of Special Industry (Waste Transfer and Resource Recovery Facility) Use operations during major Ipswich Motorsport Precinct events. (iv) Safety assessment and consideration of vehicle and familiarity mix. (v) Any restrictions to be implemented for particular vehicle types, the duration of restrictions and details of exemptions. (vi) Required traffic management procedures to be undertaken to ensure the safe and efficient movement of Special Industry (Waste Transfer and Resource Recovery Facility) Use traffic. (vii) Where the Special Industry (Waste Transfer and Resource Recovery Facility) Use intends to remain operational during Ipswich Motorsport Precinct events, the intended strategy for liaison with event personnel to ensure safe and efficient operation of Champions Way during such conditions. (viii) Assessment of intersection operations at the Cunningham Highway and Champions Way, including Special Industry (Waste Transfer and Resource Recovery Facility) Use traffic and predicted Ipswich Motorsport Precinct event traffic. (ix) Details of intended restrictions to operations of Special Industry (Waste Transfer and Resource Recovery Facility) during major Ipswich Motorsport Precinct events. (x) Seek approval from Department of Transport and Main Roads (DTMR) before undertaking works for the assessment on the risk on the intersection Cunningham Highway and Champions Way and any upgrade/construction required within DTMR jurisdiction. 	
(b)	The applicant must implement the endorsed strategies and mitigation measures identified in the traffic report/management plan as required by Condition 13(a) above and Condition 25 'Roadworks – External' below of this approval	From the commencement of the use and at all times thereafter (particularly during events at the Ipswich Motorsports Precinct).

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14.	Lighting	
	Lighting used to illuminate any areas of the premises (ie security or flood lighting) must be designed, constructed, located and maintained to the satisfaction of the assessment manager so as not to cause nuisance to the occupants of nearby properties or passing traffic. All lighting must be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways and does not cause extraneous light to be directed or reflected upwards.	Prior to the commencement of the use and at all times thereafter.
15.	Access for People with a Disability	
	The applicant must provide adequate access for people in wheelchairs by means of an unimpeded continuous path of travel from any adjacent roadway, other public lands and from any car parking bay allocated for use by people with a disability, to all parts of the development which are normally open to the public.	Prior to the commencement of the use and at all times thereafter.
16.	Car Parking – Use and Maintenance	
(a)	The applicant must provide a minimum of Fifty (50) car parking spaces for the development.	Prior to the commencement of the use and at all times thereafter.
(b)	<p>The applicant must ensure all parking areas are:</p> <ul style="list-style-type: none"> (i) Kept exclusively for parking for the development; (ii) Used exclusively for parking for the development (iii) Accessible to both staff and customers during any approved hours of operation (unless otherwise indicated on the approved plans); (iv) Appropriately signposted at the entry/entries to the car park (eg "Staff and Customer Parking") in accordance with AS1742; and (iv) Maintained in perpetuity. 	Prior to the commencement of the use and at all times thereafter.
17.	Landscaping	
(a)	The applicant must submit, for written approval by the assessment manager, landscape plans (including fencing details) generally in accordance landscape plan/s listed at in Part 3 'Approved Plans, Specifications and Supporting Material' of this development permit, and with section 12.7.4 (11) & (12) of the Commercial and Industrial Code of the <i>Ipswich Planning Scheme</i>	In conjunction with the lodgement of the application for operational works.

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	utilising only native, non-invasive, plant species such as those referenced in the <i>Ipswich City Council's Vegetation Communities Rehabilitation Guide 4 Open Forests and Woodlands</i> .	
(b)	The applicant must design external fencing along adjoining road/s to achieve a minimum of 75% transparency.	In conjunction with the lodgement of the application for operational works.
(c)	The applicant must provide landscaping and fencing works in accordance with the approved landscape plans.	Prior to the commencement of the use and at all times thereafter.
(d)	The applicant must submit to the assessment manager a Certificate of Compliance for Landscape Works completed by a qualified landscape designer stating the works have been completed in accordance with requirements of the approved landscape plan.	Prior to the commencement of the use.

18.	Trade Materials, Products and Plant	
(a)	The applicant must store all trade materials, products and plant within the confines of the building and/or approved storage areas.	From the commencement of the use and at all times thereafter.
(b)	The applicant must not stack materials within outdoor storage areas in excess of 3.5 metres in height above finished ground level unless otherwise detailed on the approved plans.	From the commencement of the use and at all times thereafter.

19.	Loading and Unloading	
(a)	The applicant must undertake all loading and unloading at the approved location detailed on the approved plans outlined in part 3 of this development permit.	From the commencement of the use and at all times thereafter.
(b)	The applicant must undertake all loading and unloading within the confines of the subject site.	From the commencement of the use and at all times thereafter.

20.	Heavy Vehicle Parking	
(a)	The applicant must park heavy vehicles within the confines of the building(s) or approved heavy vehicle parking area(s) as detailed on the approved plans outlined in part 3 of this development permit.	From the commencement of the use and at all times thereafter.

21.	Recreation Space	
	The applicant must provide a recreation space for employees in accordance with the approved plans outlined in part 3 of this development permit and which must:	From the commencement of the use and at all times during the approved hours of operation thereafter.
	(i) be available for the recreational use of all employees on the premises	
	(ii) be accessible via properly constructed pedestrian	

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	pathways from all parts on the premises (iii) <i>be furnished and/or landscaped as necessary.</i>	
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22.	Toilet Facilities	
	The applicant must provide customer toilets (including facilities for the disabled) that remain open for access by customers and staff.	From the commencement of the use and at all times during the approved hours of operation thereafter.

23.	Compliance with Requirements of Department of Defence	
(a)	The applicant must comply with the Defence (Aviation Area) Regulations and provide to Department of Defence details of tall structures as identified in Department of Defence's Third Party Advice Agency response (Department of Defence Reference Number ID-EP-DLP&R/OUT/2021/BS17000343 and dated 15 January 2021 - refer to Attachment E of this decision notice).	Prior to the commencement of the use and at all times thereafter.
(b)	The applicant must submit for approval by the Department of Defence a 'Wildlife Management Plan' as identified in Department of Defence's Third Party Advice Agency response (Department of Defence Reference Number ID-EP-DLP&R/OUT/2021/BS17000343 and dated 15 January 2021 - refer to Attachment E of this decision notice).	Prior to the commencement of the use and at all times thereafter.

24.	Utility Services	
(a)	The applicant must connect the development to water supply, sewer effluent, electricity supply and telecommunication utilities.	Prior to commencement of the use and at all times thereafter.
(b)	The applicant must provide to the assessment manager written evidence (e.g. connection certificate) from each particular service provider stating that the development has been connected to applicable utility service or has a current supply agreement.	Prior to the commencement of the use.
(c)	The applicant must provide telecommunications to subject building(s), lead-in conduits and equipment space in a suitable location within the building(s), to suit carrier of choice.	Prior to the commencement of the use.

25.	Roadworks - External	
(a)	The traffic report prepared by TTM dated 22 April 2020 is not approved. An amended traffic report prepared by RPEQ experienced in Traffic Engineering must be provided for the assessment manager's approval. The amended traffic report must have regard to the Special Industry (Waste Transfer and Resource Recovery	Prior to the lodgement of the first application for operational works.

	<p>Facility) Use as a standalone facility (i.e. remove all aspects associated with the proposed landfill) and must address the following:</p> <p>(i) Undertake an assessment of the existing road conditions for Champions Way and the Unnamed Road along the northern boundary of the Queensland Raceway site (Lot 11 SP108209), from the Cunningham Highway to the northern driveway access to the Queensland Raceway site (Sections 1 to 4 of plan titled '<i>Roadworks - Champions Way, drawing no. RW-1, prepared by ICC and dated 14 July 2021</i>' – refer plan included at Part 3 '<i>Approved Plans, Specifications and Drawings</i>'). This assessment must consider the standard of current construction and identify works required to achieve the standards set out in the Ipswich Planning Scheme for an Industrial Collector Road and Council's Standard Drawing (SR.03). The assessment must include pavement testing to determine the depth and strength of existing pavement and determine the works (including pavement design) required to achieve the Industrial Collector ESA's design requirements. The pavement design must achieve a 20-year design life, post opening of the proposed development.</p> <p>(ii) Provide information on the proposed layout/treatment of the intersection of Champions Way/Unnamed road along the northern boundary of the Queensland Raceway site (Section 3 of plan titled '<i>Roadworks - Champions Way, drawing no. RW-1, prepared by ICC and dated 14 July 2021</i>' – refer plan included at Part 3 '<i>Approved Plans, Specifications and Drawings</i>'). It is noted that Development Approval 1201/2014/CA over property at Lot 25 RP217490 (3 Cocks Road, Ebenezer), relies on Champions Way and this intersection for access. The applicant must prepare concept plans and an intersection assessment for the proposed intersection to demonstrate that it has sufficient capacity and will operate in a safe and efficient manner with both the traffic associated with Development Approval 1201/2014/CA and the traffic generated by the subject development. The intersection layout must not include any land under private ownership other than the applicant.</p>	
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	<p>(iii) The intersection of Champions Way/Unnamed road along the northern boundary of the Queensland Raceway site (Section 3 of plan titled <i>'Roadworks - Champions Way, drawing no. RW-1, prepared by ICC and dated 14 July 2021' – refer plan included at Part 3 'Approved Plans, Specifications and Drawings'</i>) design must consider the following:</p> <ol style="list-style-type: none"> 1) Priority for through traffic along Champions Way with a 'T' intersection off existing access road to the Queensland Raceway site (Lot 11 SP108209); 2) Provide a Basic Left Turn and Basic Right Turn treatment (BAR/BAL); and 3) Where widening occurs, a Collector Road pavement profile designed to an ESA of 2 X10⁵ and 40mm bound AC surface must be provided. <p>(iv) Provide information including concept plans to demonstrate any works required at the existing Queensland Raceway site (Lot 11 SP108209) access driveways, to ensure that these accesses operate in a safe and efficient manner with the traffic generated by the proposed development. Any upgrade works required must not include any land under private ownership other than the applicant.</p> <p>(v) Provide information on the proposed road ownership, mechanism of operation and road maintenance responsibilities for the Unnamed Road proposed to be constructed along the northern boundary of the Queensland Raceway site (Lot 11 SP108209) from the Queensland Raceway northern driveway access to the development boundary (Section 5 of plan titled <i>'Roadworks - Champions Way, drawing no. RW-1, prepared by ICC and dated 14 July 2021' – refer plan included at Part 3 'Approved Plans, Specifications and Drawings'</i>). The applicant must ensure the Unnamed Road is in private ownership with limited access via temporary or permanent road closure. The plans must clearly identify private roads and public roads.</p>	
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	<p>(vi) A turnaround facility must be provided at the end of the public road to accommodate vehicles to perform a U-turn up to and including B-double trucks.</p> <p>(vii) Provide information in accordance with Condition 13(a) Traffic Management (relating to Ipswich Motorsports Precinct)' of this approval.</p> <p>(viii) Necessary cross drainage works must be considered to convey stormwater flows without impacting on both upstream and downstream properties. The design must consider recommendation of SBSMP and Flood report as required by Condition 27 'Stormwater Quantity Management' and Condition 28 'Flooding' below of this approval.</p>	
(b)	<p>In addition to Condition 25(a) above, the amended traffic report must consider Champions Way and its intersection with the Cunningham Highway including the surrounding network. The applicant must seek approval from the Department of Transport and Main Roads (DTMR) for any recommended works on the intersection of Cunningham Highway and Champions Way and any upgrade/construction required within DTMR jurisdiction.</p> <p>To this end, the amended traffic report must address the following as a minimum:</p> <p>(i) Assessment of existing road safety issues along Champions Way and its intersection with the Cunningham Highway.</p> <p>(ii) Assessment of the risk associated with increased traffic volumes due to the Special Industry (Waste Transfer and Resource Recovery Facility) Use along Champions Way and the Cunningham Highway (particularly heavy vehicle traffic).</p> <p>(iii) Assessment of existing traffic operations and future impacts on traffic operations at the intersection of the Cunningham Highway and Champions Way using SIDRA.</p> <p>(iv) Assess the intersection conditions (both at the time of construction of future operations) at the intersection of Champions Way and the</p>	<p>Prior to the lodgement of the first application for operational works.</p>

	<p>Unnamed Road to be constructed using SIDRA.</p> <p>(v) Assessment of the intersection of Champions Way entrance to the Queensland Raceway (Lot 11 SP108209) site (where sealed and unsealed sections of Champions Way meet). Consideration must be given to the requirement of upgrading this intersection if deemed necessary by a formal technical assessment.</p> <p>(vi) Assessment of the impact of the Special Industry (Waste Transfer and Resource Recovery Facility) Use on the safety and efficiency of the surrounding road network.</p> <p>(vii) Analysis of the impact of Special Industry (Waste Transfer and Resource Recovery Facility) Use traffic upon existing background traffic volumes, including heavy vehicle movements to and from the existing Waste Management facility (Ti Tree Bio Energy) on Lot 3 SP 167885 on Champions Way.</p> <p>(viii) Detailed assessment of the Waste In/Waste Out trips generated along Champions Way.</p> <p>(ix) Consideration of time-of-day operational restrictions for heavy vehicle movements and other site operations associated with the Special Industry (Waste Transfer and Resource Recovery Facility) Use.</p> <p>(x) Required parking and internal traffic operations for the Special Industry (Waste Transfer and Resource Recovery Facility) Use.</p> <p>(xi) Detailed design of the intersection of Champions Way and the Unnamed Road to be constructed.</p>	
(c)	<p>In accordance with the approved Traffic Report as required by Conditions 25(a) and 25(b) above, the applicant must provide detailed design for Council's approval. The design must consider all roadworks required to facilitate access to the Special Industry (Waste Transfer and Resource Recovery Facility) Use. Further, the design must include necessary frontage works along with associated earthworks and cross-drainage works.</p>	<p>In conjunction with the lodgement of the application for operational works.</p>

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	In the event there is need for additional land from the subject development site to facilitate for the required standards of public roads, then the applicant must dedicate that land to Council free of cost.	
(d)	The applicant must upgrade/construct all roads (both public (Ipswich City Council and DTMR jurisdiction) and private) to facilitate access to the Special Industry (Waste Transfer and Resource Recovery Facility) Use in accordance with the approved design as required by Condition 25(c) above.	Prior to the commencement of the use.

26.	Access, Parking and Manoeuvring Areas	
(a)	The applicant must construct all parking, access and manoeuvring areas of concrete, bitumen or equivalent materials approved by the assessment manager.	From the commencement of the use and at all times thereafter.
(b)	The applicant must line-mark all parking, access and manoeuvring areas in accordance with the relevant Australian Standard.	From the commencement of the use and at all times thereafter.
(c)	The applicant must make provision for all vehicles to enter and exit the site in forward gear.	From the commencement of the use and at all times thereafter.
(d)	The applicant must provide detailed designs for the internal private access/roads to facilitate access to the Special Industry (Waste Transfer and Resource Recovery Facility) Use from the road network which is required to be constructed as per Condition 25 'Roadworks – External' above of this approval. The design must consider required earthworks, cross-drainage works, largest anticipated vehicles turning movements, pavement design etc. The works associated with the internal access must not have any impacts on to any adjoining properties especially in regard to interface earthworks and stormwater flows unless written consent from relevant parties are obtained and submitted to Council. The internal private road design must be submitted for Council's approval.	In conjunction with lodgement of the application for operational works.
(e)	The internal private road/ access must be constructed generally in accordance with approved design as required by Condition 26(d) above.	Prior to the commencement of the use.

27.	Stormwater Quantity Management	
(a)	The applicant must provide an allotment drainage system which is designed in accordance with QUDM.	Prior to the commencement of the use.
(b)	The submitted flood and Stormwater Management Plan prepared by Peak Urban dated 24 June 2020 is not approved. The applicant must submit an amended Site-Based Stormwater Quantity Management Plan	Prior to or in conjunction with lodgement of the first application for operational works.

<p>(SBSMP) addressing the following:</p> <ul style="list-style-type: none"> (i) Impacts from/on the Special Industry (Waste Transfer and Resource Recovery Facility) Use as a standalone facility (ie. remove all aspects associated with the proposed landfill). (ii) The SBSMP must be prepared and certified by a suitably qualified RPEQ, with detailed hydraulic calculations for all storm events up to and including the 1% AEP event, in accordance with QUDM and Council's Implementation Guideline 24 - Stormwater Management. (iii) The catchment details and hydrology used to inform the SBSMP. (iv) Increase in stormwater runoff that will be generated by the development. (v) Pre and post-development, sub-catchment discharge plans. (vi) Nomination of a lawful point(s) of discharge associated with the required allotment drainage system for the proposed development. (vii) Treatments required at the points of discharge associated with proposed drainage system, with due consideration to soil type and existing stability. (viii) Methods of capture and conveyance of existing upstream catchments considering no worsening on adjoining properties and downstream. (ix) Management strategies to ensure no-worsening at the nominated lawful point of discharge. <p>The amended report and the detailed design must be submitted for Council approval.</p>	
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(c)	The applicant must construct the stormwater quantity management system for the Special Industry (Waste Transfer and Resource Recovery Facility) Use, generally in accordance with approved design as required by Condition 27(b) above.	Prior to the commencement of the use.
(d)	The applicant must discharge stormwater runoff from the Special Industry (Waste Transfer and Resource Recovery Facility) Use to lawful point of discharge in accordance with QUDM and the approved stormwater management report as required by Condition 27(b) above.	From the commencement of the use and at all times thereafter.
(e)	The applicant must provide screen or external barriers / fencing in accordance with the approved safety audit recommendations as required by Condition 32(c) 'Design Standards' of this approval.	Prior to the commencement of the use.

28.	Flooding	
(a)	<p>The submitted Flood and Stormwater Management Plan prepared by Peak Urban dated 24 June 2020 is not approved. The applicant must submit an amended flood report addressing the following:</p> <ul style="list-style-type: none"> (i) Impacts from/on the Special Industry (Waste Transfer and Resource Recovery Facility) Use as a standalone facility (ie. remove all aspects associated with the proposed landfill). (ii) The report must be signed by an RPEQ with the inclusion of name and RPEQ reference number. (iii) Upon considering the matters raised in Condition 25 'Roadworks - External' and Condition 26 'Access, Parking and Manoeuvring Areas' of this approval, demonstrate no impacts on flood levels and no worsening of the existing situation on to surrounding properties and downstream. Further, demonstrate that the development will not worsen the existing function of the overland flow path to convey the flows of a storm event up to 1% AEP. (iv) Demonstrate that suitable road crossing drainage infrastructure is provided to convey the existing flow paths without impacting on the surrounding properties both upstream and downstream. (v) Demonstrate that all proposed internal access roads and external roads will remain trafficable 	Prior to the lodgement of the first application for operational works.

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	<p>and 'Depth x Velocity' product are in accordance with QUDM for safety requirements.</p> <p>(vi) The submitted report (<i>Flood and Stormwater Management Plan prepared by Peak Urban dated 24 June 2020</i>) clearly indicates there is worsening of existing situation as a result of the proposed development. The amended report must demonstrate no worsening of existing situation as a result of the proposed development. The modelling results must be provided for all the discharge characters like flood depths, velocities etc. for pre and post developed cases.</p> <p>(vii) Sensitivity analysis for blockages of drainage crossing should be carried out to determine the impact of any potential future obstruction within the flow path or on adjoining properties.</p> <p>The amended report and the detailed design for drainage works must be submitted for Council approval.</p>	
(b)	The applicant must construct the associated drainage works for the Special Industry (Waste Transfer and Resource Recovery Facility) Use generally in accordance with the approved flood report and the approved drainage design as required by Condition 27(b) above.	Prior to the commencement of the Use.

29.	Earthworks	
(a)	The applicant must design all earthworks (including earth retaining structures) in accordance with Planning Scheme Policy 3 – General Works, Part 4 of the <i>Ipswich Planning Scheme</i> . A detailed design for proposed earthworks and retaining walls must be submitted for Council approval.	In conjunction with the lodgement of the application for operational works and during construction.
(b)	The applicant must undertake all the earthworks for the proposed development as required by Condition 29(b) above.	Prior to the commencement of the use.
(c)	The applicant must implement all dispersive soil management devices generally in accordance with recommendations of the approved DSMP report as required by Condition 32(d) 'Design Standards' of this approval.	From the commencement of works until completion.

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30.	Geotechnical/Slope Stability	
(a)	The applicant must submit a geotechnical report and slope stability report for the Special Industry (Waste Transfer and Resource Recovery Facility) Use. The geotechnical report must be prepared by an RPEQ demonstrating that the subject development has been adequately designed based on the existing geotechnical conditions of the site and that they achieve a long-term factor of safety against geotechnical instabilities. The report must consider proposed road works (both private and public), mining constraint area, open cut mining and the stormwater drainage system in the analysis for the development.	In conjunction with the lodgement of the application for operational works.
(b)	The applicant must submit to the assessment manager a design for civil works associated with the Special Industry (Waste Transfer and Resource Recovery Facility) Use which complies with the recommendations of the approved geotechnical report and slope stability as required by Condition 30(a) above.	In conjunction with the lodgement of the application for operational works.
(c)	The applicant must construct all municipal works and internal works (road works/ drainage infrastructure/ earthworks and retaining walls etc) generally in accordance with the recommendation of approved geotechnical/slope stability report as required by Conditions 30(a) - 30(b) above.	Prior to the commencement of the use.
31.	Sediment and Erosion Management	
	The applicant must engage a Registered Professional Engineer (RPEQ) or Certified Professional in Erosion and Sediment Control (CPESC) to prepare and certify for construction an ESC Program and Plan and supporting documentation in accordance with IECA Best Practice Guidelines.	Prior to the pre-start meeting.
32.	Design Standards	
(a)	The applicant must design all municipal works (Roadworks/stormwater drainage/earthworks etc) in accordance with <i>Planning Scheme Policy 3 - General Works and Implementation Guidelines 24 and 28 of the Ipswich Planning Scheme</i> .	In conjunction with the lodgement of the application for operational works.
(b)	The applicant must design all internal works (stormwater drainage/car-parking/earthworks etc) in accordance with <i>Planning Scheme Policy 3 - General Works and Implementation Guidelines 24 and 28 of the Ipswich Planning Scheme</i> .	In conjunction with the lodgement of the application for operational works.

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(c)	The applicant must submit a safety audit to the assessment manager for the drainage infrastructure (inlet and outlet structures, retention or detention basin etc) for approval. The safety audit must be certified by a RPEQ, provide recommendations on the need for safety fencing and inlet and outlet screens and be prepared in accordance with AS/NZS ISO 31000:2009 'Risk Management – Principles and Guidelines' and QUDM.	In conjunction with the lodgement of the application for operational works.
(d)	The applicant must submit to the assessment manager a Dispersive Soil Management Plan (DSMP), prepared by a suitably qualified person in accordance with Council's Implementation Guideline 28 – Dispersive Soil Management of the <i>Ipswich Planning Scheme</i> .	In conjunction with the lodgement of the application for operational works.

33.	Design Certifications	
(a)	The applicant must submit to the assessment manager RPEQ (structural) certification stating that all cut/fill batters and retaining structures associated with proposed earthworks, access roads and building pads have been designed in accordance with the recommendations of the approved geotechnical report and soil stability report as required by Condition 30 'Geotechnical/Slope Stability' of this approval.	In conjunction with the lodgement of the application for operational works.
(b)	The applicant must submit to the assessment manager RPEQ design certification(s) stating that all civil and associated works have been designed in accordance with Council's specifications, infrastructure design standards and this approval.	In conjunction with the lodgement of the application for operational works.
(c)	The applicant must submit to the assessment manager a RPEQ certification stating that all proposed works have been designed in accordance with the recommendations of the flooding/stormwater report as required by Condition 27 'Stormwater Quantity Management' and Condition 28 'Flooding' of this approval.	In conjunction with the lodgement of the application for operational works.

34.	Further Works	
(a)	The applicant must take due regard of all existing services when undertaking works associated with this development.	During the construction of the development and prior to commencement of use.
(b)	The applicant must alter any services when the relevant authority or assessment manager determines that works associated with this development has an impact upon any existing services.	During the construction of the development and prior to commencement of use.
(c)	The applicant must reinstate all disturbed verge and open space areas with turf (including provision of topsoil to minimum depth of 50mm).	Prior to commencement of use.

Assessment Manager (Ipswich City Council) Advice

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

1.	Flooding
	The subject site is partially inundated by the 1 in 20 development line and the Adopted Flood Regulation Line. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the applicant and in reliance of information submitted by the applicant in support thereof.
2.	Mining
	The land to which this approval relates may have been worked by underground coal mining operations. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the applicant and in reliance of information submitted by the applicant in support thereof.
3.	Fire Ants
(a)	In accordance with the <i>Biosecurity Act 2014</i> and the <i>Biosecurity Regulation 2016</i> , the State of Queensland has implemented movement controls in areas (Fire Ant Biosecurity Zones) of Queensland where the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) has been detected.
(b)	It is a legal obligation to report any sighting or suspicion of Fire Ants within 24 hours to Biosecurity Queensland on 13 25 23 (24hrs). It should be noted that works involving movements of all materials associated with earthworks (import and export) within a fire ant biosecurity zone is subject to movement controls and failure to comply with the regulatory provisions is an offence under the Biosecurity Act 2014. The Fire Ant Biosecurity Zones, as well as general information can be viewed on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/fireants .
(c)	The land over which you have made a development application is within a Fire Ant Biosecurity Zone. The presence of Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact Biosecurity Queensland to investigate the site and for you to implement any necessary matters required prior to the commencement of any works.
4.	Local Government Regulation 2012
	This property may be subject to the provision of Section 116 of the <i>Local Government Regulation 2012</i> . This section of the regulation limits any increase in rates to a predetermined percentage. In accordance with Council's budget and rating resolutions, if the property is sold or reconfigured in any way (eg subdivision, dedication or partial dedication, amalgamation) this benefit will no longer apply. For further information please contact the Ipswich City Council Customer Contact Centre on (07) 3810 6666.

5.	Section 73 of the <i>Planning Act 2016</i>
	Pursuant to Section 73 of the <i>Planning Act 2016</i> , a development approval including any conditions of approval is binding on the owner, the owner's successor in title and any occupier of the land.
6.	Indigenous Cultural Heritage
	<p>The Applicant is advised to ensure that any development obligations pursuant to the provisions of the <i>Aboriginal Cultural Heritage Act 2003</i>, the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i> are complied with in respect to the proposed development. Applicants, developers and landowners have a duty of care under the legislation where items of cultural heritage significance are located, even if those items have not been previously recorded in a database.</p> <p>For more information, the applicant may seek information from the Registered Aboriginal Cultural Heritage Body for the Ipswich Region, the cultural heritage database, or seek the advice of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs.</p>
7.	Acronyms and Terms
	Acronyms and terms used in this notice have the following meanings:
(a)	RPEQ - A Registered Professional Engineer of Queensland suitably qualified and experienced in the particular area of expertise required.
(b)	DSMP – Dispersive Soil Management Plan which is prepared in accordance with Council Implementation Guideline # 28 and certified by RPEQ.
(c)	E&SCP – Erosion & Sediment Control Management Plan which is prepared in accordance with Council Planning Scheme Policy 3 and certified by RPEQ.
(d)	PSP 3 – Council Planning Scheme Policy 3
(e)	QUDM – The <i>Queensland Urban Drainage Manual</i> , produced by the Queensland Department of Environment and Natural Resources
(f)	MUTCD - <i>The Manual of Uniform Traffic Control Devices</i> , published by DTMR
(g)	DTMR - Department of Transport and Main Roads
(h)	DES – Department of Environment and Science
(i)	DNRME – Department of Natural Resources, Mines and Energy
(j)	DSDMIP – Department of State Development, Manufacturing, Infrastructure and Planning
(k)	AEP – Annual Exceedance Probability - used to define flood frequency and severity
(l)	AHD - Australian Height Datum (m)
(m)	Internal works - works performed within private property and includes but is not limited to, earthworks, driveways and stormwater management systems.
(n)	External municipal works - works external to the development and located in dedicated public areas, for example existing road or drainage reserve, or private property not owned by the applicant.

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8.	Bonds
	<p>Any bonding sought to be approved in relation to development will be considered in accordance with Planning Scheme Policy 3 of the <i>Ipswich Planning Scheme</i>.</p> <p>The Bond, Licence Deed and conditions of security payment can be found online at http://www.ipswichplanning.com.au/development-planning/development-planning-information. Council's preference is for bonds to be submitted by way of a Bank Guarantee.</p>
9.	Operational Works Submission
	<p>The applicant must submit to the assessment manager all engineering drawings in accordance with the requirements of <i>Ipswich Planning Scheme 2 – Information Local Government May Request</i>. For clarification, where any inconsistency or conflict exists between design standards and other relevant technical publications, Council standards and specifications must take precedence.</p>
10.	Proximity of Earthworks to Adjoining Property
	<p>Where earthworks, including retaining structures, are proposed within 3.0m of the property boundary or are likely to affect adjoining property owners, the applicant must notify the affected property owners in writing, and obtain written comments from them, as detailed in Part 12, Division 15 - Specific Outcome 19 and Note 12.15.4K of the <i>Ipswich Planning Scheme</i>. Written comments from the affected owners (or at least the supporting documentation of notification and consultation with the adjoining property owners to the Council's satisfaction) must be submitted to Council for consideration, in conjunction with any operational works application.</p>
11.	Portable Long Service Leave
	<p>Where the proposed works (civil and landscaping) are valued at \$150,000 or more and match the definition of Building and Construction Industry, the <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i> requires that evidence of payment of the Portable Long Service Leave (QLeave) Levy be received by Council as a condition of issuing a development permit for building works, operational works and plumbing and drainage works applications, as defined under the <i>Planning Act 2016</i>.</p>
12.	Telecommunication Conduit Infrastructure
	<p>The installation of telecommunication conduit and infrastructure is to be in accordance with the latest Communications Alliance publication or the Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers where it is triggered by the Australian Government policy on 'Fibre in new developments'.</p>
13.	Road Corridor Permit
	<p>The applicant is advised to seek approval from the Department of Transport and Main Roads under Sections 33 and 62 of the <i>Transport Infrastructure Act 1994</i> prior to undertaking any physical works within or adjacent to the boundary of the State-controlled road. These approvals are issued under the <i>Transport Infrastructure Act 1994</i> and constitute a separate process to seeking a Development Permit issued under the <i>Planning Act 2016</i>.</p>

14.	Road Permit Application
	<p>The applicant is advised to seek a Road Permit approval from Ipswich City Council pursuant to Sections 69 and 75 of the <i>Local Government Act 2009</i> prior to undertaking any physical works within or adjacent to the boundary of the Council-controlled road. These approvals are issued under the <i>Local Government Act 2009</i> and constitute a separate process to seeking a Development Permit issued under the <i>Planning Act 2016</i>.</p> <p>Please contact the Ipswich City Council office for further information via email: council@ipswich.qld.gov.au or telephone (07) 3810 6666.</p>
15.	Engineering Analysis
	<p>A detailed engineering analysis of the calculations and drawings, submitted as part of the approval process, has not been undertaken by Council. Neither Council nor council engineers have professionally reviewed or accredited the engineering design and are relying on the expertise and certification of the applicant's RPEQ engineer.</p>
16.	Report Assessment
	<p>The applicant is advised that should Council require the submission of an amended report prior to the lodgement and/or in conjunction with any Operational Works development application, a fee will apply in accordance with the current Council Fees and Charges.</p>

DECISION NOTICE – INFRASTRUCTURE CHARGES

Decision Date: 16 September 2021

Council gives this infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

Appeal Rights

You have appeal rights in relation to this notice. An appeal may be made against an infrastructure charges notice on one (1) or more of the following grounds:

(a) the notice involved an error relating to:

(i) the application of the relevant adopted charge; or

Examples of errors in applying an adopted charge:

- the incorrect application of gross floor area for a non-residential development

- applying an incorrect 'use category', under a regulation, to the development

(ii) the working out of extra demand, for section 120 of the *Planning Act 2016*; or

(iii) an offset or refund; or

(b) there was no decision about an offset or refund; or

(c) if the infrastructure charges notice states a refund will be given – the timing for giving the refund; or

(d) for an appeal to the Planning and Environment Court – the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

To remove any doubt, the *Planning Act 2016* declares that an appeal against an infrastructure charges notice must not be about:

(i) the adopted charge itself; or

(j) for a decision about an offset or refund:

(i) the establishment cost of trunk infrastructure identified in a local government infrastructure plan; or

(ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

An appeal must be started within 20 business days after the infrastructure charges notice is given to you.

An appeal may be made to the Planning and Environment Court or to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

Attached is an extract from the *Planning Act 2016* about appeal rights.

INFRASTRUCTURE CHARGES NOTICE

This Infrastructure Charges Notice is issued by Council and relates to charges for the purposes of local government trunk infrastructure networks (transport, public parks and community facilities).

Application No:	10674/2019/CA
Real Property Description:	Lot 2 SP 167885, Lot 231 CH 3132, Lot 230 CH 3132, Lot 240 CH 3132, Lot 241 CH 3132, Lot 242 CH 3132, Lot 1 RP 24569, Lot 1 SP 167885, Lot 243 CH 3132, Lot 254 CH 31200, Lot 257 CH 31247, Lot 312 CH 31969, Lot 2 RP 24570, Lot 1 RL 8701
Property Location:	82A Lanes Road, EBENEZER QLD 4340 82B Lanes Road, EBENEZER QLD 4340 82C Lanes Road, EBENEZER QLD 4340 82D Lanes Road, EBENEZER QLD 4340 82E Lanes Road, EBENEZER QLD 4340 82F Lanes Road, EBENEZER QLD 4340 82H Lanes Road, EBENEZER QLD 4340 Lot 312 Coopers Road, EBENEZER QLD 4340 266-304 Coopers Road, WILLOWBANK QLD 4306 350 Coopers Road, WILLOWBANK QLD 4306 166-198 Bergmans Road, EBENEZER QLD 4340 202-282 Bergmans Road, EBENEZER QLD 4340 Lot 257 Unnamed Road, EBENEZER QLD 4340
Development Approval Details:	In accordance with Development Approval 10674/2019/CA
Relevant Infrastructure Charges Resolution:	Ipswich City Council Adopted Infrastructure Charges Resolution (No. 1) 2021
Levied Charge:	\$578,140.00
Does the maximum adopted charge apply:	No
Does an Offset or Refund apply:	No
Is the land subject to an Infrastructure Agreement:	No

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Levied Charge Calculation:

Charge Category and Use	Applied Adopted Charge (see Table 1)	Demand	Levied Charge Relief	Levied Charge
<u>Demand</u> Special Industry (Waste Transfer and Resource Recovery Facility) <u>Credit</u> No credits available for the site.	<u>Demand</u> Special Industry Transport - \$21.31/m ² Public Parks - \$0.00 (not applicable for non-residential uses) Community Facilities - \$0.00 (not applicable for non-residential uses) <u>Credit</u> None available	<u>Development Demand</u> Special Industry: 27,130m ² of GFA at \$21.31/m ² 27,130m ² x \$21.31/m ² = \$578,140.30 <u>Demand Credit</u> \$0.00 <u>Additional Demand</u> \$578,140.30 - \$0.00 = \$578,140.30	Not applicable	Transport \$578,140.30 rounded to \$578,140.00 Public Parks Not applicable Community Facilities Not applicable

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Applied Adopted Charge	See Attachment 1 for an example calculation of the Applied Adopted Charge.
<u>Details of Payment</u>	
Payment Details:	<p>Payment of the infrastructure charges must be made to Ipswich City Council.</p> <p>It is advised that credit cards, personal and/or company cheques cannot be accepted as payment for the above infrastructure charges. The only acceptable forms of payments are cash (EFT payments included) or bank cheques.</p> <p>The payee must quote the development application reference number when making payment.</p>
Due date for payment	Payment of the levied charges is required <i>when the change happens</i> unless otherwise stated in an infrastructure agreement.
Automatic increases of levied charge:	<p>The levied charges outlined in this notice shall be applicable for a period of twelve (12) months from the date of the development approval, and thereafter the levied charges outlined in this notice will be automatically increased, from the date of the charges notice to the date of the payment, by the lesser of the following amounts—</p> <ul style="list-style-type: none"> (i) the difference between the levied charge and the maximum adopted charge Council could have levied for the development when the charge is paid; (ii) the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the levied charge is levied and ending on the day it is paid. <p>‘3-yearly PPI average’ and ‘PPI’ have the meanings given in the <i>Planning Act 2016</i>.</p>
<u>General Information</u>	
GST:	GST does not apply to payments or contributions made by developers to Government which relate/s to an application for the provision, retention, or amendment of a permission, exemption, authority or licence (however described) under the <i>Planning Act 2016</i> .
Authority for the charge:	The levied charges in this notice are payable in accordance with the <i>Planning Act 2016</i> .
How the charge is calculated:	<p>The levied charge for the development is to be worked out by Council as follows:</p> $LC = ((AC \times AD) - LCR) - D$ <p>Where:</p> <p>LC is the levied charge for the development, which cannot be less than zero.</p> <p>AC is the applied adopted charge for the development.</p> <p>AD is the additional demand for the development.</p> <p>LCR is the levied charge relief for the development.</p> <p>D is the discount for the prescribed financial contribution.</p>
Offsets and refunds	No offset or refund applies to this infrastructure charge notice unless otherwise specified in an infrastructure agreement.
Appeals:	Pursuant to chapter 6, part 1 and schedule 1 of the <i>Planning Act 2016</i> a person may appeal against an infrastructure charges notice.
When this notice stops having effect:	In accordance with section 119(11) of the <i>Planning Act 2016</i> , this notice stops having effect to the extent the development approval stops having effect.
Water and Wastewater Charges	This notice does not include water and wastewater charges. A charge notice for the distributor retailer networks charges will be provided separately by Queensland Urban Utilities.

ATTACHMENT 1 – INFRASTRUCTURE CHARGES CALCULATION METHODOLOGY

Table 1: Applied Adopted Charge Non-Residential (MCU – Special Industry)

	Ebenezer		
Network	Charge Area	Charge (per m2)	(Proportion of MAC)
Transport	RD49	\$21.31	N/A
Public Parks	Not applicable – industrial area	\$0.00	N/A
Community Facilities	Not applicable – industrial area	\$0.00	N/A
Local Government Trunk Infrastructure Network Charge (LNC)	N/A	\$21.31	N/A
Water Supply	WT11 – Ebenezer Low Level Zone	\$11.33	N/A
Sewerage	SW56	\$12.65	N/A
Distributor Retailer Trunk Infrastructure Network Charge (DNC)	N/A	\$23.98	N/A
Total Trunk Infrastructure Network Charge (Total NC)		\$45.29	N/A
Maximum Adopted Charge		\$76.75	
Adopted Charge (AC)		\$21.31	
Notes	The Total NC is less than the Maximum Adopted Charge and therefore the charge is applied in accordance with the Ipswich Adopted Infrastructure Charges Resolution (No. 1) 2021.		

Attachment C

Assessment Manager's Reasons for Refusal

File No: 10674/2019/CA

Location: 266-304 Coopers Road, WILLOWBANK QLD 4306, 82A Lanes Road, EBENEZER QLD 4340, 82B Lanes Road, EBENEZER QLD 4340, 82C Lanes Road, EBENEZER QLD 4340, 82D Lanes Road, EBENEZER QLD 4340, 82E Lanes Road, EBENEZER QLD 4340, 82F Lanes Road, EBENEZER QLD 4340, 350 Coopers Road, WILLOWBANK QLD 4306, 166-198 Bergmans Road, EBENEZER QLD 4340, 202-282 Bergmans Road, EBENEZER QLD 4340, Lot 257 Unnamed Road, EBENEZER QLD 4340, Lot 312 Coopers Road, EBENEZER QLD 4340, 82H Lanes Road, EBENEZER QLD 4340, Lot 1 Coopers Road, EBENEZER QLD 4340

Proposal:

Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area;

and

Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area;

Assessment Manager (Ipswich City Council) Reasons for Refusal

Based on the matters set out in A - B below, a decision to approve the Waste Activity Use involving the Landfill and Rehabilitating a Mining Void components of the development application, cannot be supported under sections 60 of the *Planning Act 2016*, as there is non-compliance with the relevant assessment benchmarks which cannot be overcome through the imposition of development conditions.

A. The landfill component of the subject development application should be refused for the following reasons:

1) Resource recovery and sustainability:

a) With respect to resource recovery and sustainability:

(i) the landfill component does not promote resource recovery (including the re-use and recycling of waste) having regard to:

(A) its failure to pursue 'zero net waste' and facilitate the achievement of other waste reduction targets; and

(B) its failure to discourage landfill, being the least sustainable and the least preferable type of waste management;

(ii) the landfill component is not sustainable development having regard to:

- (A) its adverse impacts on the natural environment for this and following generations;
 - (B) its requirement for ongoing monitoring and active management in perpetuity, or at least until the waste mass becomes biologically and physically stable;
 - (C) its increasing risk to the natural environment as time goes on; and
 - (D) the difficulty of managing events and risks below the landfill surface;
- (iii) the waste processing component:
- (A) does not justify the landfill component.

- b) Having regard to the above matters, the proposed development is contrary to the planning principle that resource recovery should be promoted (with landfill used as a last resort) and contrary to the following matters prescribed by regulation and other relevant matters pursuant to s.45(5) of the *Planning Act 2016* (Qld) (Planning Act):

Matters prescribed by regulation (s.45(5)(a)(ii) of the Planning Act)

- (i) the *South East Queensland Regional Plan 2017* (regional plan): Theme 4 – Sustain, as it refers to achieving ‘zero net waste’;

Other relevant matters (s.45(5)(b) of the Planning Act)

- (ii) the Planning Act, Purpose: ss.5(2)(a)(i), (iii), 5(2)(c) and (j);
- (iii) the Draft Ipswich Planning Scheme 2019 – Statement of Proposals: (draft planning scheme): ss.3.2.1(23), 3.5.4.2(6)(j)(iii), 3.5.4.4(1)(a), (b), (c), (d), Figure 3 – Waste Management Hierarchy and s.3.7.8.4(8);
- (iv) other relevant State government policies and documents including:
 - (A) the Queensland Resource Recovery Industries 10 Year Roadmap and Action Plan: Strategy 2 – Market and supply chain development;
 - (B) the State Infrastructure Plan: Part B: Resource recovery (page 40), as it refers to ‘maximising the recovery of construction materials used in building and infrastructure projects is pivotal to conserving resources’;
 - (C) the Waste Management and Resource Recovery Strategy:
 - (i) Moving towards a circular economy for waste (page 8);
 - (ii) Figure 1 – Waste and resource management hierarchy (page 8);
 - (iii) Strategy targets (page 10);
 - (iv) Reduced waste to landfill (page 10);
 - (v) Increasing recycling rates (page 10);
 - (vi) Strategic priority 1 (page 14);

(vii) Strategic priority 2 (page 15); and

(viii) Strategic priority 3 (page 15) – Building economic opportunity.

(D) the Queensland Energy from Waste Policy.

c) The landfill component involves unacceptable environmental risks, now and in the future, particularly having regard to:

(i) the likely operational life of the proposed development;

(ii) the matters stated in paragraph (ii) above;

(iii) the likelihood of the diminishing rate of demand for landfill in South-east Queensland; and

(iv) the environmental unacceptability of the consequences of commencing but not completing the landfill component of the proposed development.

2) No economic, community or town planning need for the landfill component:

a) There is no economic, community or town planning need for the landfill component, particularly in circumstances where:

(i) there is an adequate supply of landfill airspace in Ipswich and in South-east Queensland;

(ii) there is no certainty the landfill will be developed and completed within the time proposed, or at all;

(iii) approval will act as a disincentive for resource recovery;

(iv) it will not meaningfully contribute to:

(A) building economic opportunities through the circular waste economy;

(B) the diversity of industry in Ipswich or in South-east Queensland;

(C) employment in the locality; and

(D) economic resilience.

b) The Ipswich community will not benefit from approval of the proposed development in any material respect, and the adverse risks and consequences of approval of the proposed development outweigh any benefits of approval.

c) The proposed development does not satisfy the test for need that is in the draft planning scheme: ss.3.2.1(23), 3.5.4.2(6)(j)(iii), 3.5.4.4(1)(a), (b), (c), (d), 3.5.4.4(5)(a)(i), having regard to s.45(5)(b) of the Planning Act.

3) Future rehabilitation and use of the land:

a) Approval of the proposed development would be contrary to the planning intention that the land be rehabilitated for future land uses to be accommodated.

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- b) The existing mining rehabilitation obligations for the site under Environmental Authority EPML00594013 (and in particular Schedule F Land) already requires rehabilitation of parts of the site significantly disturbed by mining activities. The proposed development fails to achieve this required rehabilitation outcome.
- c) Having regard to the above matters, the proposed development is contrary to the planning principle that development should not compromise the future capacity for land to be re-used in a way that is compatible with the surrounding area or the uses promoted in planning documents and is contrary to the following assessment benchmarks, matters prescribed by regulation and other relevant matters pursuant to s.45(5) of the Planning Act:

Assessment benchmarks (s.45(5)(a)(i) of the Planning Act)

- (i) the planning scheme: ss.6.6(2)(a), (b), (c), (d), (e), (g), (p), (u), 6.14(2)(a), (b), (c), (d), (e), (f)(i), (f)(iii), (h), (j), (r), 6.15(15)(a), (b), (d), (e), (g), (h), (i), 6.16(1)(c)(ii)(K), (ii)(K) 6.17(1), (2)(t),
- (ii) the regional plan: Chapter 3, Goal 2: Prosper, Element 2 and Strategies 1 and 2, Element 5 and Strategies 1, 2 and 4, Chapter 3, Western Sub-region, Outcomes for Prosper 6(d);
- (iii) the *Temporary Local Planning Instrument No. 2 of 2020 (Waste Activity Regulation)* (TLPI): ss.3.1, 3.2.1(ii), Ebenezer/ Willowbank/ Jeebropilly Waste Activity Code (the Waste Activity Code) Overall Outcomes 3(2)(a), 3(2)(b)(v) and Specific Outcomes 4(2), 4(4)(a), (b), (c), 4(5)(a)

Matters prescribed by regulation (s.45(5)(a)(ii) of the Planning Act)

- (iv) the regional plan: Theme 2 – Prosper, Theme 4 – Sustain;

Other relevant matters (s.45(5)(b) of the Planning Act)

- (v) the draft planning scheme: ss.3.2.1(14), (16), 3.3.2.1(1), 3.5.4.2(5)(b)(i), 3.5.4.2(6)(d), (f), 3.5.4.3(1)(a)(vi), 3.5.4.3(1)(d) and Map SFM2, 3.5.4.3(2)(a), (b), (c), (d), (g), 3.5.4.4(3)(g), 3.5.4.4(5)(a)(ii), (iii)(B), 3.7.8.4(1), (2), (5), (7)(c)(i), (7)(c)(ii) and Map LFM27, 3.7.8.4(8)(a), (b)
- (vi) Environmental Authority EPML00594013; and
- (vii) Queensland Department of Environment and Science document *Guideline - Landfill siting, design, operation and rehabilitation* (ESR/2015/1627, Version 4.01, effective 23 November 2018)
- (viii) Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020.

4) Unacceptable environmental impacts or risks:

- a) The landfill component of the proposed development is unacceptable having regard to matters of landfill design and management and presents unacceptable environmental impacts or risks, in particular:
 - (i) there are significant risks of total and differential settlement within and immediately adjoining the landfill footprint;
 - (ii) it has not been demonstrated that the proposed liner is fail-safe;
 - (iii) the proposed dewatering of the existing void water is unacceptable, particularly having regard to the potential for pollutants to be released;
 - (iv) the proposed development will result in a worsening of stormwater impacts off-site;
 - (v) the proposed development involves placing contaminated material below the groundwater level which is unacceptable particularly when it has not been demonstrated that the proposed landfill liner is fail safe;
 - (vi) the lack of detail in relation to the capping system is unacceptable having regard to both surface water and groundwater issues;
 - (vii) having regard to the proposed landform, and previous mining of the site, the proposed rehabilitation strategy and the presence of groundwaters, it has not been adequately demonstrated that the landfill component will protect and enhance environmental values in the receiving environment;
 - (viii) it has not been adequately demonstrated that interactions between surface waters, groundwaters and leachate (or the management methods proposed) are manageable to an acceptable degree;
 - (ix) the proposed sediment, stormwater and leachate management design is inadequate where both short and long term adverse environmental impacts in relation to water quality may result;
 - (x) the rehabilitation outcomes required by Environmental Authority EPML00594013 result in an appropriate, publicly expected and timely environmental outcome compared to using it for landfill; and
 - (xi) the proposed development involves legacy risks to the receiving environment which will require:
 - (A) active management well beyond the completion of landfilling, in perpetuity or until the waste mass becomes biologically and physically stable in relation to which there is no certainty; and
 - (B) ongoing active management such as monitoring, maintenance and repair;
- b) Having regard to the above matters, the proposed development is contrary to the planning principle that development should not cause (or have the potential to cause) contamination or other adverse environmental impacts and therefore approval would not

satisfy the following assessment benchmarks, matters prescribed by regulation and other relevant matters pursuant to s.45(5) of the Planning Act:

Assessment benchmarks (s.45(5)(a)(i) of the Planning Act)

- (i) the planning scheme: ss.3.1(3)(b), (i), 3.2(1)(b), (i), 6.7(2)(a), (b)(ii), 6.6.2(c), 6.15(15)(c), (i), 6.16(1)(c)(i)(K), (iii)(K), 12.7.3(2)(a)(xii), (xiii), 12.7.3(2)(b) and 12.7.4(5)(c)(iii);
- (ii) the TLPI: Waste Activity Code Overall Outcomes 3(2)(a), (b)(iii) and Specific Outcomes 4(5)(a), 4(6), (c) and (d);

Matters prescribed by regulation (s.45(5)(a)(ii) of the Planning Act)

- (iii) State Planning Policy: State Interest – Water Quality Policy (1), (3)(a), 3(b), 3(d), (4), (5); State Interest – Emissions and Hazardous Activities Policy (4)(a);

Other relevant matters (s.45(5)(b) of the Planning Act)

- (iv) the Planning Act, Purpose: ss.5(2)(a)(i), (ii), (iii) and (j);
- (v) the draft planning scheme: ss.3.4.3.1(4)(c), 3.5.4.3(2)(b), 3.5.4.4(3)(c), (d), (g), 3.5.4.4(5)(a)(iii)(C), 3.7.8.4(8)(c)(iii) and (iv);
- (vi) Environmental Authority EPML00594013;
- (vii) the Queensland Department of Environment and Science document *Guideline - Landfill siting, design, operation and rehabilitation* (ESR/2015/1627, Version 4.01, effective 23 November 2018).

5) Unacceptable amenity impacts:

- a) Approval of the proposed development will have unacceptable amenity impacts including:
 - (i) unacceptable visual amenity impacts;
 - (ii) unacceptable impacts on the general amenity of the area; and
 - (iii) unacceptable impacts on the community's perception and sense of place.
- b) The nature and scale of the proposed development will involve filling beyond the mining void on the subject land that:
 - (i) is beyond the current and planned character of the area; and
 - (ii) will be visible and obvious not only during the operational phase, but also following completion of the landfill component, when such impacts will likely be exacerbated by the capping treatment, especially if trees are not able to be used to revegetate the rubbish mound.
- c) The landfill component is not of a type or scale appropriate for the prevailing nature of the area and the particular circumstances of the site and its surrounds.

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- d) The proposed development will have an unacceptable amenity impact on the general well-being, sense of place and community perception of the locality and of the local government area.
- e) Having regard to the above matters, the proposal is contrary to the planning principle that development should not have adverse amenity impacts, or should appropriately mitigate its impacts (including visual impacts), at all times and it does not comply with the following assessment benchmarks, matters prescribed by regulation and other relevant matters pursuant to s.45(5) of the Planning Act:

Assessment benchmarks (s.45(5)(a)(i) of the Planning Act)

- (i) the planning scheme: ss.3.1(3)(j), 3.2(1)(j), 6.6(2)(c), (d), (h), (i), 6.14(2)(a), (c), (d), (f)(ii), (h), (i), (j), (k), 6.15(2)(c)(ii), (iv), 6.15(15)(i)(i), (iv), 6.16(1)(c)(i)(K), (iii)(K), 12.7.3(2)(a)(v), 12.7.4(1), 12.7.7(2)(b)(ii), (iv);
- (ii) the TLPI: the Waste Activity Code Overall Outcomes 3(2)(a), 3(2)(b)(i), (ii), (iv), (v) and Specific Outcomes 4(4)(a), (b), (c), 4(5)(a), (b), and 4(7)(a);

Matters prescribed by regulation (s.45(5)(a)(ii) of the Planning Act)

- (iii) State Planning Policy: State interest – Liveable Communities Policy (1)(e) and (3)(a);
- (iv) the regional plan: Theme 4 – Sustain and Theme 5 – Live;

Other relevant matters (s.45(5)(b) of the Planning Act)

- (v) the Planning Act, Purpose: s.5(2)(i);
- (vi) The draft planning scheme – Statement of Proposals: ss.3.3.4(4), (5)(d), (5)(f), 3.5.4.4(3)(e), 3.5.4.4(5)(a)(iii)(B), 3.5.4.4(5)(e), 3.7.8.4 (9)(a), (10)(a), (10)(b), (12)(a); and
- (vii) Environmental Authority EPML00594013.
- (viii) Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020.

6) Queensland Government State Assessment Referral Agency (SARA) Response

- a) The State Assessment Referral Agency (SARA) referral agency response dated 2 July 2021 included a notation on the proposal plans stating ‘Tailings waste within the Tailing Dam must not be dewatered or removed’ thereby making it impossible to utilise the Tailings Dam for landfill purposes.
- b) The Department of Environment and Science (DES) issued an Environmental Authority EA0002905 on 28 June 2021, which requires that ‘at all times, the water level within the Tailings Dam must be maintained at a level at least 4 metres above the level of any tailings waste’. This condition also makes it impossible to utilise the Tailings Dam for landfill purposes.

- c) The proposed development, and in particular the landfill component involving the Tailings Dam, should be refused having regard to the SARA response dated 2 July 2021 and the DES issued Environmental Authority dated 28 June 2021.

B. The waste activity use involving rehabilitating a mining void should be refused for the following reasons:

1) Future rehabilitation and use of the land:

- a) Partially backfilling the mining voids as proposed would be contrary to the planning intention that the land be rehabilitated for future land uses to be accommodated.
- b) The existing mining rehabilitation obligations for the site under Environmental Authority EPML00594013 (and in particular Schedule F Land) already requires rehabilitation of parts of the site significantly disturbed by mining activities. The proposal to partially backfill the mining voids fails to achieve this required rehabilitation outcome.
- c) It has not been demonstrated that the landfill component of the proposed development aligns with the Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020. In particular the proposal does not align with the following Policy Directive:
 - (i) "Strategic and Sequential Remediation": Council will seek to ensure the orderly sequencing and proper remediation of mining voids and end-of-life sites across the Ipswich local government area, and seek for a range of alternate remediation options to be considered. Strategic sequencing will be based on infrastructure, topographical, environmental and social opportunities and constraints.
- d) Having regard to the above matters, the proposal to partially backfill the mining voids is contrary to the planning principle that development should not compromise the future capacity for land to be re-used in a way that is compatible with the surrounding area or the uses promoted in planning documents and is contrary to the following assessment benchmarks, matters prescribed by regulation and other relevant matters pursuant to s.45(5) of the Planning Act:

Assessment benchmarks (s.45(3)(a) of the Planning Act)

- (i) the planning scheme: ss.6.6(2)(a), (b), (c), (d), (e), (g), (p), (u), 6.14(2)(a), (b), (c), (d), (e), (f)(i), (f)(iii), (h), (j), (r), 6.15(15)(a), (b), (d), (e), (g), (h), (i), 6.16(1)(c)(ii)(K), (ii)(K) 6.17(1), (2)(t),
- (ii) the regional plan: Chapter 3, Goal 2: Prosper, Element 2 and Strategies 1 and 2, Element 5 and Strategies 1, 2 and 4, Chapter 3, Western Sub-region, Outcomes for Prosper 6(d);
- (iii) the *Temporary Local Planning Instrument No. 2 of 2020 (Waste Activity Regulation)* (TLPI): ss.3.1, 3.2.1(ii), Ebenezer/ Willowbank/ Jeebropilly Waste Activity Code (the Waste Activity Code) Overall Outcomes 3(2)(a), 3(2)(b)(v) and Specific Outcomes 4(2), 4(4)(a), (b), (c), 4(5)(a)

Matters prescribed by regulation (s.45(3)(b) of the Planning Act)

(iv) the regional plan: Theme 2 – Prosper, Theme 4 – Sustain;

2) Unacceptable environmental impacts or risks:

- a) The proposal to partially backfill the mining voids presents unacceptable environmental impacts or risks, in particular:
- b) the rehabilitation outcomes required by Environmental Authority EPML00594013 result in an appropriate, publicly expected and timely environmental outcome compared to partially backfilling the mining voids as proposed;
- c) Having regard to the above, the proposed development is contrary to the planning principle that development should not cause (or have the potential to cause) contamination or other adverse environmental impacts and therefore approval would not satisfy the following assessment benchmarks and matters prescribed by regulation pursuant to s.45(3) of *Planning Act 2016*:

Assessment benchmarks (s.45(3)(a) of Planning Act 2016)

- (i) the planning scheme: ss.3.1(3)(b), (i), 3.2(1)(b), (i), 6.7(2)(a), (b)(ii), 6.15(15)(c), (i), 6.16(1)(c)(i)(K), (iii)(K), 12.7.3(2)(a)(xii), (xiii), 12.7.3(2)(b) and 12.7.4(5)(c)(iii);
- (ii) the TLPI: Waste Activity Code Overall Outcomes 3(2)(a), (b)(iii) and Specific Outcomes 4(5)(a), 4(6), (c) and (d);

Matters prescribed by regulation (s.45(3)(b) of Planning Act 2016)

- (iii) State Planning Policy: State Interest – Water Quality Policy (1), (3)(a), 3(b), 3(d), (4), (5); State Interest – Emissions and Hazardous Activities Policy (4)(a);

RA6-N



SARA reference: 2001-15045 SRA
Council reference: 10674/2019/CA

2 July 2021

Chief Executive Officer
Ipswich City Council
PO Box 1559
Ipswich Qld 4305
development@ipswich.qld.gov.au

Attention: Sandeep Nanjappa

Dear Sandeep

SARA response—Wanless Recycling Park

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency on 20 January 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	2 July 2021
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Reconfiguring a lot - 13 lots into 5 lots Material change of use for waste activity use involving: <ul style="list-style-type: none">• landfill (combination of construction and demolition, commercial and industrial and putrescible waste)• rehabilitating a mining void• waste recycling, reprocessing and
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disposal (special industry) including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year

- waste recycling, reprocessing and disposal (special industry) including operating a facility for recycling, reprocessing, storing, treating or disposing of regulated waste
- crushing, milling or grinding (special industry) including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year

SARA role:	Referral Agency
SARA trigger:	<p>Schedule 10, part 3, division 4, table 2 item 1 (<i>Planning Regulation 2017</i>) – Reconfiguring a lot involving clearing native vegetation</p> <p>Schedule 10, part 3, division 4, table 3, item 1 (<i>Planning Regulation 2017</i>) – Material change of use involving clearing native vegetation</p> <p>Schedule 10, part 5, division 4, table 2, item 1 (<i>Planning Regulation 2017</i>) – Material change of use for non-devolved environmentally relevant activities</p> <p>Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 (<i>Planning Regulation 2017</i>) – Development impacting on State transport infrastructure</p> <p>Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (<i>Planning Regulation 2017</i>) – Material change of use within 25m of a State transport corridor</p>
SARA reference:	2001-15045 SRA
Assessment Manager:	Ipswich City Council
Street address:	82A, 82B, 82C, 82D, 82E and 82F Lanes Road, Coopers Road, Ebenezer Road, 166-198, 202 – 282 Bergmans Road, Ebenezer, 266-304 and 350 Coopers Road, Willowbank
Real property description:	Lot 1 on RL8701; Lot 1 on RP24569; Lot 1 on SP167885; Lot 230 on CH3132; Lot 231 on CH3132; Lot 240 on CH3132; Lot 241 on CH3132; Lot 242 on CH3132; Lot 243 on CH3132; Lot 254 on CH31200; Lot 257 on CH31247; Lot 2 on RP24570; Lot 2 on SP167885 and Lot 312 on CH31969
Applicant name:	Wanless Recycling Park Pty Ltd C/- Urbis
Applicant contact details:	Level 7, 123 Albert Street Brisbane QLD 4000 tauckland@urbis.com.au
Environmental Authority:	<p>This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none">• Approved• Reference: EA0002905

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- Issued date: 28 June 2021
- Prescribed environmentally relevant activity (ERA):

ERA 54 - Mechanical waste reprocessing 2: Operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste- (c) more than 10,000t

ERA 60 - Waste disposal 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(b) (h) more than 200,000t

ERA 62 - Resource recovery and transfer facility operation 1:
Operating a facility for receiving and sorting, dismantling, baling or temporarily storing- (b) general waste

If you are seeking further information on the environmental authority, the Department of Environment and Science's website includes a register. This can be found at: www.des.qld.gov.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Tamara Cavallaro, Principal Planner, on 3452 7657 or via email DAAT@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Phil Joyce
Director Development Assessment

cc Wanless Recycling Park Pty Ltd, tauckland@urbis.com.au

enc Attachment 1 – Referral agency conditions
Attachment 2 – Advice to the applicant
Attachment 3 – Reasons for referral agency response
Attachment 4 – Change Representation provisions
Attachment 5 – Approved plans and specifications
Attachment 6 – Environmental Authority EA0002905

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Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Reconfiguration of a lot and Material change of use for waste activity use		
Development impacting on state transport networks—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	All vehicular access to the subject site is to be via Champions Way.	At all times
2.	Vehicular traffic is not permitted to enter or leave the subject site between the hours of 06:00 – 08:00 and 15:00 – 17:00.	At all times
3.	(a) Record the date and time of all movements of heavy vehicle traffic to and from the site. (b) Submit records of all movements of heavy vehicle traffic to and from the site to the Department of Transport and Main Road (Metropolitan Region – Compliance Team) via Metropolitan.IDAS@tmr.qld.gov.au .	(a) At all times (b) Every three (3) months after the commencement of use
4.	The development must be undertaken generally in accordance with Section 2.3.2.3, Section 2.3.2.4 and Section 3 of the Flood and Stormwater Management Plan, prepared by Peak Urban Pty Ltd, dated 24/06/2020, reference 19-0162FSMP01 and Version 6.	At all times
Operational work for clearing native vegetation		
Clearing native vegetation— The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Resources to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
5.	The clearing of vegetation under this development approval is limited to the areas identified as Area A as shown on attached Technical Agency Response Plan, TARP 2001-15045 SRA, Sheets 1 and 2 dated 06/02/2020.	At all times
Environmentally relevant activities		
Environmentally relevant activities— The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
6.	The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> Plan of Development, prepared by Taft Engineering, DRAWING No F-001 as amended in red by SARA on 2 July 2021 LIP Proposed Base, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-031 LIP Proposed Subgrade and Groundwater Collection, 	At all times

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	<p>prepared by Taft Engineering DATE 04/12/2019, DRAWING No F-032</p> <ul style="list-style-type: none"> • LIP Top of Liner and Leachate Collection, prepared by Taft Engineering DATE 04/12/2019, DRAWING No F-033 • LIP Proposed Final Landform, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-034 • LIP Post Settlement Landform, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-035 • LIP Stage 1 and In-Cell Stormwater Management, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-036 • LIP Stage 2 and In-Cell Stormwater Management, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-037 • LIP Stage 3 and In-Cell Stormwater Management, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-038 • LIP Stage 4 and In-Cell Stormwater Management, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-039 • LIP Stage 5 and In-Cell Stormwater Management, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-040 • LIP Stage 6 and In-Cell Stormwater Management, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-041 • LIP Stage 7 and In-Cell Stormwater Management, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-042 • LIP Cross Sections, prepared by Taft Engineering, DATE 04/12/2009, DRAWING No F-043 • Typical Sections and Details, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-050 • Leachate and Groundwater Sump Details, prepared by Taft Engineering, DATE 04/12/2019, DRAWING No F-051. 	
7.	<p>(a) Prepare as constructed drawings, certified by a Registered Professional Engineer of Queensland (RPEQ), for each stage of the construction sequence.</p> <p>(b) Provide as constructed drawings, required under part (a) of this condition to:</p> <p>Waste Assessment Department of Environment and Science GPO Box 2454 BRISBANE QLD 4001 palm@des.qld.gov.au.</p>	Within two (2) weeks of the completion of each stage of the construction sequence
8.	<p>(a) Provide Koala exclusion fencing in the locations shown on the</p>	(a) and (b) Prior to the

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	<p>following plans:</p> <ul style="list-style-type: none"> • 'Insert 3' prepared by Saunders Havill Group, Date 9/04/2021, reference 9921 E04 as amended in red by SARA • 'Insert 4', prepared by Saunders Havill Group, Date 1/03/2021, reference 9221 E03 Issue A as amended in red by SARA <p>(b) Koala exclusion fencing must be provided in accordance with the Koala Sensitive Design Guideline.</p>	commencement of use and to be maintained at all times
9.	Unless already identified as requiring koala exclusion fencing in accordance with condition 8 of this referral agency response Koala friendly fencing must be provided across the site in accordance with the Koala Sensitive Design Guideline .	Prior to the commencement of use and to be maintained at all times
10.	<p>(a) Retain existing Koala Habitat areas as shown on 'Insert 3' prepared by Saunders Havill Group, dated 9/04/2021, reference 9921 E04 as amended in red by SARA.</p> <p>(b) Provide additional Koala Habitat creation areas as shown on the following plans:</p> <ul style="list-style-type: none"> - 'Insert 3' prepared by Saunders Havill Group, dated 9/04/2021, reference 9921 E04 as amended in red by SARA - 'Insert 4' prepared by Saunders Havill Group, dated 1/03/2021, reference 9221 E03 Issue A as amended in red by SARA. 	<p>(a) At all times</p> <p>(b) Prior to the commencement of use and to be maintained at all times</p>
11.	All roads within the development must be designed in accordance with the Koala Sensitive Design Guideline .	Prior to the commencement of use and to be maintained at all times
12.	<p>(a) Prepare the following management plans, to minimise and manage potential or actual adverse impacts to koalas (<i>Phascolarctos cinereus</i>) generated by the development:</p> <ul style="list-style-type: none"> i. Koala management plan ii. Weed management plan iii. Revegetation and koala habitat management plan iv. Vertebrate pest management plan. <p>(b) The management plans required under part (a) of this condition, must be prepared by an appropriately qualified person.</p> <p>(c) Implement the management measures and recommendations identified in the management plans in part (a) of this condition.</p>	<p>(a) and (b) Prior to the commencement of use</p> <p>(c) at all times</p>

2001-15045 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.5. If a word remains undefined it has its ordinary meaning.

2001-15045 SRA

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the department's decision are:

- The proposal complies with State Code 2: Development in a Railway Environment of the State Development Assessment Provisions, version 2.5 (SDAP) as the development will not compromise the structural integrity of railways, rail transport infrastructure, other rail infrastructure or railway works
- In considering State Code 6: Protection of State Transport Networks, of the SDAP version 2.5 conditions have been included to manage potential development impacts associated with the proposed use. This will ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road network
- The development complies with State code 16: Native vegetation clearing of the SDAP version 2.5 as the development
 - o minimises clearing to conserve vegetation, avoid land degradation and loss of biodiversity and maintains ecological processes
 - o avoids impacts on vegetation that are matters of state environmental significance and where it can't be avoided, the development minimises and mitigates impacts
- The proposal complies with State Code 22: Environmentally Relevant Activities of the SDAP version 2.5 as the development is located and designed to avoid and mitigate environmental harm on environmental values of the natural environment.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.5), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

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Attachment 4—Change representation provisions

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Attachment 5—Approved plans and specifications

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Attachment 6—Environmental Authority EA0002905

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Permit

Environmental Protection Act 1994

Environmental authority EA0002905

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: EA0002905

Environmental authority takes effect on the date that your related development approval 10674/2019/CA takes effect. Within 20 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. Payment of the annual fee will be due each year on the anniversary day.

Environmental authority holder

Name	Registered address
Wanless Recycling Park Pty Ltd	1-5 Whiting Street, ARTARMON NSW 2064

Environmentally relevant activity and location details

Environmentally relevant activities	Location
ERA 60 - Waste disposal 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(b) (h) more than 200,000t	82F Lanes Road, Ebenezer QLD 4340 (Lot 1 RP24569) 266-304 Coopers Road, Ebenezer QLD 4340 (Lot 1 SP167885) 350 Coopers Road, Ebenezer QLD 4340 (Lot 2 SP167885) 82B Lanes Road, Ebenezer QLD 4340 (Lot 230 and Lot 231 CH3132) 82C Lanes Road, Ebenezer QLD 4340 (Lot 240 CH3132) 82D Lanes Road, Ebenezer QLD 4340 (Lot 241 CH3132) 82E Lanes Road, Ebenezer QLD 4340 (Lot 242 CH3132)

Permit
Environmental authority EA0002905

Environmentally relevant activities	Location
	82H Lanes Road, Ebenezer QLD 4340 (Lot 2 RP24570) 166-198 Bergmans Road, Ebenezer QLD 4340 (Lot 243 CH3132) 202-282 Bergmans Road, Ebenezer QLD 4340 (Lot 254 CH31200) Coopers Road, Ebenezer QLD 4340 (Lot 312 CH31969) Ebenezer Road, Ebenezer QLD 4340 (Lot 257 CH31247) Ebenezer QLD 4340 (Lot 1 RL8701)
ERA 62 - Resource recovery and transfer facility operation 1: Operating a facility for receiving and sorting, dismantling, baling or temporarily storing- (b) general waste ERA 54 - Mechanical waste reprocessing 2: Operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste- (c) more than 10,000t	82F Lanes Road, Ebenezer QLD 4340 (Lot 1 RP24569) 82B Lanes Road, Ebenezer QLD 4340 (Lot 230 and Lot 231 CH3132) 82C Lanes Road, Ebenezer QLD 4340 (Lot 240 CH3132)

Additional information for applicantsEnvironmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or

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Environmental authority EA0002905

- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise - on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Scott Blanchard
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Waste Assessment
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

Date issued: 28 June 2021

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Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources, Mines and Energy (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

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Conditions of environmental authority

Agency Interest: General	
Condition number	Condition
G1	<p>Activities under this environmental authority must be conducted in accordance with the following limitations:</p> <ul style="list-style-type: none">a) The landfill facility must be constructed and operated in accordance with the figures depicted in <i>Appendix A – Site Plans</i>;b) A landfill liner must be installed in every landfill unit;c) Clean earth must be the only material used to backfill the areas described as “Clean Fill Area” within <i>Appendix A – Site Plan - Figure 1: F-100 Plan of Development</i>;d) Only the Lanes Pit and Ironbark Pit may be utilised for waste disposal.
G2	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities .
G3	Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.
G4	<p>The reporting and recording of breaches required in condition G3 must include the following details about the breach, as it becomes available:</p> <ul style="list-style-type: none">a) Date; andb) Time; andc) Duration; andd) Location; ande) What happened; andf) Why did it happen; andg) Conditions breached; andh) Actions taken to contain and rectify; andi) Continuous improvement actions to prevent a recurrence.
G5	<p>Written procedures must be developed and documented within three months of the environmental authority taking effect that:</p> <ul style="list-style-type: none">a) identify all potential risks to the environment from the activity, including during and outside routine operations, during closure and in an emergency; andb) identify measures to prevent or minimise the potential for environmental harm for each of the potential risks identified; andc) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer’s instructions; andd) establish a Construction Quality Assurance plan for the landfill facility prior to the acceptance of any waste to the landfill facility;e) establish a staff training program on obligations under this environmental authority and the <i>Environmental Protection Act 1994</i> to be conducted as part of staff inductions and at least annually; andf) establish processes to review environmental risks, incidents, performance and complaints.

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G6	Written procedures required by condition G5 must be: a) implemented; and b) reviewed at least annually; and c) provided to the administering authority upon request at the time and in the format requested.
G7	For plant and equipment, all measures necessary to comply with the conditions of this environmental authority must be: a) installed, operated and maintained in a proper and effective manner; and b) in accordance with condition G5.
G8	All information and records required by the conditions of this environmental authority must be kept for a minimum of five years with the exception of environmental monitoring results must be kept until the surrender of this environmental authority. All information and records required by the conditions of this environmental authority must be provided to the administering authority upon request and in the format requested.
G9	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
G10	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) certification, or an equivalent certification, for such analyses. The only exception to this condition is for <i>in situ</i> monitoring of surface water releases for pH, total suspended solids, turbidity and electrical conductivity.
G11	When required by the administering authority , monitoring must be undertaken in the manner prescribed by the administering authority , to investigate a complaint of environmental nuisance arising from the activity . The monitoring results must be provided within 10 business days to the administering authority upon its request.
G12	Before commencing deposition of waste at the landfill facility , a receiving environment monitoring program must be designed and implemented by an appropriately qualified person(s) to monitor the effects of the activity on waters, groundwater , air shed and land.
G13	The receiving environment monitoring program must include at least the following: a) For release to waters , a receiving environment monitoring program design document produced in accordance with the 'Receiving Environment Monitoring Program guideline—For use with environmentally relevant activities under the <i>Environmental Protection Act 1994</i> ' (ESR/2016/2399) and in accordance with condition WT15. b) a groundwater monitoring program as prescribed in conditions WT20 and WT22; c) an air quality monitoring program as prescribed in condition A3; and d) landfill gas monitoring as prescribed in condition A9;
G14	An annual monitoring report must be prepared by an appropriately qualified person(s) and submitted to the administering authority with the annual return each year. The annual monitoring report must include: a) A summary of the previous 12 months monitoring data obtained in accordance with any of the monitoring requirements of this environmental authority; and

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	<ul style="list-style-type: none"> b) An evaluation/explanation of the data from any monitoring programs, including graphical representations showing relevant limits and trends referenced to historical and baseline data; and c) An outline of actions taken, and proposed to be taken, to minimise the environmental risk from any deficiency identified by the monitoring or recording programs.
G15	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system .
G16	The activity must not be carried out until the holder of this environmental authority has given the required financial assurance to the administering authority .
G17	If the administering authority increases the amount of financial assurance , the holder of this environmental authority must give the additional financial assurance to the administering authority within 28 days, or such other time as agreed to by the administering authority , of receiving written notice of the increase.
Agency Interest: Waste	
W1	<p>The activity must only receive the following waste streams on site:</p> <ul style="list-style-type: none"> a) Construction and demolition waste; b) Commercial and industrial waste; c) Municipal solid waste; d) Contaminated soil; and e) Asbestos.
W2	<p>Asbestos must:</p> <ul style="list-style-type: none"> a) only be accepted for disposal if packaged and managed in accordance with all relevant work health and safety legislation requirements; b) be managed at all times to avoid any potential release of particulate matter to the atmosphere; c) be disposed of as a special burial of waste that is located greater than 2 metres from the sides and final waste surface of the landfill cell; and d) be covered immediately when being disposed with at least 200mm of soil, and prior to any compaction.
W3	<p>In addition to condition W1, the following waste streams must not be disposed at the landfill:</p> <ul style="list-style-type: none"> a) liquid or semi-liquid waste, other than: <ul style="list-style-type: none"> i. liquid or semi-liquid waste that has been produced in the carrying out of the activity; ii. liquid or semi-liquid waste that is incidental to, and commingled with, the permitted waste streams. b) hot ash; c) material that is smouldering or aflame; d) waste that possesses characteristics of controlled waste listed in the "National Environmental Protection (Movement of Controlled Waste between states and territories) Measure 1998" other than toxic or ecotoxic if it complies with conditions W1 and W8; e) an explosive; f) all radioactive wastes and any soils contaminated by radioactive material, unless otherwise approved under the <i>Radiation Safety Act 1999</i>;

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	g) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction; h) salt or brine generated from coal seam gas water ; and i) green waste.																						
W4	Deposited waste must be covered as soon as practicable to limit stormwater infiltration, prevent exposure of waste and prevent issues arising from vectors and pest species.																						
W5	All reasonable and practicable measures must be taken to exclude vectors and pest species to the extent necessary to prevent: <ul style="list-style-type: none"> a) environmental nuisance to occupiers of neighbouring premises; and b) any danger or risk to the health of any persons. 																						
W6	All reasonable and practicable measures must be taken to contain litter within the waste operations area , and retrieve litter released.																						
W7	With the exception of landfill gas , waste must not be burnt.																						
W8	Waste and any contaminated soil disposed of at the premises to which this environmental authority relates: <ul style="list-style-type: none"> a) must be accepted subject to effectively implementing risk assessment practices and procedures for contaminant testing that ensure that the material accepted complies with the maximum contaminant levels and the allowable leaching contaminant levels prescribed in <i>Table 1 - Maximum contaminant levels in soils</i> and <i>Table 2 - Allowable leaching contaminant levels</i> respectively; and b) if the contaminated soil is used as coverage material, contaminant levels must not exceed the maximum concentration limits in <i>Table 3 - Maximum total contaminant levels in soils used as cover material</i>, must not cause contaminated stormwater release and must not include any soil that is contaminated due to the concentration of monocyclic aromatic hydrocarbons, polycyclic aromatic hydrocarbons, chlorinated hydrocarbons, pesticides, or petroleum hydrocarbons. Table 1 - Maximum contaminant levels in soils <table border="1"> <thead> <tr> <th>Contaminant</th><th>Maximum contaminant level (mg/kg)</th></tr> </thead> <tbody> <tr> <td colspan="2"><i>Monocyclic aromatic hydrocarbons (MAH)</i></td></tr> <tr> <td>Benzene</td><td>20</td></tr> <tr> <td>Ethyl Benzene</td><td>1,000</td></tr> <tr> <td>Toluene</td><td>600</td></tr> <tr> <td>Xylene</td><td>500</td></tr> <tr> <td>Total MAH</td><td>1,000</td></tr> <tr> <td colspan="2"><i>Polycyclic aromatic hydrocarbons (PAH)</i></td></tr> <tr> <td>Total PAH</td><td>1,000</td></tr> <tr> <td colspan="2"><i>Phenolic contaminants - Non halogenated compounds:</i></td></tr> <tr> <td>Phenol</td><td>250</td></tr> </tbody> </table>	Contaminant	Maximum contaminant level (mg/kg)	<i>Monocyclic aromatic hydrocarbons (MAH)</i>		Benzene	20	Ethyl Benzene	1,000	Toluene	600	Xylene	500	Total MAH	1,000	<i>Polycyclic aromatic hydrocarbons (PAH)</i>		Total PAH	1,000	<i>Phenolic contaminants - Non halogenated compounds:</i>		Phenol	250
Contaminant	Maximum contaminant level (mg/kg)																						
<i>Monocyclic aromatic hydrocarbons (MAH)</i>																							
Benzene	20																						
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Total PAH	1,000																						
<i>Phenolic contaminants - Non halogenated compounds:</i>																							
Phenol	250																						

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m-cresol	500
o-cresol	500
p-cresol	500
Total non-halogenated phenol	500
<i>Phenolic contaminants - Halogenated phenol</i>	
Chlorophenol	5
Pentachlorophenol	20
Trichlorophenol	20
Total halogenated phenol	20
<i>Chlorinated Hydrocarbons - Chlorinated aliphatic compounds</i>	
Carbon tetrachloride	10
1,2 Dichloroethane	20
1,1 Dichloroethene	1
Tetrachloroethene	20
Trichloroethene	25
Total chlorinated aliphatic compounds	50
<i>Chlorinated Hydrocarbons - Chlorinated aromatic compounds</i>	
Chlorobenzene	200
Hexachlorobenzene	1
Total chlorinated aromatic compounds	200
Non scheduled solid polychlorinated biphenyls (PCBs)	50
<i>Pesticides</i>	
Total organochlorine	50
Total herbicides	50
Total carbamates	50
Total organophosphorus	50
<i>Petroleum hydrocarbons</i>	
Total petroleum hydrocarbons (C ₈ -C ₉)	1,000
Total petroleum hydrocarbons (C ₁₀ -C ₁₄)	10,000
Total petroleum hydrocarbons (C ₁₅ -C ₂₈)	50,000
Total petroleum hydrocarbons (C ₂₉ -C ₃₆)	50,000

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Table 2 - Allowable leaching contaminant levels	
Contaminant	Allowable leaching contaminant levels (TCLP*) (mg/L)
<i>Non-specific contaminants</i>	
Biochemical oxygen demand	20,000
Total organic carbon	10,000
Petroleum hydrocarbons	50
<i>Metals/non-metals</i>	
Antimony	5
Arsenic	5
Barium	100
Cadmium	0.5
Chromium	5
Cobalt	5
Copper	100
Lead	5
Mercury	0.1
Molybdenum	5
Nickel	5
Selenium	1
Silver	5
Thallium	1
Tin	3
Vanadium	5
Zinc	500
<i>Inorganic anions</i>	
Bromide	50
Chloride	6,000
Cyanide (total)	5
Fluoride	150
Nitrate	1,000
Sulphate	4,000
<i>Monocyclic aromatic hydrocarbon (MAH)</i>	

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Benzene	1
Ethyl benzene	50
Toluene	30
Xylene	20
Total MAH	50
<i>Polycyclic aromatic hydrocarbons (PAH)</i>	
Anthracene	0.7
Benz (a) anthracene	0.05
Benz (c) phenanthrene	0.05
Benzo (a) pyrene	0.02
Benzo (b) fluoranthene	0.05
Benzo (k) fluoranthene	0.05
Chrysene	0.1
Dibenz (a,h) anthracene	0.02
Dibenz (a,h) pyrene	0.1
Dimethylbenz (a) anthracene	0.05
Fluoranthene	0.2
Indeno (1,2,3-cd) pyrene	0.1
Naphthalene	0.7
Phenanthrene	0.1
Pyrene	0.7
Total PAH	1
<i>Phenolic contaminants – Non-halogenated compounds</i>	
Phenol	10
m-cresol	20
o-cresol	20
p-cresol	20
<i>Phenolic contaminants – Halogenated phenols</i>	
Chlorophenol	0.1
Pentachlorophenol	1
Trichlorophenol	1
<i>Chlorinated hydrocarbons - Chlorinated aliphatic compounds</i>	

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Carbon tetrachloride	0.3
1,2 Dichloroethane	1
1,1 Dichloroethene	0.03
Tetrachloroethene	1
Trichloroethene	3
<i>Chlorinated hydrocarbons - Chlorinated aromatic compounds</i>	
Chlorobenzene (total)	10
Hexachlorobenzene	0.02
<i>Pesticides - Organochlorine</i>	
Aldrin	0.01
Chlordane	0.06
Chlorpyrifos	0.03
Dieldrin	0.01
DDT	0.03
Endrin	0.01
Heptachlor	0.03
Lindane	1
Methoxychlor	1
Toxaphene	0.05
<i>Pesticides - Herbicides</i>	
2,4-D	1
2,4-DB	2
2,4,5 -T	0.02
MCPA	2
<i>Pesticides - Carbamates</i>	
Carbaryl	0.6
Carbofuran	0.3
<i>Pesticides - Organophosphorus</i>	
Diazinon	0.1
Methyl Parathion	0.06
Parathion	0.3
<i>Pesticides - Triazines</i>	

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	Atrazine	0.03																																				
	Simazine	0.03																																				
Fluorinated organic compounds																																						
	Total fluorinated organic compounds (if leachate reused on or off-site) #	0.0003																																				
	Total fluorinated organic compounds (if leachate not reused on or off-site) #	0.05																																				
<p>*Allowable leaching levels to be determined using the TCLP procedure mentioned in United States Environmental Protection Agency (USEPA), Washington DC (2008) "Test methods for evaluating solid waste, physical/chemical methods" Document number SW 846. 3rd Edition or more recent editions or supplement to that procedure as they become available.</p> <p>#The standard suite of Total fluorinated organic compounds (PFCs) (including key sulfonates), plus total oxidisable precursor assay reported as the analyses for the resulting perfluorinated carboxylates for C₄ to C₁₄ carbon chain length (refer to the most recent version of the PFAS National Environmental Management Plan).</p>																																						
Table 3 - Maximum total contaminant levels in soils used as cover material (note: this material is not suitable for final capping)																																						
<table><tr><th>Contaminant</th><th>Maximum total contaminant levels in soils used as cover material (mg/kg)</th></tr><tr><td colspan="2">Metals and metalloids</td></tr><tr><td>Arsenic (total)</td><td>200</td></tr><tr><td>Beryllium</td><td>40</td></tr><tr><td>Cadmium</td><td>40</td></tr><tr><td>Chromium (III)</td><td>240,000</td></tr><tr><td>Chromium (VI)</td><td>200</td></tr><tr><td>Copper</td><td>2,000</td></tr><tr><td>Lead</td><td>600</td></tr><tr><td>Manganese</td><td>3,000</td></tr><tr><td>Mercury (inorganic)</td><td>30</td></tr><tr><td>Methyl Mercury</td><td>20</td></tr><tr><td>Nickel</td><td>600</td></tr><tr><td>Zinc</td><td>14,000</td></tr><tr><td colspan="2">Other</td></tr><tr><td>PFOS (Perfluoro-octane sulfonate)</td><td>6</td></tr><tr><td>PFOA (Perfluoro-octanoic acid)</td><td>16</td></tr><tr><td>Total fluorinated organic compounds</td><td>10 (not including PFOS & PFOA)</td></tr></table>			Contaminant	Maximum total contaminant levels in soils used as cover material (mg/kg)	Metals and metalloids		Arsenic (total)	200	Beryllium	40	Cadmium	40	Chromium (III)	240,000	Chromium (VI)	200	Copper	2,000	Lead	600	Manganese	3,000	Mercury (inorganic)	30	Methyl Mercury	20	Nickel	600	Zinc	14,000	Other		PFOS (Perfluoro-octane sulfonate)	6	PFOA (Perfluoro-octanoic acid)	16	Total fluorinated organic compounds	10 (not including PFOS & PFOA)
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W9	The landfill liner system must be designed, installed and maintained by appropriately qualified person(s) to: a) prevent release of contaminants, including leachate , to land and waters ; and b) prevent subsurface migration of landfill gas from the landfill unit .																																					
W10	A leachate management system must be designed by an appropriately qualified person(s) and installed and maintained to: a) collect leachate generated in the landfill unit ; and																																					

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	<ul style="list-style-type: none"> b) convey the collected leachate out of the landfill unit to an appropriate leachate storage facility; and c) restrict the height of the leachate above the liner system to a maximum level of 300mm.
W11	<p>Leachate must be stored in the leachate storage facility and be:</p> <ul style="list-style-type: none"> a) recirculated through a landfill unit; or b) disposed of at a facility that is approved to receive such waste.
W12	Retractable cover/s must be installed for all leachate evaporation pond/s and utilised during all rain events.
W13	Leachate must be separated from all surface water management systems.
W14	The leachate storage facility must be designed and constructed to minimise the likelihood of any release of contaminants from the storage facility to any waters , be double lined , and be built in accordance with <i>Appendix A – Site Plans - Figure 1: F-100 Plan of Development, Figure 15: F-050 Typical Sections and Details and Figure 16: F-051 Leachate and Groundwater Sump Details</i> .
W15	<p>A Leachate Monitoring Program must be developed and implemented within 6 months from the date this environmental authority takes effect and as a minimum must include:</p> <ul style="list-style-type: none"> a) leachate quality monitoring undertaken at least once annually in the event of any leachate recirculation; b) the annual measurement and recording of the quantity of leachate recirculated through the landfill facility; and c) monitoring for, at a minimum, the following water quality characteristics: <ul style="list-style-type: none"> i. Ammonia (as N) (mg/L); ii. Calcium (mg/L); iii. Chloride (mg/L); iv. Iron (total) (mg/L); v. Lead (total µg/L); vi. Nitrate + Nitrite (as N) (mg/L); vii. pH (pH units); viii. Potassium (mg/L); ix. Sodium (mg/L); x. Sulphate (mg/L); xi. specific conductance (µS/cm); xii. Total Organic Carbon (TOC) (mg/L); xiii. Zinc (total µg/L); xiv. Aluminium (total µg/L); xv. Carbonate and bicarbonate (mg/L); xvi. Magnesium (mg/L); xvii. Total nitrogen (mg/L); xviii. Copper (total µg/L); xix. Lead (total µg/L); and xx. PFAS, TOP Assay and TOF as required by condition WT26.

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Agency Interest: Air	
A1	Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place .
A2	<p>Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place:</p> <ul style="list-style-type: none"> a) dust deposition of 120 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of Australian Standard AS 3580.10.1 of 2016: Methods for sampling and analysis of ambient air Determination of particulate matter - Deposited matter - Gravimetric method; or b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, when monitored in accordance the most recent version of either: <ul style="list-style-type: none"> i. Australian Standard AS 3580.9.6 of 2015: Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—PM₁₀ high volume sampler with size-selective inlet – Gravimetric method; or ii. Australian Standard AS 3580.9.8 of 2008: Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM₁₀ continuous direct mass method using a tapered element oscillating microbalance (TEOM) analyser. c) a concentration of respirable crystalline silica (as PM_{2.5}) of 3 micrograms per cubic metre over a 1 year averaging time, when monitored in accordance with the most recent version of Australian Standard AS 3580.9.10 of 2017 or any other method approved by the administering authority; or d) A concentration of particulate matter suspended in the atmosphere of 90 micrograms per cubic metre over a 1 year averaging time, when monitored in accordance with the most recent version of AS/NZS 3580.9.3 of 2003: Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—Total suspended particulate matter (TSP)—High volume sampler gravimetric method.
A3	<p>An Air Quality Management Plan (AQMP) must be developed by an appropriately qualified person(s) and submitted to the administering authority for approval at least three months prior to the commencement of the activity. Once approved by the administering authority, the AQMP must be implemented. The AQMP must, at a minimum:</p> <ul style="list-style-type: none"> a) provide for the effective management of actual and potential environmental impacts to air resulting from the site activity; b) identify all major sources of air emissions (including dust and odour) that may occur as a result of the activity; c) identify all potential sensitive and commercial locations that may be affected by air quality impacts from the activity; d) describe the procedures that will be used to manage the dust and odour emissions; e) detail the collection of air quality and meteorological data in accordance with the administering authority's Air Quality Sampling Manual; f) identify the adverse meteorological conditions likely to produce elevated levels of PM₁₀ and odour at a sensitive or commercial place due to the activity; g) detail the protocols for regular maintenance of plant and equipment to minimise the potential for fugitive dust emissions;

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	<p>h) describe the procedures to be undertaken if any non-compliance is detected; and</p> <p>i) detail the period of regular review to determine the effectiveness of the plan.</p>
A4	<p>Continuous monitoring must be conducted for dust deposition at a minimum of four locations during the operation of the activity and in accordance with the associated requirements.</p> <p>Associated requirements:</p> <ol style="list-style-type: none"> 1. Monitoring must include meteorological monitoring (including at least temperature, wind speed and direction). 2. Monitoring locations must be representative of the worst affected sensitive place. 3. The monitoring locations must comply with the Australian Standard AS/NZS 3580.1.1:2016 "Methods for siting and analysis of ambient air. Part 1.1: Guide to siting air monitoring equipment". 4. If an alternative sampling method be required, the environmental authority holder must seek approval from the administering authority. 5. Investigations must be undertaken of all measured exceedances of the air quality limits as prescribed by condition A2 to determine the influence of emissions from the activity.
A5	<p>The monitoring locations selected for the air quality monitoring program must be reviewed periodically. The periodic review must consider:</p> <ol style="list-style-type: none"> a) the frequency and cause of any exceedances of air quality limits as prescribed by condition A2 measured by the monitoring program over period of at least 2 years; b) dust complaints; c) future progression of the activity; and d) locations of sensitive receptors relative to the activity.
A6	<p>The only materials that can be used for dust suppression purposes are:</p> <ol style="list-style-type: none"> a) stormwater that has not been in contact with waste; and b) products specifically designed for dust suppression.
A7	<p>The working face of the landfill unit must not exceed 100m x 25m.</p>
A8	<p>A landfill gas collection system must be designed, installed, operated and maintained by appropriately qualified person(s).</p>
A9	<p>A landfill gas monitoring program must be designed, carried out and periodically reviewed and updated by appropriately qualified person(s) to monitor relevant components of landfill gas on the surface of the landfill, in facility structures, in subsurface geological formations and at the landfill site boundary.</p>
A10	<p>Landfill gas measured as methane must not exceed:</p> <ol style="list-style-type: none"> a) 25% of the lower explosive limit at any location at the landfill (but excluding facility structures used for the management of landfill gas or leachate); and b) 25% of the lower explosive limit within service pits, service trenches, stormwater drains or other structures beyond the landfill site boundary; and c) the lower explosive limit in subsurface geology at or beyond the landfill site boundary.
A11	<p>Additional measures to manage landfill gas must be taken if landfill gas levels measured as methane exceed 500 parts per million at a height of 50mm above the final and intermediate cover surface including the batter slopes of the landfill unit.</p>

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A12	<p>The holder of this environmental authority must ensure that any flare system installed for the burning of landfill gas from the activity meets the following conditions:</p> <ul style="list-style-type: none">a) the enclosed ground-level flare for the treatment of landfill gas must be operated in such a way that the temperature for the combustion of landfill gas by the flare is more than 760°C.b) the flare must be equipped with a flare tip design to provide good mixing with air, flame stability and achieve a minimum Volatile Organic Compound (VOC) removal efficiency of 98% under varied gas flow rate and meteorological conditions and meet the best practice design standards;c) the flare must be equipped with a continuously burning pilot or other automatic ignition system that assures gas ignition and provides immediate notification of appropriate personnel when the ignition system ceases to function;d) the flare must be designed to handle large fluctuations in both the volume and the chemical content of gases; ande) visible emissions must not be permitted for more than five minutes in any two hour period.
A13	<p>Unless being delivered to the landfill unit for disposal, all loading, unloading, temporary storage and mechanical reprocessing of putrescible wastes must be undertaken within the enclosed buildings identified for general wastes located at the Transfer and Resource Recovery Facility as described in <i>Appendix A – Site Plans – Figure 17: Transfer and Resource Recovery Facility</i>.</p>
A14	<p>The enclosed buildings identified for general wastes referred to in condition A13 must be operated under negative pressure at all times.</p>
A15	<p>The enclosed buildings must be fitted with an air filtration system that achieves a reduction in odour emissions of at least 90%, as calculated using the following equation:</p> $E = 100 - (C_{out} \div C_{in}) \times 100$ <p>Where:</p> <ul style="list-style-type: none">• E is the percentage odour control efficiency of the odour control devices• C_{out} is the odour concentration of air exiting the odour control device• C_{in} is the odour concentration of air entering the odour control device.
A16	<p>The air filtration system must be designed, installed, operated and maintained by an appropriately qualified person(s).</p>
A17	<p>An air filtration system efficiency monitoring program must be developed and implemented which includes:</p> <ul style="list-style-type: none">a) The relevant performance parameters to be monitored that indicate the performance of the air filtration system and as recommended by the manufacturers' specifications; andb) The frequency of monitoring performance parameters that is not inconsistent with the manufacturers' specifications; andc) Procedures for daily odour assessments to be carried out on the air filtration system to determine whether offensive odours are being released; andd) Measures that are to be taken within 24 hours of any monitoring result that indicates the air filtration system is operating outside the optimal performance range as recommended by the manufacturer; and

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	e) a record keeping system for recording the time and date of all measurements, investigations and measures taken.																																						
A18	The efficiency of the air filtration system must be monitored in accordance with the monitoring program prescribed in condition A17.																																						
Agency Interest: Noise																																							
N1	Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place .																																						
N2	Noise from the activity must not include substantial low frequency noise components and must not exceed the levels identified in <i>Table 4- Noise limits</i> when measured in accordance with the associated requirements at any sensitive place or commercial place .																																						
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<table><tr><th rowspan="3">Noise level measured in dB(A)</th><th colspan="3">Time Period</th></tr><tr><th>7am – 6pm</th><th>6pm – 10pm</th><th>10pm – 7am</th></tr><tr><td colspan="3">Noise measured at the sensitive place (SW, identified as Location 1 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)</td></tr><tr><td>L_{Aeq adj,T}</td><td>29</td><td>29</td><td>21</td></tr><tr><td></td><td colspan="3">Noise measured at the sensitive place (NE, identified as Location 2 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)</td></tr><tr><td>L_{Aeq adj,T}</td><td>34</td><td>36</td><td>27</td></tr><tr><td></td><td colspan="3">Noise measured at a commercial place (SW, identified as Location 1 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)</td></tr><tr><td>L_{Aeq adj,T}</td><td>34</td><td>34</td><td>26</td></tr><tr><td></td><td colspan="3">Noise measured at a commercial place (NE, identified as Location 2 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)</td></tr><tr><td>L_{Aeq adj,T}</td><td>39</td><td>41</td><td>32</td></tr></table>		Noise level measured in dB(A)	Time Period			7am – 6pm	6pm – 10pm	10pm – 7am	Noise measured at the sensitive place (SW, identified as Location 1 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)			L_{Aeq adj,T}	29	29	21		Noise measured at the sensitive place (NE, identified as Location 2 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)			L_{Aeq adj,T}	34	36	27		Noise measured at a commercial place (SW, identified as Location 1 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)			L_{Aeq adj,T}	34	34	26		Noise measured at a commercial place (NE, identified as Location 2 in Appendix A – Site Plans – Figure 18: Noise Monitoring Locations)			L_{Aeq adj,T}	39	41	32
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Associated requirements																																							
<ol style="list-style-type: none">1. All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.2. Any monitoring must be in accordance with the most recent version of the administering authority's Noise Measurement Manual.3. Any monitoring of noise emissions from the activity must be undertaken when the activity is in operation.4. Monitoring location(s) must be relevant to the matter(s) under investigation.5. Monitoring must include:<ol style="list-style-type: none">a. L_{Aeq, adj, T}b. Background noise (background) as L_{A90, adj, T}c. The level and frequency of occurrence of any impulsive or tonal noised. Atmospheric conditions including wind speed and directione. Effects due to extraneous factors such as traffic noise; andf. Location, date and time of recording.																																							

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Agency Interest: Land	
L1	Other than permitted within this environmental authority, contaminants must not be released to land .
L2	The engineered bunds must be designed, installed and maintained by an appropriately qualified person(s) .
L3	<p>Prior to the installation of a landfill liner in any landfill unit, a detailed stability analysis must be undertaken to determine the ranges and limits of strain acting on the liner. This analysis must include:</p> <ul style="list-style-type: none">a) All mine void and geotechnical data on which the assessments are based;b) The analytical, empirical or numerical methods used for the assessments;c) the material properties utilised in the analysis, for all relevant sequences, in particular the engineered bunds located beneath the liner; andd) An assessment of the potential stability impact on the liner design as a result of the engineered bunds, as well as preventative measures introduced to the landfill design to achieve acceptable long-term performance; ande) A report on the detailed stability analysis must be submitted to the administering authority prior to the construction of the first and each subsequent landfill unit.
L4	Waste must not be deposited in either the Lanes Pit or Ironbark Pit until an engineered bund associated with the relevant pit is constructed and approved in accordance with conditions L2 and L3.
L5	<p>When the deposition of waste to the landfill unit ceases, a final capping system to the landfill unit must be designed by an appropriately qualified person(s) and installed to minimise:</p> <ul style="list-style-type: none">1. infiltration of water into the landfill unit and water ponding on the surface; and2. the likelihood of any erosion occurring to either the final capping system or the landfilled materials. <p>A final capping system is not required where the deposition of waste to a landfill unit ceases temporarily for the purpose of using an alternative working face.</p>
L6	<p>Disturbed land must be rehabilitated in a manner such that:</p> <ul style="list-style-type: none">1. suitable species of vegetation for the location are established and sustained for earthen surfaces; and2. potential for erosion is minimised; and3. the quality of water, including seepage, released from the site does not cause environmental harm; and4. potential for environmental nuisance caused by dust is minimised; and5. the water quality of any residual water body does not have potential to cause environmental harm; and6. the land is stable and protects public safety; and7. the contaminant concentrations within the final capping layer for the landfill facility are appropriate for the final land use and in accordance with the latest edition of the 'National Environmental Protection (Assessment of Soil Contamination) Measure'; and8. and within at least 6 months of the deposition of waste to the landfill unit ceasing, the Tailings Dam is decommissioned and rehabilitated in accordance with design plans prepared by an appropriately qualified person(s) which:<ul style="list-style-type: none">i. create a safe, stable, non-polluting landform; andii. minimise infiltration of water into the Tailings Dam; and

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	<ul style="list-style-type: none"> iii. minimise the likelihood of any erosion occurring to either the final cover system or deposited tailings or embankments; iv. includes certification from an appropriately qualified person(s) that the area has achieved stable condition; and v. includes an upper/final layer of earthen material that is capable of sustaining suitable species of vegetation. <p>NOTE: This condition continues to apply after the environmental authority has ended or ceased to have effect pursuant to section 207(3) of the <i>Environmental Protection Act 1994</i>.</p>
L7	<p>Following cessation of deposition of waste in the landfill unit, post-closure care of the landfill unit must be conducted for a period of 100 years or until such time that the operator demonstrates, on the basis of correct information, that the landfill unit and surrounding site are stable and that no release of waste materials, leachate, landfill gas or other contaminants that may cause environmental harm is likely.</p> <p>NOTE: This condition continues to apply after the environmental authority has ended or ceased to have effect pursuant to section 207(3) of the <i>Environmental Protection Act 1994</i>.</p>
L8	<p>The program of post-closure care implemented must be effective in preventing and/or minimising the likelihood of environmental harm being caused and must achieve the final rehabilitation criteria stated in condition L6. The program must include measures to:</p> <ul style="list-style-type: none"> 1. maintain the structural integrity and effectiveness of the final capping system; 2. maintain and operate the leachate collection system; 3. maintain the groundwater monitoring program and monitor quality of groundwater at a frequency sufficient to detect any release of contaminants to groundwater; 4. monitor long term subsidence and stability using routine GPS survey monitoring, Lidar or equivalent monitoring methods, to provide a means to quantify the occurrence of subsidence and link the results to the groundwater monitoring program; 5. maintain and operate the landfill gas monitoring system; and 6. maintain and operate the landfill gas collection system. <p>NOTE: This condition continues to apply after the authority has ended or ceased to have effect pursuant to section 207(3) of the <i>Environmental Protection Act 1994</i>.</p>
L9	<p>All infrastructure associated with the activity, including water storage structures, must be removed from the site prior to the surrender of this environmental authority, except where otherwise agreed to in writing by the current land owner.</p>
L10	<p>Prior to any clearing of vegetation on site, a qualified spotter-catcher must be engaged to prepare and implement a Wildlife Protection and Management Plan, which must include:</p> <ul style="list-style-type: none"> a) a pre-clearance survey of the area to be cleared to identify potential refuge for, and the presence of: <ul style="list-style-type: none"> i. Koalas (<i>Phascolarctos cinereus</i>); and ii. Grey Headed Flying Fox (<i>Pteropus poliocephalus</i>); b) Clearing methodology to minimise physical risks to wildlife; c) Assessment of animal health and injuries and husbandry of captured animals; d) Identification of suitable release sites; and e) Reporting requirements as per condition L11.
L11	<p>All vegetation clearing activities are to be undertaken under the direction of a qualified spotter-catcher. Reports detailing the area cleared, the methodology used, any wildlife</p>

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	relocated, injured or killed, and the number and nature of habitat trees cleared are to be retained and provided to the administering authority upon request.															
L12	Prior to any clearing activities, a targeted survey for flora species listed as endangered, vulnerable or near threatened in the Nature Conservation (Plants) Regulation 2020 must be undertaken. In the event such species are identified, a Protected Plant Clearing Permit must be sought and received from the appropriate administering authority prior to any disturbance commencing.															
L13	<p>Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority unless the impact is specified in <i>Table 5 - Authorised significant residual impacts to prescribed environmental matters</i>. The impacts specified in Table 5 are only authorised to the maximum extent of impact prescribed in Table 5.</p> <p>Table 5 - Authorised significant residual impacts to prescribed environmental matters</p> <table><tr><th>Prescribed Environmental Matters</th><th>Location of Impact</th><th>Maximum Extent of Impact</th></tr><tr><td>Protected Wildlife Habitat - Habitat for an animal that is vulnerable wildlife – <i>Phascolarctos cinereus</i> (Koala)</td><td>The development disturbance footprint identified in Appendix C (Lot 1 RP24569, Lot 2 SP167885, Lot 230 CH3132, Lot 231 CH3132, Lot 240 CH3132, Lot 241 CH3132, Lot 242 CH3132, Lot 243 CH3132, Lot 254 CH31200, Lot 312 CH31969, Lot 257 CH31247, Lot 2</td><td>2387 Non-Juvenile Koala Habitat Trees (NJKHTs)</td></tr><tr><td>Protected Wildlife Habitat - Area shown as high-risk area on the flora survey trigger map and contains plants that are endangered wildlife - <i>Melaleuca irbyana</i> (Swamp Tea Tree/Bush House Paperbark)</td><td>RP24570, Lot 1 RL8701, Lot 1 SP167885)</td><td>0.53 hectares</td></tr><tr><td>Regulated Vegetation - Endangered regional ecosystems – <i>RE 12.3.18</i></td><td></td><td>0.1 hectares</td></tr><tr><td>Regulated Vegetation - Endangered regional ecosystems – <i>RE 12.3.19</i></td><td></td><td>0.3 hectares</td></tr></table> <p>NOTE: Where a SRI upon an MSES or MNES is triggered concurrently by another relevant Queensland or Commonwealth Act, that matter is only required to be offset once (as per the <i>Environmental Offsets Act 2014</i>).</p>	Prescribed Environmental Matters	Location of Impact	Maximum Extent of Impact	Protected Wildlife Habitat - Habitat for an animal that is vulnerable wildlife – <i>Phascolarctos cinereus</i> (Koala)	The development disturbance footprint identified in Appendix C (Lot 1 RP24569, Lot 2 SP167885, Lot 230 CH3132, Lot 231 CH3132, Lot 240 CH3132, Lot 241 CH3132, Lot 242 CH3132, Lot 243 CH3132, Lot 254 CH31200, Lot 312 CH31969, Lot 257 CH31247, Lot 2	2387 Non-Juvenile Koala Habitat Trees (NJKHTs)	Protected Wildlife Habitat - Area shown as high-risk area on the flora survey trigger map and contains plants that are endangered wildlife - <i>Melaleuca irbyana</i> (Swamp Tea Tree/Bush House Paperbark)	RP24570, Lot 1 RL8701, Lot 1 SP167885)	0.53 hectares	Regulated Vegetation - Endangered regional ecosystems – <i>RE 12.3.18</i>		0.1 hectares	Regulated Vegetation - Endangered regional ecosystems – <i>RE 12.3.19</i>		0.3 hectares
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L14	An environmental offset must be undertaken for the maximum extent of impact to each prescribed environmental matter in <i>Table 5 - Authorised significant residual impacts to prescribed environmental matters</i> in accordance with the <i>Environmental Offsets Act 2014</i> .															
L15	<p>Records demonstrating that any impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:</p> <ol style="list-style-type: none">completed by an appropriately qualified person(s); andkept for the life of the environmental authority.															

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Agency Interest: Water																														
WT1	Other than as permitted within this environmental authority, contaminants must not be released to waters in a manner that causes or is likely to cause environmental harm.																													
WT2	The administering authority must be notified at least 24 hours prior to the commencement of the void dewatering process .																													
WT3	<p>During the void dewatering process, the only contaminants to be released from the Tailings Dam release point to surface waters which flows to Ebenezer Creek must be in accordance with <i>Table 6 – Surface waste release limits during void dewatering process</i> and the associated monitoring requirements.</p> <p>Table 6 - Surface water release limits during void dewatering process</p> <table><tr><th>Release Point(s) Description (GDA94 decimal degrees) *</th><th>Quality characteristic (units)</th><th>Limit</th><th>Limit Type</th><th>Minimum Monitoring Frequency</th></tr><tr><td>Name</td><td></td><td></td><td></td><td></td></tr><tr><td rowspan="3">EW33 - Tailings Dam Release Point as identified in <i>Appendix A - Site Plans - Figure 19: Authorised Surface Water Discharge Point</i></td><td>pH</td><td>6-9</td><td>Range</td><td rowspan="3">Daily median of data collected every 15 minutes during release</td></tr><tr><td>Electrical Conductivity (EC)</td><td>2750 µS/cm</td><td>Maximum</td></tr><tr><td>Suspended solids</td><td>50 mg/L</td><td>Maximum</td></tr><tr><td>(Latitude: - 27.67528 Longitude: 152.65780)</td><td>Total daily release volume (ML/day)</td><td>4ML/day</td><td>Maximum</td><td>Daily when a release occurs</td></tr></table> <p><i>*Decimal degrees to be provided to a minimum of 4 decimal places.</i></p> <p>Associated monitoring requirements</p> <ol style="list-style-type: none">Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Water Quality Sampling Manual.Samples must be taken using representative samples.All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives/limits relevant to the particular water quality characteristic.Monitoring must be undertaken during a release as per the frequency stated.All monitoring devices must be correctly calibrated and maintained.				Release Point(s) Description (GDA94 decimal degrees) *	Quality characteristic (units)	Limit	Limit Type	Minimum Monitoring Frequency	Name					EW33 - Tailings Dam Release Point as identified in <i>Appendix A - Site Plans - Figure 19: Authorised Surface Water Discharge Point</i>	pH	6-9	Range	Daily median of data collected every 15 minutes during release	Electrical Conductivity (EC)	2750 µS/cm	Maximum	Suspended solids	50 mg/L	Maximum	(Latitude: - 27.67528 Longitude: 152.65780)	Total daily release volume (ML/day)	4ML/day	Maximum	Daily when a release occurs
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(Latitude: - 27.67528 Longitude: 152.65780)	Total daily release volume (ML/day)	4ML/day	Maximum	Daily when a release occurs																										
WT4	All void waters released from the Tailings Dam release point to surface waters which flows to Ebenezer Creek must be monitored for the quality characteristics specified in <i>Table 7 – Surface water release monitoring during void dewatering process</i> and the associated monitoring requirements.																													

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Table 7 – Surface water release monitoring during void dewatering process			
Release Point Description (GDA94 decimal degrees)*	Quality characteristic	Unit Measure	Frequency
Name			
EW33 - Tailings Dam Release Point as identified in <i>Appendix A - Site Plans - Figure 19: Authorised Surface Water Discharge Point</i> (Latitude: -27.67528 Longitude: 152.65780)	Dissolved Oxygen	mg/L	At the commencement of release and thereafter monthly during release
	Total Nitrogen	mg/L	
	Ammonia (as N)	mg/L	
	Total Phosphorus	mg/L	
	Turbidity	NTU	
	Aluminium	µg/L	
	Arsenic	µg/L	
	Boron	µg/L	
	Cadmium	µg/L	
	Chromium	µg/L	
	Cobalt	µg/L	
	Copper	µg/L	
	Iron (total)	µg/L	
	Lead	µg/L	
	Manganese	µg/L	
	Mercury	µg/L	
	Molybdenum	µg/L	
	Nickel	µg/L	

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			Selenium (total)	µg/L	
			Sodium	mg/L	
			Sulfate	mg/L	
			Vanadium	µg/L	
			Zinc	µg/L	
			Total Petroleum Hydrocarbons	µg/L	
			PFOS	µg/L	
			PFOA	µg/L	
			Major Ions	mg/L	
	<i>*Decimal degrees to be provided to a minimum of 4 decimal places.</i>				
	Associated monitoring requirements				
	<div><div>1.</div><div>Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's <i>Water Quality Sampling Manual</i>.</div></div> <div><div>2.</div><div>Samples must be taken using representative samples.</div></div> <div><div>3.</div><div>All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives/limits relevant to the particular water quality characteristic.</div></div> <div><div>4.</div><div>Monitoring must be undertaken during a release as per the frequency stated.</div></div> <div><div>5.</div><div>All monitoring devices must be correctly calibrated and maintained.</div></div> <div><div>6.</div><div>All metals and metalloids must be measured as total (unfiltered) and dissolved (filtered). Trigger levels for metal/metalloids apply to the dissolved fraction.</div></div>				
WT5	The void dewatering release flow rate from the release point described in condition WT4 must be based on the Warrill Creek flow rate measured at the associated gauge station (DNRME gauging station 143108A – also referenced as monitoring point WRP10 in condition WT14) and must consider dilution factors to ensure electrical conductivity in Warrill Creek is maintained below or equal to 500µS/cm.				
WT6	Notwithstanding condition WT5, the release rate of void waters to surface waters during the void dewatering process must not exceed 4ML/day.				

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WT7	<p>The void dewatering process must cease immediately if:</p> <ul style="list-style-type: none">a) The electrical conductivity (EC) in Warrill Creek exceeds 500µS/cm, based on 24 hour sampling at the associated gauge station (DNRME gauging station 143108A – also referenced as monitoring point WRP10 in condition WT14); orb) The flow rate in Warrill Creek decreases below 6ML/day, measured at the associated gauge station (DNRME gauging station 143108A – also referenced as monitoring point WRP10 in condition WT14); orc) Any of the surface water release limits prescribed within condition WT2 are exceeded													
WT8	<p>The holder of the environmental authority must report every 6 months on the progress of the void dewatering process including release flow rates and volumes, quality of surface water releases, and the flow rate and EC of Warrill Creek over time.</p>													
WT9	<p>The administering authority must be notified within 24 hours of the cessation of void dewatering process.</p>													
WT10	<p>A final report must be completed by an appropriately qualified persons(s) and provided to the administering authority within 6 months of the cessation of the void dewatering process to identify the potential impacts upon surface waters including Warrill Creek and must include, at a minimum;</p> <ul style="list-style-type: none">a) the monitoring data of all surface water releases including at least 3 months following the cessation of void water releases;b) the surface water release flow rates and volumes to assess any potential impacts from scouring;c) an analysis of the quality of surface water releases as prescribed by conditions WT3 and WT4;d) an analysis of the quality of the receiving environment as monitored in accordance with conditions WT14 and WT16 to demonstrate the conditions of Warrill Creek before, during and after the void dewatering process; ande) a combined analysis of any exceedance events as prescribed by condition WT17.													
WT11	<p>At all times, the water level within the Tailings Dam must be maintained at a level at least 4 metres above the level of any tailings waste.</p>													
WT12	<p>Upon cessation of the void dewatering process, the only contaminants to be released from the Tailings Dam release point to surface waters which flows to Ebenezer Creek must be passive releases in accordance with <i>Table 8 – Surface water release limits</i> and the associated monitoring requirements.</p> <p>Table 8 - Surface water release limits</p> <table><tr><th>Release Point Description (GDA94 decimal degrees) *</th><th>Quality characteristic (units)</th><th>Limit</th><th>Limit Type</th><th>Minimum Monitoring Frequency</th></tr><tr><td rowspan="2">EW33 - Tailings Dam Release Point as identified in</td><td>pH</td><td>6.5-8</td><td>Range</td><td rowspan="2">Daily when a release occurs</td></tr><tr><td>Electrical Conductivity</td><td>500 µS/cm</td><td>Maximum</td></tr></table>	Release Point Description (GDA94 decimal degrees) *	Quality characteristic (units)	Limit	Limit Type	Minimum Monitoring Frequency	EW33 - Tailings Dam Release Point as identified in	pH	6.5-8	Range	Daily when a release occurs	Electrical Conductivity	500 µS/cm	Maximum
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EW33 - Tailings Dam Release Point as identified in	pH	6.5-8	Range	Daily when a release occurs										
	Electrical Conductivity	500 µS/cm	Maximum											

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	Appendix A - Site Plans - Figure 19: Authorised Surface Water Discharge Point (Latitude: - 27.67528 Longitude: 152.65780)	Turbidity	5 NTU	Maximum																																	
		Suspended solids	6 mg/L	Maximum																																	
		Total Nitrogen	0.5 mg/L	Maximum																																	
		Total daily release volume (ML/day)	-	-																																	
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<div>1. Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Water Quality Sampling Manual.</div> <div>2. Samples must be taken using representative samples.</div> <div>3. All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives/limits relevant to the particular water quality characteristic.</div> <div>4. Monitoring must be undertaken during a release as per the frequency stated.</div> <div>5. All monitoring devices must be correctly calibrated and maintained.</div>																																					
WT13	Monitoring of contaminant releases to waters must be undertaken in accordance with conditions WT3, WT4 and WT12. Records of the results must be kept and provided to the administering authority upon request and in the format requested.																																				
WT14	The quality of the receiving waters must be monitored at the locations and frequencies specified in <i>Table 9 - Receiving environment surface water monitoring locations</i> .																																				
Table 9 - Receiving environment surface water monitoring locations																																					
<table><tr><th>Monitoring locations</th><th>Description</th><th>Latitude</th><th>Longitude</th><th>Monitoring frequency prior to and during void dewatering</th><th>Monitoring frequency after void dewatering</th></tr><tr><td colspan="6">Control sites</td></tr><tr><td>WRP1</td><td>Ebenezer Creek, furthest upstream of discharge point</td><td>-27.69467</td><td>152.64465</td><td rowspan="3">Weekly</td><td rowspan="3">Monthly</td></tr><tr><td>WRP3</td><td>Ebenezer Creek, upstream of discharge point</td><td>-27.68618</td><td>152.65124</td></tr><tr><td>WRP7</td><td>Warrill Creek, upstream of the confluence with Ebenezer Creek</td><td>-27.68299</td><td>152.69592</td></tr><tr><td colspan="6">Compliance sites</td></tr></table>						Monitoring locations	Description	Latitude	Longitude	Monitoring frequency prior to and during void dewatering	Monitoring frequency after void dewatering	Control sites						WRP1	Ebenezer Creek, furthest upstream of discharge point	-27.69467	152.64465	Weekly	Monthly	WRP3	Ebenezer Creek, upstream of discharge point	-27.68618	152.65124	WRP7	Warrill Creek, upstream of the confluence with Ebenezer Creek	-27.68299	152.69592	Compliance sites					
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Compliance sites																																					

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	WRP10	Warrill Creek, downstream of the confluence with Ebenezer Creek, gauging station 143108A	-27.65946	152.69774	Weekly	Monthly
	WRP5	Ebenezer Creek, downstream of discharge point but upstream of WRP6	-27.67760	152.66616		
	WRP6	Ebenezer Creek, downstream of discharge point and WRP5 but upstream of confluence with Warrill Creek	-27.67953	152.68688	Continuous during the void dewatering process , including 3 months prior to releases and at least 3 months following cessation of releases	
	WRP11	Ebenezer Creek, culvert immediately downstream of discharge point	-27.67799	152.65999		
	WRPUS	Culvert from Ironbark Pit to Ebenezer Creek, upstream of discharge point	-27.68016	152.65233		
	WRPTD	Tailings Dam	-27.67438	152.65658		
WT15	<p>A receiving environment monitoring program must include, at each location and frequency specified in <i>Table 9 – Receiving environment surface water monitoring locations</i>:</p> <p>a) monitoring of at least the following parameters:</p> <ul style="list-style-type: none">i. pH (pH units)ii. Electrical Conductivity (µs/cm)iii. Dissolved Oxygen (mg/L)iv. Total Suspended Solids (mg/L)v. Turbidity (NTU)vi. Total Nitrogen (mg/L), Ammonia as N (mg/L) and Total Phosphorus (mg/L)vii. Total Organic Carbon (mg/L)viii. Total Petroleum Hydrocarbons (mg/L)ix. Total fluorinated organic compounds* (mg/L)x. Heavy metals (total and dissolved)xi. Major ions (mg/L)xii. Flow rate (ML/day) <p>b) appropriate trigger values that reflect the Water Quality Objectives or locally relevant water quality guidelines derived in accordance with the Queensland Water Quality Guidelines (2009 or most recent update) or the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG (2018))</p> <p>Note: *For monitoring of fluorinated organic compounds, monitoring must be consistent with recommendations in the most recent version of the PFAS National Environmental Management Plan.</p>					
WT16	The contaminant concentrations measured in receiving waters at any compliance site specified in <i>Table 9 - Receiving environment surface water monitoring locations</i> must be					

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compared with the water quality trigger levels specified in *Table 10 – Receiving environment contaminant trigger investigation levels*.

Table 10 – Receiving environment contaminant trigger investigation levels

Quality characteristic	Trigger Levels	Trigger Type
Dissolved Oxygen	6 mg/L	Minimum
Total Nitrogen	0.5 mg/L ¹	Maximum
Ammonia (as N)	0.02 mg/L ¹	Maximum
Total Phosphorus	0.05 mg/L ¹	Maximum
Aluminium	55 µg/L ²	Maximum
Arsenic	13 µg/L ²	Maximum
Boron	370 µg/L ²	Maximum
Cadmium	0.2 µg/L ²	Maximum
Chromium	1 µg/L ²	Maximum
Cobalt	1.4 µg/L ²	Maximum
Copper	1.4 µg/L ²	Maximum
Iron (total)	700 µg/L ²	Maximum
Lead	3.4 µg/L ²	Maximum
Manganese	1900 µg/L ²	Maximum
Mercury	0.06 µg/L ²	Maximum
Molybdenum	34 µg/L ²	Maximum
Nickel	11 µg/L ²	Maximum
Selenium	5 µg/L ²	Maximum

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	<table border="1"> <tr> <td>Sulfate</td><td>50 mg/L</td><td>Maximum</td></tr> <tr> <td>Vanadium</td><td>6 µg/L²</td><td>Maximum</td></tr> <tr> <td>Zinc</td><td>8 µg/L²</td><td>Maximum</td></tr> <tr> <td>Total Petroleum Hydrocarbons</td><td>100 µg/L</td><td>Maximum</td></tr> <tr> <td>PFOS</td><td>0.00023 µg/L³</td><td>Maximum</td></tr> <tr> <td>PFOA</td><td>19 µg/L³</td><td>Maximum</td></tr> <tr> <td>Major Ions</td><td>mg/L</td><td>For interpretive purposes only</td></tr> </table> <p>¹Based on the local water quality objectives for lowland freshwaters (Lower Warrill Creek) in the Bremer River environmental values and water quality objectives - Basin No. 143 (part) (Environmental Protection (Water) Policy 2009). Limits for metals apply to the dissolved forms (except for Iron)</p> <p>²Based on the ANZG (2018) toxicant default guideline values for aquatic ecosystems for slightly to moderately disturbed systems.</p> <p>³Based on the PFAS National Environmental Management Plan – Table 5: Aquatic ecosystems: freshwater and marine water guideline values for 99% species protection.</p> <p>Associated monitoring requirements</p> <ol style="list-style-type: none"> Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Water Quality Sampling Manual. Samples must be taken using representative samples. All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives/limits relevant to the particular water quality characteristic. Monitoring must be undertaken during a release as per the frequency stated. All monitoring devices must be correctly calibrated and maintained. All metals and metalloids must be measured as total (unfiltered) and dissolved (filtered). Trigger levels for metal/metalloids apply to the dissolved fraction. The quality characteristics required to be monitored as per Table 10 – Receiving environment contaminant trigger investigation levels can be reviewed if sufficient data is available to adequately demonstrate negligible environmental risk. 	Sulfate	50 mg/L	Maximum	Vanadium	6 µg/L ²	Maximum	Zinc	8 µg/L ²	Maximum	Total Petroleum Hydrocarbons	100 µg/L	Maximum	PFOS	0.00023 µg/L ³	Maximum	PFOA	19 µg/L ³	Maximum	Major Ions	mg/L	For interpretive purposes only
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PFOA	19 µg/L ³	Maximum																				
Major Ions	mg/L	For interpretive purposes only																				
WT17	<p>If a contaminant concentration measured at a compliance site specified in <i>Table 9 - Receiving environment surface water monitoring locations</i> exceeds any trigger level specified in <i>Table 10 – Receiving environment contaminant trigger investigation levels</i>, the holder of this environmental authority must compare this result to the applicable control sites specified in <i>Table 9 - Receiving environment surface water monitoring locations</i>, and if the contaminant concentration measured at the compliance site exceeds the contaminant concentration measured at the applicable control site:</p> <ol style="list-style-type: none"> Notify the administering authority within 24 hours of becoming aware of the trigger level exceedance; and 																					

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	<p>b) Undertake further sampling of potentially impacted receiving waters for all contaminants specified in <i>Table 10 - Receiving environment contaminant trigger investigation levels</i>; and</p> <p>c) Complete an investigation into the potential for environmental harm to occur within three months of identifying this exceedance or the alternative timeframe specified by the administering authority, and in accordance with ANZG (2018) guideline and other adequate aquatic ecosystem guideline values; and</p> <p>d) Within one week of completing the investigation, provide a written report to the administering authority detailing all pertinent aspects of the investigation (such as objectives, applied methodology, investigation outcomes, assumptions relied upon and justification for any assertions made) and any actions undertaken and/or proposed to prevent or minimise environmental harm.</p>																																				
WT18	The groundwater depressurisation system must be designed, installed and maintained by an appropriately qualified person(s) and in accordance with <i>Appendix A – Site Plans – Figure 3: F-032 LIP Proposed Subgrade and Groundwater Collection, Figure 15: F-050 Typical Sections and Details and Figure 16: F-051 Leachate and Groundwater Sump Details</i> .																																				
WT19	The level of groundwater within the groundwater depressurisation system must not exceed the height of the adjacent waste within the landfill unit .																																				
WT20	The groundwater monitoring program required by condition G13 must be designed, carried out and periodically reviewed and updated by an appropriately qualified person(s) . The appropriately qualified person(s) must have appropriate qualifications and experience in the fields of hydrology and groundwater monitoring programs to be able to competently make recommendations about these matters.																																				
WT21	<p>The quality of groundwater must be monitored at the locations as specified in <i>Table 11 – Receiving environment groundwater monitoring locations</i>.</p> <p>Table 11 – Receiving environment groundwater monitoring locations</p> <table><tr><th>Monitoring locations</th><th>Easting</th><th>Northing</th><th>Ground Surface (mAHD)</th></tr><tr><td colspan="4">Up Gradient Locations</td></tr><tr><td>GW002</td><td>466550.2</td><td>6939206.3</td><td>36.6</td></tr><tr><td>GW005</td><td>464575.9</td><td>6938806.2</td><td>63.6</td></tr><tr><td>GW006</td><td>464369.8</td><td>6938106.8</td><td>50.6</td></tr><tr><td>GW007</td><td>464560.6</td><td>6937342.7</td><td>40.6</td></tr><tr><td>GW008</td><td>464995.3</td><td>6937069.9</td><td>40.2</td></tr><tr><td colspan="4">Down Gradient Locations</td></tr><tr><td>GW001</td><td>466576.6</td><td>6939589.5</td><td>47.5</td></tr></table>	Monitoring locations	Easting	Northing	Ground Surface (mAHD)	Up Gradient Locations				GW002	466550.2	6939206.3	36.6	GW005	464575.9	6938806.2	63.6	GW006	464369.8	6938106.8	50.6	GW007	464560.6	6937342.7	40.6	GW008	464995.3	6937069.9	40.2	Down Gradient Locations				GW001	466576.6	6939589.5	47.5
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	GW003	465996.4	6939087.0	42.3
	GW004	466168.3	6938694.5	36.3
	GW009	465622.3	6937758.1	37.4
	GW010	465784.4	6939723.8	44.8
WT22	<p>The groundwater monitoring program required by condition G13, must be implemented prior to the first deposition of waste to the landfill facility and must include but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) identification of the aquifer(s) for which groundwater will be monitored; b) baseline monitoring to collect at least 2 years of groundwater monitoring data prior to the first deposition of waste to the landfill facility for at least the locations identified within condition WT21; c) baseline monitoring must be undertaken in accordance with the latest version of the administering authority's guideline <i>Using Monitoring Data to Assess Groundwater Quality and Potential Environmental Impacts</i>; d) identification of trigger parameters that are associated with the potential or actual contaminants held on the site; e) identification of trigger concentration levels that are suitable for early detection of contaminant releases at the site. Sufficient baseline sampling must be undertaken in groundwater monitoring wells in accordance with the above mentioned guideline to establish trigger concentration levels, prior to the first deposition of waste to the landfill facility; f) installation of interpretation groundwater monitoring bores where groundwater quality will not have been affected by the site's activities authorised under this environmental authority; g) installation of compliance groundwater monitoring bores that: <ul style="list-style-type: none"> i. are within formations potentially affected by the activities authorised under this environmental authority (i.e. within the potential area of impact); ii. provide for the early detection of negative impacts in the immediate vicinity of potential contaminant sources, prior to reaching groundwater dependent ecosystems, site boundaries, landholder's active groundwater bores, or water supply bores; iii. provide for the early detection of negative impacts prior to reaching migration pathways to other formations (i.e. faults, areas of unconformities known to connect two or more formations) if applicable; and iv. establish the quality of groundwater down-gradient of any potential leakage of contaminants to groundwater from the landfill site. h) monitoring of groundwater at each interpretation groundwater monitoring bore and compliance groundwater monitoring bore at least quarterly for the trigger parameters identified in point (b) above and Table 12 below; i) groundwater trigger action response procedures for when trigger parameters and trigger levels identified in point (b) and (c) above trigger the early detection of seepage of contaminants, or upon becoming aware of any monitoring results that indicate potential groundwater contamination; and 			

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	<p>j) a rationale detailing the groundwater monitoring program conceptualisation including assumptions, determinations, monitoring equipment, sampling methods and data analysis, including the need for the development of a three-dimensional numerical groundwater flow model:</p> <ul style="list-style-type: none">i. the three-dimensional numerical groundwater flow model must be able to predict the extend of the groundwater level increase during the activity and simulate mitigation methods; andii. the three-dimensional numerical groundwater flow model must be based on hydrogeologic testing of the hydraulic parameters necessary for the construction of the groundwater flow model.																																										
WT23	The locations of wells and groundwater monitoring facilities that comprise the groundwater monitoring program must be given with horizontal coordinates of such facilities accurate to 1.0 metre.																																										
WT24	On any occasion that samples are obtained, the holder of the environmental authority must measure and record standing groundwater levels in metres, accurate to 0.001 metres. The elevation of the reference point, relative to Australian Height Datum, for use in any groundwater level measurement must be determined to an accuracy of 0.005 metres.																																										
WT25	Measurements of groundwater levels must be undertaken prior to any disturbance by sampling and must be reported as the depth in metres from the established reference point to the water surface within the bore.																																										
WT26	<p>The groundwater monitoring must be undertaken for, at least, the following water quality characteristics:</p> <p>Table 12 - Groundwater monitoring parameters</p> <table><tr><th>Quality Characteristic</th><th>Unit of Measure</th><th>Frequency</th></tr><tr><td>pH</td><td>pH</td><td rowspan="18">Quarterly</td></tr><tr><td>Dissolved oxygen</td><td>mg/L</td></tr><tr><td>Electrical conductivity (EC)</td><td>µS/cm</td></tr><tr><td>Redox potential</td><td>mV</td></tr><tr><td>Temperature</td><td>°C</td></tr><tr><td>Standing Water Level</td><td>m AHD</td></tr><tr><td>Total Organic Carbon</td><td>mg/L</td></tr><tr><td>Total Dissolved Solids</td><td>mg/L</td></tr><tr><td>Calcium</td><td>mg/L</td></tr><tr><td>Magnesium</td><td>mg/L</td></tr><tr><td>Potassium</td><td>mg/L</td></tr><tr><td>Sodium</td><td>mg/L</td></tr><tr><td>Chloride</td><td>mg/L</td></tr><tr><td>Sulphate</td><td>mg/L</td></tr><tr><td>Fluoride</td><td>mg/L</td></tr><tr><td>Alkalinity (Carbonate and Bicarbonate)</td><td>mg/L</td></tr><tr><td>Ammonia</td><td>mg/L</td></tr><tr><td>Nitrate and nitrite</td><td>mg/L</td></tr><tr><td>Total phosphorus</td><td>mg/L</td></tr></table>	Quality Characteristic	Unit of Measure	Frequency	pH	pH	Quarterly	Dissolved oxygen	mg/L	Electrical conductivity (EC)	µS/cm	Redox potential	mV	Temperature	°C	Standing Water Level	m AHD	Total Organic Carbon	mg/L	Total Dissolved Solids	mg/L	Calcium	mg/L	Magnesium	mg/L	Potassium	mg/L	Sodium	mg/L	Chloride	mg/L	Sulphate	mg/L	Fluoride	mg/L	Alkalinity (Carbonate and Bicarbonate)	mg/L	Ammonia	mg/L	Nitrate and nitrite	mg/L	Total phosphorus	mg/L
Quality Characteristic	Unit of Measure	Frequency																																									
pH	pH	Quarterly																																									
Dissolved oxygen	mg/L																																										
Electrical conductivity (EC)	µS/cm																																										
Redox potential	mV																																										
Temperature	°C																																										
Standing Water Level	m AHD																																										
Total Organic Carbon	mg/L																																										
Total Dissolved Solids	mg/L																																										
Calcium	mg/L																																										
Magnesium	mg/L																																										
Potassium	mg/L																																										
Sodium	mg/L																																										
Chloride	mg/L																																										
Sulphate	mg/L																																										
Fluoride	mg/L																																										
Alkalinity (Carbonate and Bicarbonate)	mg/L																																										
Ammonia	mg/L																																										
Nitrate and nitrite	mg/L																																										
Total phosphorus	mg/L																																										

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	Aluminium	mg/L	
	Arsenic	mg/L	
	Barium	mg/L	
	Cadmium	mg/L	
	Chromium	mg/L	
	Cobalt	mg/L	
	Lead	mg/L	
	Copper	mg/L	
	Iron	mg/L	
	Manganese	mg/L	
	Mercury	mg/L	
	Nickel	mg/L	
	Zinc	mg/L	
	Phenols	mg/L	Annually
	Petroleum Hydrocarbons	mg/L	
	Monoaromatic Hydrocarbons (Benzene, Toluene, Ethylbenzene and xylene)	mg/L	
	Organochlorine and Organophosphate Pesticides	mg/L	
	Chlorinated Compounds	mg/L	
	Polycyclic Aromatic Hydrocarbons*	mg/L	
	Per- and Poly-Fluoroalkyl Substances*	mg/L	
Associated monitoring requirements <ol style="list-style-type: none"> Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Water Quality and Sampling Manual. Samples must be representative of the groundwater quality within the well. All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives / triggers relevant to the water quality characteristic. Monitoring must be undertaken as per the frequency stated. All monitoring devices must be correctly calibrated and maintained. <p>*For monitoring of Per- and Poly-Fluoroalkyl Substances, monitoring must be consistent with recommendations in the most recent version of the PFAS National Environmental Management Plan.</p>			
WT27	The surface water and groundwater monitoring programs must include: <ol style="list-style-type: none"> determination of PFAS compounds low level trace analysis, under both standard analysis and total oxidisable precursor assay; determination of total organic fluorine content; for characterising leachate and any surface water or groundwater found to contain more than 50% additional PFAS present on a molar basis or organic fluorine content compared to the standard analysis, qualitative compound identification by liquid chromatography quadrupole time of flight mass spectrometry (LC-QToF-MS); compliance with quality assurance and quality control measures, including those advised in the most recent version of the PFAS National Environmental Management Plan; and measurement of PFAS concentrations in sediments in any water storages or waters found to be materially affected by PFAS compounds. 		

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WT28	The stormwater runoff from disturbed areas , generated by (up to and including) a 24 hour storm event with an average recurrence interval of 1 in 10 years must be retained on site or managed to remove contaminants that may cause environmental harm before release.
WT29	The controlled release of treated/settled stormwater must be conducted in a way and at a rate that does not cause: <ul style="list-style-type: none">a) re-suspension of particles; orb) erosion of bed or banks of receiving waters; orc) landscape damage; ord) ponding of the water; ore) vegetation damage.

Definitions

Key terms and/or phrases used in this document are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

24 hour storm event with an average recurrence interval of 1 in 10 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 10 years. *For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 10 years, identifies a rainfall intensity of 8.2mm/hour. The rainfall depth for this event is therefore 24 hour x 8.2mm/hour = 196.8mm.*

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Science or its successor or predecessors.

Air filtration system means a system, including biofiltration, which removes **noxious** or **offensive** odours and airborne contaminants.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $LA_{90,T}$ being the A-weighted sound pressure level exceeded for 90 per cent of the time period of not less than 15 minutes, using Fast response.

Background bore means **groundwater** monitoring bore sunk into a part of an aquifer that is representative of hydraulically down-gradient (test) bore but will remain unaffected by the **activity**. This may be a hydraulically **up-gradient bore**, hydraulically **down-gradient bore**, or a bore in the same aquifer in a nearby location as long as it remains unaffected by the **activity**.

Baseline data means monitoring and sampling data collected prior to the commencement of waste deposition on the site, and must include at least 2 years of monitoring.

Boundary means within one metre of the cadastral boundary of the site.

Clean earth means any natural substance found in the earth that is not contaminated with waste or a hazardous contaminant. Examples- clay, gravel, loam, rock, sand, soil.

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Coal seam gas water means underground water brought to the surface of the earth, or moved underground in connection with exploring for, or producing coal seam gas.

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

Construction and demolition waste as defined in the Waste Reduction and Recycling Regulation 2011.

Construction quality assurance plan means a framework with defined procedures and practices to ensure that the completed product meets or exceeds the specified quality requirements and must identify parameters to be inspected or tested, the frequency or timing of the inspection, performance indicators and the responsibility for the inspection.

Commercial and industrial waste as defined in the Environmental Protection Regulation 2019.

Disturbed areas include areas:

1. that are susceptible to erosion;
2. that are contaminated by the **activity**; and/or
3. upon which stockpiles of soil or other materials are located.

Double lined means at least two liners composed by combining any two of the following liners:

1. Geomembrane Liner (**HDPE**, **LLDPE** or similar)
2. Geosynthetic Clay Liner;
3. 600mm thick compacted clay or compacted engineering fill achieving a permeability of 1×10^{-9} metres per second.

Down-gradient bore means a groundwater monitoring bore in a location hydraulically down gradient of those aspects of the **activity** that may affect groundwater quality. A **down-gradient bore** could be a test bore for compliance purposes when located within the potential landfill leachate attenuation zone.

Engineered bunds means the bunds constructed to form the southern boundaries of the **Lanes Pit** and **Ironbark Pit** waste disposal areas as depicted and described in *Appendix A – Site Plans – Figure 14: F-043 LIP Cross Sections*.

Environmental harm as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Financial assurance as defined in Chapter 5 of the *Environmental Protection Act 1994*.

General waste as defined in Schedule 19 of the Environmental Protection Regulation 2019.

Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

Groundwater monitoring bore means groundwater monitoring bore, constructed in accordance with the relevant Australian Standard, and used to sample groundwater from an aquifer the water quality of which may be potentially affected by the activity. This may be a background bore, an up-gradient bore, down-gradient bore or bore in the same aquifer in a nearby location unaffected by the activity.

Groundwater monitoring program means a system of groundwater monitoring devices, such as monitoring bores, and specified monitoring requirements used to provide data in respect to the level and quality of groundwater in the uppermost aquifer.

HDPE means high density polyethylene.

Inert means:

1. bricks, pavers, ceramics, concrete, glass or steel; or
2. similar **general waste** that does not biodegrade or decompose.

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Ironbark Pit refers to the area described as “Ironbark Pit” within *Appendix A – Site Plans – Figure 1: F-100 Plan of Development*.

$L_{Aeq\ adj,T}$ means the adjusted A weighted equivalent continuous sound pressure level **measures** on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than one hour when the approved **activity** is causing an intermittent noise.

Land does not include **waters**.

Landfill facility means land and structures at the site approved used for the disposal of solid waste.

Landfill gas means a mixture of gas (primarily methane and carbon dioxide) that is generated in landfills by the anaerobic decomposition of organic wastes.

Landfill liner means a landfill lined with compacted clay at least 600mm thick achieving a maximum permeability of 1×10^{-9} metres per second overlain with 1.5 mm **HDPE** synthetic liner or an alternate **double lined** system being equivalent in performance as agreed in writing with the **administering authority**.

Landfill unit means a discrete area of land or an excavation that receives solid waste.

Lanes Pit refers to the area described as “Lanes Pit” within *Appendix A – Site Plans – Figure 1: F-100 Plan of Development*.

Leachate means a **liquid** that has passed through or emerged from, or is likely to have passed through or emerged from, a material stored, processed or disposed of at the site that contains soluble, suspended or miscible contaminants likely to have been derived from the said material.

Liquid means any substance that:

1. has an angle of repose of less than five degrees; or
2. becomes free flowing at or below 60 degrees Celsius or when it is transported; or
3. is not generally capable of being picked up by a spade or shovel.

LLDPE means linear low density polyethylene.

Lower explosive limit means a concentration of methane gas in air that of 5 percent by volume measured at 25 degrees Celsius and atmospheric pressure, being that concentration which will explode or produce a flash of fire when an ignition source is present.

Measures has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

Municipal solid waste as defined in the Waste Reduction and Recycling Regulation 2011.

NATA means National Association of Testing Authorities.

PFAS Compounds means the PFAS sub-classes outlined in the most recent edition of the PFAS National Environmental Management Plan.

Prescribed environmental matters as listed within Schedule 2 of the Environmental Offsets Regulation 2014.

Prescribed water contaminants means contaminants listed within Schedule 10 of the Environmental Protection Regulation 2019.

Receiving environment monitoring program means a monitoring program designed to monitor and assess the potential impacts of controlled or uncontrolled releases of contaminants to the environment from the **activity**.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

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Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Semi-liquid means imperfectly fluid, having both fluid and solid characteristics.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a park or gardens; or
7. for noise, a place listed as a sensitive receptor in Schedule 1 of the Environmental Protection (Noise) Policy 2019.

Significant residual impact means, as per Section 8 of the *Environmental Offsets Act 2014*, a generally adverse impact, whether direct or indirect, of a prescribed activity on all or part of a **prescribed environmental matter** that:

- a) remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site avoidance and mitigation measures for the prescribed activity; and
- b) is, or will or is likely to be, significant.

Spotter-catcher means a person qualified to take and keep protected wildlife under a current rehabilitation permit granted under the Nature Conservation (Animals) Regulation 2020 (or previous regulations to authorise the take, keep or use of an animal) whose habitat is about to be destroyed by human activity.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz.

Tailings Dam refers to the area described as "Tailing Dam" within *Appendix A – Site Plans – Figure 1: F-100 Plan of Development*.

TCLP means a toxicity characteristic leaching procedure.

Void dewatering process means the active dewatering of the **Ironbark Pit** and **Lanes Pit** to remove all waters to facilitate the establishment of the groundwater depressurisation system, landfill gas and leachate management system, and the **landfill liner**.

Waste operations area means the following areas:

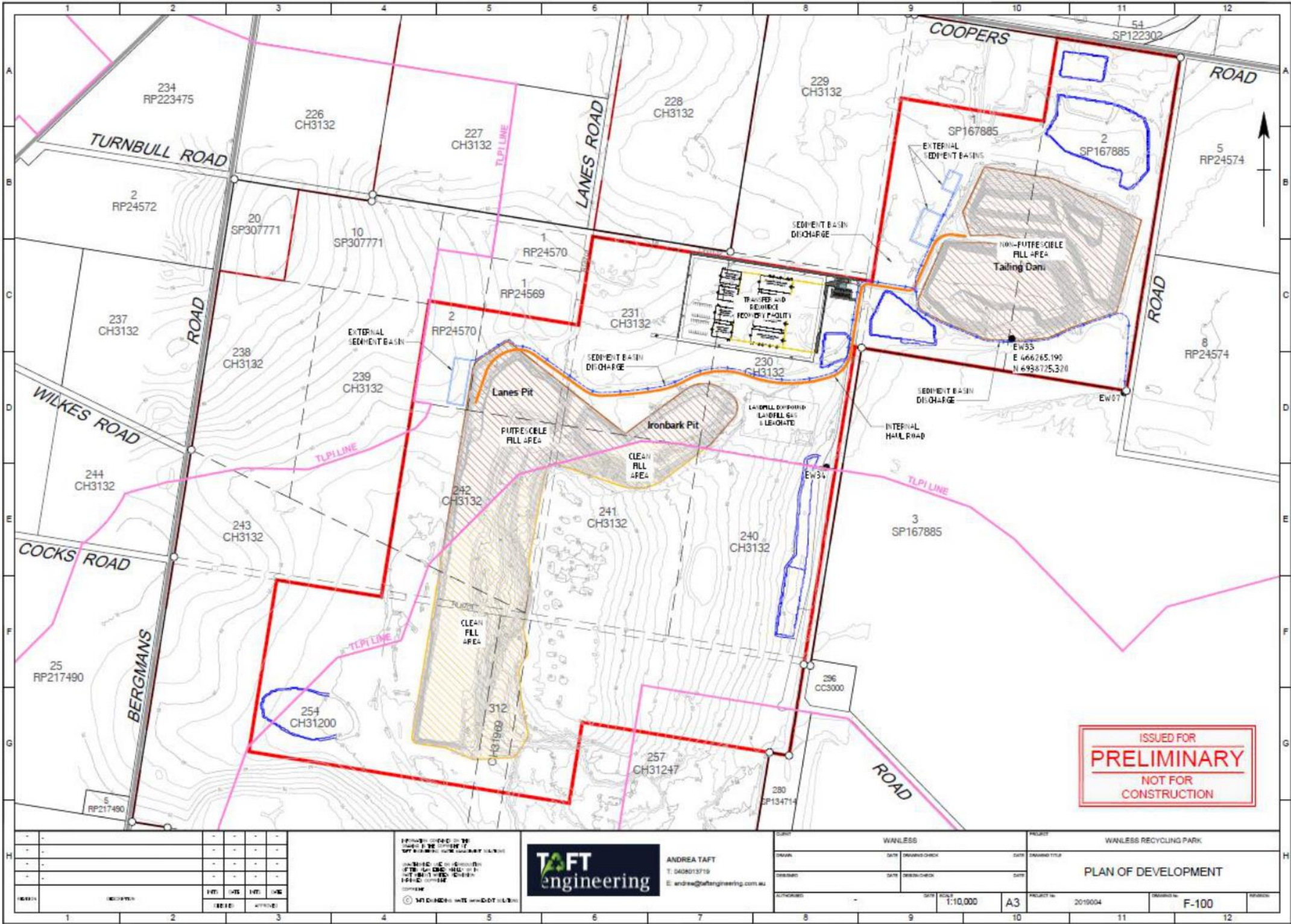
1. waste receiving;
2. sorting;
3. treating;
4. recycling; and
5. disposal.

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and **groundwater** and any part thereof.

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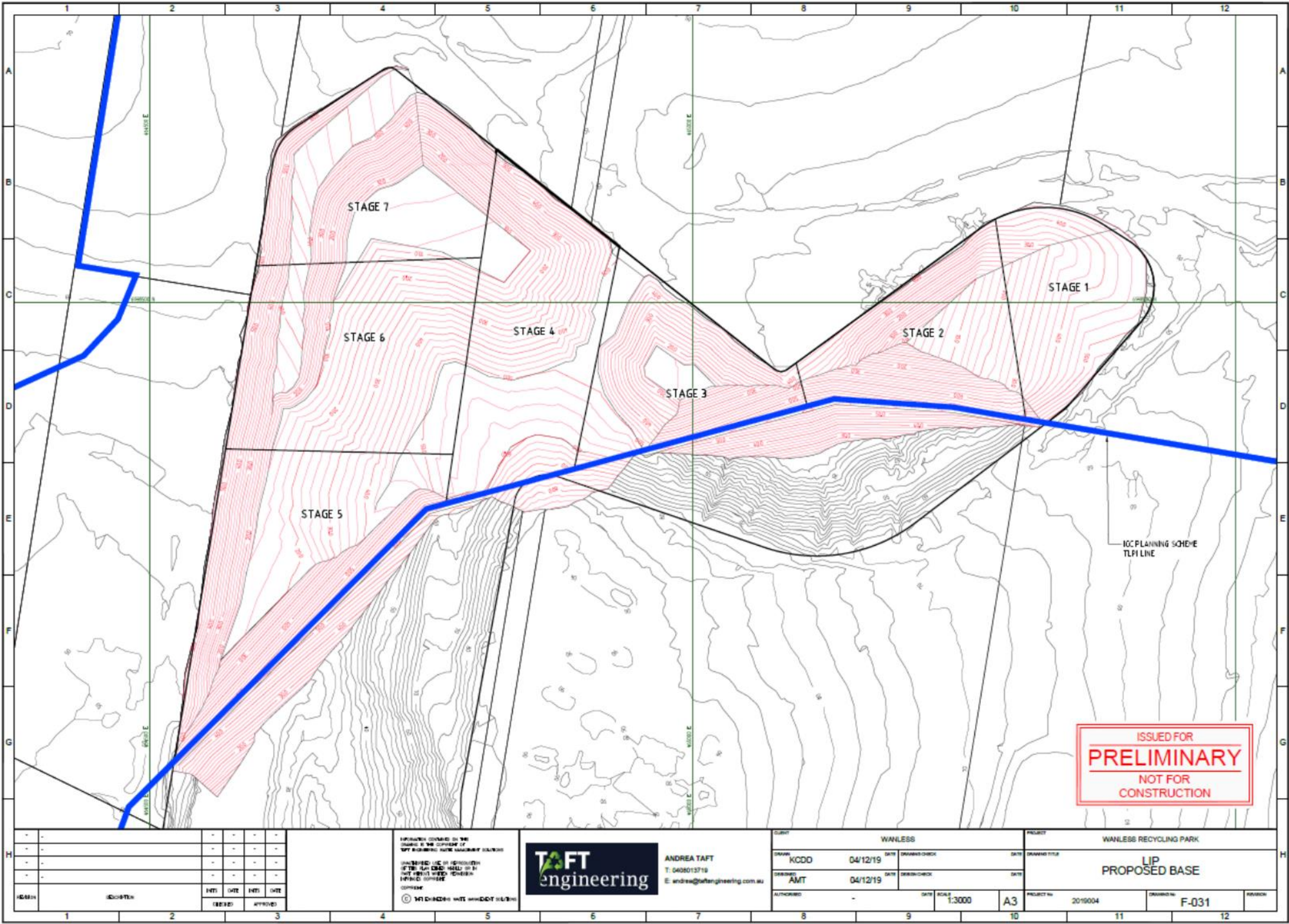
Appendix A – Site Plans

Figure 1: F-100 Plan of Development



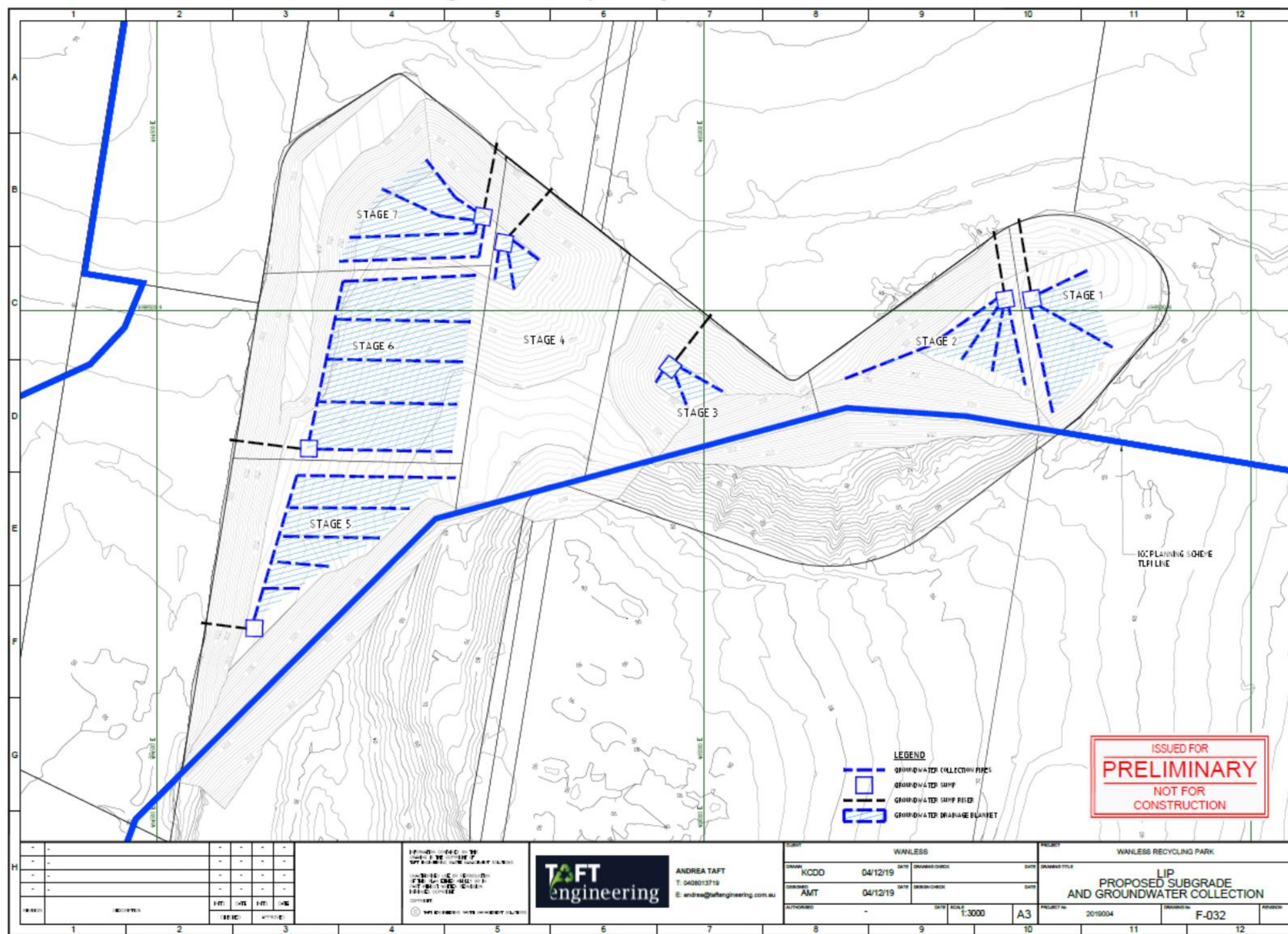
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Figure 2: F-031 LIP Proposed Base



Permit
Environmental authority EA0002905

Figure 3: F-032 LIP Proposed Subgrade and Groundwater Collection



ISSUED FOR
PRELIMINARY
NOT FOR
CONSTRUCTION

LEGEND
 - - - - - LEACHATE COLLECTION PIPES
 □ LEACHATE SUMP
 - - - - - LEACHATE SUMP RISER
 ▨ LEACHATE DRAINAGE BLANKET

100 PLANNING SCHEME
TLPL LINE

STAGE 1
STAGE 2
STAGE 3
STAGE 4
STAGE 5
STAGE 6
STAGE 7

WANLESS RECYCLING PARK

PROJECT NO. 2019004
DRAWING NO. F-033
SCALE 1:3000
DATE 04/12/19
DRAWN BY KCDD
CHECKED BY AMT

ANDREA TAFT
T: 0408013719
E: andrea@taftengineering.com.au

TAFT
engineering

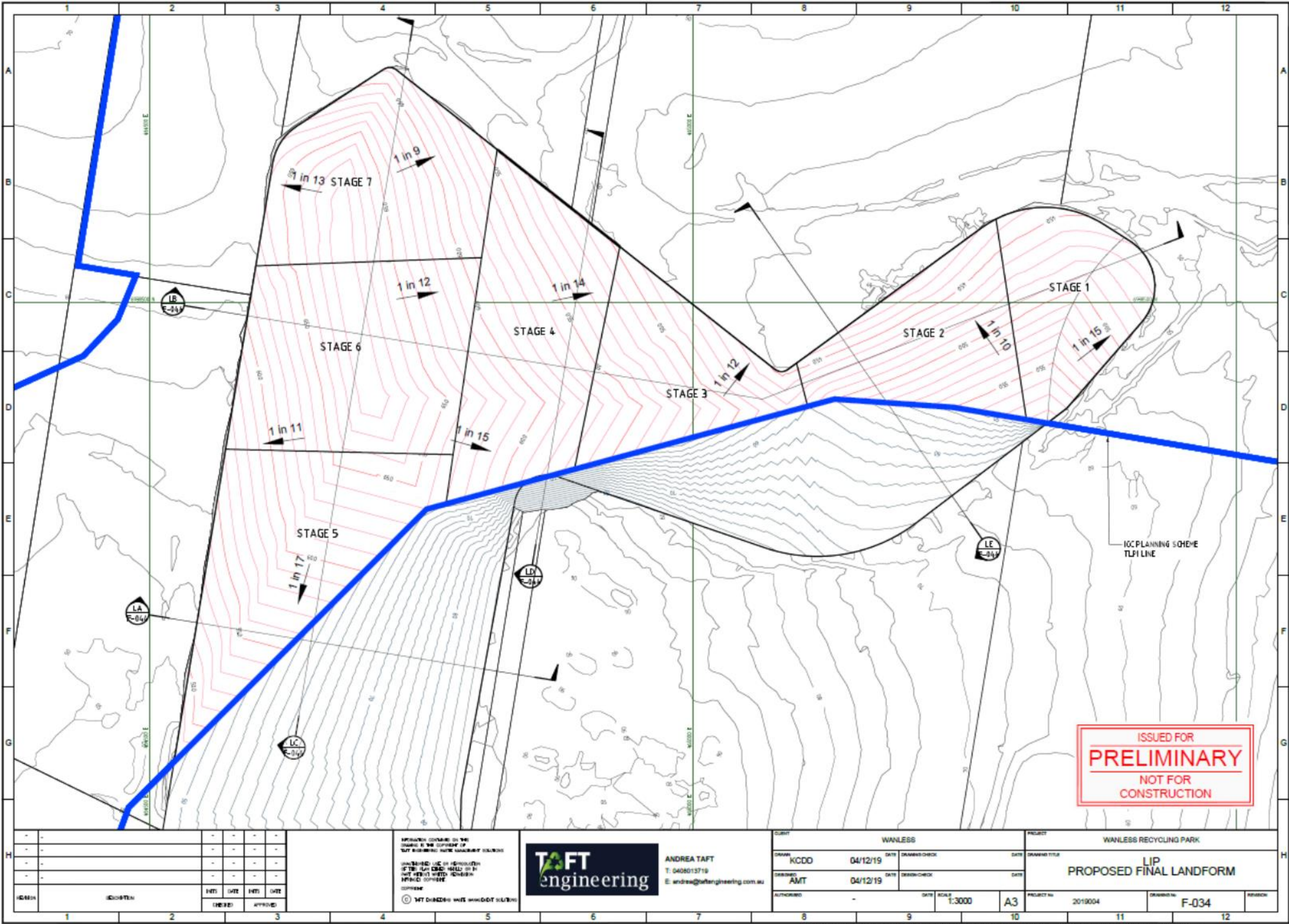
REVISION CONTROL

NO.	DATE	BY	CHKD	DESCRIPTION
1	04/12/19	AMT	KCDD	ISSUED FOR PRELIMINARY

NO.	DATE	BY	CHKD	DESCRIPTION
1	04/12/19	AMT	KCDD	ISSUED FOR PRELIMINARY

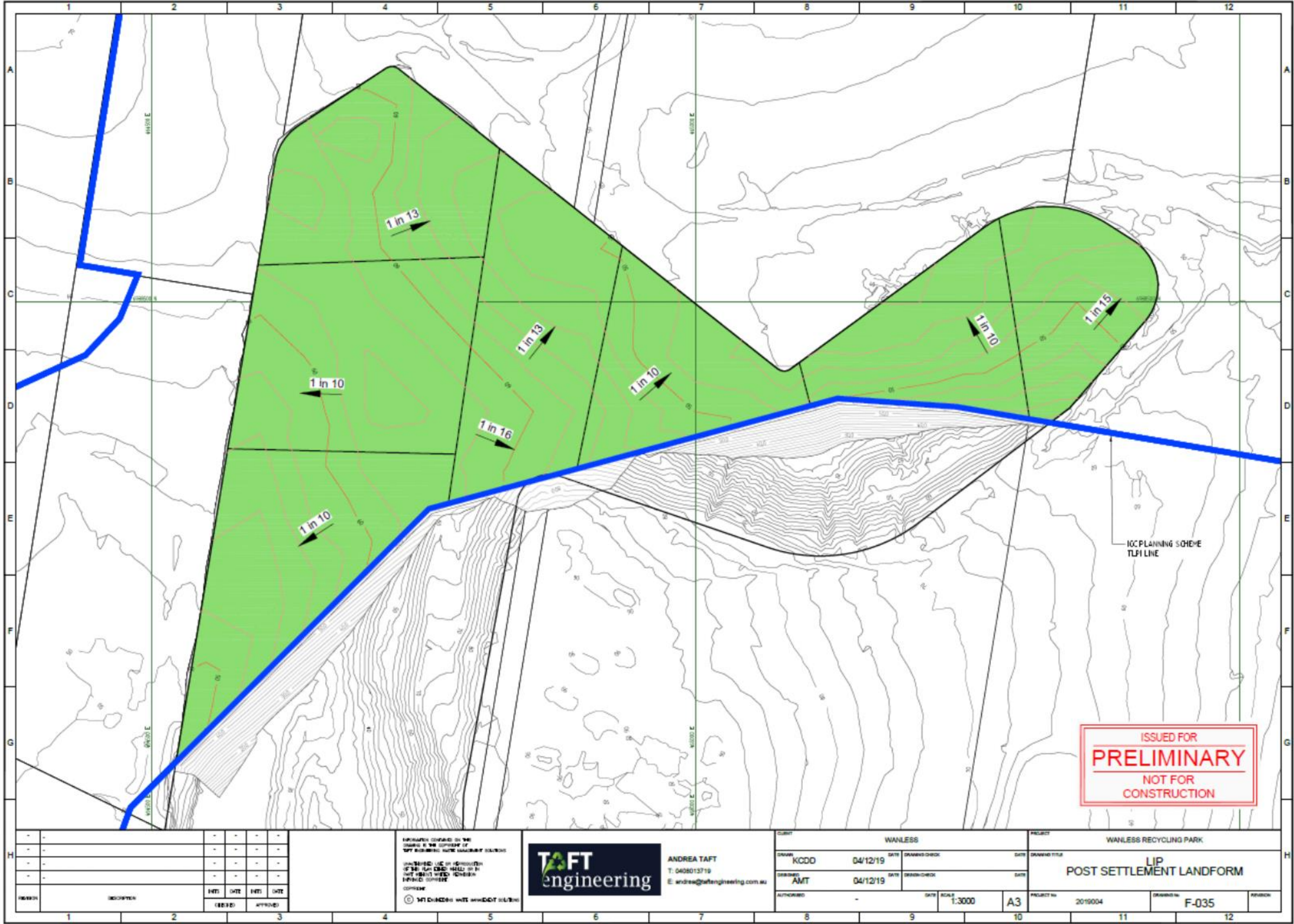
Permit
Environmental authority EA0002905

Figure 5: F-034 LIP Proposed Final Landform



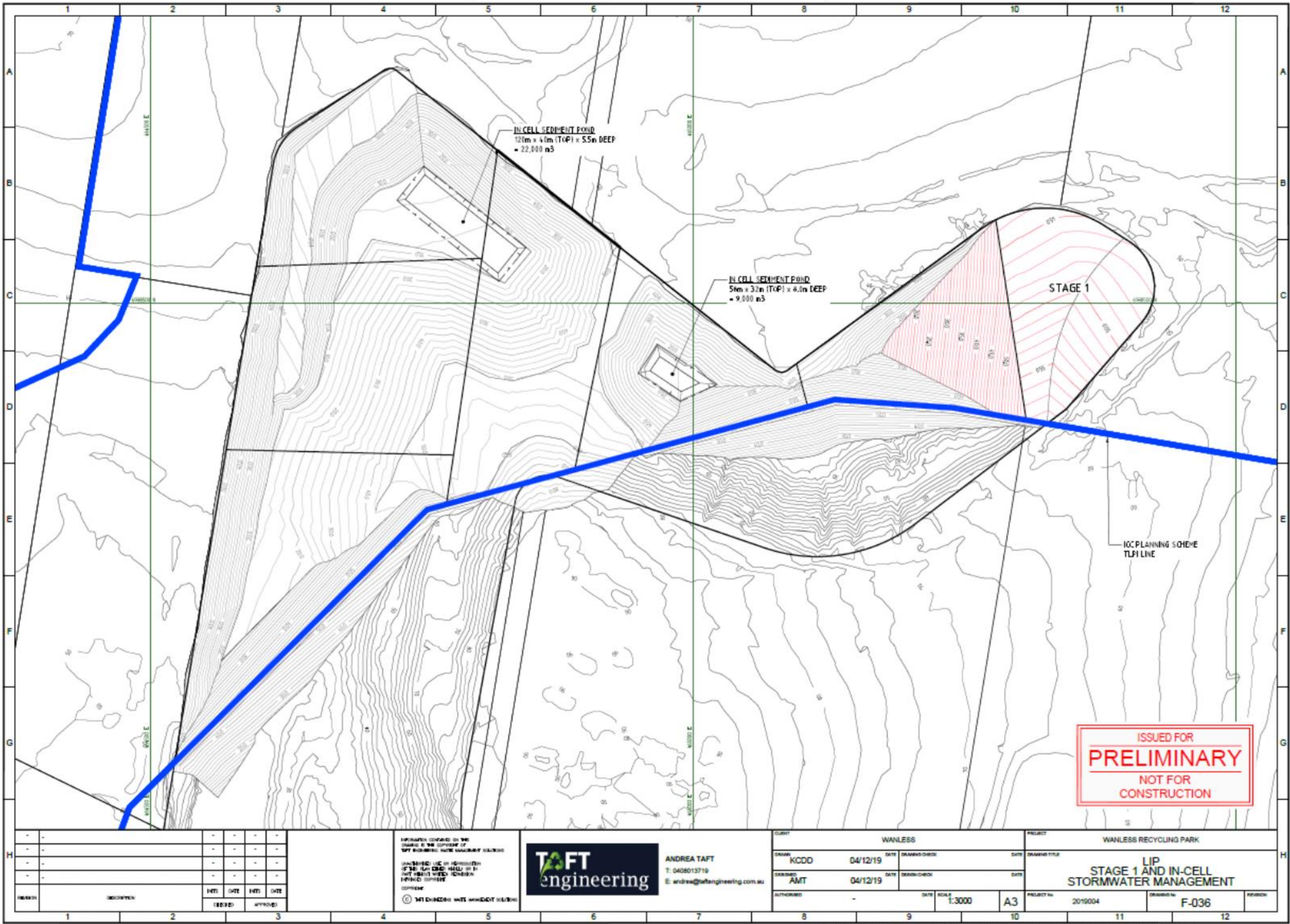
Permit
Environmental authority EA0002905

Figure 6: F-035 LIP Post Settlement Landform



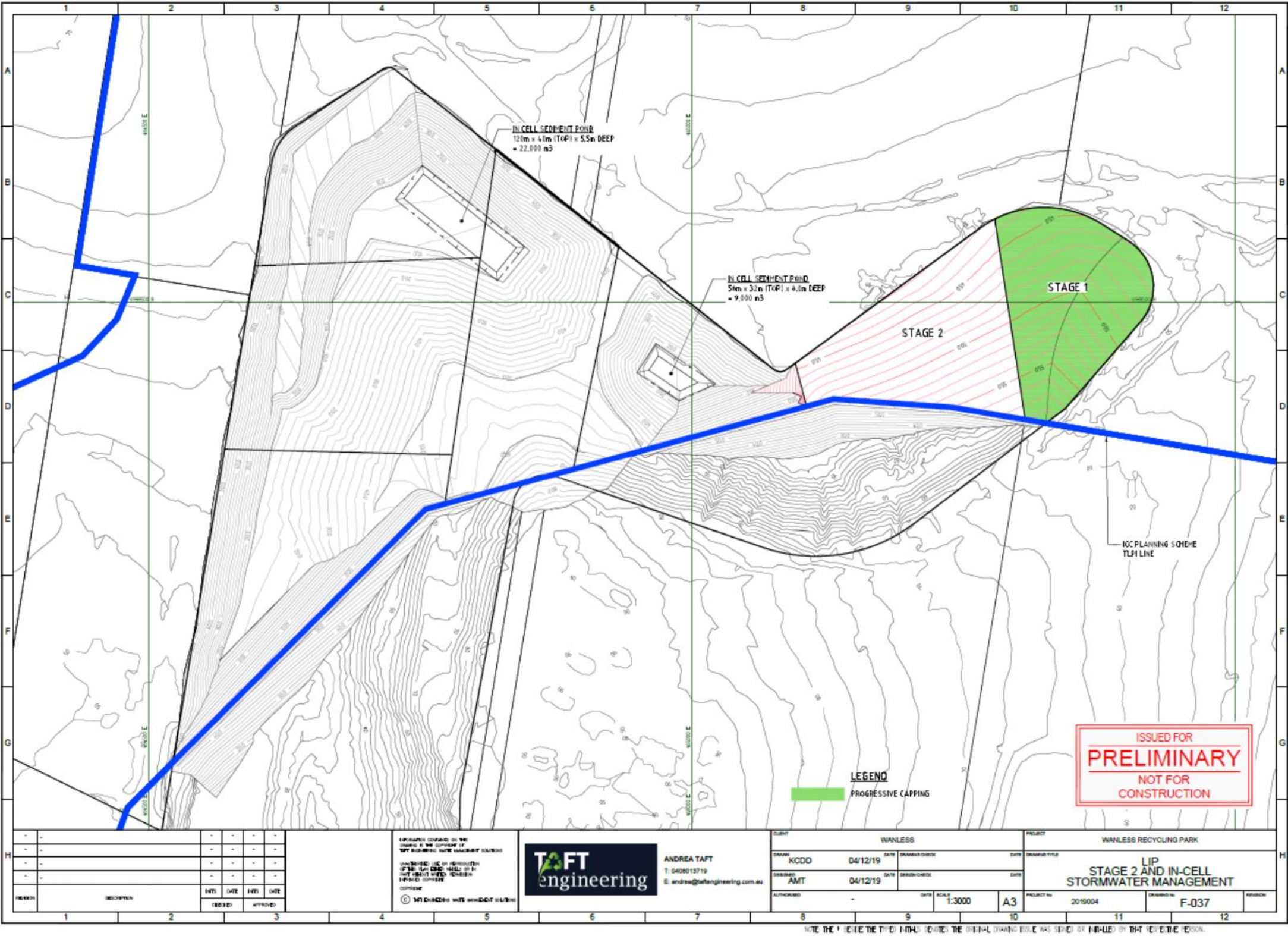
Permit
Environmental authority EA0002905

Figure 7: F-036 LIP Stage 1 and In-Cell Stormwater Management



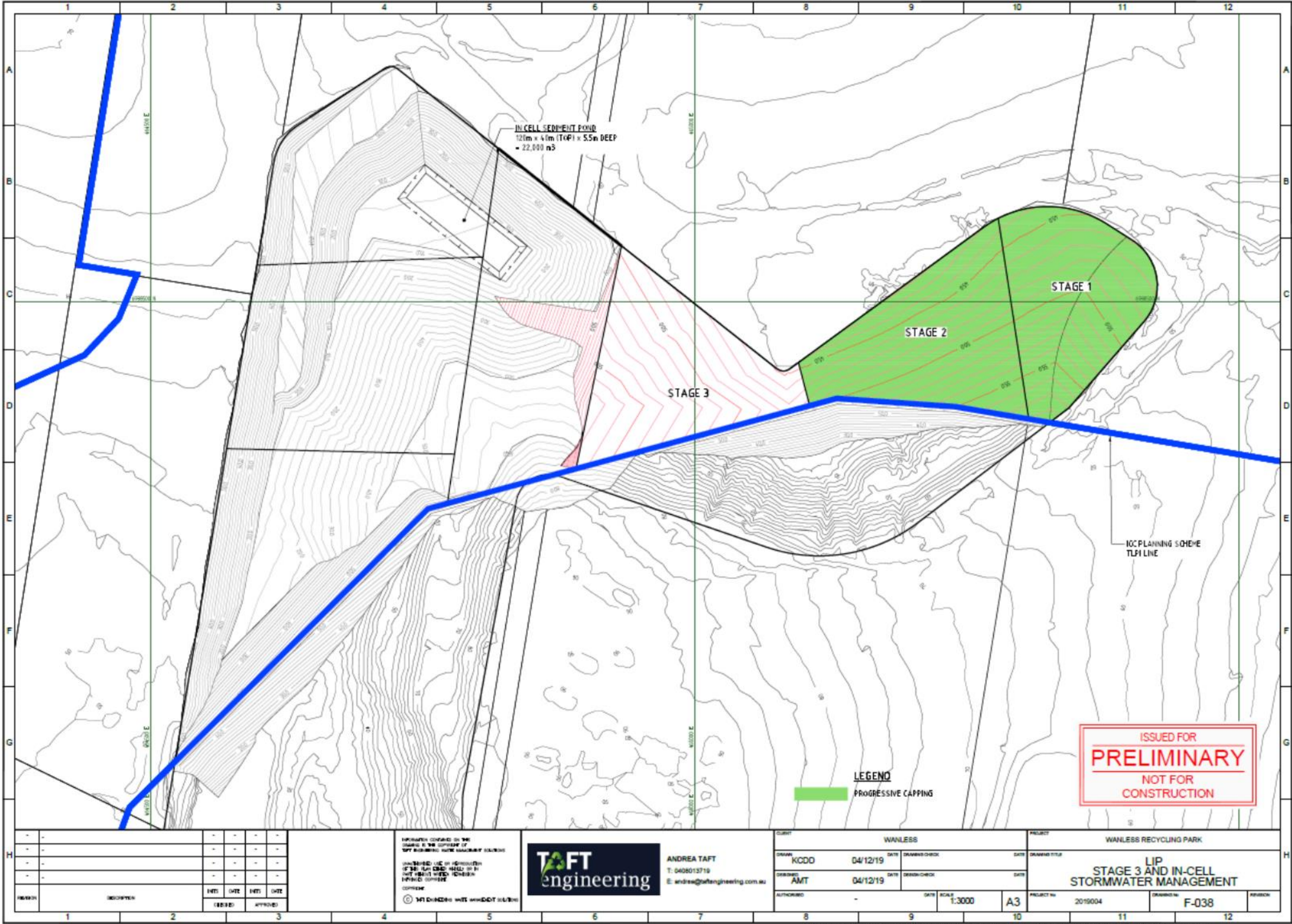
Permit
Environmental authority EA0002905

Figure 8: F-037 LIP Stage 2 and In-Cell Stormwater Management



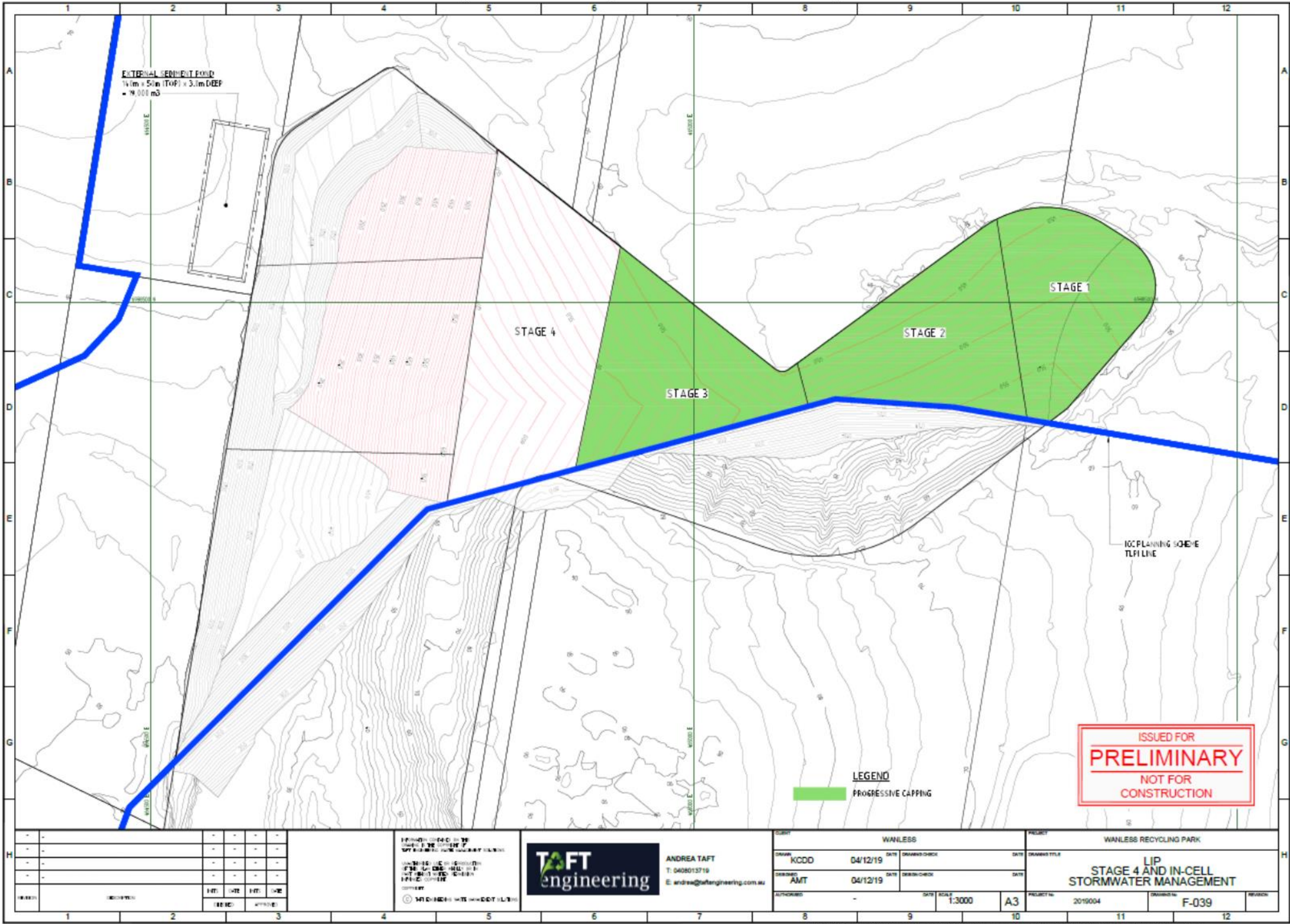
Permit
Environmental authority EA0002905

Figure 9: F-038 LIP Stage 3 and In-Cell Stormwater Management



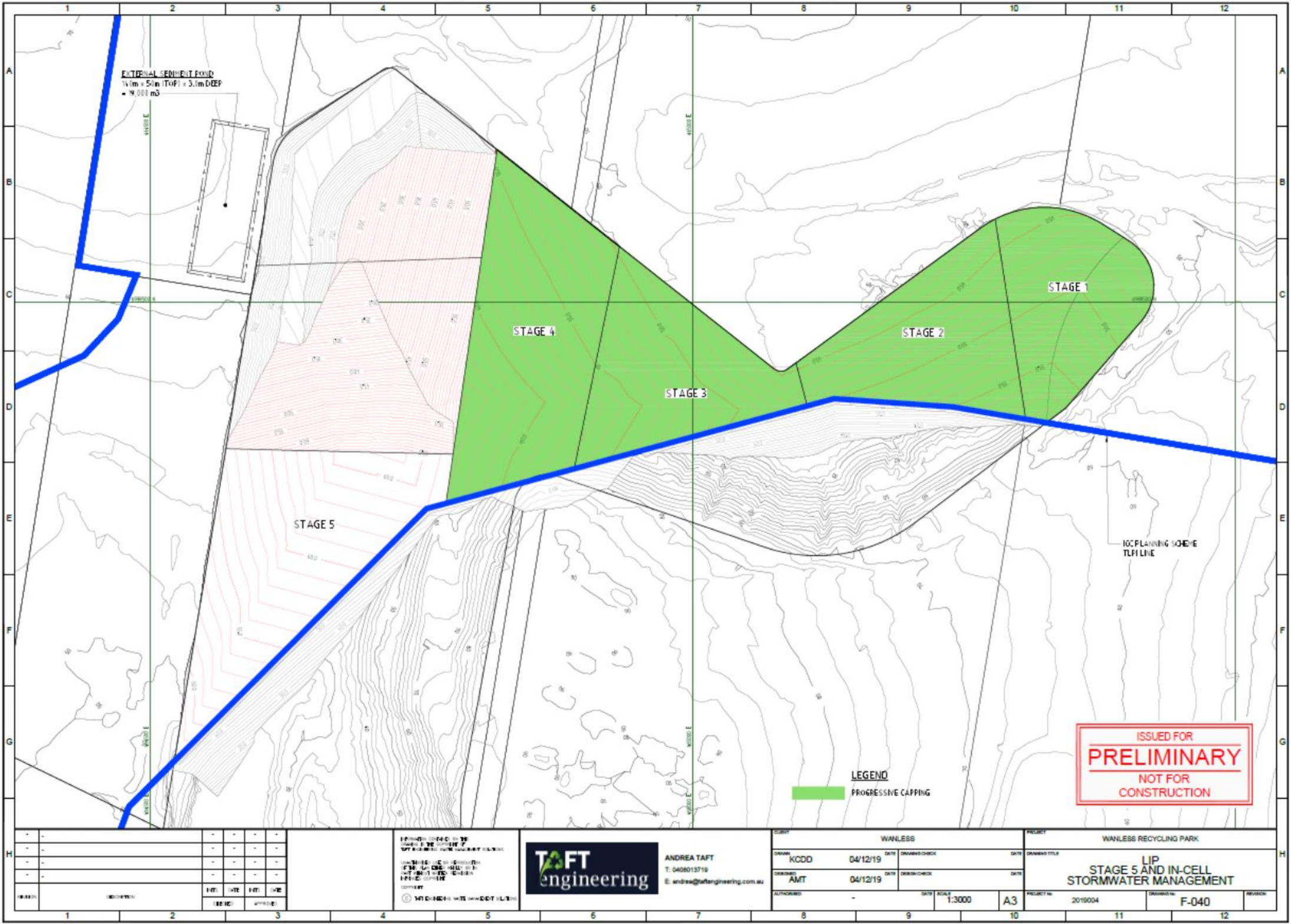
Permit
Environmental authority EA0002905

Figure 10: F-039 LIP Stage 4 and In-Cell Stormwater Management



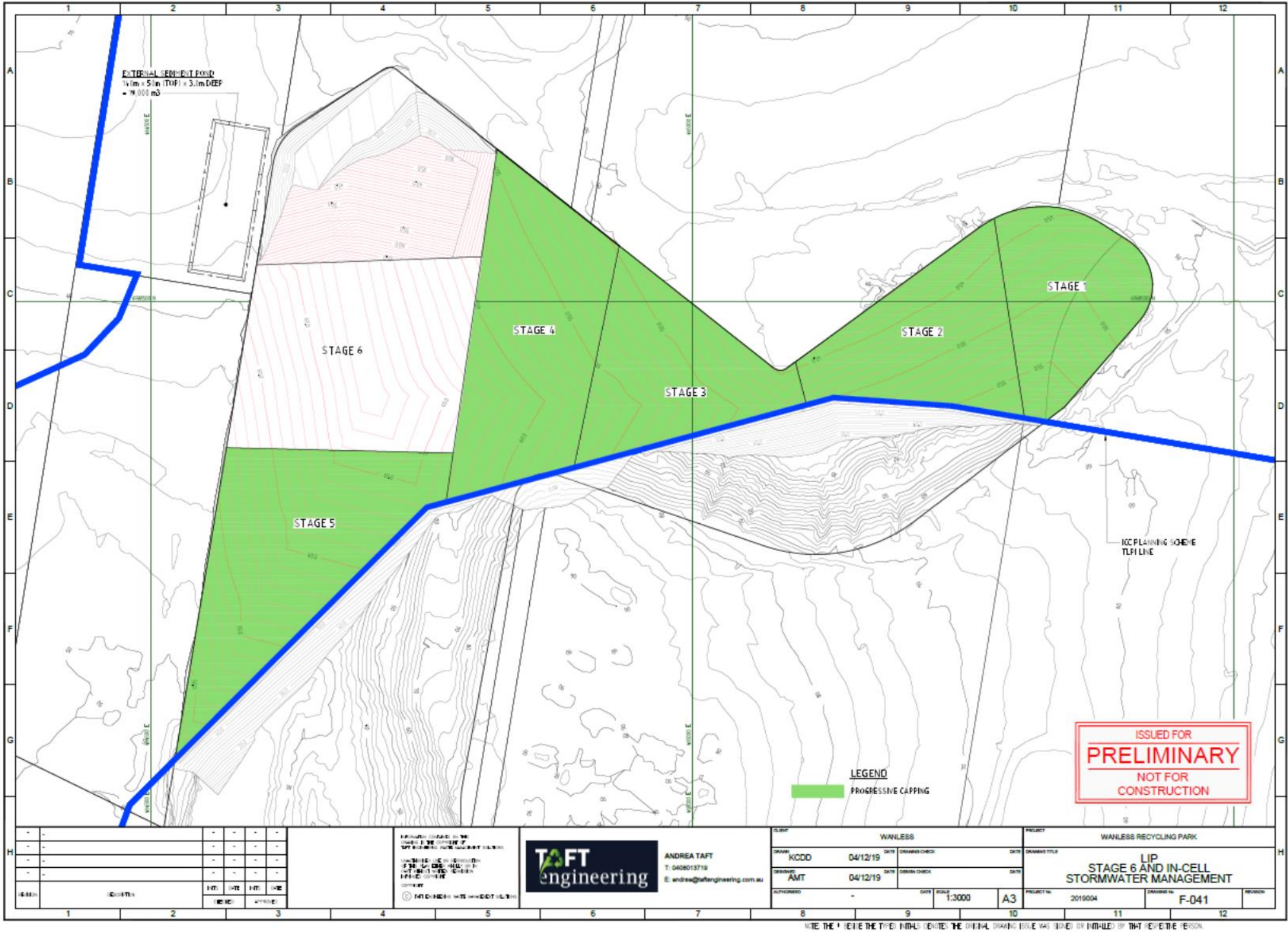
Permit
Environmental authority EA0002905

Figure 11: F-040 LIP Stage 5 and In-Cell Stormwater Management



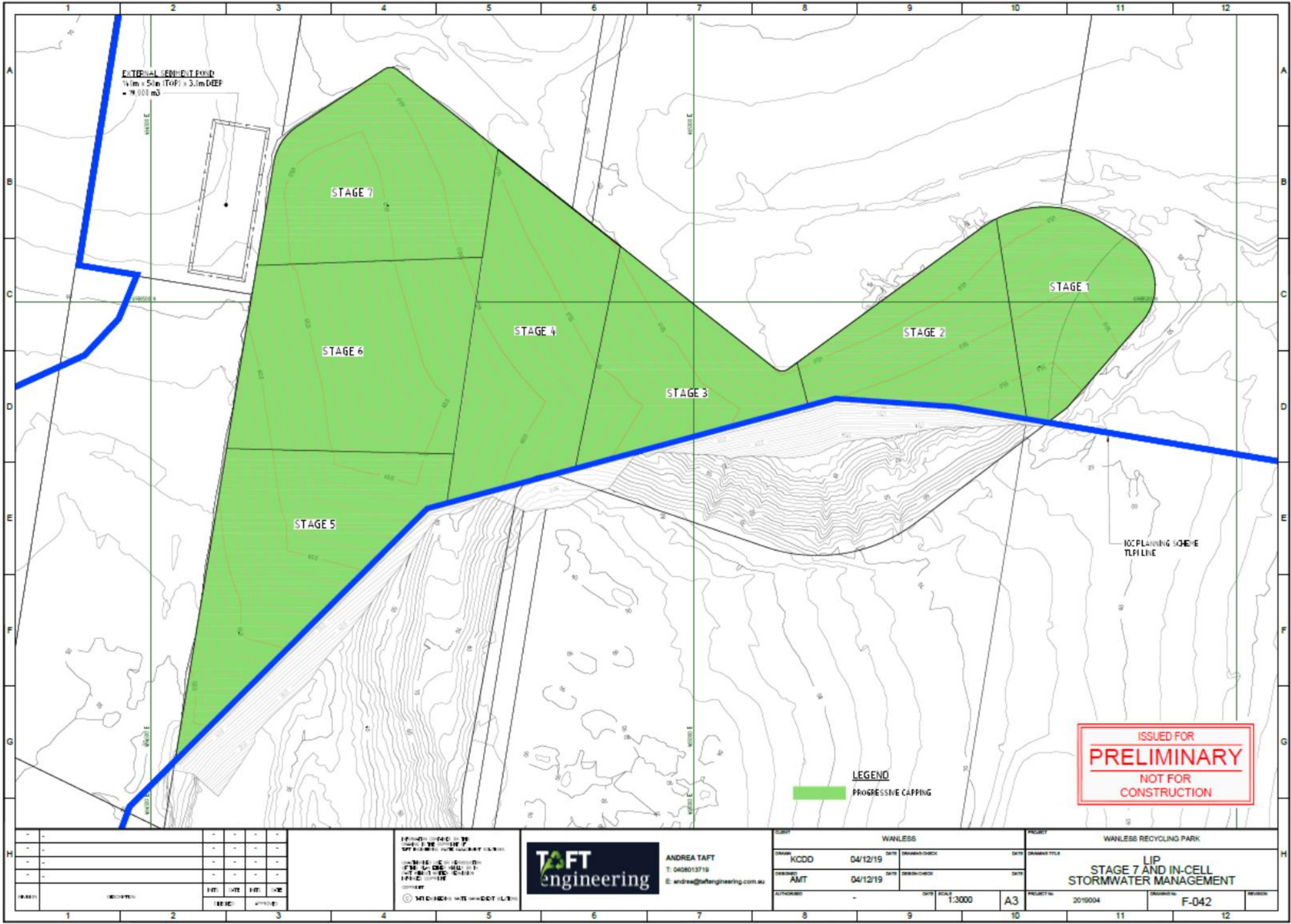
Permit
Environmental authority EA0002905

Figure 12: F-041 LIP Stage 6 and In-Cell Stormwater Management



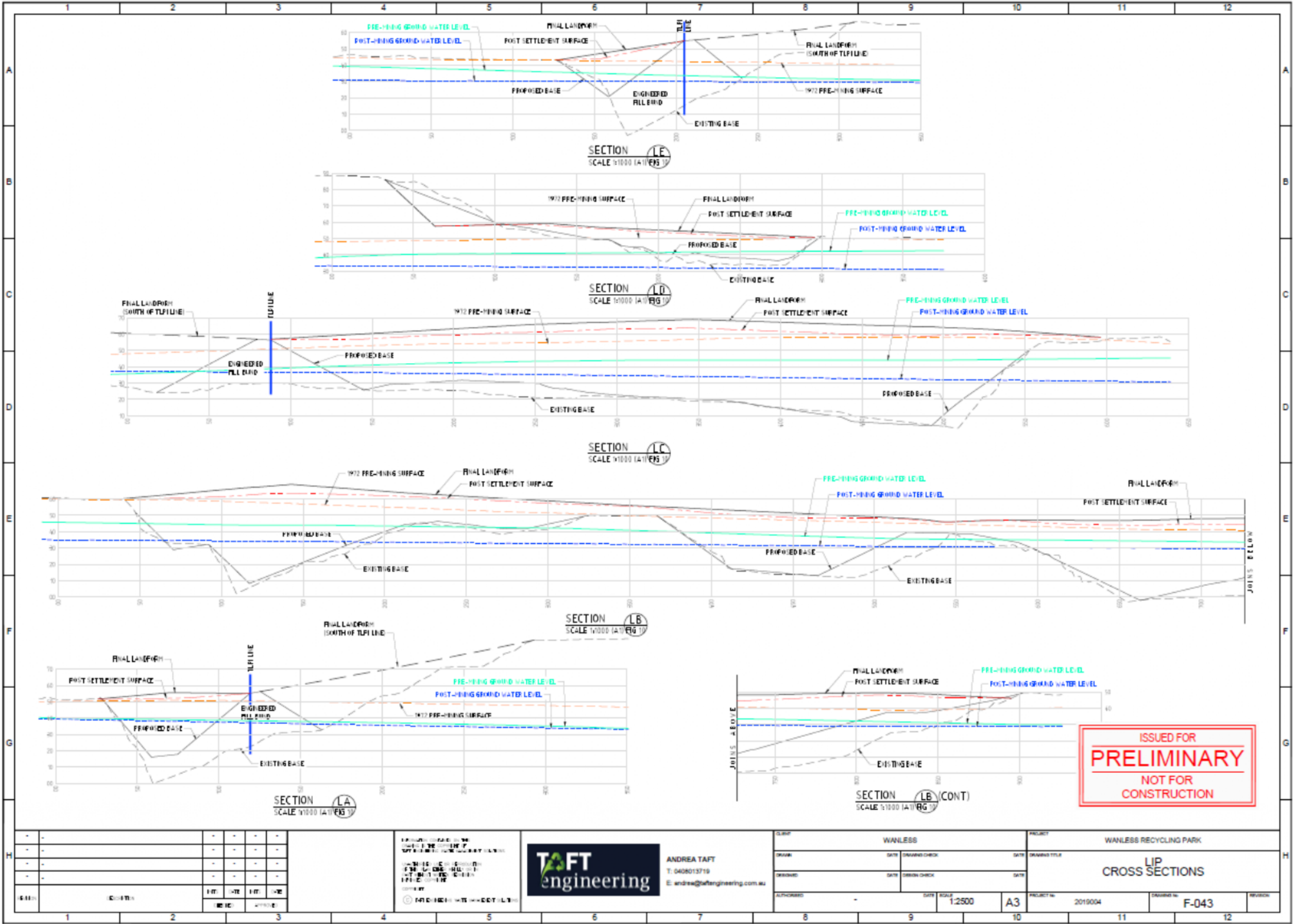
Permit
Environmental authority EA0002905

Figure 13: F-042 LIP Stage 7 and In-Cell Stormwater Management



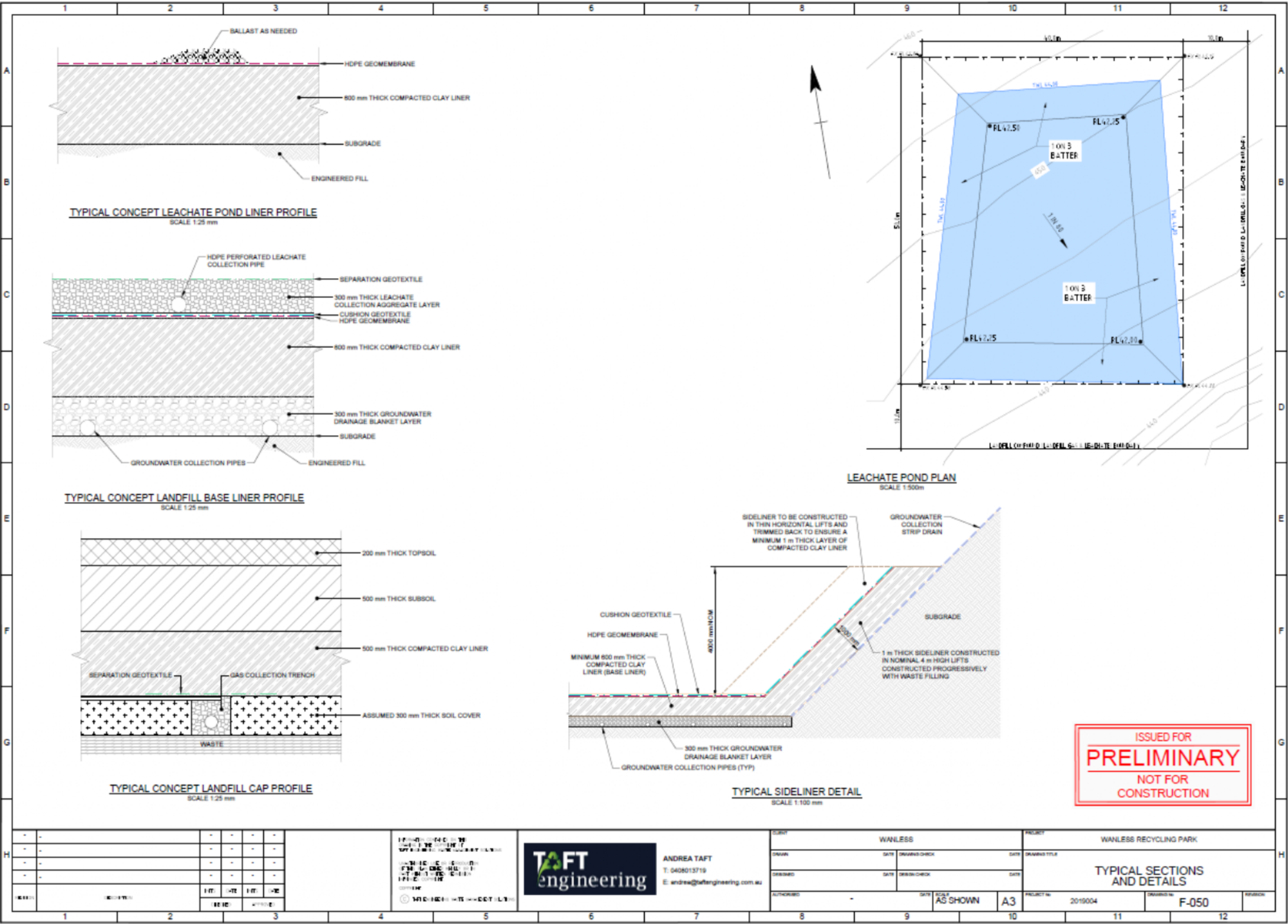
Permit
Environmental authority EA0002905

Figure 14: F-043 LIP Cross Sections



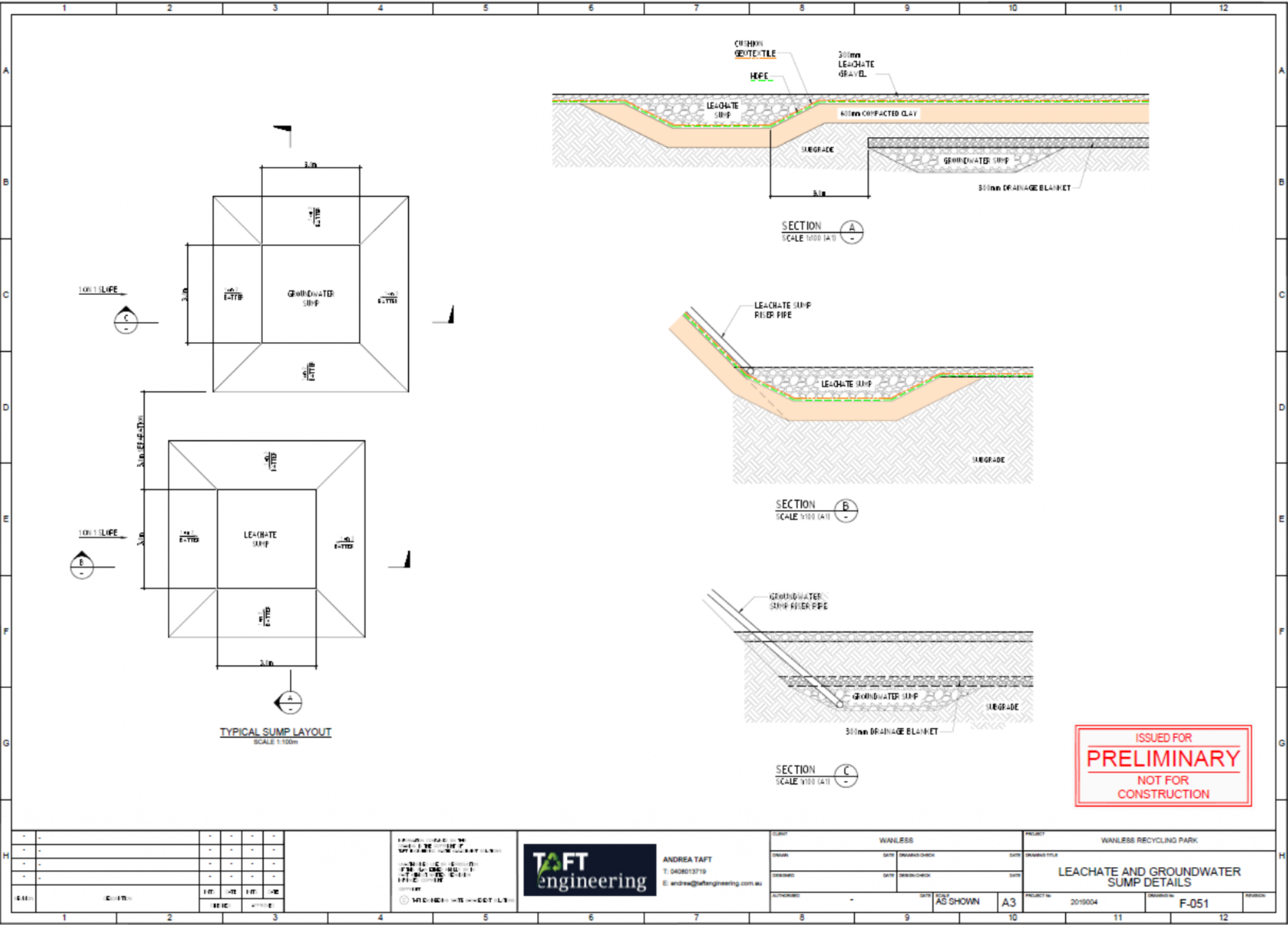
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Figure 15: F-050 Typical Sections and Details



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Environmental authority EA0002905

Figure 16: F-051 Leachate and Groundwater Sump Details



The site plan for the transfer & resource recovery facility at Lot 229 is a detailed layout showing the arrangement of buildings, access roads, and landscaping. The site is bounded by Lot 18 to the north, Lot 231 to the west, Lot 230 to the east, and Lot 228 to the south. The plan includes a grid system with letters A through D and numbers 1 through 10. The buildings are arranged in a central area, with a 'PRIMARY BUILDING (GENERAL WASTE 1)' and 'PRIMARY BUILDING (GENERAL WASTE 2)' in the center, and 'SECONDARY BUILDING (GENERAL WASTE 1)', 'SECONDARY BUILDING (GENERAL WASTE 2)', 'SECONDARY BUILDING (DRY WASTE 1)', and 'SECONDARY BUILDING (DRY WASTE 2)' surrounding them. The plan also shows a 'proposed internal road' on the right side, a 'truck entry/exit' area, and a 'car entry/exit' area. The site is surrounded by 'willowbank motorcross' to the north and 'Lot 228' to the south. The plan includes a 'line of fence' and 'manoeuvring hardstand' areas. The site is also shown with 'existing and proposed' features. The plan includes a 'site overview' and a 'balance LOT 231' and 'balance LOT 230'.

Site Overview

Lot 229

Lot 18 boundary

Lot 18/231 boundary

Lot 231

Lot 230

Lot 228

willowbank motorcross

proposed internal road

truck entry/exit

car entry/exit

line of fence

manoeuvring hardstand

existing and proposed

balance LOT 231

balance LOT 230

Building Details

PRIMARY BUILDING (GENERAL WASTE 1)

2,200 m²

RL +46.500

PRIMARY BUILDING (GENERAL WASTE 2)

2,200 m²

RL +46.250

PRIMARY BUILDING (DRY WASTE 1)

2,200 m²

RL +46.000

PRIMARY BUILDING (DRY WASTE 2)

2,200 m²

RL +45.750

SECONDARY BUILDING (GENERAL WASTE 1)

2,520 m²

RL +47.250

SECONDARY BUILDING (GENERAL WASTE 2)

2,520 m²

RL +47.000

SECONDARY BUILDING (DRY WASTE 1)

2,520 m²

RL +46.750

SECONDARY BUILDING (DRY WASTE 2)

2,520 m²

RL +46.500

Site Information

site area fenced 143,874m²

impervious area 116,880m² (paved & GFA)

parking 67,500m²

heavy duty 1,000m²

light duty 99,470m²

total 67,500m²

area 18,000m²

resource recovery 10,000m²

secondary processing 10,000m²

office & amenities 250m²

total 37,250m²

landscaping 28,000m²

carparks (existing) (special industry use) 27

0.75 per staff member 12

0.25 per staff member 12

total 39

carparks provided 50 (including 1 PWC)

design vehicles turning circles shown nominally only and must be checked by traffic engineer

building details

RSD1 6.0m W x 6.0m H roller shutter door

RSD2 6.0m W x 6.0m H roller shutter door

RSD3 6.0m W x 6.0m H roller shutter door

1:1000

1:500

1:250

1:125

1:62.5

1:31.25

1:15.625

1:7.8125

1:3.90625

1:1.953125

1:0.9765625

1:0.48828125

1:0.244140625

1:0.1220703125

1:0.06103515625

1:0.030517578125

1:0.0152587890625

1:0.00762939453125

1:0.003814697265625

1:0.0019073486328125

1:0.00095367431640625

1:0.000476837158203125

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Figure 18: Noise Monitoring Locations

Wanless Recycling Park Project – Development Site – Environmental Noise Assessment

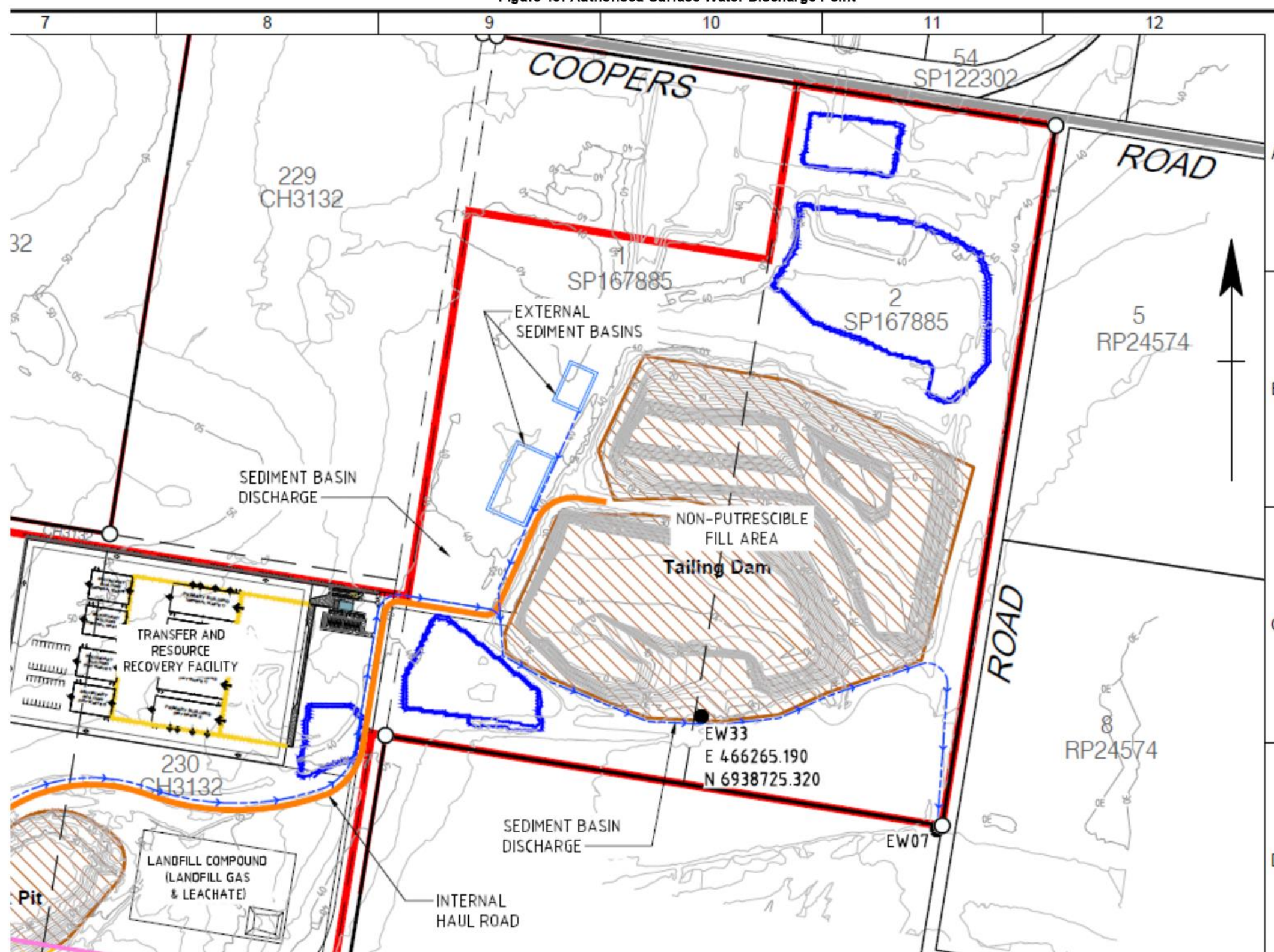
April 2020



Figure 1 – Site Location and Noise Level Monitoring Locations 1 and 2

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Figure 19: Authorised Surface Water Discharge Point



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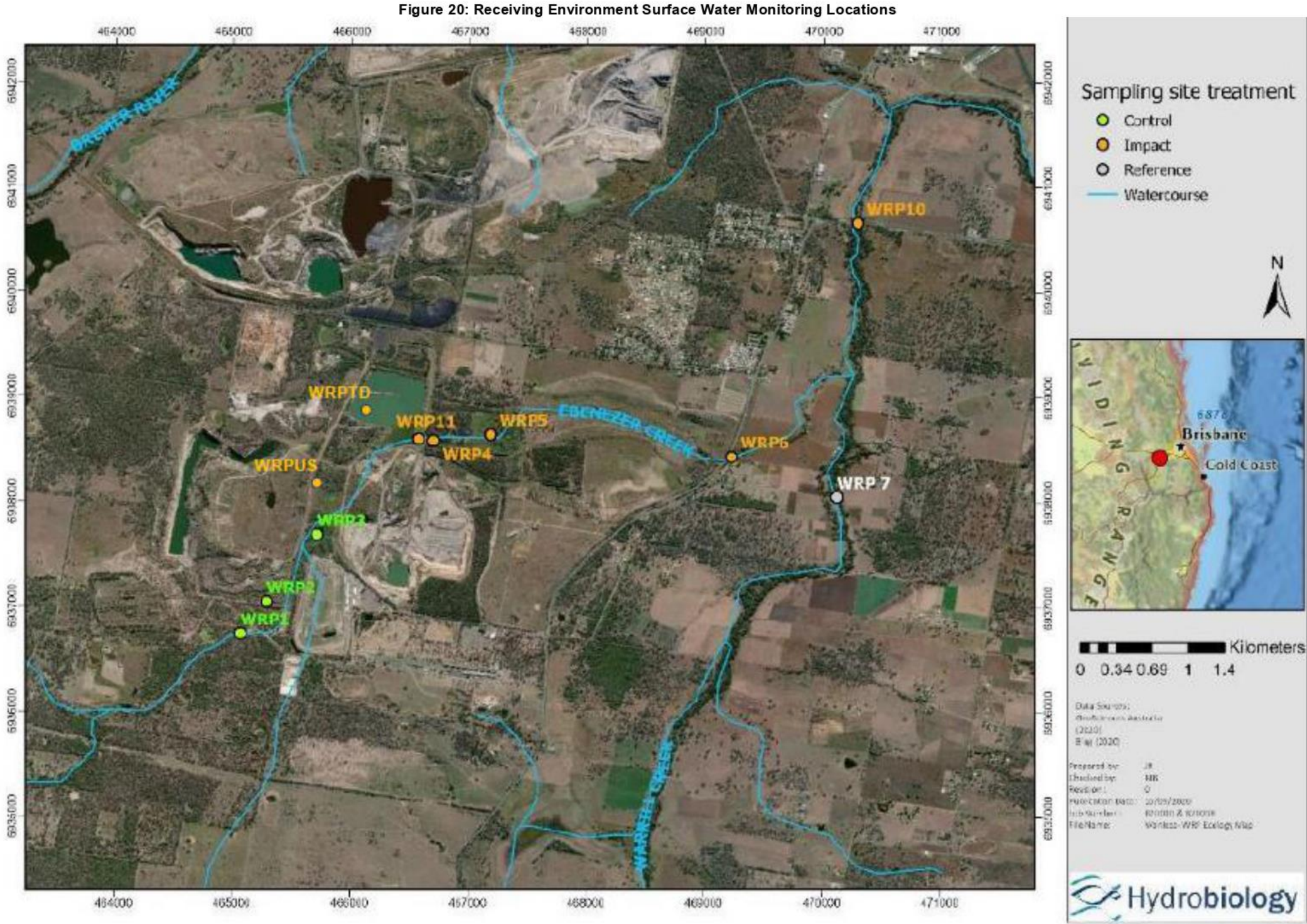
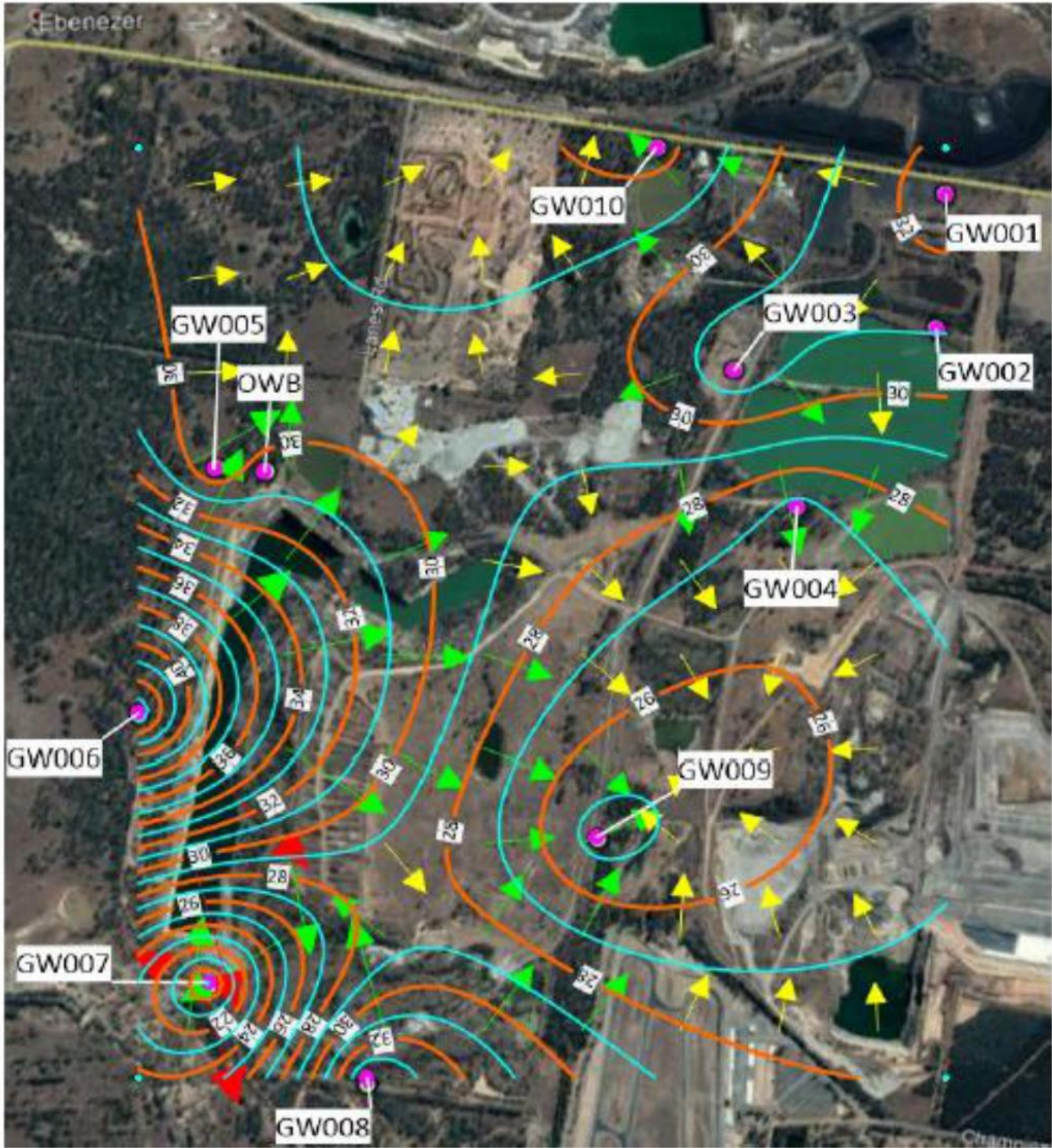


Figure 5-1 Map of sampling sites along Ebenezer Creek and Warrill Creek

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Figure 21: Receiving Environment Groundwater Monitoring Locations
Figure 8 Post Mining Groundwater Contours and Groundwater Monitoring Well Locations



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Appendix B

Extract of Deemed Conditions under the *Environmental Offsets Act 2014*

Agreed delivery arrangements (section 19B)

1. This section applies to an authority, granted by an administering agency under another Act, to carry out a prescribed activity to which an offset condition relates.
2. It is a condition of the authority that the authority holder must have entered into an agreed delivery arrangement with the administering agency, before starting—
 - a. any works that impact on the prescribed environmental matter to which the offset condition relates; or
 - b. if the authority allows the prescribed activity to be carried out in stages—any works for the stage that impact on the prescribed environmental matter to which the offset condition relates.

Requirements for proponent-driven offsets (section 22)

1. This section applies if, under an agreed delivery arrangement, an authority holder is to deliver an environmental offset in whole or in part by a proponent-driven offset.
2. It is a condition of the authority that the authority holder must comply with the agreed delivery arrangement, including the agreed offset delivery plan.

Requirements for financial settlement offsets (section 24)

1. This section applies if, under an agreed delivery arrangement, an authority holder is to deliver an offset condition in whole or in part by a financial settlement offset.
2. It is a condition of the authority that, before the authority holder starts any part of the prescribed activity to which the offset condition relates, the holder must pay the amount required by, and in the way stated in, the agreed delivery arrangement—
 - a. if the offset condition relates to a matter of local environmental significance that is prescribed as a prescribed environmental matter—to the local government that is the administering agency; or
 - b. if the offset condition relates to a matter of State environmental significance that is prescribed as a prescribed environmental matter and further prescribed as relevant for this section—to the local government that is the administering agency; or
 - c. otherwise—to the department.
3. The authority holder may pay the amount required by the agreed delivery arrangement for a stage of the prescribed activity only if the authority allows the prescribed activity to be carried out in stages.

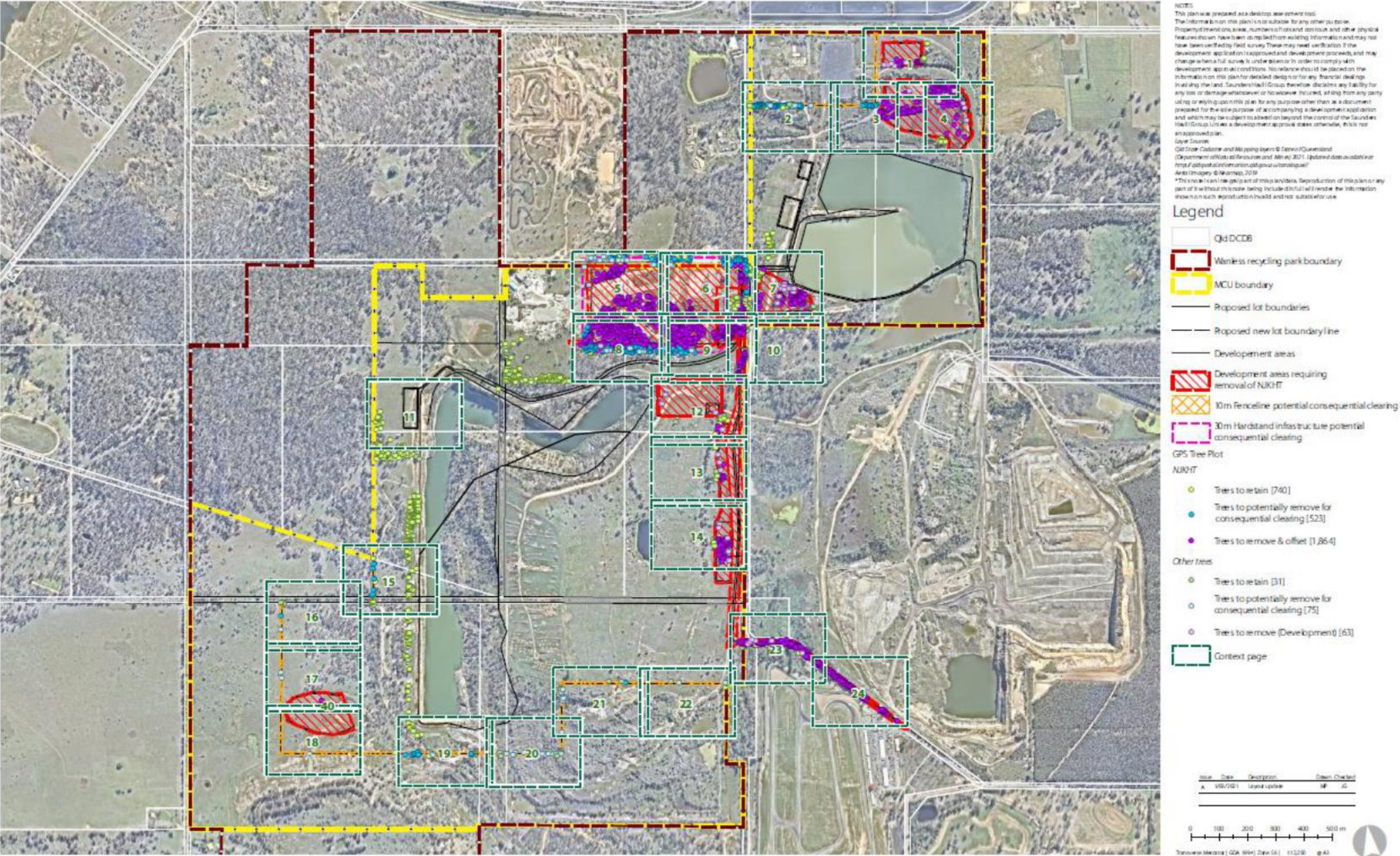
Impacts on legally secured offset areas (section 25)

1. This section applies to an authority granted under another Act for a prescribed activity to be undertaken in a legally secured offset area.
2. It is a condition of the authority that the authority holder must not carry out any prescribed activity in the legally secured offset area if—
 - a. a delivery or management plan or agreement (however described in this Act or another Act) applies to all or part of the offset area; and
 - b. carrying out the prescribed activity will delay, hamper or stop the delivery of the conservation outcome for a prescribed environmental matter as stated in the delivery or management plan or agreement.

Permit
Environmental authority EA0002905

Appendix C – Disturbance Footprint

2. Tree Retention and Removal Context



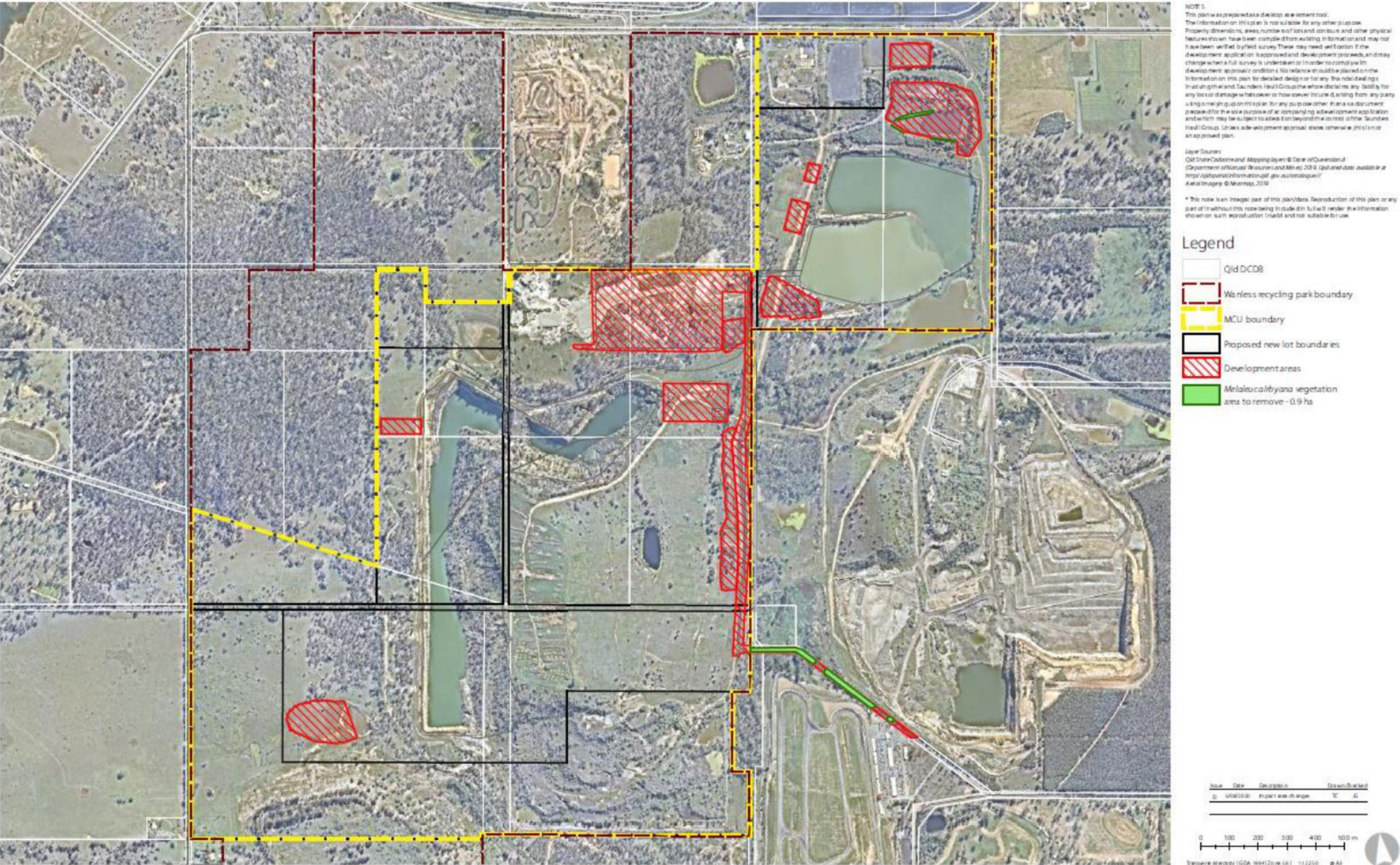
Wanless Recycling Park Pty Ltd

Coopers Rd, Ebenezer

ADDRESS: RPO-25-40431-200 1/15/2021 9921 F 08 Tree Retention and Removal A

Permit
Environmental authority EA0002905

4. *Melaleuca irbyana* Impact Areas



Wanless Recycling Park Pty Ltd

Coopers Rd, Ebenezer

ADDITIONAL: 24/11/2020 5/08/2020 9/07/2021 Melaleuca irbyana Impact Areas

END OF ENVIRONMENTAL AUTHORITY



Flood and Stormwater Management Plan

Wanless Recycling Park

Wanless Recycling Park Pty
Ltd

19-0162FSMP01-V6
24 June 2020

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2001-15045 SRA

Date: 2 July 2021

Amended in red by SARA on

2 July 2021

Achieve *more.*

COMMERCIAL IN CONFIDENCE

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PEAKURBAN Pty Ltd

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W peakurban.com.au



DOCUMENT CONTROL

19-0162FSMP01-V6

Version	Date	Details	Prepared	Checked	Approved	RPEQ	Signed
1	29/11/19	Draft - client review	BB	KM	KM		
2	03/12/19	Issue to client	BB	KM	KM		
3	16/12/19	Issue to client	BB	KM	KM		
4	14/04/2020	Draft - client review	BB	KM	KM		
5	23/04/2020	Issue to Client	BB	KM	BB		
6	24/06/2020	Issue to Client	BB	KM	BB	11523	<i>BB</i>

~~2.3.2.2 Proposed Scenario – No Mitigation (P02)~~

~~The proposed scenario (no mitigation) represents the physical changes to the site to facilitate the development with no mitigation measures implemented. This scenario was run for the 1% AEP and was undertaken to assess what impact the development would have on flooding with no mitigation measures being implemented.~~

2.3.2.3 Proposed Scenario – With Mitigation (P03)

The developed scenario has used the existing scenario (E03) model as the base and has sought to represent changes being proposed to the site in order to facilitate works associated with the current Material Change of Use (MCU) development application (Resource Recovery Facility and landfill voids). A key component of this scenario was to isolate the old tailings dam from external flooding as it will become a landfill void. This was achieved by:

- ▶ Filling in the existing spillway to tailings dam on southern embankment;
- ▶ Filling in entry channel to tailings dam on northern embankment;
- ▶ Decommissioning existing 300mm RCP that flows into tailings dam on western embankment; and
- ▶ Creating a diversion down the eastern boundary of site to convey catchment upstream of tailings dam around the structure. The diversion will have a base width of 10m with 1 (v):4(h) sides at a grade of approximately 0.6%.
- ▶ Creation of additional flood storage within site

To facilitate access into the site, the section of Champions Way from the raceway through to the site, which is presently unformed will be upgraded. This was represented in the developed scenario model as follows:

- ▶ Forming a road embankment within road reserve from existing Champions Way for approximately 540m. This road has a 3300 (w) x 1200 (h) culvert under the road to convey runoff from the catchment to the south-west of the raceway (A29).
- ▶ Two bridges are proposed across the main flow path of Ebenezer Creek (approx. length 160m and 110m) is proposed, with the bridge soffit level (26.30m AHD) being set above the 1% AEP flood level to minimise any adverse impacts.
- ▶ Once in the site, an internal road extends through to service the Resource Recovery Facility, where a waterway crossing is required (with 1 x 600mm RCP). The existing 1050mm RCP pipes along entry road have been reduced to 600mm RCP, with storage provided upstream.
- ▶ Additional flood storage provided around the site to manage the increases in peak flows noted as a result of isolating tailings dam / voids and the development.

For the Proposed Scenario hydraulic model the hydrology was also updated to reflect the Resource Recovery Facility (12ha at 100% impervious) and the relevant inflow hydrographs were modified. The catchments associated with the proposed landfill areas, do not report to the corresponding waterway as they will capture and hold their own catchment runoff.

The model for this scenario was run for the 39%, 10%, 5%, 2% and 1% AEP events.

In developing a flood strategy for the site, the existing flow regimes and flow paths have been maintained as far as practical. The proposed flood strategy for the site is discussed

below. Lettering has been used to identify the proposed flood strategy Locations. Discussion is also presented at locations where the existing flow regimes (Numbering) were discussed above and how it may have changed as a result of the proposed development. Discussion of these Locations is referenced to **Figure 2-5**.

Discussion of Changes to Existing Flow Regimes

1. An upgrade to the levee has been proposed to prevent flows up to the 1% AEP flood event being directed into Void 1. Refer to Location A for further discussion.
2. Additional flow will report to lawful point of discharge 2 as a result of the levee upgrade noted above. Additional flood storage is to be provided (Location B) to offset the increase in peak flow. With mitigation, non-worsening is achieved at this location (refer **Table 2-9**).
3. The overburden stockpile catchment has remained unchanged. Additional flood storage (Location E) is proposed upstream of the entry road to assist with non-worsening within Ebenzer Creek.
4. This flow path entering the site remains unchanged, however, a re-alignment is proposed to avoid the Resource Recovery Centre (Location F).
5. No change proposed.
6. No change proposed.
7. No change proposed.
8. This culvert has been decommissioned to ensure no external flows enter the Tailings Dam area.
9. This flow regime has remained as a combination of culvert and sheet flow. However, a new culvert under entry road (Location G) and new flood storage (Location G and H) has been proposed to assist with achieving non-worsening in Ebenezer Creek.
10. This area will be formalised into a flood storage area (Location I and J) and outflows will be directed into a diversion channel (Location K) that will direct runoff around the Tailings Dam. Flows up to the 1% AEP will now be prevented from entering the Tailings Dam. Break out flow across the eastern boundary of the site into Private Property (Lot 5 and 8 RP24574) will no longer occur.
11. The Tailings Dam spillway will be decommissioned, and the spillway reinstated to prevent both inflows and outflows.
12. No change proposed. With mitigation, non-worsening is achieved at this location (refer **Table 2-8**).

Discussion of Changes to Proposed Flow Regimes

- A. The existing levee / bund is proposed to be formalised to ensure breakout flows into Void 1 do not occur. This has been set at RL52.0m AHD at the upstream end and 49.0m and the downstream end.
- B. Additional flood storage is being proposed in conjunction with existing dam to ensure non-worsening at lawful point of discharge location 2. Additional storage area of 2.7ha and volume of 19ML is proposed.
- C. New 3300 (w) x 1200 (h) box culvert under extension of Champions Way. Culvert to convey local catchment contributing to the road alignment.
- D. New bridge proposed as part of Champions Way extension to gain access to site and ensure no upstream impacts.
- E. Additional flood storage is being proposed in upstream of new entry road. The existing culverts have been reduced from 1050mm RCP to 600mm RCP. Additional storage area of 1.3ha and volume of 30ML is proposed.
- F. A diversion channel is proposed to redirect upstream flows around the south-east corner of the Resource Recovery Facility. The proposed base width of the channel is 10m.

Item 15.8 / Attachment 2.

- G. A new 600mm RCP is proposed under the entry road crossing of this waterway. In addition to the culvert crossing an additional storage area of 0.7ha and volume of 12ML is proposed.
- H. Additional flood storage is being proposed in conjunction with bunding to prevent runoff entering the Tailings Dam and manage flows into the Ebenzer Creek floodplain whilst managing non-worsening. A 525mm RCP culvert is proposed to drain the storage, which has a storage area of 1.9ha and volume of 65ML is proposed.
- I. Additional flood storage is being proposed for flows entering from Coopers Road in the north-east of site. The existing culverts have been reduced from 1500mm RCP to 900mm RCP. Additional storage area of 1ha and volume of 20ML is proposed.
- J. Additional flood storage is being proposed for flows that previously entered the Tailings Dam (now directed down outlet channel, Location K). Additional storage area of 5.5ha and volume of 104ML is proposed. Outlet to this storage will be controlled by a 600mm RCP and 20m weir at RL36.0m AHD.
- K. A diversion channel is proposed around the eastern side of the Tailings Dam to convey flows through to existing online dam within Ebenzer Creek (located at Lawful point of discharge 1 – Location 12). The channel has been designed with a base width of 10m with 1(v):4(h) sides at a grade of approximately 0.6%.
- L. The Tailings Dam no longer receives flows from any external catchments in events up to the 1% AEP.

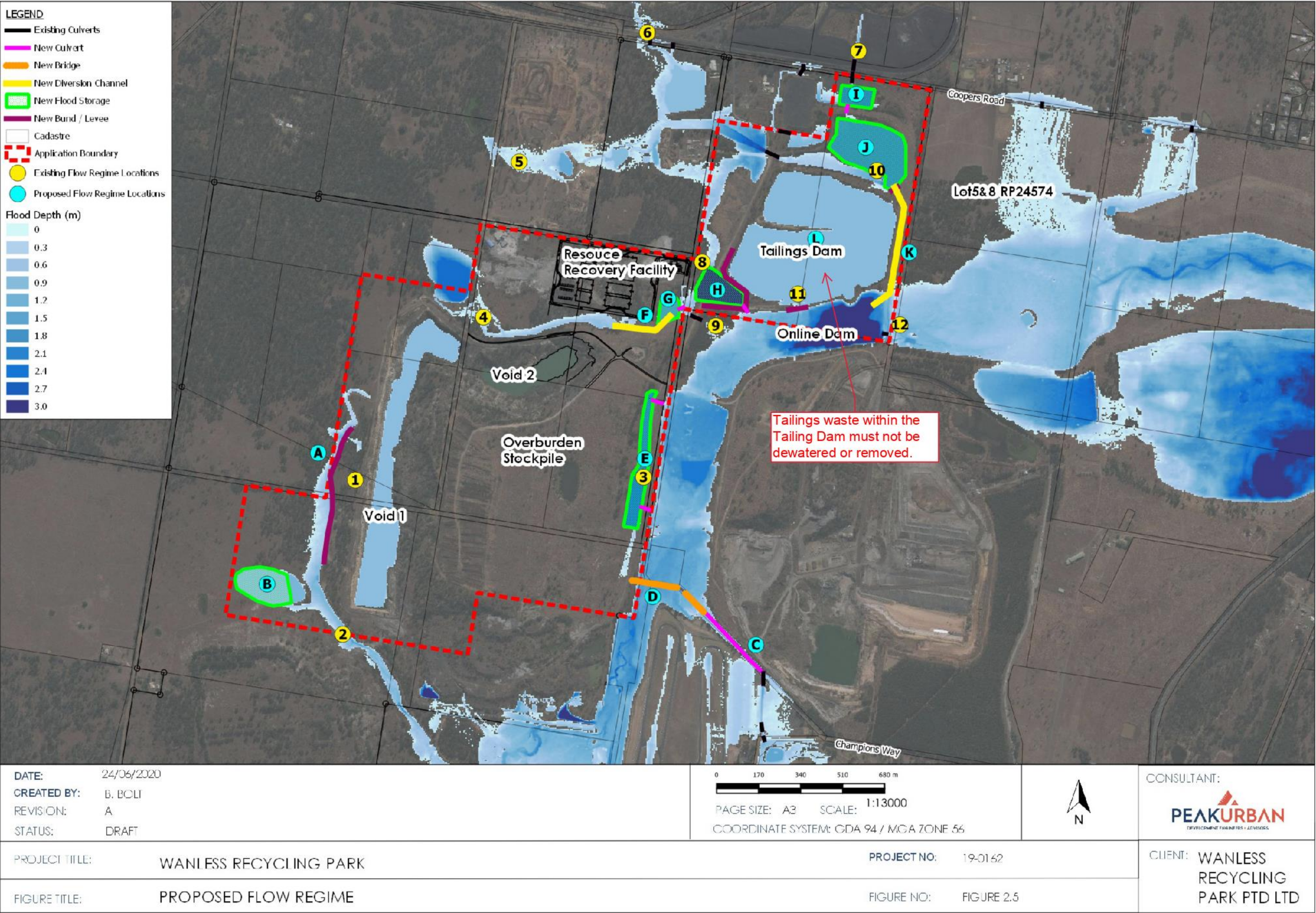
The proposed strategy proposes to implement approximately 13ha and 250ML of flood storage to offset, the existing Tailings Dam which provides 117ML of storage over a 26ha area.

2.3.2.4 Proposed Scenario (P03a) – Future with Mitigation

This scenario was conducted to identify what modification to flood mitigation measures would be required to manage the final landforms of the proposed landfill areas that are proposed to be located within the voids and tailings dam. Catchments from these areas currently fall into themselves and don't contribute to flood flows. Under this scenario the final landform catchments were applied their adjacent waterway. The main issue identified here was the increase in flow within the western waterway (discharge Location 2), which in turn caused an increase in flow downstream of the site. To offset flow impacts at both locations, an additional online storage was provided along the western waterway. Refer **Appendix C** for additional storage locality. It is noted that this location and sizing is preliminary in that it is likely further changes to land-use may occur in the life of the landfill which will require subsequent assessment.

~~**2.3.2.5 Proposed Scenario (P03b) – Blockage Sensitivity**~~

~~This scenario was conducted to identify what potential impact may occur to the development if the culverts were fully blocked (100%). The scenario was run for the 1% AEP event, and was based on the Proposed Scenario with Mitigation (P03)~~



3 LAWFUL POINT OF DISCHARGE

As outlined by the *Queensland Urban Drainage Manual* (4th Edition – Institute of Public Works Engineering Australasia, Queensland Division) a test can be undertaken to determine whether a lawful point of discharge exists. The criteria for determining the lawful point of discharge are:

- (i) Will the proposed development alter the site's stormwater discharge characteristics in a manner that may substantially damage a third party property (see Section 3.6)?
 - ▶ If not, then no further steps are required to obtain tenure for a lawful point of discharge (assuming any previous circumstances and changes were lawful).

Two lawful point of discharges have been identified, being (1) the downstream boundary (tailings dam) and (2) property boundary of western flowpath and are detailed below in **Figure 3-1**.

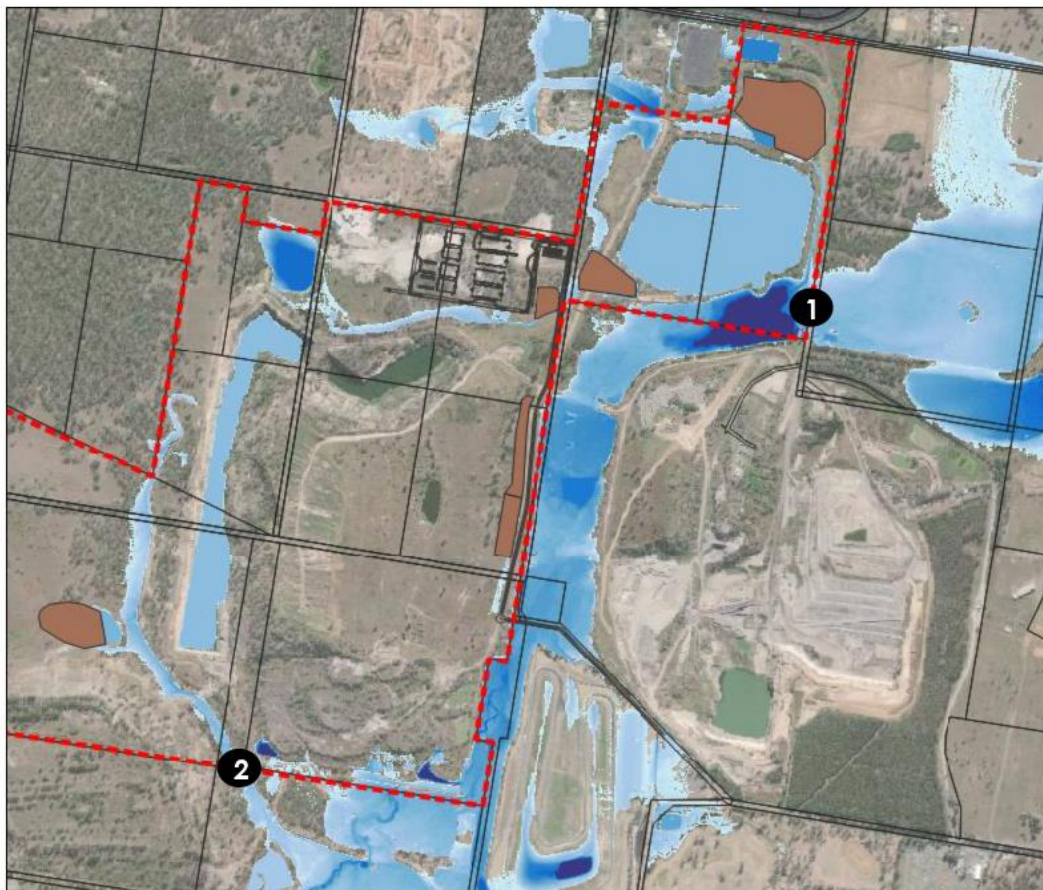
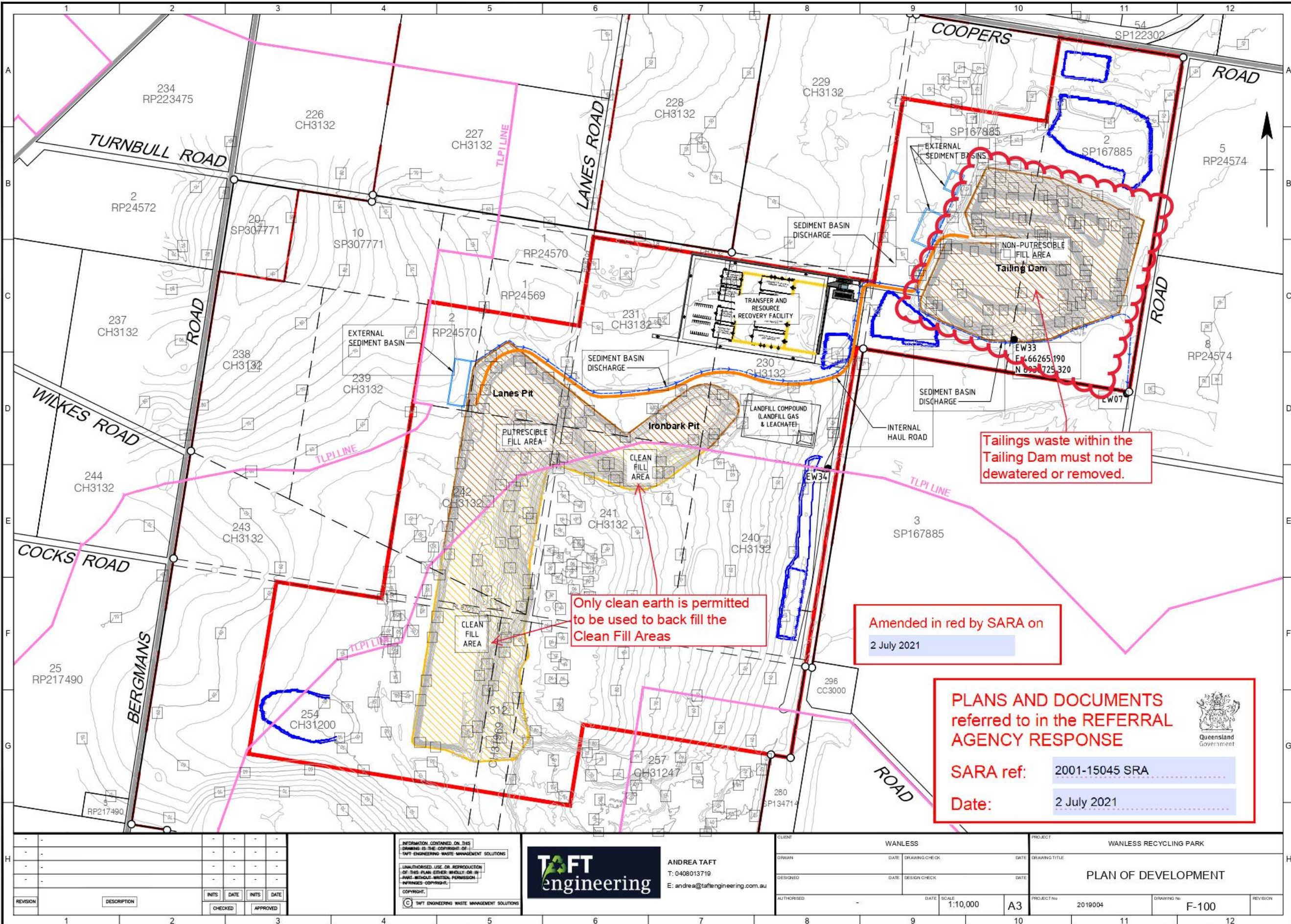
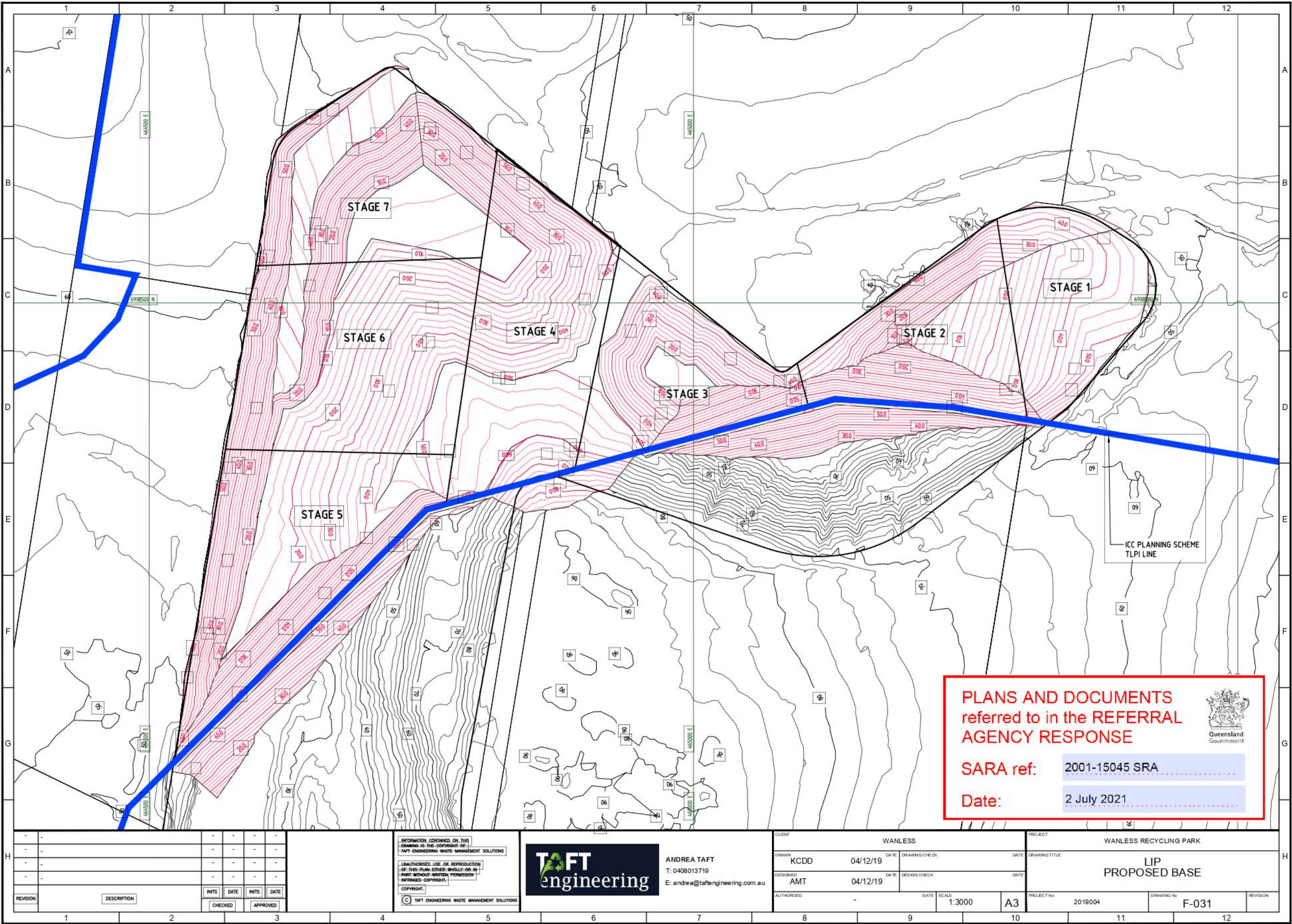


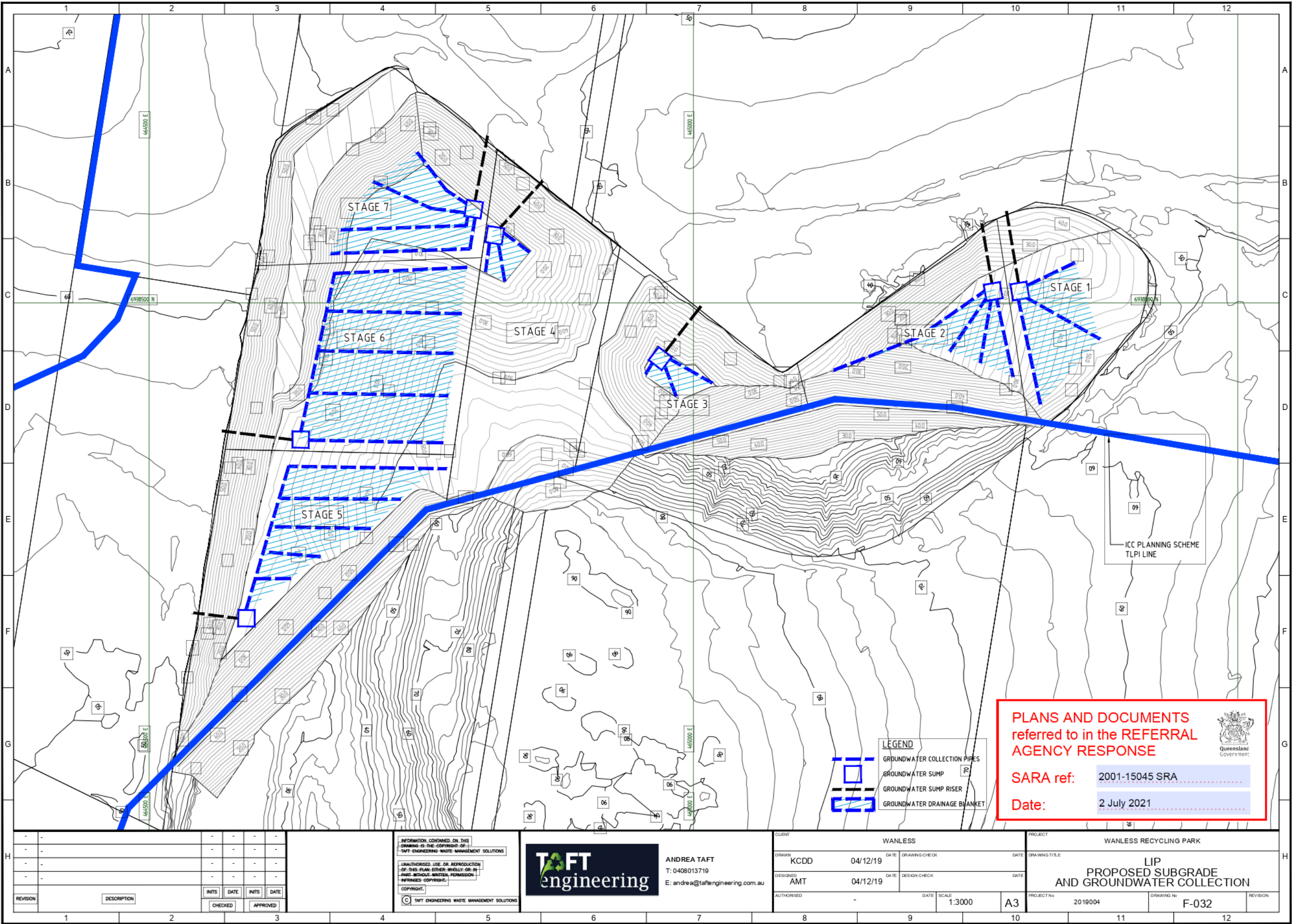
Figure 3-1: Lawful Point of Discharge

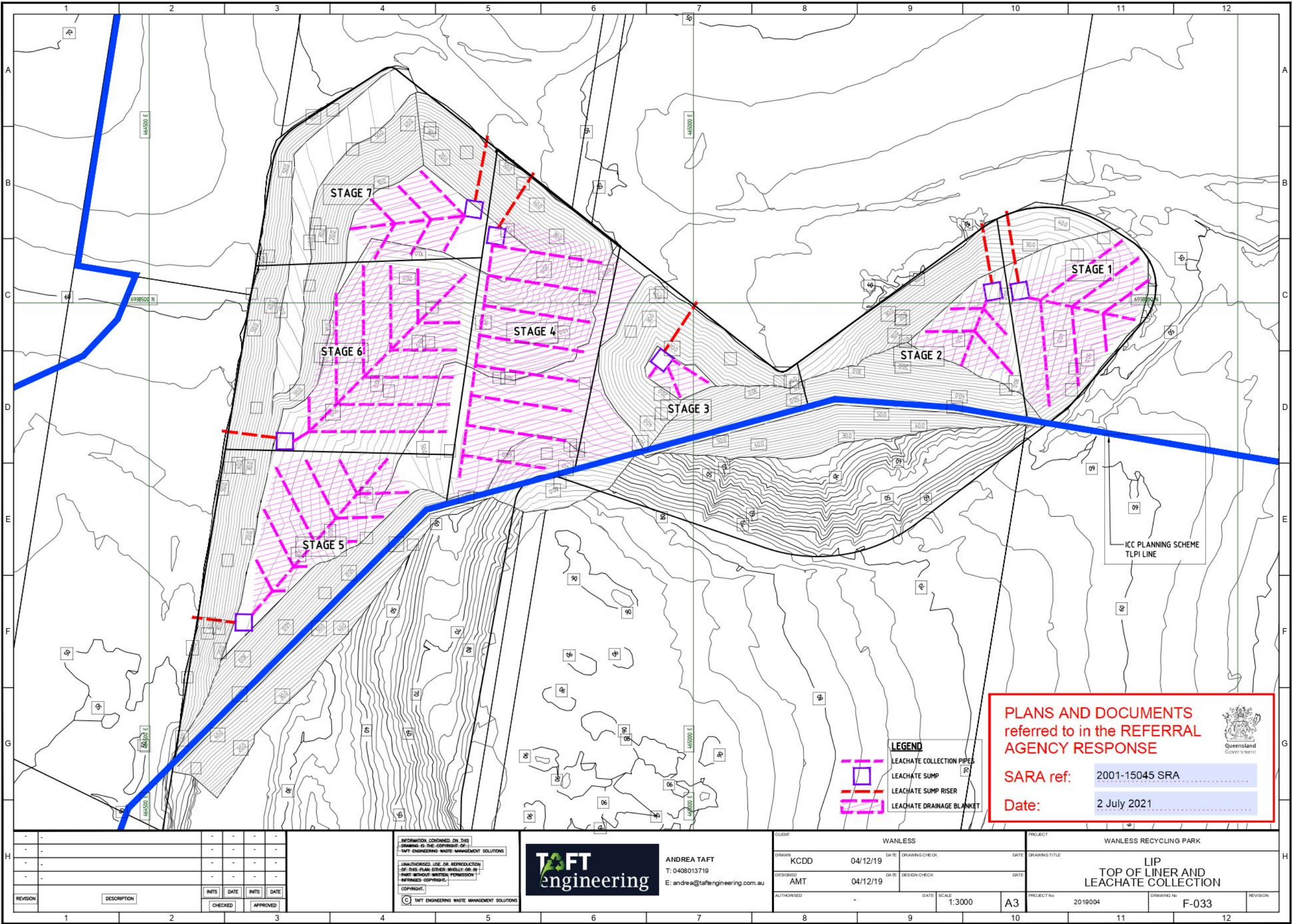
It is proposed that discharge of runoff from the proposed development site will be maintained to Ebenezer Creek via existing flowpaths and a new diversion channel required to isolate the existing tailings dam. It is considered that discharge from the site will be managed in such a manner as to not substantially damage third party property, and as a result it is considered a suitable lawful point of discharge has been identified and achieved.

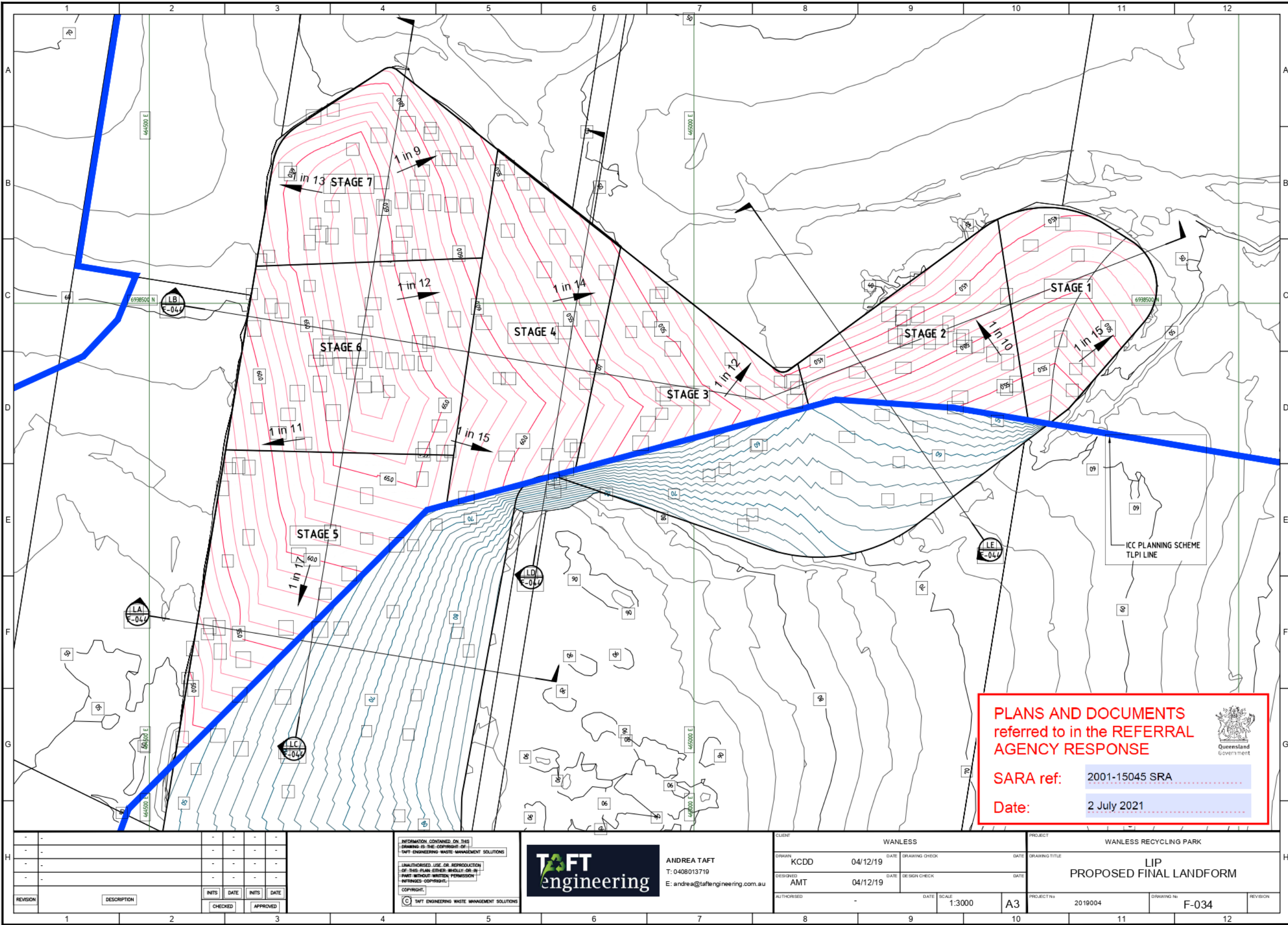


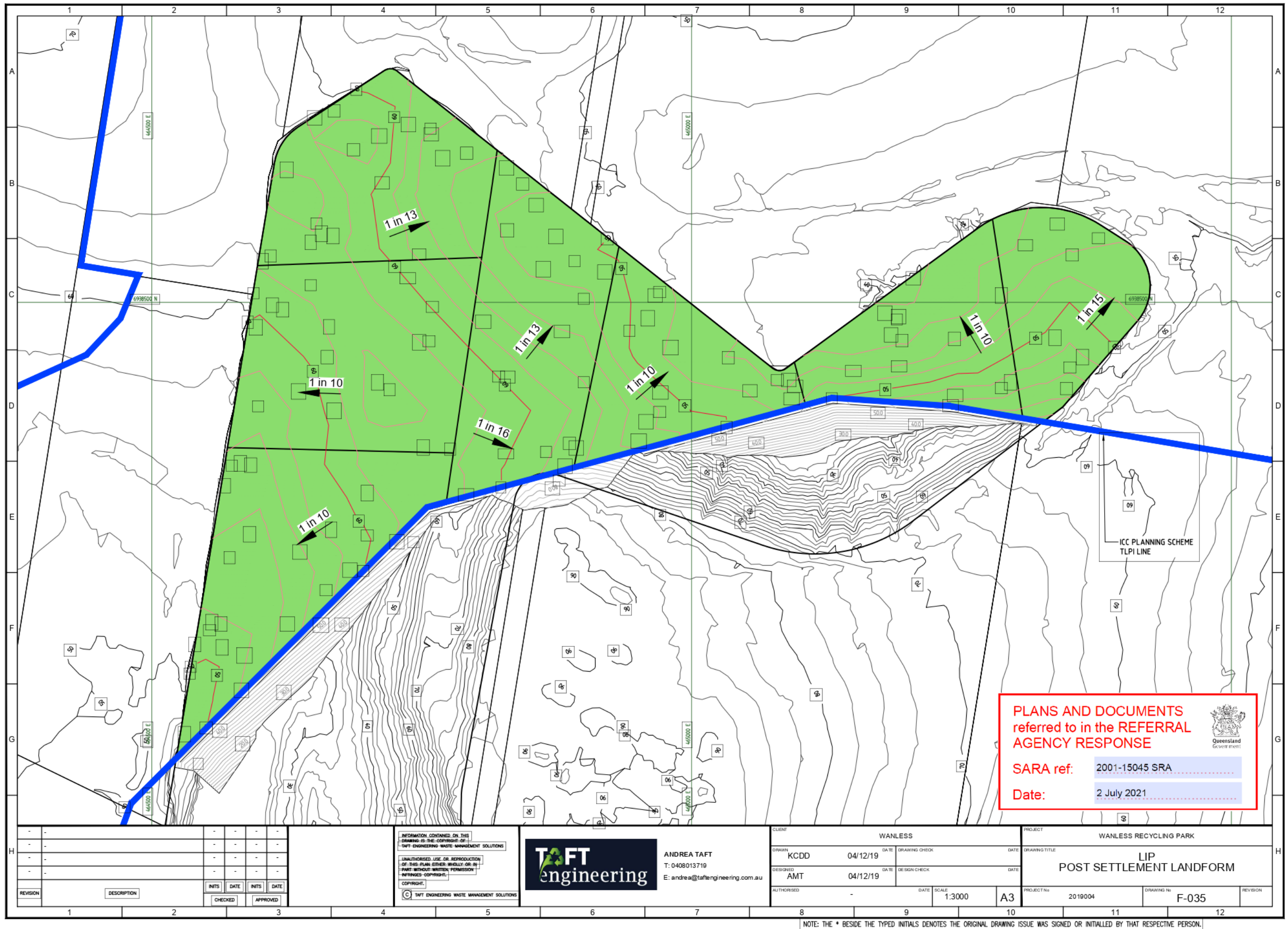
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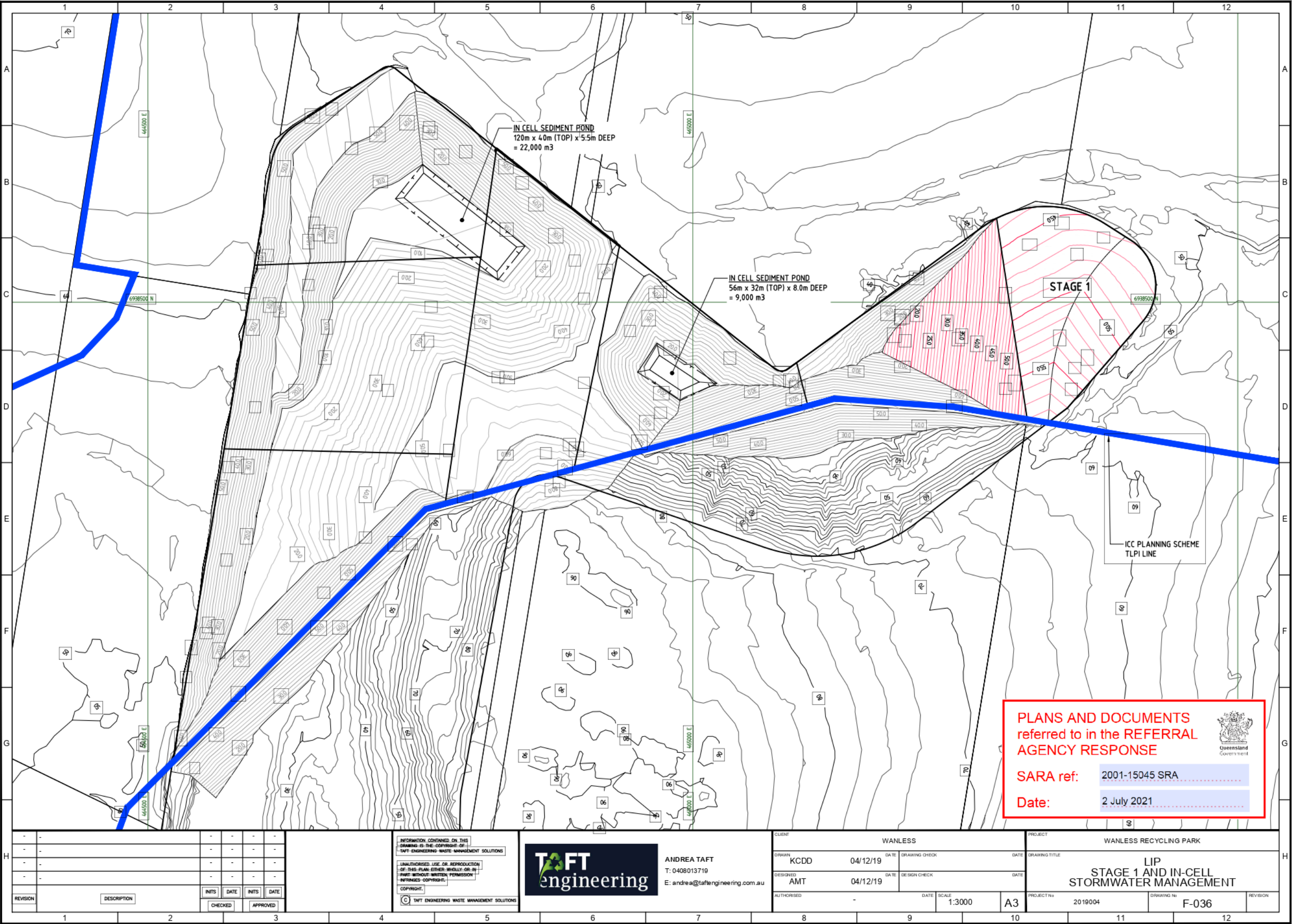


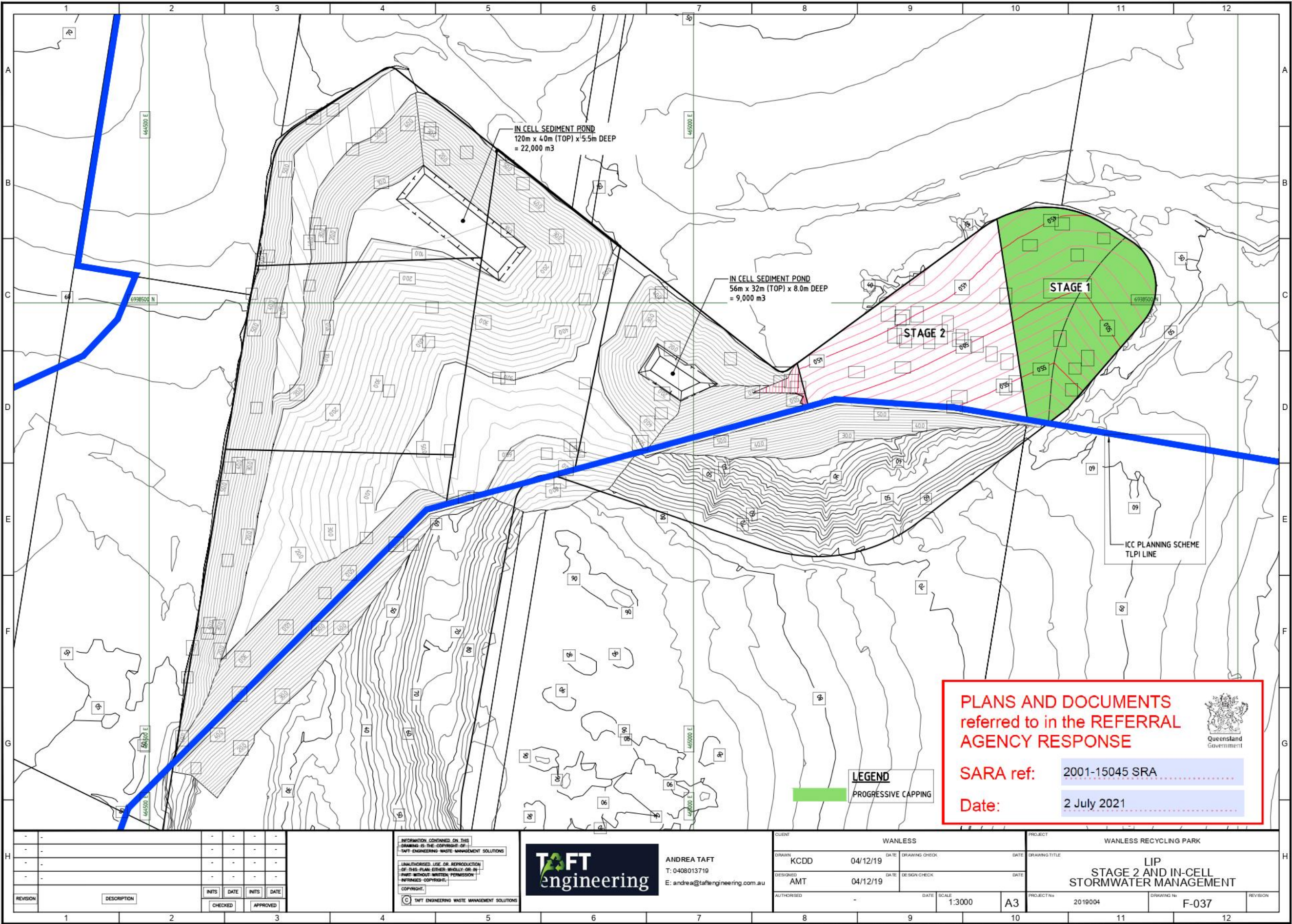


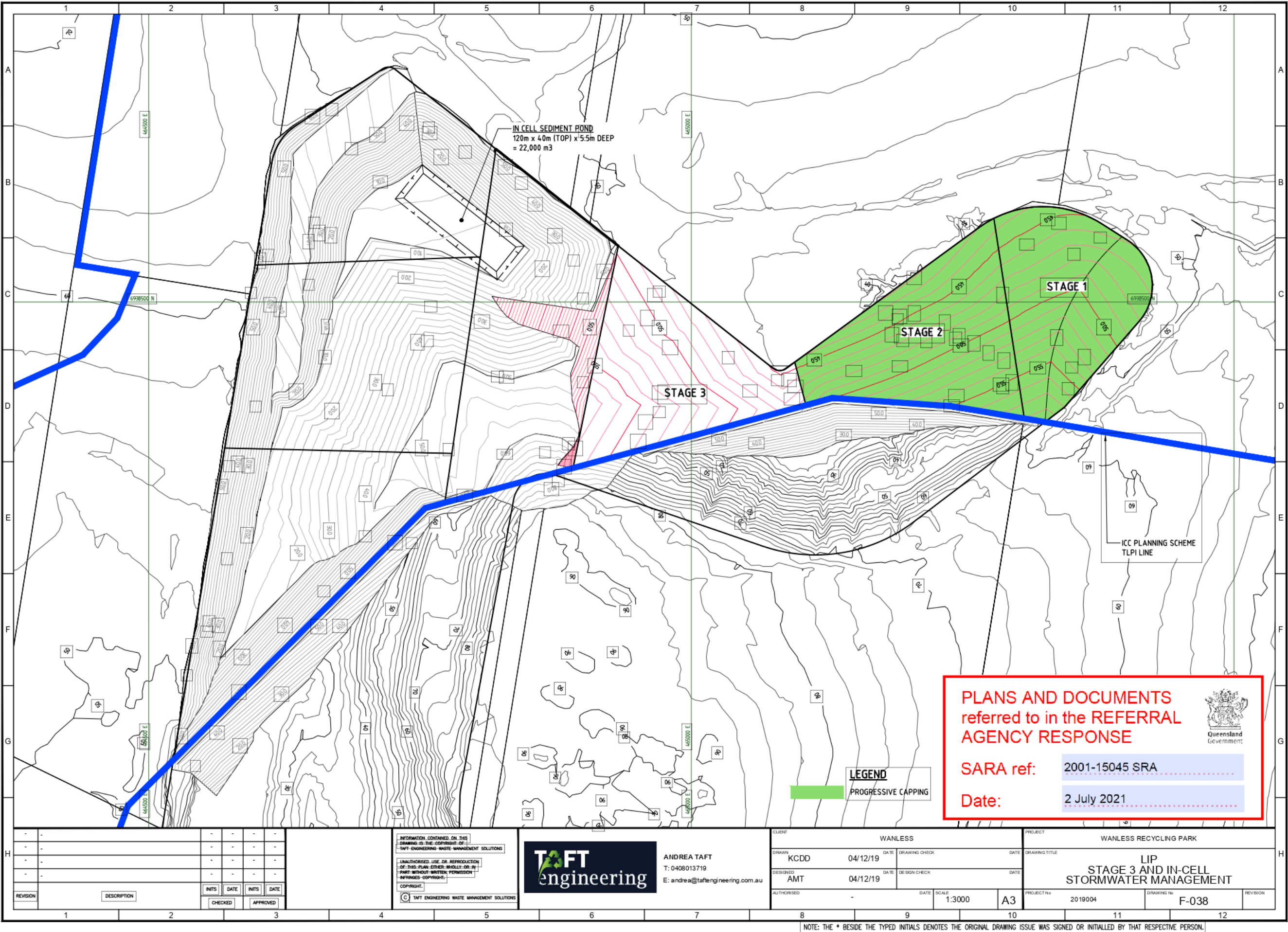


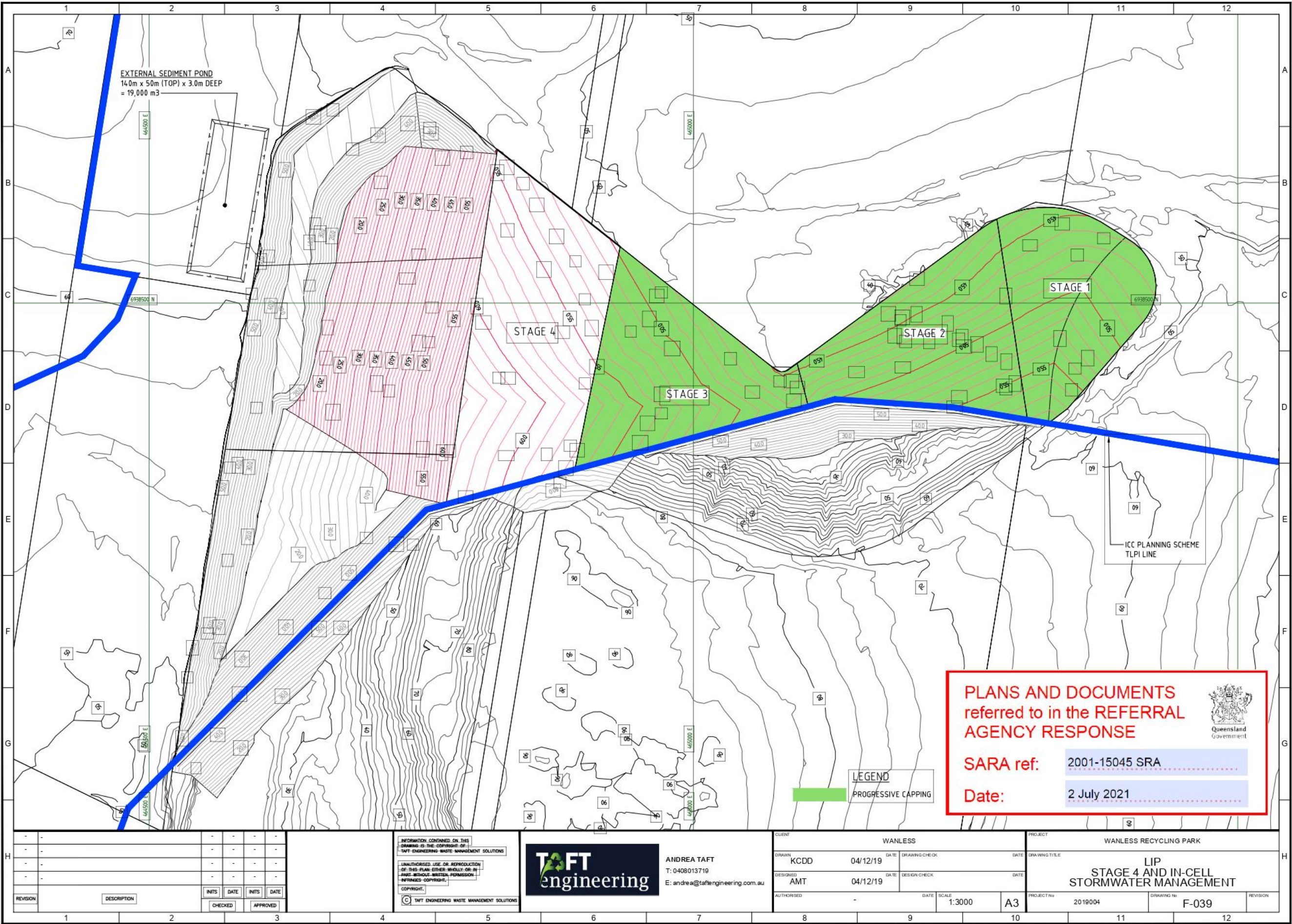


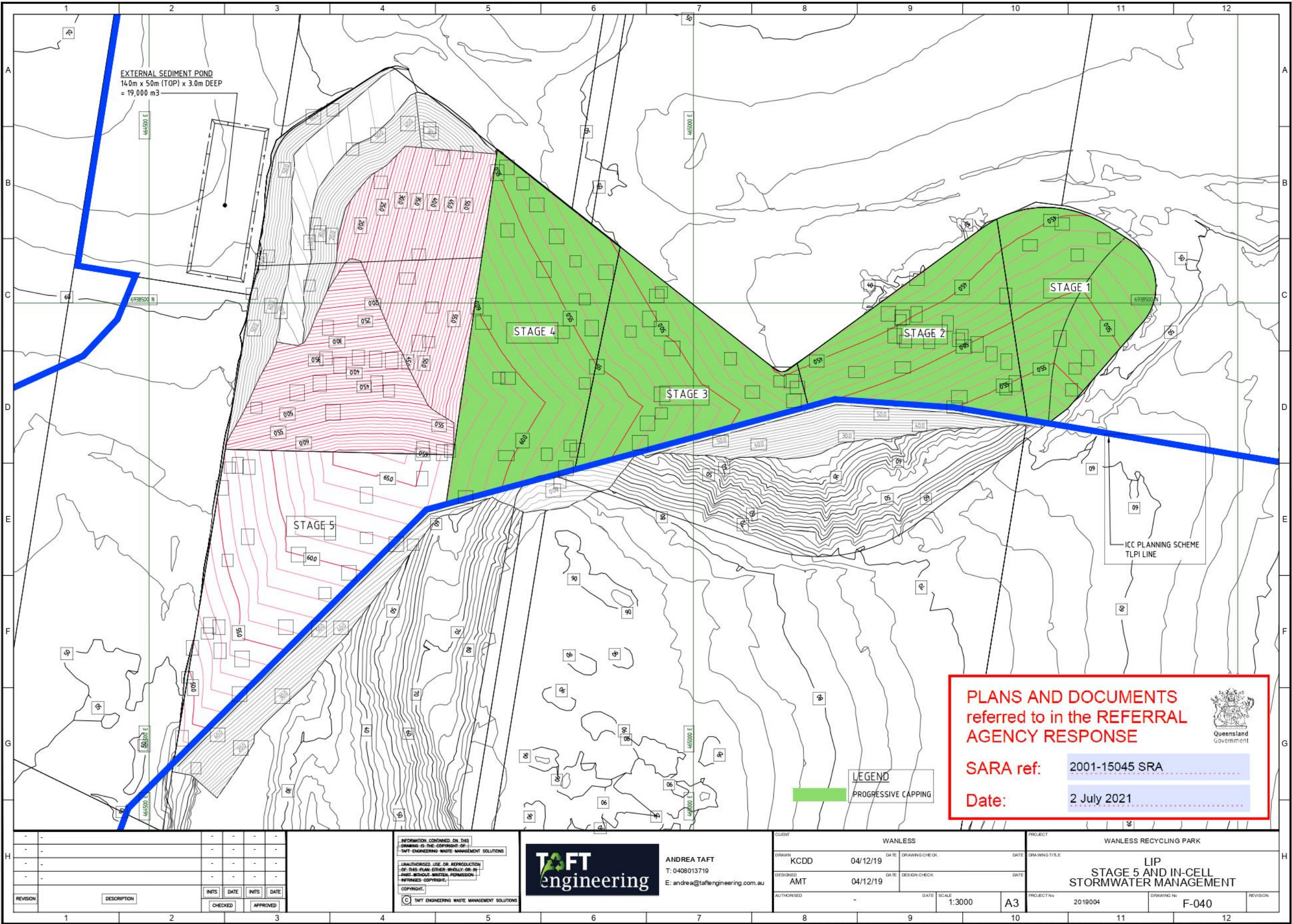


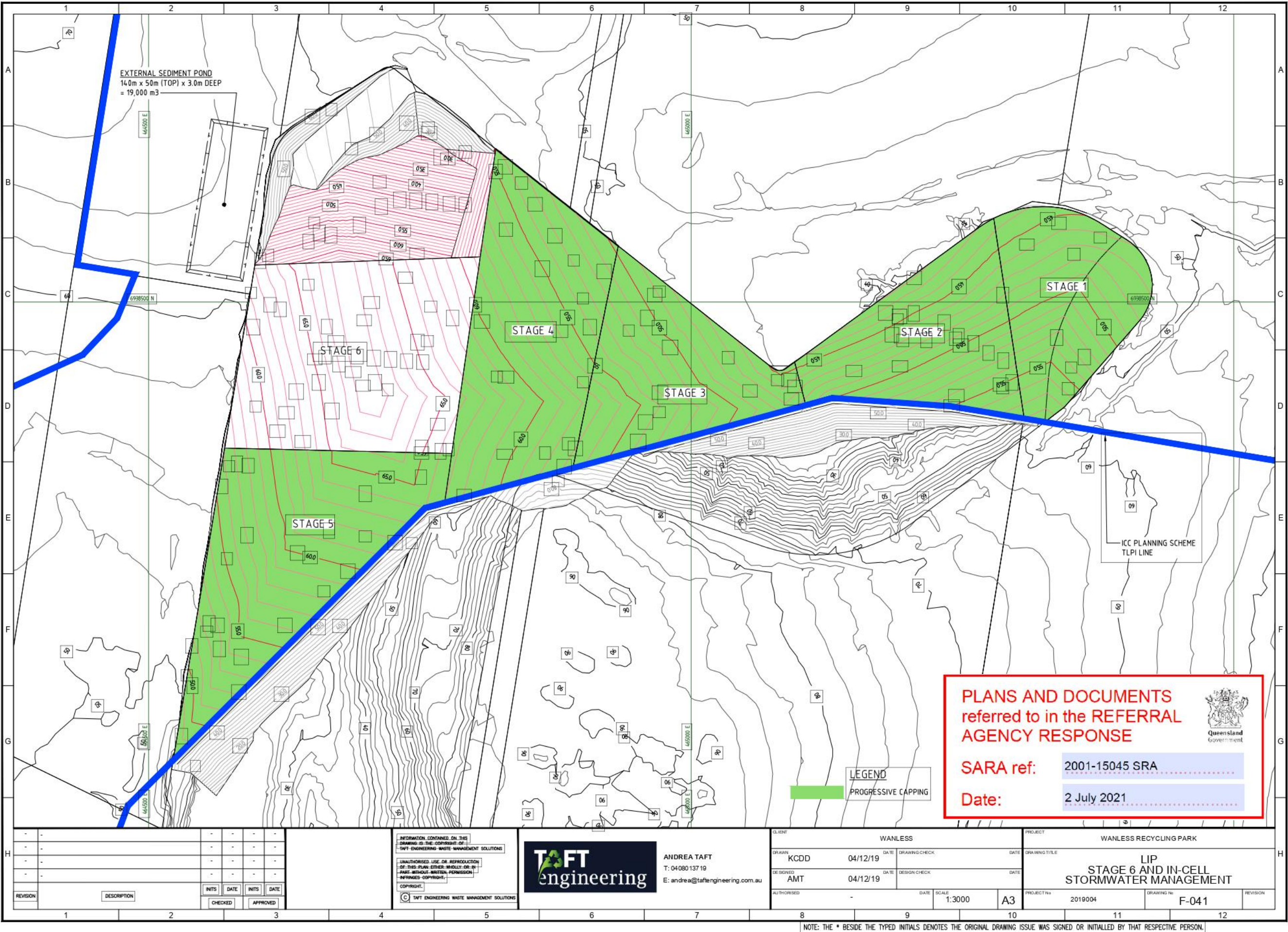


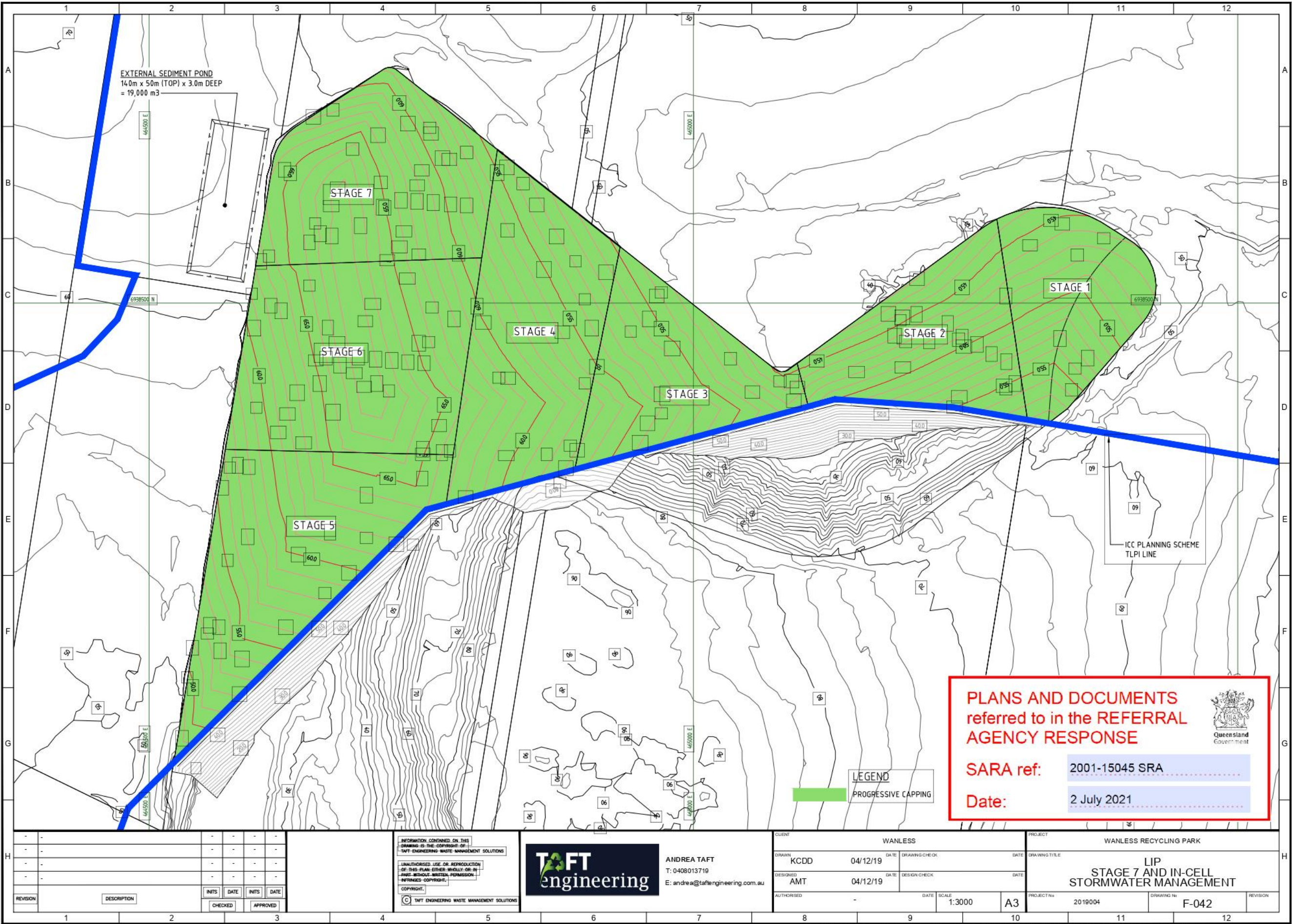


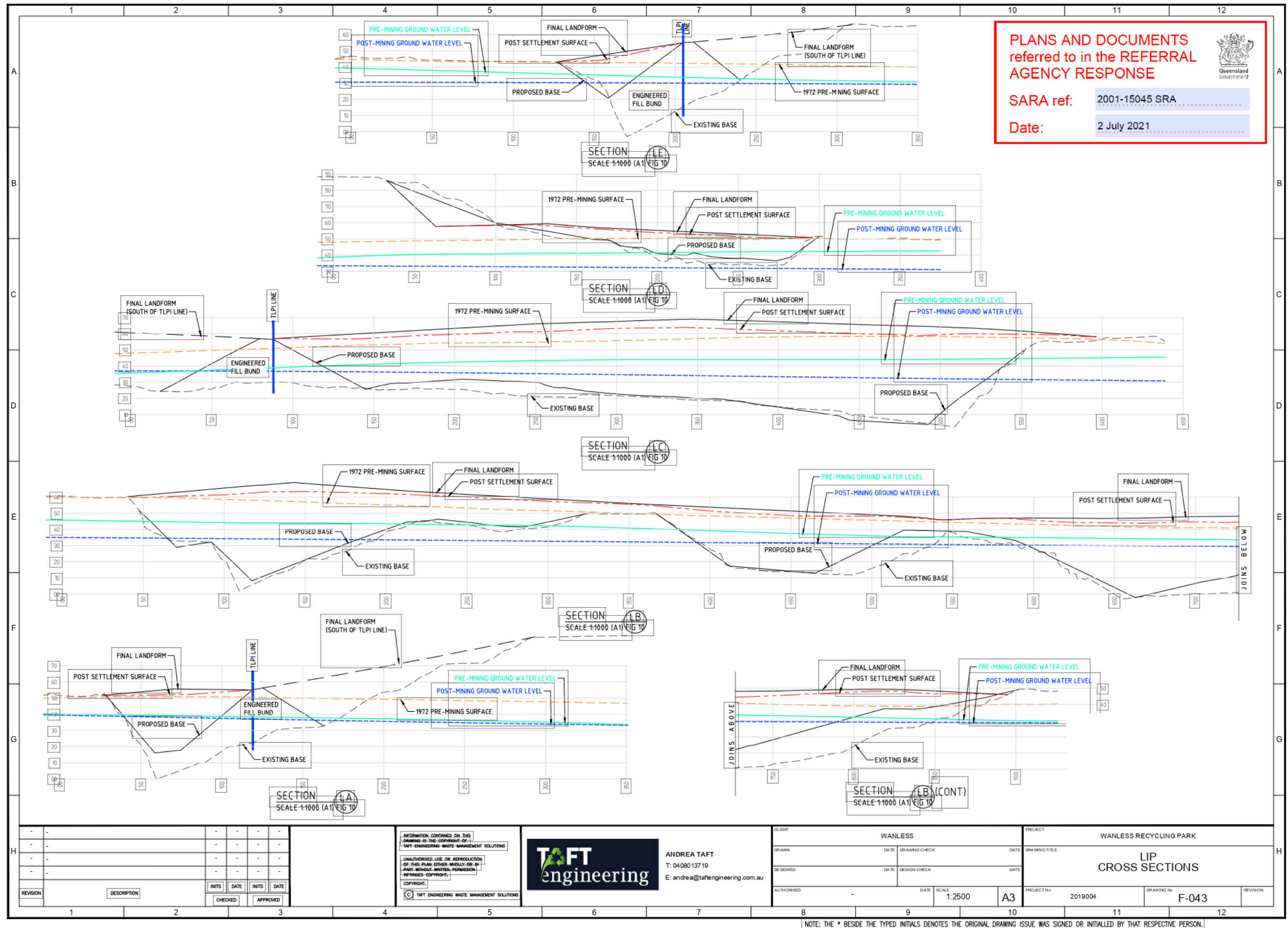


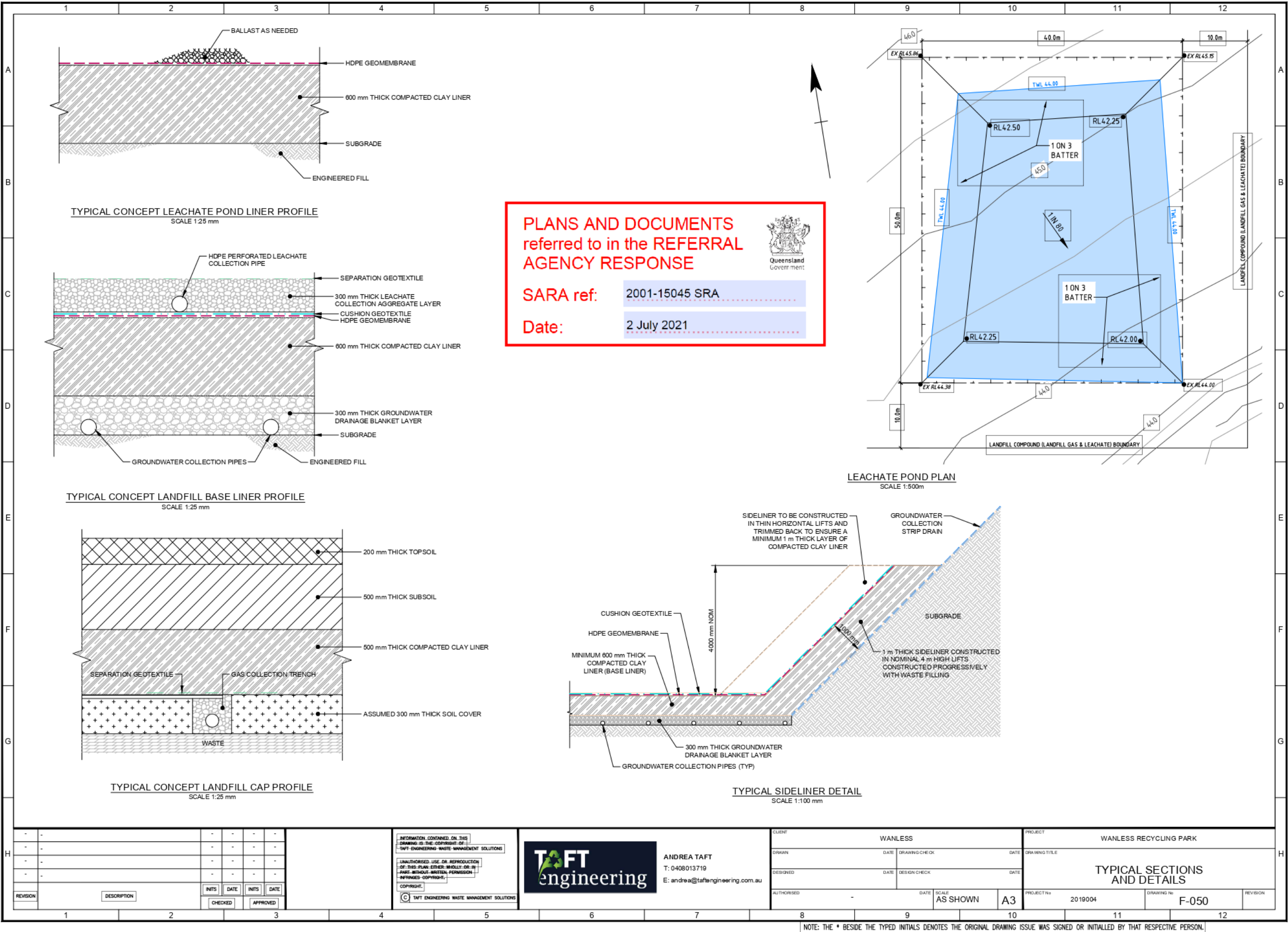


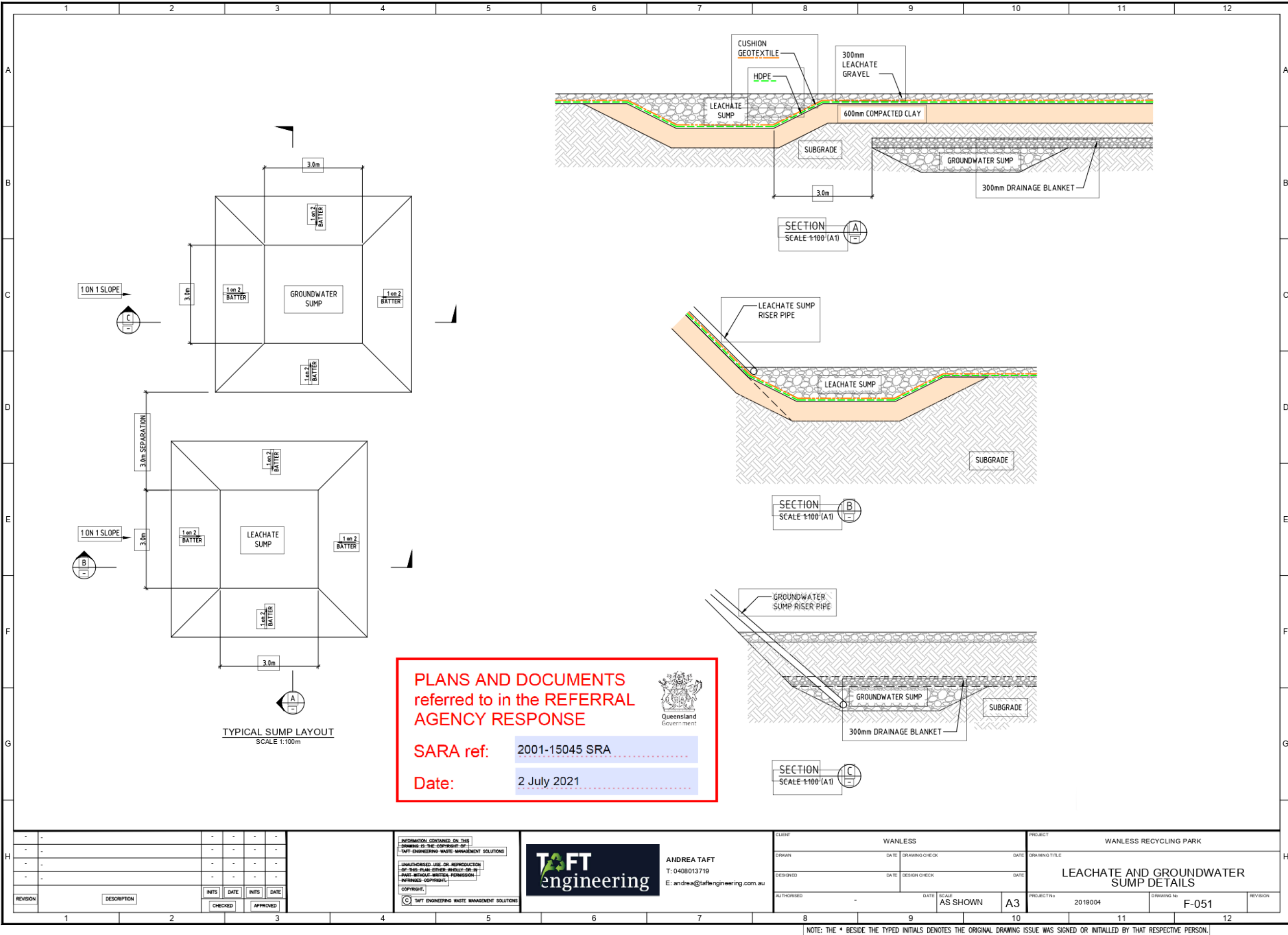




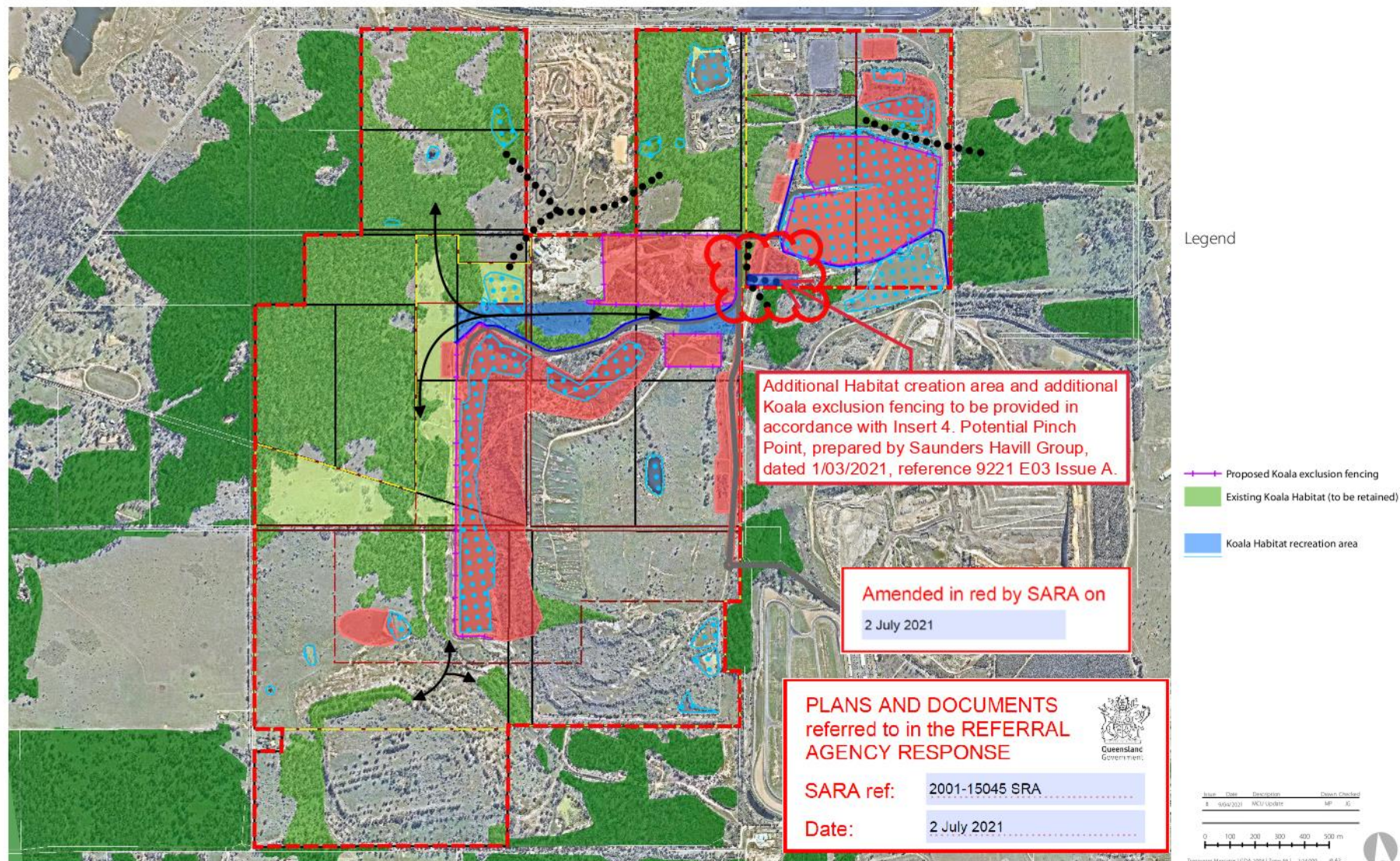




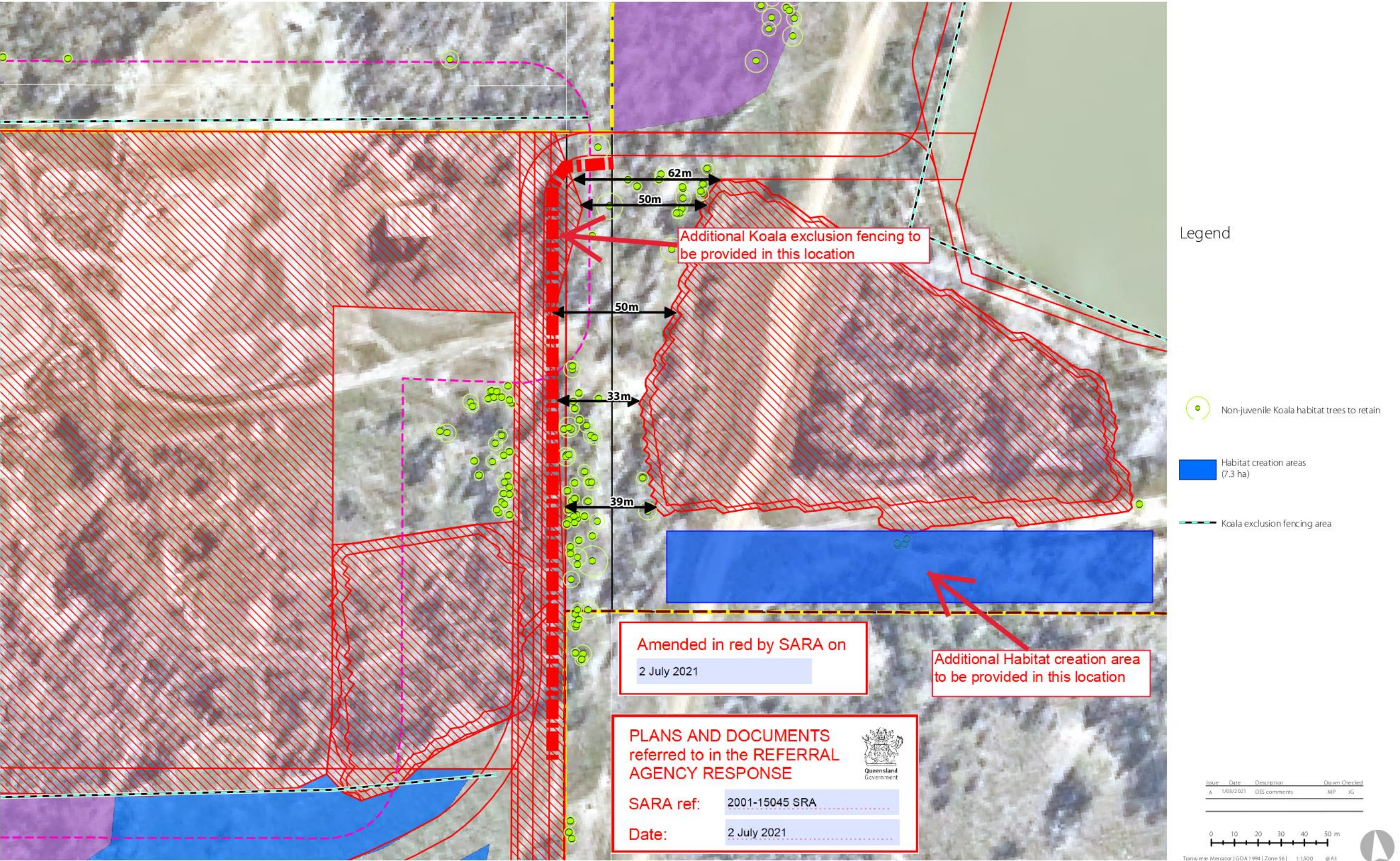




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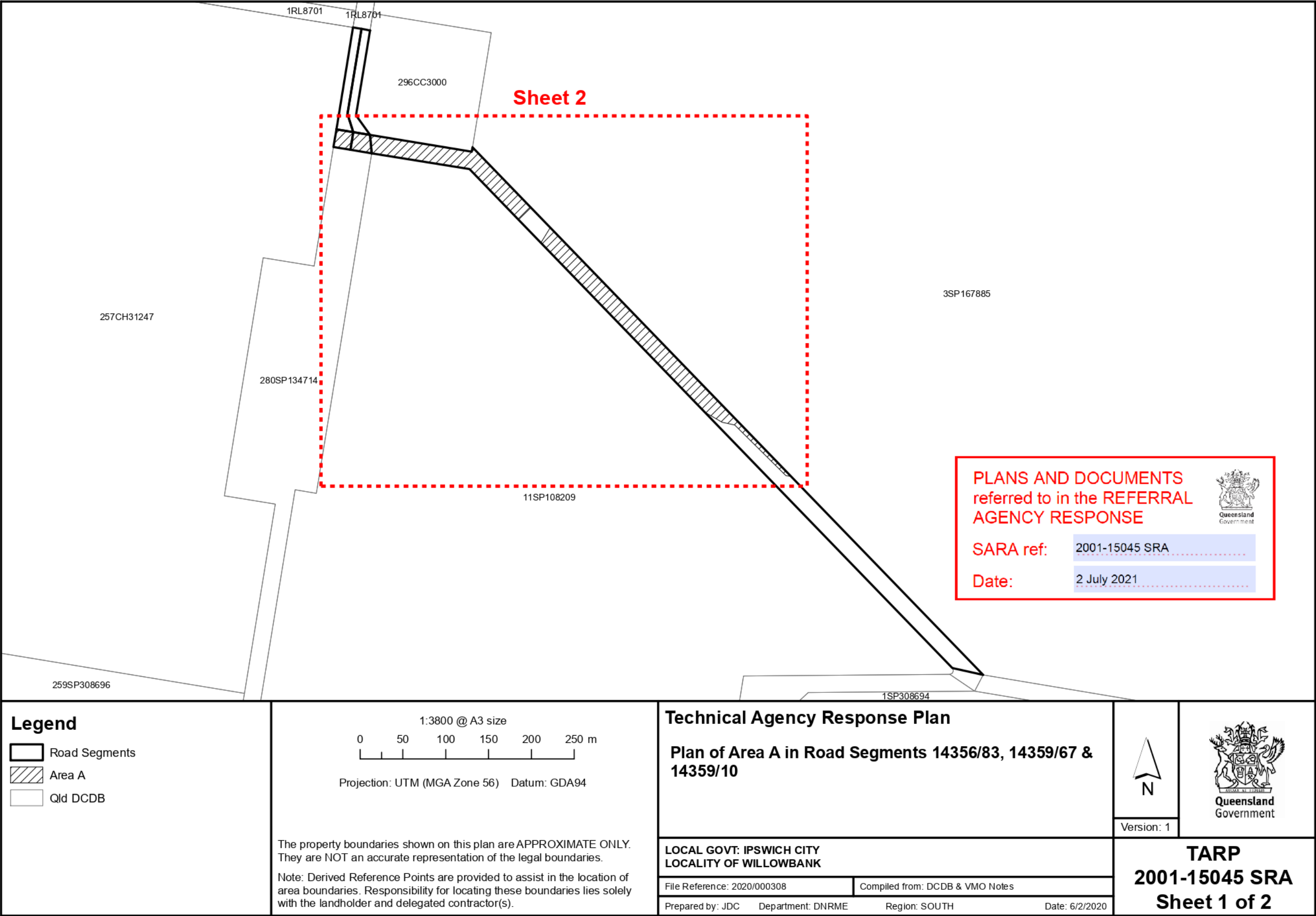


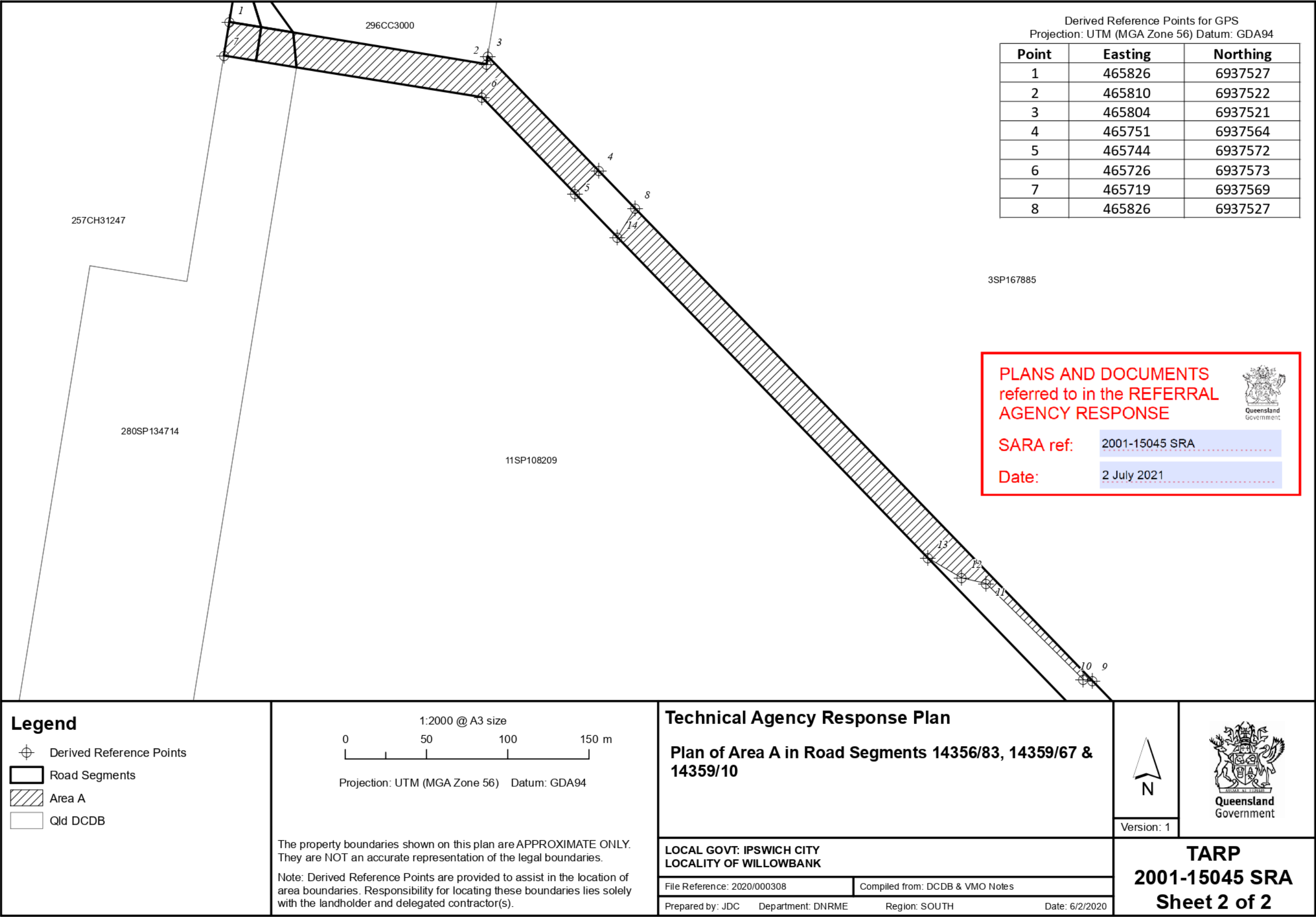
Insert 4.



Wanless Recycling Park Pty Ltd

Coopers Rd, Ebenezer





22 January 2021

Ipswich City Council
via email: plandev@ipswich.qld.gov.au

Attention: Sandeep Nanjappa



positive energy

Dear Sandeep,

Response Notice regarding Request for Minor Change to application for Reconfiguring a Lot and MCU (Waste Activity Use) over land at 82A, 82B, 82C, 82D, 82E, 82F, 82H Lanes Road Ebenezer, Lot 1, Lot 312, 266-304 & 350 Coopers Road, Willowbank, 166-198 & 202-282 Bergmands Road, Ebenezer and Lot 257 Unnamed Road, Ebenezer.

Council Ref: 10674/2019/CA

Our Ref: HBD 7151265

We refer to the above referenced Minor Change Request which has been referred to Energex Limited, dated 24 December 2020, in accordance with Section 25.1 of the Development Assessment Rules under the *Planning Act 2016 (the Act)*.

As an affected entity to the request, Energex has no objection to the proposed Minor Change.

Should you require any further information on the above matter, please contact the undersigned on 0428 943 997.

Yours faithfully,

Scott Pearson
Senior Town Planner



Enquiries

Scott Pearson

Email

scott.pearson@energex.com.au

Corporate Office

26 Reddacliff Street,
Newstead QLD 4006
GPO Box 1461
Brisbane Qld 4001
Telephone (07) 3664 4000
Facsimile (07) 3025 8301
www.energex.com.au

Energex Limited

ABN 40 078 849 055

Reference: HBD 7151265

28 February 2020

Wanless Recycling Park Pty Ltd
C/- Urbis Pty Ltd
via email: sbuhmann@urbis.com.au
tauckland@urbis.com.au



positive energy

Attention: Tom Auckland

cc Ipswich City Council
via email: development@ipswich.qld.gov.au

Attention: Sandeep Nanjappa

Dear Tom,

Referral Response Notice for Development Application – Reconfiguration of a Lot (Boundary Realignment), Material Change of Use (Waste Activity) and ERA's 54, 60 & 62 located at 266-304 & 350 Coopers Road, Willowbank, 82A, 82B, 82C, 82D, 82E, 82F & 82H Lanes Roads, Ebenezer, 166-198 & 202-282 Bergmans Road, Ebenezer, Lot 257 Unnamed Road, Ebenezer and Lots 1 & 312 Coopers Road, Ebenezer and described as Lots 1 & 2 on SP167885, Lots 230, 231, 240, 241, 242, 243 on CH3132, Lot 1 on RP24569, Lot 254 on CH31200, Lot 257 on CH31247, Lot 312 on CH31969, Lot 2 on RP24570 & Lot 1 on RL8701.

**Council Ref: 10674/2019/CA
Our Ref: HBD 6884303**

We refer to the above referenced Development Application which has been referred to Energex Limited in accordance with the *Planning Act 2016*.

In accordance with Schedule 10, Part 9, Division 2 of the *Planning Regulation 2017*, the application has been assessed against the purposes of the *Electricity Act 1994* and *Electrical Safety Act 2002*. This response has been provided pursuant to the requirements of section 56(1) of the *Planning Act 2016*.

Should the Assessment Manager decide to approve the proposed application, as an Advice Agency, Energex requires that the assessment manager impose the following conditions:

1. This application is approved in accordance with the below referenced plans. Any alterations to these plans should be resubmitted to Energex for comment:

Reference: HBD 6884303



Enquiries
Scott Pearson
Telephone
(07) 3664 5050
Facsimile
(07) 3664 9829
Email
scott.pearson@energyq.com.au

Corporate Office
26 Reddacliff Street,
Newstead QLD 4006
GPO Box 1461
Brisbane Qld 4001
Telephone (07) 3664 4000
Facsimile (07) 3025 8301
www.energex.com.au

Energex Limited
ABN 40 078 849 055

Approved Plans			
Title	Plan Number	Issue	Date
RoL Plan	BRJD7681_000_23_1	-	02/12/2019

2. Amend the MCU transfer and resource recovery facility site plan SD.1001 Issue P8, dated dec 2019 to ensure that no buildings or structures conflict with the existing 11kv overhead line and asset SP13506C. Furthermore, register an easement in Energex's favour over the existing 11kv line which traverses Lot 230 on CH3132. The easement must be 20m wide, registered prior to plan sealing and provided at no cost to Energex. Alternatively, enter into an agreement with Energex to either remove or relocate the existing electricity line and assets.
3. Satisfactory clearance from existing electricity wires must be maintained in accordance with the Electrical Safety Regulations 2013 at all times.

Any further works should be in accordance with the Electricity Entity Requirements: Working Near Overhead and Underground Electric Lines WP1323.

Energex may, at its discretion, audit the finished development to check that it conforms to the conditions placed on the development. Any deficiencies identified will have to be immediately attended to by the applicant, at the applicant's expense, to ensure all the conditions placed on the development by Energex are fulfilled.

Should you require any further information on the above matter, please contact the undersigned on (07) 3664 5050.

Yours faithfully,



Scott Pearson
Senior Town Planner

Reference: HBD 6884303

Did you know Energex has a referral website?

<https://www.energex.com.au/home/our-services/connections/development-application-referrals>



Australian Government
Department of Defence
Estate and Infrastructure Group

Charles Mangion
Director Land Planning and Regulation
Estate Planning Branch
Brindabella Business Park
PO Box 7925
Department of Defence
CANBERRA BC ACT 2610
✉: Charles.mangion@defence.gov.au

ID-EP-DLP&R/OUT/2021/BS17000343

Development Assessment Manager
Ipswich City Council
45 Roderick St
PO Box 191
Ipswich QLD 4305

To whom it may concern,

**RE: APPLICATION No: 10674/2019/CA - REQUEST FOR THIRD PARTY ADVICE –
MINOR CHANGE TO DEVELOPMENT APPLICATION TO INCLUDE
DEWATERING OF EXISTING MINE VOIDS – WASTE ACTIVITY, EBENEZER, QLD
4340 AND WILLOWBANK, QLD 4306**

The Department of Defence (Defence) thanks Ipswich City Council for the opportunity to comment on an amendment to an approved DA to enable dewatering of existing mine voids for Waste Use Activities, at 82A-H Lanes Road, Ebenezer; Lots 1, 312, 266-304, 350 Coopers Road, Willowbank; Lots 166-198, 202-282 Bergmans Road, Ebenezer; and Lot 257 Unnamed Road, Ebenezer, Queensland. The subject site is located approximately 5.9 km south west of RAAF Base Amberley.

Defence is seeking to ensure that the long term viability of RAAF Base Amberley is not compromised by inappropriate development of surrounding land, as this has the potential to impact on Australia's Defence operations. On this basis Defence would like to make the following comments.

Bird Strike

The subject site is located in an area mapped by Defence as "Bird strike Group B". In this area, the proposed use for waste activities has the potential to be a high to very high risk for wildlife hazard and potentially increase the risk for bird strike for aircraft operation from RAAF Base Amberley.

Defence expects that the applicant will undertake all necessary measures to ensure that wildlife (birds) are controlled on the subject site. The Department of Infrastructure, Transport, Cities and Regional Development *National Airports Safeguarding Framework, Guideline C: Managing the Risk of Wildlife Strikes in the Vicinity of Airports*, provides recommendations that should be taken to mitigate risk in consultation with the airport operator and qualified bird and wildlife management experts. Defence requests that an appropriate condition for the management of any wildlife hazard be included in any approval.

Defence (Aviation Area) Regulations

In accordance with the Defence Aviation Area (DAA) mapping for RAAF Base Amberley, the subject site is in an area where "*structures higher than 45 metres above ground level (AGL) require approval*" from Defence. Should cranes, vegetation and any future structures, including any plume that may be associated with the facility exceed 45 metres AGL, details must be

provided to Defence for assessment and approval under the Defence (Aviation Areas) Regulation.

Should you wish to discuss the content of this advice further, my point of contact is Mr Matthew Williams at land.planning@defence.gov.au or by telephone on (02) 5109 8818.

Yours sincerely

Charles.Mangion  Digitally signed by Charles.Mangion
Date: 2021.01.15 15:03:54 +11'00'

Charles Mangion
Director Land Planning & Regulation

15 January 2021

Sandeep Nanjappa

From: McLean, Benjamin MR 3 <benjamin.mclean3@defence.gov.au>
Sent: Sunday, 3 May 2020 11:07 PM
To: Sandeep Nanjappa
Cc: E&IG-Estate Planning Branch-External Land Planning & Regulation
Subject: RE: Application - 10674/19/CA- Request for Third Party Advice (Department of Defence) - Applicant Response to DOD [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Sandeep,

Defence accepts the Urbis report dated 27 April 2020 addresses the plume height and bird strike concerns raised, including:-

- As part of the air quality assessment, an assessment on the plume height has been conducted. It has been determined that any plume associated with the proposed development will not exceed 45m in height. As such, no further application is required.
- Suitable measures to manage bird life on the site during the operation of the landfill can be managed by the Council with a condition of approval requiring the submission of a Wild Life Management Plan.

Regards

Ben McLean

Assistant Director Estate Planning | Southern New South Wales
East West Directorate | Estate Planning Branch | Infrastructure Division | Estate & Infrastructure Group
Department of Defence | BP26-01-A010 | 26 Brindabella Business Park | Canberra ACT 2609
Please Contact via Email or Skype

Defending Australia and its National Interests
www.defence.gov.au



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From: Sandeep Nanjappa <sandeep.nanjappa@ipswich.qld.gov.au>
Sent: Monday, 27 April 2020 3:33 PM
To: E&IG-Estate Planning Branch-External Land Planning & Regulation <land.planning@defence.gov.au>
Cc: McLean, Benjamin MR 3 <benjamin.mclean3@defence.gov.au>
Subject: FW: Application - 10674/19/CA- Request for Third Party Advice (Department of Defence) - Applicant Response to DOD

Good Afternoon

Department of Defence (DoD) comments as below and attached were provided to the applicant (copy of email attached) and the applicant has now responded to Council Information Request items. A copy of the applicant's response (cover letter and the referenced report - refer extract below) are attached with this email.

Applicant's full response may be viewed via the Ipswich City Council Planning and Development web portal www.ipswichplanning.com.au. You will need to click 'Search Applications', then 'Application Enquiry' and enter in the application number 10674/2019/CA.

Can I please request DoD to review Applicant's response and provide feedback/comments in relation to DoD matters by **COB 8 May 2020** to enable Council's assessment timeframes to be met pursuant to the *Planning Act 2016* and Development Assessment Rules. Please forward your response to the Assessment Manager, via email to development@ipswich.qld.gov.au, quoting our reference number.

Please contact if you have any queries.

Sandeep

ITEM 27 – THIRD PARTY ADVICE DEPARTMENT OF DEFENCE

Request

Council is in the process of obtaining Third Party Advice from the Department of Defence. Upon receipt of the advice, the applicant will be requested to provide a response to any concerns or request for information identified by Department of Defence.

Applicant Response

The third party advice from Department of Defence was received from Council on 23 January 2020. The advice outlined two elements of advice. These are as follows:

- Plume height in relation to Amberley Airbase not exceeding 45m in height;
- Bird strike prevention.

With regards to the Plume Height, an application is triggered with the Department of Defence if the plume height from the flare or gas engines exceeds 45m in height. As part of the air quality assessment, an assessment on the plume height has been conducted. It has been determined that any plume associated with the proposed development will not exceed 45m in height. As such, no further application is required.

ICC Information Response Letter

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Refer to **Appendix J** for the Plume Assessment part of the Air Quality Assessment prepared by Katestone.

In consultation with the Department of Defence, it is anticipated that a Wildlife Management Plan can be put in place to manage bird life on the site during the operation of the landfill. It is anticipated that it is premature to prepare a specific plan for this at this stage of the development. It is anticipated that a condition of approval requiring the submission of a Wild Life Management Plan would be appropriate to resolve this issue.



Sandeep Nanjappa | Senior Planner (Development)
Planning and Regulatory Services Department

T| 07 3810 7267

Confidential Communication | [Email Disclaimer](#)

Item 15.8 / Attachment 2.

From: McLean, Benjamin MR 3 [<mailto:benjamin.mclean3@defence.gov.au>]
Sent: Thursday, 23 January 2020 11:39 AM
To: ICC Development Planning <Development@ipswich.qld.gov.au>
Cc: E&IG-Estate Planning Branch-External Land Planning & Regulation <land.planning@defence.gov.au>
Subject: RE: Application - 10674/19/CA- Request for Third Party Advice (Department of Defence)
[SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon,

Thank you for the opportunity to comment on Application - 10674/19/CA. Please find the Defence response attached.

Regards

Ben McLean
Executive Officer External Land Planning & Regulation
Estate Planning Branch | Infrastructure Division | Estate & Infrastructure Group

Department of Defence | BP26-01-A010 | 26 Brindabella Business Park | Canberra ACT 2609
P: 02 6266 8322 | M: 0435577984 | E: Benjamin.mclean3@defence.gov.au

Defending Australia and its National Interests
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From: ICC Development Planning <Development@ipswich.qld.gov.au>
Sent: Friday, 10 January 2020 3:38 PM
To: E&IG-Estate Planning Branch-External Land Planning & Regulation <land.planning@defence.gov.au>
Subject: Application - 10674/19/CA- Request for Third Party Advice (Department of Defence)

Please find attached a copy of the Request for Third Party Advice for the following application:

Application Number: 10674/19/CA
Application Details: Reconfiguring a Lot - Boundary Realignment (Thirteen (13) Lots into Thirteen (13) Lots)

Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area;

Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the the Ebenezer / Willowbank / Jeebropilly Buffer Area;

Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and

Item 15.8 / Attachment 2.

the Ebenezer / Willowbank / Jeebropilly Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;

Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including operating a facility for recycling, reprocessing, storing, treating or disposing of regulated waste;

Material Change of Use - Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year.

Environmentally Relevant Activity 54 - Mechanical Waste Reprocessing: operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 1 regulated waste more than 10,000t;

Environmentally Relevant Activity 60- Waste Disposal: 2: operating a facility for disposing of any combination of regulated waste, general waste and limited regulated waste (and 200,000t/yr;

Environmentally Relevant Activity 62- Resource Recovery and Transfer Facility Operation: operating a facility for receiving and sorting, dismantling, baling or temporarily storing category 1 regulated waste

Property Location: 266-304 Coopers Road, WILLOWBANK

Please note that to view these documents, you will need Adobe Acrobat in version nine (9) or greater.

Should you wish to discuss any aspect of this application, or have any further questions, please contact Sandeep Nanjappa on 3810 7267.

Please note the attached documents are also available on [PD Online](#).



ICC Development Planning

Development Planning Branch
Planning and Regulatory Services Department

IPSWICH CITY COUNCIL T| 07 3810 6888



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Australian Government
Department of Defence
Estate and Infrastructure Group

Charles Mangion
Director Land Planning and Regulation
Estate Planning Branch
Brindabella Business Park (BP26-1-A053)
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Department of Defence
CANBERRA BC ACT 2610
☎: (02) 6266 8291
✉: Charles.mangion@defence.gov.au

ID-EP-DLP&R/OUT/2020/BS8170554

Mr Michael Simmons
Development Assessment West Manager
Ipswich City Council
45 Roderick St
PO Box 191
Ipswich QLD 4305

Dear Mr Simmons

**RE: APPLICATION No: 10674/2019/CA - REQUEST FOR THIRD PARTY ADVICE –
MATERIAL CHANGE OF USE – WASTE ACTIVITY, EBENEZER, QLD 4340 AND
WILLOWBANK, QLD 4306**

The Department of Defence (Defence) thanks Ipswich City Council for the opportunity to comment on the proposed Combined Approval for Waste Activities, including Landfill, Waste Recycling, Reprocessing and Disposal at 82A-H Lanes Road, Ebenezer; Lots 1, 312, 266-304, 350 Coopers Road, Willowbank; Lots 166-198, 202-282 Bergmans Road, Ebenezer; and Lot 257 Unnamed Road, Ebenezer, Queensland. The subject site is located approximately 5.9 km south west of RAAF Base Amberley.

Defence is seeking to ensure that the long term viability of RAAF Base Amberley is not compromised by inappropriate development of surrounding land, as this has the potential to impact on Australia's Defence operations. On this basis Defence would like to make the following comments.

Bird Strike

The subject site is located in an area mapped by Defence as "Bird strike Group B". In this area, the proposed use for waste activities has the potential to be high to very high risk for a wildlife hazard and potentially increase the risk for bird strike for aircraft operation from RAAF Base Amberley.

Defence expects that the applicant will undertake all necessary measures to ensure that wildlife (birds) are controlled on the subject site. The Department of Infrastructure, Transport, Cities and Regional Development *National Airports Safeguarding Framework, Guideline C: Managing the Risk of Wildlife Strikes in the Vicinity of Airports*, provides recommendations that should be taken to mitigate risk in consultation with the airport operator and qualified bird and wildlife management experts. Risk mitigation measures identified in the guidance include:-

- a requirement for a Wildlife Management Program;
- the establishment of wildlife management performance standards;

- allowance for changes to design and/or operating procedures at places/plants where land use has been identified as increasing the risk of wildlife strike to aircraft;
- establishment of appropriate habitat management at incompatible land uses;
- creation of performance bonds to ensure clean-up and compensation should obligations not be met;
- authority for airport operators to inspect and monitor properties close to airports where wildlife hazards have been identified; and
- consistent and effective reporting of wildlife events in line with Australian Transport Safety Bureau (ATSB) guidelines.

Defence requests that an appropriate condition for the management of any wildlife hazard be included in any approval.

Defence (Aviation Area) Regulations

In accordance with the Defence Aviation Area (DAA) mapping for RAAF Base Amberley, the subject site is in an area where “*structures higher than 45 metres above ground level (AGL) require approval*” from Defence. Should cranes, vegetation and any future structures, including any plume that may be associated with the facility exceed 45 metres AGL, details must be provided to Defence for assessment and approval under the Defence (Aviation Areas) Regulation. It should be noted that under the DAA, any exhaust plume with an upward vertical velocity of 4.3m/s and exceeding an above ground level height of 45m will require a DAA application.

Should you wish to discuss the content of this advice further, my point of contact is Mr Benjamin McLean at land.planning@defence.gov.au.

Yours sincerely

Charles.Mangion

Digitally signed by
Charles.Mangion
Date: 2020.01.22 17:28:19 +11'00'

Charles Mangion
Director Land Planning & Regulation

22 January 2020

The Honourable Cameron Dick

2 March 2018

RE: Waste and Landfill Challenges for Ipswich City Council

Dear Minister,

As per my lengthy discussion with Barnaby Kerdell, your chief-of-staff yesterday, I write for your support and assistance in regards to several major waste application issues currently facing Ipswich City Council (ICC).

It's no secret that, following a story on four Corners in August 2017, Ipswich has quickly become known as the dump capital of Australia. It's not a title we are proud to claim, I can assure you, but I am also aware that it's not a situation Council can easily address without significant assistance from the State Government.

Ipswich City Council and our officers are no strangers to dealing with these complicated matters, and has done so successfully for many years. However, the scale, intensity and scope of issues associated with these activities in particular mean that it is time for us to stand shoulder to shoulder with our State Government Colleagues on these matters. Importantly, Council has an excellent track record in working with the State Government, most notably we were the first Local Government to be given Delegation from Economic Development Queensland for development assessment functions in the Ripley Valley Priority Development Area. We have done this fruitfully, and value our positive relationship with EDQ officers and the executive, and the collective success we have had in the Ripley PDA to date.

ICC's planning team is currently dealing with several major waste application issues at the moment. These applications are considerable waste proposals that have the potential to significantly and detrimentally impact both our local community and state interests.

The focus of these activities to date have been the Swanbank and New Chum areas. Much of this area has been left in a highly disturbed state since the cessation of underground and open cut mining in the area. There are many residual voids which remain from mining activity that have been subject to a wide range of proposals over the last 30 years from waste operators. Many now contain landfills, waste transfer uses and composting activities.

I understand that a significant proportion of waste traffic into Ipswich is from interstate. It is very concerning that the growth in this industry in Ipswich is likely to be a result of the lack of a waste levy in Queensland, which we obviously would support. I also acknowledge that this is a growing priority for the government and I will wait the outcome with anticipation – this issue needs to be resolved with haste and I offer my support to the government in this initiative.

However, until there is a resolution to deal with the interstate transportation of waste, we have two immediate priorities that need to be addressed as a matter of urgency, as follows.

1). Bio Recycle Proposal, Memorial Drive, Swanbank

Council recently refused an application to extend an existing approved landfill to increase its intensity, capacity and volume. The effect of the changes would bring the height of landfill beyond the existing landform. During landfilling and construction, this landfill will be visible from nearby residential communities, including parts of the Ripley Valley Priority Development Area. The

proposed height of the landform is in the order of 30 metres above the existing approved level of landfilling.

Council is also concerned about the emerging focus of the waste industry to not only fill / rehabilitate mining voids, but create mountains of waste which extend beyond the already disturbed terrain throughout this area. The community is also understandably concerned.

This matter is subject to an appeal in the planning and environment court. The appeal reference is 473 of 2018 and was lodged on 9 February 2018. I attach a map indicating the location of this proposal.

2). BMI Ipswich Resource Recovery Facility, Swanbank

Council has recently received an application for a new landfill to be established in a former mining void. The void is one of the largest and deepest in Ipswich. The proposal involves the dewatering of this void, its preparation for landfilling and the landfilling of the void to heights beyond the surrounding landform. This is a recent submission received by Council and a confirmation notice has just been issued. Formal assessment of the application is commencing. The proposed landform is between 20 and 60 metres above existing levels.

The following core issues are identified and are common to both proposals:

- Matters of state significance including:
 - Statewide and interstate waste transport issues
 - State controlled road network impacts
 - Major environmental issues including long-term community health concerns and uncertain landfill gas implications
 - Water resource issues
 - Uncertain complex geotechnical and stability issues with potentially far-reaching implications (interacting with past underground mining tunnels, faults and other geotechnical features etc.)
 - Uncertain groundwater implications, including potential interaction with water-filled historic underground mining tunnels
 - Cumulative impact of waste industry growth in the region
 - General implications on a Priority Development Area (amenity, perception)
 - It is doubtful that there is a need for the scale, intensity and volume of these types of proposals if there is a focus on servicing local or regional need
- Uncertain impacts on surface water flow in the area
- Impacts on major waterways (including Six Mile Creek) with specific reference to dewatering for project two (2) (contamination, pollution, flooding etc.)
- Long-term maintenance post development
- Visual impacts during and after construction
- Potential for major amenity impacts including, but not limited to, dust, noise, air quality, odour for nearby residents including the Ripley PDA and existing community
- Regional significance given that this proposal will not be just for waste from the Ipswich Local Government Area

Importantly, many of these impacts have the potential to have a detrimental effect on land owned by many other parties, including Local Government and State Government (land and assets). The cumulative implications of the above issues may have far-reaching consequences for the community,

the State Government and the Council and any attempts to address many of these issues are beyond the scope of a regular development assessment process and Local Government.

As an example, addressing the issues associated with groundwater and the potential interaction with other mining voids, or areas already constrained by past underground mining, has an unclear spatial boundary with potential impacts on existing communities. The scale of such impacts may be consistent with or exacerbate the mining issues experienced in locations like Collingwood Park recently.

The assessment of these applications and the potential for lengthy and expensive planning appeals are very likely to be a significant burden on Ipswich City Council and our ratepayers. It is likely that a single appeal in these matters could cost well in excess of \$500,000 to \$750,000, with an uncertain outcome.

In addition to this, there is a potential for additional landfill operations to be lodged in the future (I am advised of four possible additional proposals) in Ipswich including the potential for these activities to extend to Willowbank and or Ebenezer.

Minister, we are also looking at revising our planning scheme, and we have a number of other initiatives we would like to present to the state for consideration over the coming weeks that would help us to address this growing dump concern for Ipswich. Our residents are understandably unhappy about the number of dumps in our city, and over and about the quantity issue we have an odour problem that the state just can't seem to get on top of.

Addressing the waste and landfill issue is my absolute priority, but I need your assistance. To this end, I respectfully request that the State Government institute a 'call in' pursuant to the relevant provisions of the *Planning Act 2016* and the *Planning Regulation 2017* for proposal number one (1), as described above. We believe this application is of enormous state (and local) significance. We would very much appreciate your assistance and would offer any assistance, support and resources we are able to in supporting your department in the processing and determination of such a request.

As noted above, we will provide a watching brief on the proposal number 2 (BMI) throughout the development assessment process.

I would very much like the opportunity to discuss the above with you via the phone at your earliest convenience.

I thank you in advance for your support and I look forward to hearing from you.

Kind regards,

MAYOR ANDREW ANTONIOLLI



The Hon. Cameron Dick MP
Minister for State Development, Manufacturing,
Infrastructure and Planning

Our ref: MBN18/759

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PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3719 7200
Email statedevelopment@ministerial.qld.gov.au
www.dsdmip.qld.gov.au

Councillor Andrew Antoniolli
Mayor
Ipswich City Council
PO Box 191
IPSWICH QLD 4305

Email: mayor@ipswich.qld.gov.au

Dear Councillor ~~Antoniolli~~

Andrew,

Thank you for your letter of 2 March 2018 requesting I exercise my ministerial powers to call in the development application seeking to expand a landfill at 30 Memorial Drive, Swanbank. I note the core issues and impacts you identified in respect to this (and other applications) within the Swanbank / New Chum industrial area. As you know my role as Planning Minister is to ensure that state interests defined in the State Planning Policy are not adversely affected by planning schemes or development applications.

Upon review of the Swanbank development application, I have formed the view that the development does not involve a state interest in a manner that warrants a call in and that the Planning and Environment Court is the appropriate forum for this matter to be resolved. Consequently, I will not be issuing a proposed call in notice in this instance.

Notwithstanding this decision, I have also issued a notice to the Chief Executive Officer of the Ipswich City Council advising that I intend to make a temporary local planning instrument (TLPI) to suspend or otherwise affect the operation of the *Ipswich Planning Scheme 2006*. The reasons for my intention to make a TLPI have been included in the notice provided to the Chief Executive Officer.

Should I decide to proceed to make the TLPI, the TLPI will regulate applications for new or expanded waste activities within the Swanbank / New Chum area to ensure this regionally significant economic area is appropriately regulated to protect existing, approved or planned sensitive land uses from adverse impacts associated with waste activities.

The TLPI will afford your council two years to prepare amendments and to consult with the community to ensure their views are incorporated and the planning scheme can appropriately manage waste facilities moving forward.

I have requested the Chief Executive Officer to provide me with any comments in respect to my proposed action by 5.00pm on Thursday 5 April 2018.

If you require further information, please contact Mr Graeme Bolton, Acting Deputy Director-General Planning Group, Department of State Development, Manufacturing, Infrastructure and Planning, on (07) 3452 7909 or graeme.bolton@dsdmip.qld.gov.au, who will be pleased to assist.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Cameron Dick', with a long horizontal stroke extending to the right.

CAMERON DICK MP
Minister for State Development, Manufacturing,
Infrastructure and Planning

Your reference
Our reference
Contact Officer Wayne Wendt
Telephone (07) 3281 8700



Ipswich City Council

45 Roderick St
PO Box 191
Ipswich QLD 4305
Australia

Tel (07) 3810 6666
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Email council@ipswich.qld.gov.au
Web www.ipswich.qld.gov.au

The Hon. Cameron Dick MP
Minister for State Development,
Manufacturing, Infrastructure and Planning
PO BOX 15009 CITY EAST
QLD 4002

13 June 2018

Dear Minister

Re: Landfill Challenges for the Ipswich Local Government Area

I refer to previous correspondence from Mayor Andrew Antoniolli in relation to this matter.

The situation being faced by Ipswich City Council and the Ipswich Community in relation to waste landfills has significantly escalated since Mayor Antoniolli last wrote to you.

We now have four (4) major landfill development matters submitted by four (4) different Commercial entities:-

1) Bio Recycle Proposal, Memorial Drive, Swanbank – Former Development Application, Current Planning and Environment Court Appeal

This proposal involves extending the intensity, capacity and volume of an existing landfill operation, including raising its height in the order of 30m above the existing approved level of the land fill.

Council has refused this proposal and it is now the subject of an appeal to the Planning and Environment Court. Council's external legal costs alone in defending this appeal are currently estimated at \$760,000+.

2) BMI Proposal, Austin Street, New Chum – New Development Application

Council has received an application to establish a new waste landfill within a former mining void. The void is one of the deepest and largest in Ipswich. The proposal involves the dewatering of the void and the creation of a "waste mountain" comprising a new land form between 20 to 60 metres above the existing surface of the void and an associated landfilling operation that may extend to 20+ years. This proposal is commonly referred to by the local community as the "Super Dump".

3) Landtrak Proposal, Ipswich Rosewood Road, Jeebroopilly – New Development Application

Council has received an application to establish a new waste landfill within a former mining void. The void is in the order of 100 metres deep and the proposal involves the filling of the void with waste over a 40-65 year period. The site has potential for adverse impacts on the Willowbank Township, nearby rural residents and the Ipswich Motorsports and Major Events precinct.

4) Cleanaway Proposal, Chum Street, New Chum – New Development Application

Council has received an application to expand the footprint and height (by up to 30 metres) of an existing waste landfill at New Chum. This site has been highly contentious with the local community over many years, including visibility, height, fires, dust and alleged regular non-compliance. The latest proposal is likely to extend the life of the existing landfill operations by up to 20 years.

Costs

Each of these proposals are likely to end up in the Planning and Environment Court, particularly if they are refused by Council. They may also be subject to applicant appeals regarding conditions or third party appeals by submitters.

Council's external legal costs in relation to the four (4) matters are likely to be very significant. It is estimated that these costs could be in the order of \$3 million to \$4 million, with such an amount representing an equivalent 3% increase in Council's annual rates levy. These costs do not include Council's internal costs, nor the costs of the applicants, third party appellants or any other State Agencies involved in the appeals.

The cumulative costs of these four matters is likely to be exorbitant and could mostly be avoided if you were to invoke your powers under the Planning Act and call the matters in for your determination.

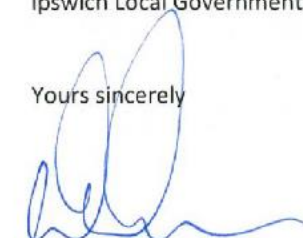
Balanced Overview of Cumulative Impacts

Calling in the applications would also enable you to provide a balanced overview of the matters raised by Council, the Community and the applicants in relation to these proposals. It would also enable you to determine their impacts in terms of your Temporary Local Planning Instrument and most importantly to determine their cumulative impacts.

The cumulative impacts of these proposals (particularly the three (3) within the Swanbank/New Chum area) cannot be determined via four (4) separate appeals to the Planning and Environment Court. There are particularly complex issues at play with respect to these uses, including actual waste demand (particularly in the medium to long term), impacts on the environment, amenity, public health and community well-being, as well as geological and ground water impacts. Many of these impacts have the potential to extend well beyond the immediate areas in which the proposals are located.

In summary, the Ipswich City Council and the Ipswich Community need your assistance in determining these cumulative impacts and in helping to redress the legacy of the former mining voids left within the Ipswich Local Government Area.

Yours sincerely



Wayne Wendt
Acting Mayor
City of Ipswich

Item 15.8 / Attachment 6.



Our ref: MC18/3535

22 August 2018

Mr Sean Madigan
Chief Executive Officer
Ipswich City Council
PO Box 191
IPSWICH QLD 4305

Email: sean.madigan@ipswich.qld.gov.au

Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Dear Mr Madigan

I refer to the letter of 13 June 2018 from Ipswich City Council (the council) to the Honourable Cameron Dick MP, Minister for State Development, Manufacturing, Infrastructure and Planning, requesting the Minister call in four development applications for landfill facilities at Swanbank, New Chum and Jeebropilly. The Minister has asked that I respond on his behalf.

For the reasons outlined below, the Minister will not be issuing proposed call in notices for these applications.

I refer to the Minister's letter of 3 April 2018 to the then Mayor, Mr Andrew Antoniolli, in response to the council's request that the Minister exercise ministerial call in powers for a proposed development at 30 Memorial Drive, Swanbank. In this letter the Minister advised that he would not give a proposed call in notice for the proposed development. The Minister also noted the core issues and impacts the council is experiencing in the Swanbank and New Chum industrial areas with regard to waste facility applications. The Minister also committed to assist the council by making a Temporary Local Planning Instrument (TLPI) on 6 April 2018. I understand amendments to this TLPI are currently being considered by the Minister to clarify the operation of the TLPI and further assist council when assessing waste facility developments.

I believe the State has assisted the council in taking urgent action to address matters of state interest, while acknowledging the impacts the council and community were facing. The Minister has also committed to support council in drafting a planning scheme amendment to provide a longer-term solution to these issues. As matters of state interest have now been addressed, it is up to the council to respond to the local planning matters; either through an amendment to the planning scheme or through assessing and deciding development applications using the TLPI and any future amended TLPI.

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ABN 29 230 178 530

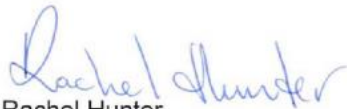
I am also aware that council submitted a second TLPI for the areas of Ebenezer, Willowbank and Jeebropilly to the Department of State Development, Manufacturing, Infrastructure and Planning, to manage waste facility proposals in these areas. I understand that on 8 August 2018, the Minister decided to approve TLPI No.2 of 2018 – Waste Regulation, subject to minor amendments.

Under section 91 of the *Planning Act 2016*, the Minister has the power to call in an application only if the matter involves, or is likely to involve, a state interest. With regard to the Austin BMI application at New Chum and the Landtrak application at Jeebropilly, the Minister is of the view that no state interests are affected by the proposed developments which warrant his involvement. As such, the Minister has decided not to give a proposed call in notice for these proposed developments. In respect to the Cleanaway application at New Chum, I understand this application is under assessment by the council and has been referred to the State Assessment and Referral Agency. As this application is still under consideration, the Minister has decided not to give a proposed call in notice at this time.

Further to the Minister's decision of 3 April 2018, as discussed above, the statutory timeframe for giving a proposed call in notice for the proposed development at 30 Memorial Drive, Swanbank has now passed.

If you require further information, please contact Mr Patrick Atkinson, Director, Development Assessment Services, Department of State Development, Manufacturing, Infrastructure and Planning, on (07) 3452 7449 or patrick.atkinson@dsdmip.qld.gov.au, who will be pleased to assist.

Yours sincerely



Rachel Hunter
Director-General

Your reference
Our reference
Contact Officer Mr Greg Chemello
Telephone 3810 6011



Ipswich City Council

45 Roderick St
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The Hon. Cameron Dick MP
Minister for State Development, Manufacturing,
Infrastructure and Planning
PO BOX 15009
CITY EAST QLD 4002

Email: statedevelopment@ministerial.qld.gov.au

12 August 2019

Dear Minister

Re: Request for the Minister to exercise ministerial powers to call in development applications on the basis that these matters involve, or are likely to involve, State Interests

Before I was appointed to this role in August 2018, Ipswich City Council wrote to the Minister on 2nd March 2018 and 13th June 2018 in relation to waste and landfill challenges within the Ipswich local government area, and received official responses on 3rd April 2018 and 2nd August 2018.

Since that time, unfortunately there has been no improvement to the situation being faced by the Council and the Ipswich community in relation to the waste and landfill businesses operating and proposing to operate within Ipswich. More specifically, the Council has continued to receive development applications for landfills that are contrary to current planning instruments, including the two Temporary Local Planning Instruments. In addition, the Council has expended in excess of \$1.5 million defending a decision to refuse a landfill expansion development application in the Planning and Environment Court, notwithstanding the fact that it was contrary to the Council's Planning Scheme and the Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation). We have not yet received a judgment on this matter, although the trial is complete. It is expected that the applicant has expended at least the same amount of money, and the State has also invested in this process.

Notwithstanding that the Minister assisted the Council by preparing and approving Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) and also expeditiously approved Temporary Local Planning Instrument No. 2 of 2018 (Waste Activity Regulation), it has become evident that the TLPs are being essentially ignored by the waste industry as the Council continues to receive development applications that are contrary to these planning instruments. Furthermore, the waste industry has made it clear that they are prepared to take legal action in the Planning and Environment Court when decisions are made to refuse development applications that do not comply with the relevant instruments (including TLPs), which has and will continue to place a significant financial burden on the City of Ipswich.

It is also acknowledged that the Queensland Government has made a range of legislative and policy reforms with respect to the management of the waste industry which is aimed at significantly changing the way in which we deal with waste in Queensland. The Government has released the *Transforming Queensland's Recycling and Waste Industry - Directions Paper* as well as the *Waste Management and Resource Recovery Strategy*. Both these documents recognise that there has been little substantive progress in the preceding ten years on waste recovery rates, the current resource recovery targets are not being met, a new way forward is needed to promote and support genuine resource recovery, recycling and residual waste management and there is a real need to reduce the reliance on landfills.

Having obtained independent expert advice, it is my understanding that the Ipswich local government area now receives the majority of the waste from South East Queensland, if not the State of Queensland. Ipswich City Council is the only SEQ council subject to this level of pressure from the waste industry.

Under section 103 of *The Planning Act*, the Minister may call in a development application and decide, or reassess and re-decide an application if the matter involves, or is likely to involve, a State interest.

A State interest is an interest that the Minister considers affects:

- an economic or environmental interest of the State or part of the State, or
- the interest of ensuring the Planning Act's purpose is achieved, including the establishment of an efficient, effective, transparent, integrated, coordinated and accountable system of development assessment.

I have attached an extensive list of the matters of State, environmental and planning interest that Council officers believe are relevant to the determination of State Interest (**Attachment A**). The core matters of significance are:

- The total approved capacity for all types of landfills within SEQ was estimated in 2017/2018 at approximately 86,000,000m³, representing some 16 years of total available landfill capacity (if the current low level of resource recovery targets are maintained)
- If improvement in waste avoidance and resource recovery targets (as sought by the State) are achieved, there would be up to 19 years of total available landfill capacity
- Even if the current resource recovery targets are maintained there is sufficient landfill capacity in Ipswich and the SEQ region, and there is no requirement for a new or extended landfill development in the next 10 years
- If all the landfill development applications that are currently under assessment by Ipswich City Council were to be approved, this would increase the total capacity by an additional 110,000,000m³
- Ipswich receives about 73% of all waste disposed of in SEQ. This percentage figure is likely to increase as landfills outside Ipswich reach capacity and the waste industry continues to expand in Ipswich

- The landfills proposed to be located within Ipswich are therefore of State-wide significance given that the proposals service far more than the Ipswich local government area
- If all the landfill development applications that are currently under assessment by the Council were to be approved (despite their non-compliance with relevant instruments), this would be very likely to delay the likelihood of companies investing in and developing a high value resource recovery industry in Queensland or for the institution of alternative technologies
- Economies of scale suggests that with increased capacity, landfilling of waste may become cheaper (supply and demand), which would continue to make the transport of waste in Queensland (including cross border) the most appealing option, therefore stifling innovation
- The proposed landfills have attracted significant community interest as evidenced by the lodgement of approximately 800 submissions for recent landfill development applications that have gone through public notification as well as the ongoing reporting of this issue in the media (including national media such as Four Corners and the ABC's *War on Waste*).
- This is a significant matter that requires a detailed consideration and assessment, based on sufficient information and on giving appropriate weight to economic, environment and social issues as well as community concerns to ensure an efficient, effective and accountable development decision is made
- In Council's view, the economic, environment and social significance and the strong community interest warrants the Planning Minister's involvement in determining this complex matter in the interest of ensuring an efficient, effective, transparent, integrated, coordinated and accountable development assessment system

In order to ensure that the Minister is appropriately informed when considering this request, I have attached a comprehensive overview of the landfill development applications that are currently being assessed by the Council, in addition to the landfill applications that have recently been decided by the Council, and subsequent actions that were taken (**Attachment B**).

The continued assessment of these development applications and the high potential for lengthy and expensive planning appeals are very likely to result in a significant financial burden on the Council and the ratepayers of Ipswich. As previously advised, Council has already expended in excess of \$1.5 million defending a single landfill decision in the Planning and Environment Court. At this point in time, whilst I have yet to be provided with council officers' assessment reports, I understand that all current landfill development applications that are under assessment are contrary to Council's Planning Scheme and the TLPIs. As a result, there is a potential that the Council will have no option but to refuse these development applications and defend each decision in the Planning and Environment Court. Should this come to pass, it is likely that the collective costs of these appeals would be in the order of \$8 million for this Council (and an aggregated similar amount for the applicants), with an uncertain outcome. This financial burden on all parties would almost certainly be avoided should you choose to exercise your ministerial powers by issuing a proposed 'call in' notice pursuant to section 103 of the *Planning Act 2016*.

Ipswich City Council

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To this end, I respectfully request that you exercise your ministerial powers by issuing a proposed 'call in' notice pursuant to section 103 of the *Planning Act 2016* for the current landfill development applications that are under assessment by the Council on the basis that they each involve, or are likely to involve a State interest.

In closing, the Council and the Ipswich community would very much appreciate your assistance in this matter. I would be more than willing to offer any assistance, support and resources required to support your Department in the processing and determination of this request. Furthermore, David Farmer (Council CEO) and I would welcome the opportunity to meet with you in person to discuss this matter in further detail.

I thank you in advance for your support and I look forward to hearing from you.

Yours sincerely



Greg Chemello
INTERIM ADMINISTRATOR

Encls.

CC: Hon Leeanne Enoch MP
Minister for Environment and the Great Barrier Reef,
Minister for Science and Minister for the Arts
environment@ministerial.qld.gov.au

ATTACHMENT A

State interests

Having reviewed the proposed landfill that are currently under assessment by the Council, I am of the opinion that the proposed developments involve State interests, namely economic and environmental interests to the State or part of the State, as follows:

Economic

- The waste industry is a significant economic interest of the State, as is reflected in the Regional Plan (**Attachment C**), State Planning Policy (SPP) (**Attachment D**), State Infrastructure Plan (**Attachment E**), the Transforming Queensland's Recycling and Waste Industry - Directions Paper (**Attachment F**), the Queensland Government response to the Honourable Peter Lyons, QC Investigation into the Transport of waste into Queensland (**Attachment G**), the Waste Management and Resource Recovery Strategy (**Attachment H**), the Resource recovery industry development program (**Attachment I**) and the Energy from Waste Policy – Discussion Paper (**Attachment J**), all of which are documents that have been prepared and released by the State Government.
- The State Government has set a vision and a clear set of goals within the documents that have been identified in point one. It is therefore expected that the State Government would seek to ensure that the vision and goals are achieved. .
- The Waste Management and Resource Recovery Strategy, recognises that there has been little substantive progress in the preceding ten years on waste recovery rates, the current resource recovery targets are not being met, a new way forward is needed to promote and support genuine resource recovery, recycling and residual waste management and there is a real need to reduce the reliance on landfills.
- The State Infrastructure Plan identifies that the State Government is committed to reducing the amount of waste Queensland generates. It also recognises the importance of diverting refuse away from landfill and recycling resources for valuable new uses.
- The State Infrastructure Plan identifies that the State Government will strive to promote innovation and informed decision-making through the planning, design and selection of the right infrastructure solutions.
- The Waste Management and Resource Recovery Strategy identifies that there is significant potential for economic growth in the waste management and resource recovery sector in Queensland. It identifies that for every 10,000 tonnes of waste that goes to landfill, it is estimated that fewer than three jobs are supported, but

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where that waste is reused or recycled, it is estimated that there are more than nine jobs created.

- The Waste Management and Resource Recovery Strategy identifies that the State Government intends to take the lead in growing the Queensland recycling and resource recovery sector.
- The State Government has recently announced the Resource Recovery Industry Development Program (RRIDP) providing \$100 million in funding and other support over three years to develop a high value resource recovery industry in Queensland.
- New programs and waste bans such as the single use plastic bag ban in July 2018, and the introduction of the container refund scheme in November 2018, further demonstrates the State Government's commitment to sustainable waste management and higher order outcomes for waste than landfill.
- Nationally, the Federal Government announced a review of the National Waste Policy and in December 2018, the Meeting of the Environment Ministers (MEM) agreed by their next meeting to work towards developing a national action plan for the National Waste Policy with appropriate funding, robust targets and milestones.
- The Council has obtained independent expert advice which identified that the total approved capacity for all types of landfills within SEQ was estimated at the end of the 2017/2018 financial year at approximately 86,000,000m³ or 16 years of total available landfill capacity (if the current resource recovery targets are maintained).
- The Council has obtained independent expert advice which suggests that if improvement in waste avoidance and resource recovery targets (as sought by the State and Federal Government) are achieved, this would result in there being up to 19 years of total available landfill capacity within SEQ.
- The Council has obtained independent expert advice which suggests that even if the current resource recovery targets are maintained there is sufficient landfill capacity in both the Ipswich LGA and SEQ regions and there is no requirement for a new or extended landfill development in the next 10 years.
- If all the landfill development applications that are currently under assessment by the Council were to be approved, this would increase the total capacity by an additional 110,000,000m³
- The Council has obtained independent expert advice which identified that approximately 6,338,426m³ of waste went to landfill in SEQ in the 2017/2018 financial year.

- The Council has obtained independent expert advice which identified that approximately 4,628,400m³ of waste went to landfills within the Ipswich LGA in the 2017/2018 financial year.
- The Ipswich LGA therefore received 73% of all waste that was disposed in SEQ in the 2017/2018 financial year. This percentage figure is likely to increase as landfills outside of the Ipswich LGA reach capacity and the waste industry continues to expand in Ipswich.
- The landfills proposed to be located within the Ipswich LGA are therefore of State wide significance given that the proposals service far more than the Ipswich LGA.
- If all the landfill development applications that are currently under assessment by the Council were to be approved, this would delay the likelihood of companies investing in and developing a high value resource recovery industry in Queensland. Economy of scale suggests that landfilling in the Ipswich LGA may become cheaper, which would continue to make the transport of waste in Queensland (including cross border) the most appealing option therefore stifling innovation.
- In the State Government response to the Honourable Peter Lyons, Independent investigation into interstate waste transportation, it was advised that the State Government will continue to work closely with other Australian jurisdictions on mutual issues relating to disposal, recycling and reuse of waste resources including measures that will reduce or limit the unnecessary transport of waste within Australia and improve harmonisation between policy and regulatory framework.
- The Waste Management and Resource Recovery Strategy identifies that the State Government will work with local governments to identify the type of waste facilities that need to be delivered to achieve the Strategy's outcomes. This includes how land-use planning and other mechanisms can assist in supporting the delivery of these facilities, including through 'waste precincts'.
- The current assessment framework does not provide an opportunity for a holistic assessment, which considers the cumulative economic impacts of all proposed landfills nor does it allow for the Council to determine the effects that these proposed landfills will have on the ability for the State Government to achieve the vision, objectives and goals set by the State Infrastructure Plan and the Waste Management and Resource Recovery Strategy.
- The proposed landfills have the potential to undermine the Waste Management and Resource Recovery Strategy which seeks to reduce the amount of waste that goes to landfill and reduce the long distance transport of waste.

- If all the landfill development applications that are currently under assessment by the Council were to be approved, it is likely the State Government would have to commit a significant amount of funding (possibly billions) in order to achieve the vision, objectives and goals set by the State Infrastructure Plan and the Waste Management and Resource Recovery Strategy.

Environment

- The waste industry is a significant environmental interest of the State, as is reflected in the Regional Plan, State Planning Policy (SPP), State Infrastructure Plan, the Waste Management and Resource Recovery Strategy and the Queensland Climate Transition Strategy (**Attachment K**) all of which are documents that have been prepared and released by the State Government.
- The purpose of the SPP and the state interest policies is to secure a liveable, sustainable and prosperous Queensland. The SPP requires that state interests are integrated in regional plans and decisions in order to promote strong communities and protect our environment.
- The SPP identifies that Planning has a critical role to play in supporting the protection of our environment and heritage for current and future generations, while enhancing the sustainability and liveability of our state.
- The SPP identifies that in order to secure a liveable, sustainable and prosperous Queensland, planning should support the delivery of forward-thinking and innovative development that meets our needs.
- The State Infrastructure Plan identifies that we must look after our environment, minimise the impact of infrastructure and work with our ecological systems.
- The Waste Management and Resource Recovery Strategy identifies that the disposal of waste into landfill creates environmental problems for Queensland.
- The Waste Management and Resource Recovery Strategy identifies that landfills emit additional greenhouse gas emissions (particularly from organic waste) and the need for long-term management of contaminated land can cause a cost burden.
- The Waste Management and Resource Recovery Strategy identifies that odour and noise emissions from waste facilities can lead to potential land-use conflicts.
- The Waste Management and Resource Recovery Strategy identifies that by reducing the amount of waste that goes to landfill, and subsequent greenhouse gas emissions, the Strategy will directly contribute to the goals of the Queensland Climate

Transition Strategy including to achieve zero net emissions by 2050 and reduce emissions by at least 30 per cent below 2005 levels by 2030 (interim target).

- The Waste Management and Resource Recovery Strategy identifies that over time the need for fewer landfill facilities will reduce local air, land and water pollution, and together with the reduction of interstate waste transportation and less organic waste in landfill will contribute to a reduction in greenhouse gas emissions.
- The Waste Management and Resource Recovery Strategy identifies that the State Government will take a leading role in guiding and facilitating the transition to a zero-waste society to deliver improved environmental protection and better economic prosperity.
- The Queensland Climate Transition Strategy commits to making the transition to a low carbon, clean growth economy in a way that secures new jobs and opportunities for Queenslanders, supports and strengthens our communities and protects our precious natural environment.
- The landfill development applications that are currently under assessment by the Council have the potential to result in major environmental issues including long-term community health concerns and uncertain landfill gas implications.
- The landfill development applications that are currently under assessment by the Council have the potential to pollute waterways as a result of leachates interacting with water filled historic underground mining tunnels, groundwater and ultimately major waterways. This issue is exacerbated by the fact that most landfills within the Ipswich LGA are former mining voids that require dewatering prior to landfilling.
- The landfill development applications that are currently under assessment by the Council have the potential to result in major amenity impacts including but not limited to dust, noise, air quality, odour for nearby residents including the emerging Ripley Priority Development Area and existing surrounding communities.
- The current assessment framework does not provide an opportunity for a holistic assessment, which considers the cumulative environmental impacts of all proposed landfills nor does it allow for the Council to determine the effects that these proposed landfills will have on the ability for the State Government to achieve the vision, objectives and goals set by the State Infrastructure Plan, the Waste Management and Resource Recovery Strategy and the Queensland Climate Transition Strategy.
- The landfill development applications that are currently under assessment by the Council have the potential to undermine the Waste Management and Resource Recovery Strategy which seeks to reduce the amount of waste that goes to landfill thereby reducing greenhouse gas emissions.

Planning Act's purpose

- The proposed landfills have attracted significant community interest as evidenced by the lodgement of approximately 800 submissions for recent landfill development applications that have gone through public notification as well as the ongoing reporting of this issue in the media (including national media such as Four Corners and the ABC's War on Waste).
- This is a significant matter that requires a detailed consideration and assessment, based on sufficient information and on giving appropriate weight to economic, environment and social issues as well as community concerns to ensure an efficient, effective and accountable development decision is made.
- The economic, environment and social significance and the strong community interest warrants the State Government's involvement in determining this complex matter in the interest of ensuring an efficient, effective, transparent, integrated, coordinated and accountable development assessment system.



The Hon. Cameron Dick MP
Minister for State Development, Manufacturing,
Infrastructure and Planning

Our ref: MC19/4327

16 AUG 2019

Mr Greg Chemello
Interim Administrator
Ipswich City Council
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IPSWICH QLD 4305

Email: council@ipswich.qld.gov.au

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Dear Mr Chemello *Greg,*

Thank you for your letter of 12 August 2019 requesting I exercise my ministerial powers to call in several development applications for landfills in the Swanbank/New Chum industrial area and also at Amberley and Jeebropilly.

Your correspondence went to considerable lengths to outline your views that the waste facility applications might constitute 'state interests' as defined in the *Planning Act 2016*. The exercise of ministerial call in powers, as a reserve power, also necessitates me to take the view, above and beyond determining that a state interest is affected, that the circumstances should also warrant the exercise of these powers.

I am also advised that each of the four applications has been referred to the State Assessment and Referral Agency (SARA). SARA has a key role with these types of applications, and I am confident that the normal operations of SARA will ensure that aspects that impact state interests will be adequately assessed and addressed.

Furthermore, I have made two Temporary Local Planning Instruments (TLPs) for waste activities to be used in regulating applications for new or expanded waste activities within the Swanbank/New Chum and Ebenezer, Willowbank and Jeebropilly areas. These TLPs empower council, as the assessment manager, to implement strong regulatory requirements for certain activities in these areas to ensure the appropriate protection of amenity for surrounding areas and also to protect the environment.

Given the above, my Department has advised me that that there are no grounds for a call-in and accordingly I will not exercise ministerial call-in powers at this time.

As you are aware, council is the assessment manager for these matters, and it remains council's obligation to assess and decide the applications against all relevant planning instruments. Should you or council feel the planning instruments are inadequate, you have powers to seek to amend these instruments. It is not the role of ministerial call in powers to do the job of council or otherwise pre-empt dispute resolution processes.

I note your assertion that the industry is ignoring the TLPs and that council continues to receive applications that are contrary to these instruments. I also note your concern that, if council refuses these apparently invalid applications, the resultant legal action will be a significant financial burden on council.

I am advised by my Department that, if your assertions are correct, and if council decisions resulted in legal action, courts would take a dim view of any proponent who flagrantly ignored planning instruments. In that circumstance, council would be within its rights to seek costs in these cases provided, of course, council had exercised its responsibilities in a judicious and considered matter.

Given this, I would strongly encourage you to ensure council fairly and properly assesses the applications before it in accordance with all relevant legislative requirements. Should disputes arise from the outcomes of councils' and/or SARA's decisions, the Planning and Environment Court (the court) is an appropriate forum for the resolving of these grievances. The court also has powers to ensure council is not financially disadvantaged defending decisions to refuse improper applications, particularly if they are as blatant as you suggest they are.

If you have any questions about my advice to you, please contact my office on (07) 3719 7200 or email statedevelopment@ministerial.qld.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Cameron Dick', with a long horizontal stroke extending to the right.

CAMERON DICK MP
Minister for State Development, Manufacturing,
Infrastructure and Planning

COUNCIL
MEETING AGENDA

16 SEPTEMBER
2021

Doc ID No: A7403092

ITEM: 15.6

SUBJECT: DEVELOPMENT APPLICATION RECOMMENDATION - WANLESS LANDFILL AND
WASTE TRANSFER/RESOURCE RECOVERY FACILITY AT EBENEZER

AUTHOR: SENIOR PLANNER (DEVELOPMENT)

DATE: 31 AUGUST 2021

EXECUTIVE SUMMARY

This is a report concerning a development application seeking approval for the following at 82A, 82B, 82C, 82D, 82E, 2F and 82H Lanes Road, Ebenezer, Lot 312, 266-304 and 350 Coopers Road, Ebenezer, 166-198, 202-282 Bergmans Road, Ebenezer, and Lot 257 Unnamed Road, Ebenezer:

- Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots
- Material Change of Use (MCU) - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) and associated Environmentally Relevant Activity (ERA) 60(2)(h)
- Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void
- Material Change of Use - Special Industry (Waste Transfer and Resource Recovery Facility – includes waste recycling, reprocessing, storing, dismantling, baling, treating, screening, washing, crushing, grinding, milling, sizing or separating activities) and associated ERAs 54(2)(c) and 62(1)(b).

The application requires determination by Council in accordance with the Framework for Development Applications and Related Activities Policy as more than 20 properly made submissions objecting to the proposed development were received as well as the nature of the proposed uses being of strategic public interest.

The proposed development has been assessed in relation to the applicable assessment benchmarks. The proposed Reconfiguring a Lot and Material Change of Use for Special Industry (Waste Transfer and Resource Recovery Facility) components of the proposal generally comply with the assessment benchmarks or can be conditioned to comply.

The proposed Waste Activity Uses involving Landfill and Rehabilitation of Mining Voids cannot be supported in accordance with section 5 and section 60 of the *Planning Act 2016*, as the proposal does not advance the purpose of the Act and the development conflicts with the applicable codes of the Planning Scheme and TLPI No. 2/2018 (Waste Activity Regulation) with no sufficient grounds to justify the decision despite the conflict.

RECOMMENDATION/S

- A. That Council approve in part, Development Application No. 10674/2019/CA being the Reconfiguring a Lot (Thirteen (13) Lots into Five (5) Lots), subject to conditions as contained in Attachment 1 of this report.
- B. That Council approve in part, Development Application No. 10674/2019/CA, being the Material Change of Use for Special Industry (Waste Transfer and Resource Recovery Facility), subject to conditions as contained in Attachment 2 of this report.
- C. That Council refuse in part, Development Application No. 10674/2019/CA, being the Material Change of Use for Waste Activity Use involving Landfill, for the reasons as contained in Attachment 3 of this report.
- D. That Council refuse in part, Development Application No. 10674/2019/CA, being the Material Change of Use for Waste Activity Use involving Rehabilitating a Mining Void, for the reasons as contained in Attachment 4 of this report.

RELATED PARTIES

The related parties to this application are:

- ☐ Landowner: Wanless Recycling Park Pty Ltd
- ☐ Applicant: Wanless Recycling Park Pty Ltd C/- Urbis Pty Ltd
- ☐ Planning Consultant: Urbis Pty Ltd
- ☐ Visual Assessment: Urbis Pty Ltd
- ☐ Community Engagement: Urbis Pty Ltd
- ☐ Cultural Heritage Assessment: Urbis Pty Ltd
- ☐ Landscape Consultant: Urbis Pty Ltd
- ☐ Landfill Gas Risk Assessment: Wanless Recycling Park
- ☐ Traffic Consultant: TTM Consulting Pty Ltd
- ☐ Surface Water and Void Dewatering: Hydrobiology
- ☐ Groundwater and Engineering: Taft Engineering
- ☐ Landfill Engineering: Taft Engineering
- ☐ Geotechnical: Douglas Partners Pty Ltd
- ☐ Acoustics: Acoustic RB Pty Ltd
- ☐ Ecology: Saunders Havill Group Pty Ltd
- ☐ Flooding and Stormwater: Peak Urban Pty Ltd
- ☐ Engineering Services: Peak Urban Pty Ltd
- ☐ Air Quality: Katestone Environmental Pty Ltd
- ☐ Architect: Sparc Architects
- ☐ Survey Plans: Landpartners Pty Ltd
- ☐ Waste Industry Needs Assessment: Mike Ritchie & Associates Pty Ltd trading as MRA Consulting Group (MRA)
- ☐ Economic Needs Assessment: Location IQ
- ☐ Public Notification Consultant: Advertising Contractors

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IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

- SITE ADDRESS:** 82A, 82B, 82C, 82D, 82E, 2F and 82H Lanes Road, Ebenezer, Lot 312, 266-304 and 350 Coopers Road, Ebenezer, 166-198, 202-282 Bergmans Road, Ebenezer, and Lot 257 Unnamed Road, Ebenezer
- APPLICATION TYPE:** Reconfiguring a Lot and Material Change of Use
- PROPOSAL:**
- ☐ Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots
 - ☐ Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction & Demolition, Commercial & Industrial & Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area;
 - ☐ Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area;
 - ☐ Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;
 - ☐ Material Change of Use - Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including operating a facility for recycling, reprocessing, storing, treating or disposing of regulated waste;
 - ☐ Material Change of Use - Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area and the Ebenezer / Willowbank / Jeebropilly Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year;
 - ☐ Environmentally Relevant Activity 54 - 2(c): Mechanical Waste Reprocessing: operating a facility for receiving and mechanically reprocessing, in a year,

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	the following quantity of general waste more than 10,000t
	<input type="checkbox"/> Environmentally Relevant Activity 60 - 2(1)(b)(h): Waste Disposal: operating a facility for disposing of any combination of general waste and no more than 10% limited regulated waste: >200,000t/yr
	<input type="checkbox"/> Environmentally Relevant Activity 62 - 1(b): Resource Recovery and Transfer Facility Operation: operating a facility for receiving and sorting, dismantling, baling or temporarily storing general waste
ZONE:	Part Regional Business and Industry Investigation Zone Sub Area RBIA01 – Ebenezer/Willowbank
OVERLAYS:	<input type="checkbox"/> OV2 – Key Resource Area <input type="checkbox"/> OV2 - Haul Route Buffer <input type="checkbox"/> OV2 – Known Resource <input type="checkbox"/> OV2 Mineral Development Licences <input type="checkbox"/> OV2 – Mining Leases <input type="checkbox"/> OV3 - Mining Constrained Area <input type="checkbox"/> OV3 Surface disturbance – including open cut Mining <input type="checkbox"/> OV7A - Building Height Restriction Area <input type="checkbox"/> OV7A – Inner Horizontal Surface RL 71.5 <input type="checkbox"/> OV7B 6km Extraneous Lighting Restriction Area <input type="checkbox"/> OV7B 8km Operational Airspace Buffer – Wildlife Attraction Restriction Area <input type="checkbox"/> OV7B 13km Operational Airspace Buffer – Wildlife Attraction Restriction Area <input type="checkbox"/> OV8 Ipswich Motorsport Precinct Secondary Buffer Area <input type="checkbox"/> OV11 High Pressure Oil Pipeline Buffer Area
APPLICANT:	Wanless Recycling Park Pty Ltd C/- Urbis Pty Ltd
OWNER:	Wanless Recycling Park Pty Ltd
EXISTING OR PROPOSED TRADING NAMES:	Wanless Recycling Park
APPLICATION NO:	10674/2019/CA
AREA:	411.121ha in total
REFERRAL AGENCIES:	<input type="checkbox"/> Queensland Government State Assessment Referral Agency (SARA) <input type="checkbox"/> Energex - Advice Agency <input type="checkbox"/> Department of Natural Resources, Mines and Energy - Third Party Referral Agency <input type="checkbox"/> Department of Defence - Third Party Referral Agency
EXISTING USE:	<input type="checkbox"/> Special Industry (Storage of Dangerous Goods) located on Lot 229 CH3132. <input type="checkbox"/> Clay-Bentonite, Shale extraction activities etc) over Lot 230 CH3132 and 231 CH3132 <input type="checkbox"/> Open cut mining voids

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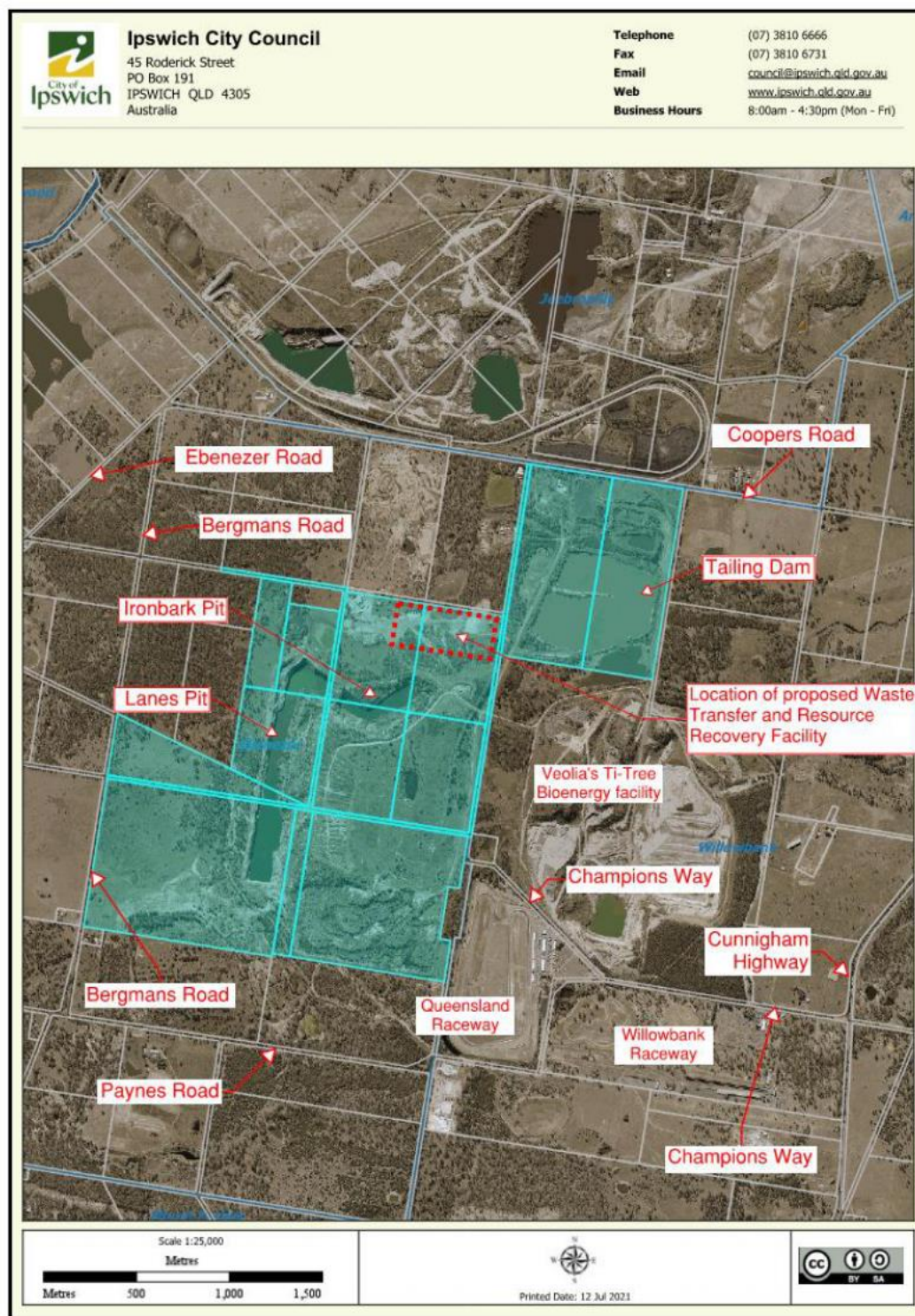
PREVIOUS RELATED APPROVALS: ☐ 7458/2010/MCU - Special Industry (Storage of Dangerous Goods) on Lot 229 CH3132.
☐ Clay-Bentonite, Shale extraction activities etc) over Lot 230 CH3132 and 231 CH3132 - ML 4712 Resource Authority issued by Queensland Government
☐ Environmental Authority that authorised the mining operation (Environmental Authority EPML00594013)

DATE RECEIVED: 23 December 2019

DECISION PERIOD START DATE: 2 July 2021

EXPECTED DETERMINATION DATE: 11 October 2021

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SITE DESCRIPTION

The subject site is located over a number of properties in the suburb of Ebenezer and is comprised of 13 allotments with a total area in the order of 400ha. It is approximately 12km south-west of the Ipswich city centre and approximately 4km south-west of the RAAF Amberley Base.

The subject site is highly disturbed but is currently occupied by some unrelated industrial uses. The land was formerly used for extractive industry and open cut coal mining, which according to the applicant began in 1986 and ceased in 2002.

Whilst coal mining has ceased, a mining lease is still current for the site (ML4712) that allows for a Resource Activity, Schedule 2A, 20: Clay pit mining, dimension stone mining or mining gemstones (including the material from which gemstones are extracted).

The land is currently required to be rehabilitated pursuant to the Environmental Authority that authorised the mining operation (Environmental Authority EPML00594013). These rehabilitation obligations are of particular importance, as they indicate the state in which the land will ultimately reach, in any event, absent of the approval of the landfill component. In that regard, the relevant Environmental Authority conditions require that of the 166.8Ha of disturbed land covered by the relevant mining permit:

- (a) 80.8Ha of the site is to recontoured and used for light grazing;
- (b) 54.3Ha of water bodies are to be retained and used for water storage fauna habitat (inclusive of the mining pit (final void) and existing dams and ponds); and
- (c) 31.7Ha of the site is to be used for fauna habitat (inclusive of the tailings ponds).

THE LOCALITY

The surrounding land has been impacted by past and current mining activities. The RAAF Amberley Base is a large precinct to the north-east, with the runways (in particular) being about 4km from the north-eastern corner of the subject land. The Willowbank township is to the south-east, with a low-density area closer to the subject land (and adjacent to the Cunningham Highway), and a more rural-residential style area further afield.

Land uses immediately surrounding the development site include:

- North – Immediately north of the site is Coopers Road, followed by the Jeebropilly open cut coal mine site, operated by New Hope. The coal mine is also serviced by an existing railway, that runs along the northern edge of the Coopers Road. The site borders the Willowbank Motorcross facility also located on Coopers Road. This area is mostly in the Regional Business and Industry Investigation Zone.
- East – Immediately east is the Ti Tree Bioenergy Facility operated by Veolia. Further, the general south-eastern side of the development site that includes the existing Queensland Raceway and Willowbank Raceway and adjoining areas form part of the proposed Ipswich Motorsport Precinct. The current Planning Scheme (*specifically Implementation Guideline 32 Ebenezer Regional Industrial Area Implementation Guideline*), the Temporary Local Planning Instrument (TLPI) No. 2/2018 (Waste Activity

Regulation), the draft Ipswich Planning Scheme, the City of Ipswich Destination Management Plan 2019-2023 and the 2014 Motorsport Precinct Masterplan (as referenced in the City Management, Finance and Community Engagement Committee Report dated 4 July 2018), identify the Ipswich Motorsport Precinct as a major tourism destination for the City of Ipswich.

- South – Immediately south of the site is large existing rural parcels of land which is mostly in the Regional Business and Industry Investigation Zone.
- West – Immediately west of the site is also large existing rural parcels of land and mostly in the Regional Business and Industry Investigation Zone and Regional Business and Industry Buffer Zone.

PROPOSAL

This development application seeks Council's approval for Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots as well as a number of Waste Activity Uses. Whilst there are numerous individual components to this application, fundamentally the development involves the creation of a new landfill that is proposed to occupy a number of voids that were created onsite as a result of historical open cut coal mining activities (these are currently partially filled with water) as well as a new resource recovery and waste transfer facility.

A description of each individual component of the proposal is as follows:

Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots

The proposed Landfill and Special Industry activities as part of this development application are concentrated around the existing mining voids (generally known as Tailings Dam, Ironbark Pit and Lanes Pit) on the development site which consists of 13 lots. The applicant proposes to realign the existing lot boundaries to create five (5) lots. Specifically, the proposed Landfill and Special Industry activities are to be contained on proposed Lot 101 spread across four (4) parcels that are physically separated by existing road reserves but linked by a vinculum. Proposed Lot 101 shall have a total area of 283.77ha. The other four (4) lots shall be proposed Lot 1 (9.06ha), Lot 11(11.46ha), Lot 243 (15.12ha) and Lot 254 (82.34ha).

Material Change of Use - Special Industry (Waste Transfer and Resource Recovery Facility)

The proposed waste transfer and resource recovery facility focuses on the resource recovery of general wastes which would otherwise largely be disposed of to landfills. The proposal consists of the following:

- Four (4) buildings with an area of 4,200m² each for Transfer and Resource Recovery Facilities (Primary Operations) – two (2) for Construction & Demolition (C&D)/Commercial & Industrial (C & I) wastes (dry waste) and two (2) for municipal wastes (wet/putrescible waste).
- Four (4) buildings with an area of 2,520m² each for Transfer and Resource Recovery Facilities (secondary operations) - two (2) for dry waste and two (2) for municipal wastes

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(wet/putrescible waste). The secondary operations buildings take sorted goods from the primary operations building to either store, recycle, or recover further material.

- 250m² Administration Building supporting 50 staff members on site and 50 car parking spaces for use by staff and visitors.
- 8.9ha of outdoor paved area around the Primary and Secondary Operations buildings for vehicle manoeuvring and external storage purposes.

Recycling on site will incorporate a number of physical sorting methods that includes shredding, screening, crushing; magnetic and eddy current separation optical sorting; hand picking, air classification, bailing etc. No chemical processes are proposed at the facility.

The materials that are proposed to be recovered on site include but are not limited to timber, paper, cardboard, metals, aggregates, soils, bricks, green waste, concrete rubble, plastics and fabric. Of the materials that are received by the facility, 25% of the waste is anticipated to be able to be recovered without further processing. Of the remaining 75% of waste received, 80% is expected to be screened, with a further 50% of this to be shredded in the secondary processing facilities. Any material that is unable to be recovered/recycled is proposed to be disposed via landfill – refer below for more details on this.

The waste recycling and reprocessing facility is proposed to occupy approximately 14ha of the site (including areas for sorting, an extraction plant and stockpiling). This facility is intended to process up to 1,000,000 tonnes of waste material per annum. Crushing, milling, grinding, storing, dismantling, baling, screening, washing, sizing or separating type activities will also be undertaken from this area as part of the recycling/reprocessing process.

The proponent predominately focuses on non-putrescible and inert general waste which they claim currently do not have an established market. A limited amount of putrescible waste would be accepted at the site, including household putrescible waste and Commercial and Industrial (C&I) putrescible waste (but with relatively low food waste composition) to increase the capability of the Resource Recovery Facility to achieve the proposed resource recovery rates as identified in Table 3 below. The Table below summarises the source, throughput {tonnes per annum (tpa)} and estimated recovery rate of the proposed Resource Recovery Facility when the facility reaches its full operational capacity. A resource recovery rate of 45% is the goal for this facility considering the input waste types. The proponent claims that currently in Queensland there is no resource recovery of putrescible municipal waste and the proposed facility aims to achieve a minimum of 6% resource recovery. Recovery rates of 49% for non-source separated Municipal Solid Waste (MSW)/C&I, and 50% for non-source separated construction and demolition (C&D) waste is aimed for at the facility. Over time, as technology improves at the subject site, recovery rates may be expected to improve.

On the basis of 45% recycling target, some 450,000 tonnes per annum of recycled material (timber, plastic, e-waste, glass, metal, aggregates, etc) shall be exported off site. Of the total recycled material, recycled clean soil, fine aggregates or similar was proposed to be used on site for day cover, lining material etc associated with the proposed landfilling.

Any waste material that is unable to be recycled and any residual wastes from the facility are proposed to be disposed via landfilling. Based on acceptance of 1,000,000 tonnes of waste material per annum and on the assumption of overall 45% recycling target, the facility shall

have some 550,000 tonnes of waste per annum that needs to be disposed via landfilling. It is envisaged that these figures will be subject to change as a result of the Landfill component of this application being refused.

Table 3 Project Waste Summary

Type of waste	Source	Waste received (tpa)	Recovered (tpa)	Recycling rate target (%)
General waste: Putrescible	- Household kerbside waste	100,000	6,000	6%
General waste: Putrescible & non-putrescible (Primarily Non-putrescible)	- C&I - Targeted C&I businesses which produce general waste with a low food waste content e.g. warehousing or homewares retail - Household bulky waste from kerb-side collections and self-haul - C&D - waste from commercial property e.g. building fit outs, bulk bins	600,000	294,000	49%
General waste: Non-putrescible & inert	- C&D - Mixed general waste bins	300,000	150,000	50%
Total		1,000,000	450,000	45%

Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void

The site contains existing historic mining voids generally known as Tailings Dam, Ironbark Pit and Lanes Pit. This component of proposal is to rehabilitate the southern parts of Ironbark Pit and Lanes Pit that are in the TLPI No. 2 of 2020 nominated Ebenezer/Willowbank/ Jeebropilly - Buffer Area via filling it with clean earthen material. The material to be used will likely be clean earthen material/mine overburden materials sourced from site.

Material Change of Use - Waste Activity Use involving Landfill

The balance areas of the Tailings Dam, Ironbark Pit and Lanes Pit that are in the TLPI No. 2 of 2020 nominated Ebenezer/Willowbank/Jeebropilly – Waste Activity Area are proposed to be filled with waste material that is unable to be recovered/recycled at the proposed Waste Transfer and Resource Recovery Facility. The Tailings Dam, Ironbark Pit and Lanes Pit have a combined surface area in the order of 66Ha and are proposed to be landfilled over a combined 15 stages. The landfill is intended to receive a mixture of waste types as follows:

- (i) Waste acceptance at a rate of 100,000 tonnes to 1,000,000 tonnes per annum comprising the following:
 - Municipal Solid Waste (MSW);
 - Commercial and Industrial waste (C&I);

- ☐ Putrescible commercial and industrial waste (office waste, papers, food, shopping centre waste and the like);
- ☐ Construction and demolition (C&D) waste (concrete, timber, metals, etc.);
- ☐ Contaminated soils;
- ☐ Any combination waste types in Schedule 9, Part 3, Division of the EP regulation;
- ☐ Regulated waste including:
 - Animal effluent and residues, including abattoir effluent and poultry and fish processing waste;
 - Asbestos;
 - Biosecurity waste that has been rendered non-infectious;
 - Food processing waste;
 - Sewage sludge or residue produced in carrying out an activity to which section 63 applies; and
 - Tyres

(ii) an estimated operational life of 60 years;

(iii) an estimated total landfill volume of 14 Mm³;

More detailed information pertaining to each aspect of the landfill proposal is as follows:

Lane's and Ironbark Pit (Lip)

The applicant is proposing landfilling of General Waste (MSW and C&I) to occur within the Lane's and Ironbark Pits (LIP) residual voids. As part of the development the voids would need to be dewatered, reprofiled and subgrade works would need to take place in order to provide an underlying support for the containment/liner system.

Waste disposal is proposed only within the ICC Temporary Local Planning Instrument (TLPI) Ebenezer/Willowbank/Jeebropilly - Waste Activity Area. Filling of the remaining void space in the Ebenezer/Willowbank/Jeebropilly - Buffer Area is proposed to be undertaken with clean earthen material/mine overburden materials sourced from site.

The landfill base is proposed to be built following the release/pump out water currently contained in the LIP. The lining system to be established beneath the waste stream will be a single composite liner comprising a minimum 600mm thick low permeability clay liner for the base of the landfill, and 1,000mm for the side walls together with a high-density polyethylene (HDPE) geomembrane. Although the applicant claims that they will not be targeting a PFAS waste disposal stream for the facility, they are aware of the widespread presence of PFAS in the waste streams, and the risk that some materials disposed of at the site may contain PFAS. The applicant has advised that the proposed lining system meets the requirement for a facility that can accept PFAS material.

As the voids are filled with waste the underlying foundation will settle. At this stage the applicant has not assessed the degree of settlement or the tensile strains that may occur on the liner system as they believe this can be calculated and allowed for during detailed design. Notwithstanding, the application material clearly shows that some of the landfill liner will be

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built above existing mine spoil with the overall depth of the landfill to be approximately 50m. Whilst the applicant claims that the area of waste landfill above the mine spoil is minimal and the settlement of the foundation is likely to be differential settlement and relatively uniform, this has not been proven up and is therefore of concern. The degree of settlement and tensile strains that may occur on the liner system is critically important. This is evidenced by the Queensland Department of Environment and Science (DES) document Guideline - Landfill siting, design, operation and rehabilitation (ESR/2015/1627, Version 4.01, effective 23 November 2018) that requires landfill liners to be supported by a “well consolidated” sub-base and also the fact that liner manufacturers will require that their products be supported by an “unyielding” sub-base.

The disposal of waste within the LIP void is to be undertaken in at least seven stages. Landfilling of General Waste (MSW and C&I) is proposed for the LIP voids, which is expected to have a low recovery rate. Based on an assumed residual disposal rate of 40,000 tonnes per annum increasing to 400,000 tonnes per annum with soil cover and compaction density the total life of the void would be approximately 13 years. Each stage of the landfill is summarised below.

Stage	Airspace (m³)	Cumulative Airspace (m³)	Closure Year
Stage 1	304,400	304,400	2024
Stage 2	409,900	714,300	2026
Stage 3	387,000	1,101,300	2027
Stage 4	1,017,500	2,118,800	2029
Stage 5	990,300	3,109,100	2032
Stage 6	929,100	4,038,200	2034
Stage 7	331,000	4,369,200	2035

Once the LIP voids are completely full of waste, they will reach a final landfill height in the order of 68mAHD (pre settlement) and 64mAHD (post-settlement) which is above the top of the former mining void. The applicant claims that the final landform for the site will be conducive to a post closure use for industrial development or recreational activities. This has not been proven up by the applicant. The applicant also claims that the proposed landform improves the stability and aesthetics of the existing overburden batters on the eastern and southern portions of the LIP voids.

Tailings Dam

The applicant is proposing landfilling of C&D and dry C&I to occur in the Tailings Dam void. As part of the development the applicant has proposed to reprofile the void batters, dewater the dam and remove all of the tailings before undertaking subgrade works to support the containment/liner system.

In this case the landfill base is proposed to be built on natural ground following the release/pump out water currently contained in the tailings dam and following the removal of the coal fines. (i.e. the landfill liner will not be built above existing mine spoil). As with the LIP, the lining system to be established beneath the waste stream will be a single composite liner comprising a minimum 600mm thick low permeability clay liner for the base of the landfill, and 1,000mm for the side walls together with a high-density polyethylene (HDPE) geomembrane.

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Furthermore, the applicant has advised that they have not assessed the degree of settlement or the tensile strains that may occur on the liner system as they believe this can be calculated and allowed for during detailed design. According to the applicant, a natural base tends to provide a supportive structure for a landfill liner and the waste mass, however if failure of the liner is expected, then increased engineering can take place to ensure the factor of safety of the liner strain is achieved.

Landfilling of C&D and dry C&I is proposed for the Tailings Dam void, which is expected to have a high recovery rate. Based on an assumed residual disposal rate of 15,000 tonnes per annum increasing to 150,000 tonnes per annum with soil cover and compaction density the total life of the void would be approximately 60 years. Each stage of the landfill is summarised as follows:

Stage	Airspace (m³)	Cumulative Airspace (m³)	Closure Year
Stage 1	1,691,200	1,691,200	2036
Stage 2	1,075,800	2,767,000	2044
Stage 3	1,346,600	4,113,600	2053
Stage 4	501,200	4,614,800	2056
Stage 5	686,800	5,301,600	2059
Stage 6	1,222,200	6,523,800	2069
Stage 7	1,093,300	7,617,100	2076
Stage 8	243,500	7,860,600	2078

Once the Tailings Dam is completely full of waste, it will reach a final landfill height in the order of 50mAH (pre settlement) and 45mAH (post-settlement) which is above the top of the former mining void. As with the LIP, the applicant claims that the final landform for the site will be conducive to a post closure use for industrial development or recreational activities. As the completed landfill will be subject to ongoing settlement the parts of the site where landfilling would occur is unlikely to be suitable to accommodate future industrial land uses.

Environmentally Relevant Activity 54 - 2(c): Mechanical Waste Reprocessing

The proposed development seeks to establish a resource and recovery facility that includes a number of mechanical processes for recovering elements of waste include screening, shredding, crushing, current and eddy separation, optical sorting, and the like. ERA 54 - 2(c) is applicable for any mechanical processing of waste occurs on a site. The development proposes mechanical processing of up 1,000,000t/pa of waste which triggers ERA 54 - 2(c) given the throughput exceeds 10,000t of waste. Assessment of the ERA 54 - 2(c) is the responsibility of Department of Science (DES) via referral of the application to SARA. DES issued an Environmental Authority EA0002905 on 28 June 2021 relating to this.

Environmentally Relevant Activity 60 - 2(1)(b)(h): Waste Disposal

The proposed development is centred around the disposal of wastes. Given the site is intended to receive up to 1,000,000t/pa of a combination of general waste, regulated waste ERA 60 - 2(1)(b)(h) is triggered as the site receives in excess of 200,000t of waste. Assessment

of the ERA 60 - 2(1)(b)(h) is the responsibility of DES via referral of the application to SARA. DES issued an Environmental Authority EA0002905 on 28 June 2021 relating to this. Notwithstanding, the Environmental Authority does not take effect until the related development approval 10674/2019/CA takes effect. On the basis that the landfill component of 10674/2019/CA is recommended to be refused, this Environmental Authority will have no force or effect.

Environmentally Relevant Activity 62 - 1(b): Resource Recovery and Transfer Facility Operation

The proposed development seeks to establish a suite of uses on site that incorporate receiving and sorting, dismantling and baling waste, and receiving and temporarily storing waste before it is moved to a waste facility on site. The resource recovery facility proposes to accept all types of waste. Accordingly, ERA 62 - 1(b) is triggered which is assessed DES via referral of the application to SARA. DES issued an Environmental Authority EA0002905 on 28 June 2021 relating to this.

PLANNING FRAMEWORK

2017 Regional Plan, (Shaping SEQ)

The land is included within the Urban Footprint and identified as forming part of the Ipswich Regional Economic Cluster (REC) and as a Major Enterprise and Industrial Area: M29 Ebenezer

The Ipswich Planning Scheme 2006 (the 2006 Scheme)

Pursuant to the 2006 Scheme the land is:

- (a) within the "Regionally Significant Business Enterprise and Industry Areas" Locality (the RSBEIA Locality) – which includes six zones (with one being relevant);
- (b) within the "Regional Business and Industry Investigation Zone" (the RBII Zone);
- (c) in so far as it is within the RBII Zone is within "Sub Area RBIA1 – Ebenezer Willowbank" of the RBIIZ and within that sub-area there are precincts two of which apply to the subject land:
 - (i) "Precinct 1: Former or Current Mining Lands" (generally the north-eastern parts of the land);
 - (ii) "Precinct 3: Expanded Ipswich Motorsports Precinct" (generally the central, southern and western parts of the land).
- (d) subject to a number of overlays, in particular the Development Constraints Overlay;
- (e) subject to "Implementation Guideline 32: Ebenezer Regional Industry Area Implementation Guideline"; and

- (f) by virtue of the proposed uses, subject to the Commercial and Industrial Code.

While a “Special Industry” use is a potentially consistent use within the RBII Zone, that is subject to important qualifications, namely that it is of a “type and scale appropriate for the prevailing nature of the area and the particular circumstances of the site and its surrounds...” The proposal fails to satisfy this suite of requirements and is, therefore, an inconsistent use. Other provisions confirm the need for “resolution of applicable constraints”. The proposal does not resolve applicable constraints on this site.

Temporary Local Planning Instrument No.2 of 2020 (TLPI)

Pursuant to the TLPI No.2 of 2020 (Waste Activity Regulation) the land is:

- (a) predominately designated as a “Waste Activity Area”, with a part on the southern side of the land {including part of the existing voids (Lanes Pit and Ironbark Pit) in question} designated as a “Waste Activity Buffer Area”; and
- (b) by virtue of the proposed uses, subject to the Waste Activity Code forming part of the TLPI.

Draft Ipswich Planning Scheme 2019 (Statement of Proposals) (the draft scheme)

Pursuant to the terms of the draft scheme the land is:

- (a) subject to broadly similar zoning and development controls as those contemplated by the 2006 Scheme in concert with the TLPI; and
- (b) subject to an additional control, which creates a proposed hierarchy of waste management, and a specific requirement to consider need in the context of new landfill approvals.

COMMUNITY AND OTHER CONSULTATION

Referral Agencies

This development application required referral to a number of external agencies including the Queensland Government State Assessment Referral Agency (SARA), Energex, Department of Defence (DOD) and the Department of Natural Resources, Mines and Energy (DNRME). A summary of each of these referrals is as follows:

Queensland Government State Assessment Referral Agency (SARA)

The application was referred to the Queensland Government State Assessment Referral Agency (SARA) as a concurrence agency. SARA’s response dated 2 July 2021 advised that they did not object to the development subject to the inclusion of SARA conditions. In the Statement of Reasons provided by SARA, Council was advised that:

- The development complies with State Code 2: Development is a Railway Environment of the State Development Assessment Provisions, version 2.5 (SDAP) as the development will not compromise the structural integrity of railways, rail transport infrastructure, other rail infrastructure or railway works.
- In considering State Code 6: Protection of State Transport Networks, of the SDAP version 2.5 conditions have been included to manage potential development impacts associated with the proposed use. This will ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road network.
- The development complies with State code 16: Native vegetation clearing of the SDAP version 2.5 as the development:
 - minimises clearing to conserve vegetation, avoid land degradation and loss of biodiversity and maintains ecological processes
 - avoids impacts on vegetation that are matters of state environmental significance and where it can't be avoided, the development minimises and mitigates impacts
- The proposal complies with State Code 22: Environmentally Relevant Activities of the SDAP version 2.5 as the development is located and designed to avoid and mitigate environmental harm on environmental values of the natural environment.

It should be noted that SARA's approved plans include red mark-up over the 'Tailing Dam' stating '*Tailings waste within the Tailing Dam must not be dewatered or removed*'. Whilst the plans have been marked up to exclude the Tailings Dam from the approval, SARA has not provided any reasons for this exclusion so as to inform the Council's decision as assessment manager.

Furthermore, the Department of Environment and Science (DES) Environmental Authority EA0002905 as issued on 28 June 2021, requires that 'at all times, the water level within the Tailings Dam must be maintained at a level at least 4 metres above the level of any tailings waste'.

On the basis that the SARA's approved plans and the DES issued Environmental Authority dated 28 June 2021 make it impossible to utilise the Tailings Dam for landfill purposes, the proposed development and in particular the landfill component involving the Tailings Dam, should not be supported.

Energex

The application was referred to Energex as an advice agency owing to an existing Energex substation on Lot 1 SP167885. The proposed Waste Transfer and Resource Recovery Facility is about 600 meters away from the substation. Energex responses dated 22 January 2021 and 28 February 2020 advised Council that they do not object to the development subject to inclusion of conditions relating maintaining clearances to their infrastructure and registering an easement in Energex's favour over the existing 11kv line that traverse Lot 230 on CH3132.

Department of Defence (DOD)

The application was referred to the Department of Defence (DOD) as a third-party advice agency. DOD's response dated 15 January 2021 advised Council that they do not object to the development subject to inclusion of a conditions requiring the applicant to submit a Wildlife Management Plan and report any tall structures that could impact on the operation of the RAAF Base at Amberley. Accordingly, a condition has been included in the recommendation necessitating the applicant to adhere to these requirements.

Department of Natural Resources, Mines and Energy (DNRME)

The application was referred to the Department of Natural Resources, Mines and Energy (DNRME) owing to existing mining licences and leases over the development site. No response has been received from DNRME to date. As such a condition has been included requiring any existing permits/approvals/mining leases for the existing Use (Clay-Bentonite, Shale extraction activities etc) over the proposed Transfer and Resource Recovery Facility area (Lot 230 CH3132 and 231 CH3132) to be lawfully cancelled/extinguished/surrendered as relevant.

Public Notification

Public notification of this application was undertaken pursuant to the *Planning Act 2016*. The applicant undertook public notification from 14 May 2020 to 5 June 2020 for a period of 16 business days. During this period Council received 60 properly made submissions, all objecting to the proposed development. Matters raised in the submissions include:

Summary of Issue	How matters were dealt with in reaching a decision for Special Industry (Waste Transfer and Resource Recovery Facility) component	How matters were dealt with in reaching a decision for Waste Activity (Landfill and Rehabilitating a Mining Void)
Community consultation <ul style="list-style-type: none"> □ The applicant carried out Public Notification prior to adequately responding to issues raised in information requests by relevant authorities. □ There was a lack of meaningful community consultation and engagement. 	Applicant has submitted public notification compliance notice confirming that public notification of the application was undertaken pursuant to the <i>Planning Act 2016</i> .	<p>The submissions received are common material for the application and have been considered as part of the application assessment.</p> <p>While a number of matters raised could be resolved through reasonable and relevant conditions, there are certainly</p>
Inaccurate application Material <ul style="list-style-type: none"> □ Inconsistencies with the strategic outcomes of the Planning Scheme, Planning Scheme Codes and Implementation Guideline No. 32. 	The identified inconsistencies and lack of adequate technical details mostly relate to the waste disposal (via land fill) component of the proposal.	

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<ul style="list-style-type: none"> □ Inconsistencies with and misrepresentation of the proposed land uses and staging of the development. □ The applicant is likely to develop the landfill prior to the full development of the Resource Recovery, which will be contrary to the intent of the submitted development application. □ Incorrect representation/description of the proposal on DA forms and on Public Notification material. □ There are significant errors and inconsistencies in the design and proposed operation, including contradictions in specialist assessments, lack of sufficient detail and inadequate engineering design, including environmental assessment. 	<p>Reasonable and relevant conditions have been included for the Special Industry (Waste Transfer and Resource Recovery Facility) component to address any inadequacy in technical details. Further, SARA have included relevant conditions including Environmental Authority (EA) conditions to appropriately manage impacts from the Special Industry (Waste Transfer and Resource Recovery Facility).</p>	<p>matters for which Council agrees with the submitters concerns.</p> <p>The issues associated with this proposal mean that the Ipswich community will not benefit from approval of the landfill component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.</p> <p>In conclusion the development cannot be appropriately conditioned to address all matters raised and there are insufficient grounds to justify the decision to approve the development.</p>
<p>Queensland's waste recovery targets</p> <ul style="list-style-type: none"> □ The waste recovery targets are well below Queensland's waste recovery targets, which does not support the contention that the development is primarily for resource recovery with only a residual component going to landfill. □ Rehabilitation of mining voids should not be via landfilling with waste. □ There is no need for the facility, specifically, no need for additional landfill airspace in the general local government jurisdiction. □ There are many shortcomings in the Waste Industry Management Expert Report and the Needs Analysis. Therefore, there can be limited reliance on the statements, assertions and conclusions stated in these reports and these reports should be treated with extreme caution. □ The applicant makes a number of claims in the Waste Industry Management Expert Report with no supporting evidence for issues 	<p>The Special Industry (Waste Transfer and Resource Recovery Facility) component of the proposal facilitates waste recovery and recycling.</p> <p>Further, the proposed Special Industry (Waste Transfer and Resource Recovery Facility) generally aligns with Ipswich City Council's recent Resource Recovery Strategy and Resource Recovery Implementation Plan (RRIP) which focuses on reducing waste generation and landfill disposal, and maximising resource recovery opportunities in line with circular economy principles.</p>	

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<p>raised by Council in their information request.</p> <ul style="list-style-type: none"> □ There is no evidence that the applicant or their consultants made sufficient contact □ with the relevant landfill operators with regard to sourcing the information required by □ Council in regard to existing landfill facilities in terms of Capacity or Estimated Lifespans such that would warrant the conclusions made in the Waste Industry Management Expert Report and the Needs Analysis. □ Non-compliance with the Queensland government's Waste Management and Resource Recovery Strategy. 		
<p>Temporary Local Planning Instrument No. 2 of 2018 (Waste Activity Regulation)</p> <ul style="list-style-type: none"> □ Non-compliance with all aspects of the Temporary Local Planning Instrument No. 2 of 2018 (Waste Activity Regulation). 	<p>The TLPI does not technically apply to the Special Industry (Waste Transfer and Resource Recovery Facility) component of the proposal on the basis that the TLPI definition for 'Waste Activity Use' is limited to <i>Compost Manufacturing Enclosed, Compost Manufacturing Unenclosed; Landfill, and Rehabilitating a mining void</i> and does not extend to Special Industry (Waste Transfer and Resource Recovery Facility) Use.</p> <p>Notwithstanding, the proposed Special Industry (Waste Transfer and Resource Recovery Facility) complies with the general intent of the TLPI as it will be located within the Waste Activity Area and the impacts of the proposal will be addressed by means of reasonable and relevant conditions.</p>	
<p>Inconsistent with existing Environmental Authorities (ERA) and Site Rehabilitation Outcomes</p> <ul style="list-style-type: none"> □ Value and loss of environmental opportunities from the site rehabilitation requirements under the sites' existing Environmental Authorities (ERA). 	<p>The Environmental Authority (EA) for the proposed Special Industry (Waste Transfer and Resource Recovery Facility) location/area requires it to be rehabilitated to 'light grazing' use. While the proposed Special Industry Use does not achieve/maintain a 'light grazing' use, reasonable and</p>	

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<ul style="list-style-type: none"> □ Non-compliance with site rehabilitation requirements under the sites' existing Environmental Authorities (ERA). □ The site is subject to an existing environmental authority (EA) EPML00594013 (dated 28 April 2020) which contains specific Rehabilitation landform criteria pursuant to Condition F1 and Table F1 (Final land use and rehabilitation schedule). □ Wanless Recycling Park Pty Ltd is not entitled to amend the Mining environmental authority (EPML00594013) which is held by Zedemar Holdings Pty Ltd. □ The existing environmental authority (EA) EPML00594013 makes it abundantly clear that there is no condition which requires dewatering of the mining voids. □ There was a community expectation, secured by way of the Condition F1 and Table F1 of the EA, that at completion of mining activities under EA EPML00594013, the 'Tailings Ponds' 'Dams and ponds' and 'Active Pit' areas would be rehabilitated for 'Water Storage / Fauna Habitat'. It is therefore impossible to understand how the applicant considers that there could possibly be a condition of the current Mining environmental authority which requires Dewatering of the mining voids. 	<p>relevant conditions have been included by both Council and SARA to ensure any potential environmental impacts are appropriately managed.</p>	
<p>Traffic/Transport</p> <ul style="list-style-type: none"> □ Increase in traffic movements on already congested Cunningham Highway □ Potential for increase in accidents at the already congested Ipswich Rosewood Road/Southern Amberley Road and Cunningham Highway intersection □ Traffic impacts as a result of increased traffic on local road network (Coopers Road, Champions Way etc). 	<p>Reasonable and relevant conditions have been included for the Special Industry (Waste Transfer and Resource Recovery Facility) component to address traffic impacts (including the submission of an amended traffic report) on roads maintained by Council. Further, SARA support the development subject to relevant conditions relating to impacts on the State-controlled roads.</p>	

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<p>Existing approvals/uses</p> <ul style="list-style-type: none"> □ Inconsistencies with existing development approvals and other land uses within the development footprint. 	<p>A condition has been included requiring any existing permits/approvals/mining leases for the existing Use (Clay-Bentonite, Shale extraction activities etc) over the proposed Waste Transfer and Resource Recovery Facility area (Lot 230 CH3132 and 231 CH3132) to be lawfully cancelled/extinguished/surrendered as relevant.</p>	
<p>Impact on RAAF Amberley Air Base</p> <ul style="list-style-type: none"> □ Lack of any management measures which deal with wildlife attractants (given the proposed putrescible waste landfill operations). □ Risk of wildlife (bird) strikes at RAAF Amberley Air Base. □ Light impacts on RAAF Amberley Air Base and surrounding areas. 	<p>A condition has been included requiring lighting to be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways and does not cause extraneous light to be directed or reflected upwards.</p> <p>A condition has been included requiring a 'Wildlife Management Plan' to be submitted to the Department of Defence for approval as identified in Department of Defence's (DOD) Third Party Advice Agency response.</p> <p>Further, DOD support the development subject to relevant conditions relating to impacts on the Amberley RAAF Base.</p>	
<p>Environmental</p> <ul style="list-style-type: none"> □ Clearing of vegetation on Champions Way with respect to meeting 'Relevant Purpose' determination under section 22A of the <i>Vegetation Management Act 1999</i>. □ Environmental (air quality, noise, water quality, soil, light etc) impacts on the local community, and local flora and fauna. □ Impact on wildlife, specifically via destruction of koala habitat. □ Lack of referral under the <i>EPBC Act</i>. 	<p>These environmental matters as relevant to the proposed Waste Transfer and Resource Recovery Facility are predominantly under SARA's jurisdiction. SARA have included relevant conditions including Environmental Authority (EA) conditions to appropriately manage impacts from the Special Industry (Waste Transfer and Resource Recovery Facility).</p>	
<p>Impacts on the general locality</p> <ul style="list-style-type: none"> □ Risks of leachate seepage into the groundwater system. □ Gas and fire risks associated with landfill operation. □ Introduction of new and increase in existing pests and vermins in the general area. 	<p>These matters relate primarily to the waste disposal (via landfill) component of the proposal. Notwithstanding, it is recognised that the Waste Transfer and Resource Recovery Facility may have its own impacts if it is not operated appropriately. As such, reasonable</p>	

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<ul style="list-style-type: none"> □ Visual, social, health and wellbeing impacts on local residents. □ Impacts on ground and underground stability. □ Proposed use is incompatible with the locality. 	and relevant conditions have been included for the Special Industry (Waste Transfer and Resource Recovery Facility) component to address relevant matters.	
Impact on Ipswich Motor Sport Precinct <ul style="list-style-type: none"> □ Impact on the operation of existing facilities at Willowbank raceway and Queensland Raceway □ Impact on the potential of future Ipswich Motor Sport Precinct 	<p>The proposed Special Industry (Waste Transfer and Resource Recovery Facility) is located in the Regional Business and Industry Investigation Zone wherein such Uses are generally consistent.</p> <p>In order to address any potential impacts on the Ipswich Motor Sport Precinct, reasonable and relevant conditions have been imposed by Council and SARA relating to environmental (air quality, noise, water quality, soil, light etc) and traffic impacts.</p>	
Lack of trust about Operator <ul style="list-style-type: none"> □ Operator's past history of non-compliance with other similar facilities implies that they are unlikely to abide with regulatory requirements. 	The operator's reputation is not a matter for which Council can base its decision.	
Property Values <ul style="list-style-type: none"> □ Leads to decrease in property values of nearby residential properties. □ Results in decreased sales in nearby new residential areas. 	Property values are not a matter for which Council can base its decision. Notwithstanding, it is noted that the proposed Special Industry (Waste Transfer and Resource Recovery Facility) is located in the Regional Business and Industry Investigation Zone wherein such uses are generally consistent.	
Social Impact and Stigma <ul style="list-style-type: none"> □ Concentrated large scale waste dumps will impact on the reputation of the area. □ The locality and Ipswich City as a whole shall be dis-reputed as the 'dumping capital' of South East Queensland and Australia. 	<p>The stigma that comes with waste activities is not a matter for which Council can base its decision.</p> <p>It is recognised that the issues associated with the landfill proposal mean that the Ipswich community will not benefit from approval of that component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.</p>	

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	The proposed Special Industry (Waste Transfer and Resource Recovery Facility) is located in the Regional Business and Industry Investigation Zone wherein such uses are generally consistent.	
Cost implications to the community <ul style="list-style-type: none"> □ Landfill monitoring costs of regulatory authorities are ultimately borne by the community □ The proposal does not bring any positive benefit to the area rather bring undesirable consequences to the area. □ Shall have adverse social and economic impacts on the community. □ No benefits to the local community. 	<p>It is recognised that the issues associated with the landfill proposal mean that the Ipswich community will not benefit from approval of that component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.</p> <p>The proposed Special Industry (Waste Transfer and Resource Recovery Facility) is located in the Regional Business and Industry Investigation Zone wherein such uses are generally consistent.</p>	
Impacts on tourism <ul style="list-style-type: none"> □ Adverse impacts on nearby heritage and tourism routes/sites and events. □ Development of the locality's potential future tourism and recreational opportunities would be hindered. 	<p>It is recognised that the issues associated with the landfill proposal mean that the Ipswich community will not benefit from approval of that component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.</p> <p>The proposed Special Industry (Waste Transfer and Resource Recovery Facility) is located in the Regional Business and Industry Investigation Zone wherein such uses are generally consistent.</p> <p>In order to address any potential impacts on nearby heritage and tourism routes/sites and events, reasonable and relevant conditions have been imposed by Council and SARA relating to environmental (air quality, noise, water quality, soil, light etc) and traffic impacts.</p>	

External Consultation - Independent Decision Review Panel (IDRP)

The development application is classified as a Sensitive Development Matter and therefore requires review by an IDRP prior to being determined, in accordance with the Council policy titled Framework for Development Applications and Related Activities. The IDRP has been selected in accordance with the related procedure, and in this instance, the IDRP consisted of a town planning expert (who also acted as the chairperson) being Leo Jensen of Leo Jensen Consulting and a traffic engineering expert being Mark Plattz of Point8 Pty Ltd. While it was intended to have a waste management expert on the IDRP there were none available at this time.

The draft Council officer recommendation was provided to the IDRP on 16 July 2021 (refer to Attachment 11) and a public hearing was convened and facilitated by the IDRP. The public hearing, which was held on 19 August 2021, was attended by approximately 40 people including the applicant, submitters, Council staff and elected representatives.

Having reviewed the draft Council officer recommendation and upon considering the matters raised at the public hearing, the IDRP provided an Independent Decision Review Panel Report on 25 August 2021 (refer to Attachment 12). The IDRP concluded that it was satisfied with the intention of the proposed Council Officer's recommendation, being to approve in part (subject to conditions) and to reject in part the proposed development. Whilst the IDRP agreed with the intention of the proposed Council Officer's recommendation, the Independent Decision Review Panel Report also made a number of recommendations to Council. These recommendations and the way that they have been addressed can be summarised as follows:

IDRP Recommendation	Response
<u>Traffic Impacts</u> Additional considerations should be incorporated in the condition that requires an amended traffic report relating to the Special Industry (Waste Transfer and Resource Recovery Facility) Use.	Upon reviewing the IDRP recommendations, Conditions 13 and 25 of Attachment B of the Draft Decision Notice (refer to Attachment 5) have been included.
<u>Rehabilitation of past mining activities</u> The requirements in terms of Mining Leases and rehabilitation actions under the Mineral Resources Act 1989. It appears that compliance associated with site rehabilitation is a 'missing link' in terms of dealing with ex-mining sites and the voids left after mining operations cease. The submitters raised concerns around the ongoing rehabilitation of this site and restoration	While this advocacy work cannot be facilitated as part of the development assessment process the panel's recommendation is noted.

<p>efforts over a long period, even prior to the Wanless application. These former mining sites present issues of concern to residents, and place pressures on local planning authorities in managing the future of these sites when such applications come forward.</p> <p>The panel notes that the Queensland State Government has set up an independent role known as the Queensland Rehabilitation Commissioner (QRC) to define best practice rehabilitation of land and in helping to ensure Progressive Rehabilitation and Closure Plans (PRCPs) are leading practice. The panel recommends that Council may be able to further pursue and advocate for the appointment of a QRC and its supporting unit to play a more proactive role in rehabilitation requirements relating to past mining activities.</p>	
<p><u>Need for Landfill</u></p> <p>It is unclear that there is a need for additional landfill in general, at this time. The officer's report could be further expanded on the issue of need, particularly in response to recent court cases associated with waste operations in the Ipswich local government area, notwithstanding some information may have been subject to commercial in confidence.</p>	<p>The issue of need has been addresses below in the 'Summary of Assessment and Recommendation/s' section of this report. the issue of 'needs'. It is noted that approximately 105 million cubic meters of approved landfill capacity is available in South East Queensland, which equates to a minimum of about 20 years of landfill airspace supply. Further, a majority of this landfill capacity is within the Ipswich City Council area. The applicant has not adequately demonstrated the 'need' for the landfill component of the proposed development.</p>

RESOURCE IMPLICATIONS

There are no resource implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

- A risk to Council exists should the proposal not be determined in accordance with legislative requirements. The assessment and subsequent recommendations have been prepared to minimise the risk.

- Pursuant to DA Rules the due date to make is decision on this application is 11 October 2021 and the due date to issue the decision notice to the applicant is 18 October 2021. The applicant could lodge a deemed refusal appeal in the P&E Court if the decision notice is not issued to the applicant by 18 October 2021.
- Upon issuing the decision notice the applicant may choose to appeal the Council's decision in the Planning and Environment Court.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:

Planning Act 2016

Planning Regulation 2017

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Decision to part approve/part refuse development application 10674/2019/CA
(b) What human rights are affected?	The applicant is a company and therefore does not have human rights under the <i>Human Rights Act 2019</i> . Sixty (60) properly made submission was made in relation to the application, and therefore Council has an obligation to consider human rights in relation to the submitter. The submitter does have appeal rights pursuant to the <i>Planning Act 2016</i> .
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

OTHER RELEVANT INFORMATION

Waste & Circular Economy Transformation Directive

Regard was given to the Waste & Circular Economy Transformation Directive endorsed by Council on 3 December 2020.

The directive is a statement of intent and broad desire from the Council about what it is seeking to achieve. Having assessed the proposed development application, it is considered that the landfill component of the proposed development does not align with the Waste & Circular Economy Transformation Directive. In particular, the proposal does not align with the following Policy Directive:

- “Strategic and Sequential Remediation”: Council will seek to ensure the orderly sequencing and proper remediation of mining voids and end-of-life sites across the Ipswich local government area, and seek for a range of alternate remediation options to be considered. Strategic sequencing will be based on infrastructure, topographical, environmental and social opportunities and constraints.
- “Protect Our Residential Amenity”: new waste industry developments in close proximity to residential areas should be discouraged where it is clear the development impacts will not be manageable onsite and will negatively detract from amenity.

SUMMARY OF ASSESSMENT AND RECOMMENDATION/S

Reconfiguring a Lot - Thirteen (13) Lots into Five (5) Lots

This component of the application is recommended to be approved on the basis that the proposed realignment of lot boundaries generally complies with or has been conditioned to comply with the relevant assessment benchmarks set out by the categorising instruments in accordance with section 45(3)(a) of the *Planning Act 2016*.

The relevant assessment benchmarks which have been applied for the purposes of this assessment are as follows:

Categorising Instrument	Assessment Benchmarks
Planning Regulation 2017, Schedule 10, version current as at 19 December 2019	Part 3, division 3 – Clearing native vegetation
State Planning Policy July 2017, Part E	<ul style="list-style-type: none">□ Planning for liveable communities and housing□ Planning for economic growth□ Planning for environment and heritage□ Planning for safety and resilience to hazards□ Planning for infrastructure
Ipswich Planning Scheme 2006	<ul style="list-style-type: none">□ Regionally Significant Business & Industry Areas Code (Part 6)□ Development Constraints Overlays Code (Part 11, division 4)□ Vegetation Management Code (Part 12, division 4)□ Reconfiguring a Lot Code (Part 12, division 5)□ Earthworks Code (Part 12, division 15)□ Local Government Infrastructure Plan (Part 13)□ Planning Scheme Policy 3 General Works

	<ul style="list-style-type: none">□ Planning Scheme Policy 5 Infrastructure□ Implementation Guideline No. 13 Provision of Electricity, Driveways and Crossovers, Footpaths, Kerb and Channel□ Implementation Guideline No. 14 Sewer Extensions/Connections to Service New Developments□ Implementation Guideline No. 19 Vegetation Retention□ Implementation Guideline No. 24 Stormwater Management□ Implementation Guideline No. 28 Dispersive Soil Management□ Implementation Guideline 32: Ebenezer Regional Industry Area Implementation Guideline
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The assessment has also given regard to the relevant matters identified in section 27 of the *Planning Regulation 2017* and in accordance with section 45(3)(b) of the *Planning Act 2016*. The assessment has given regard to the following matters:

Relevant matter	Given regard to
Planning Regulation 2017, s27(1)(f)	any development approval for, and any lawful use of, the premises or adjacent premises; and
Planning Regulation 2017, s27(1)(g)	the common material.

All of the proposed five (5) lots shall be created as 'management lots'. At this time, no uses are proposed on the management lots, however it is anticipated that proposed lots would be developed at least in part for industrial purposes in the future. Future development of the proposed management lots (for specific uses or further reconfiguration) will require the lodgement of development applications pursuant to the Ipswich Planning Scheme and assessment by Council.

As there are no uses currently proposed, it is not recommended to require any construction of the proposed road reserve in this instance. In addition, the proposed lots are not intended to be afforded with access to other services (like water, sewer etc) at this point in time. The proposed reconfiguration (boundary realignment) will not adversely impact the ultimate development of the Ebenezer/Willowbank industrial area and complies with the outcomes sought for the Regional Business and Industry Investigation Zone and the Sub Area RBIA01 – Ebenezer/Willowbank.

Material Change of Use - Special Industry (Waste Transfer and Resource Recovery Facility)

This component of the application is recommended to be approved on the basis that the proposed Special Industry (Waste Transfer and Resource Recovery Facility) generally complies with, or has been conditioned to comply with the relevant assessment benchmarks set out by the categorising instruments in accordance with section 45(5)(a)(i) of the *Planning Act 2016*.

The relevant assessment benchmarks which have been applied for the purposes of this assessment are as follows:

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Categorising Instrument	Assessment Benchmarks
Planning Regulation 2017, Schedule 10	Part 3, division 3 – Clearing native vegetation Part 5, division 3 – Environmentally Relevant Activities
Shaping SEQ South East Queensland Regional Plan 2017	Chapter 2 – Our future SEQ Chapter 3 – The next 25 years
State Planning Policy July 2017, Part E	<input type="checkbox"/> Planning for liveable communities and housing <input type="checkbox"/> Planning for economic growth <input type="checkbox"/> Planning for environment and heritage <input type="checkbox"/> Planning for safety and resilience to hazards <input type="checkbox"/> Planning for infrastructure
Ipswich Planning Scheme 2006	<input type="checkbox"/> Desired Environmental Outcomes and Performance Indicators (Part 3) <input type="checkbox"/> Regionally Significant Business Enterprise And Industry Areas Code (Part 6) <input type="checkbox"/> Development Constraints Overlays Code (Part 11, division 4) <input type="checkbox"/> Vegetation Management Code (Part 12, division 4) <input type="checkbox"/> Commercial and Industrial Code (Part 12, division 7) <input type="checkbox"/> Parking Code (Part 12, division 9) <input type="checkbox"/> Earthworks Code (Part 12, division 15) <input type="checkbox"/> Local Government Infrastructure Plan (Part 13) <input type="checkbox"/> Planning Scheme Policy 3 General Works <input type="checkbox"/> Planning Scheme Policy 5 Infrastructure <input type="checkbox"/> Implementation Guideline No. 13 Provision of Electricity, Driveways and Crossovers, Footpaths, Kerb and Channel <input type="checkbox"/> Implementation Guideline No. 14 Sewer Extensions/Connections to Service New Developments <input type="checkbox"/> Implementation Guideline No. 19 Vegetation Retention <input type="checkbox"/> Implementation Guideline No. 24 Stormwater Management <input type="checkbox"/> Implementation Guideline No. 28 Dispersive Soil Management <input type="checkbox"/> Implementation Guideline 32: Ebenezer Regional Industry Area Implementation Guideline
Temporary Local Planning Instrument	TLPI No. 2 of 2020 - Waste Activity Regulation

The assessment must also give regard to the relevant matters identified in section 31 of the *Planning Regulation 2017* and in accordance with section 45(5)(a)(ii) of the *Planning Act 2016*.

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The application was given regard to, the following matters:

Relevant matter	Given regard to
Planning Regulation 2017, s31(1)(f)	any development approval for, and any lawful use of, the premises or adjacent premises; and
Planning Regulation 2017, s31(1)(g)	the common material.

The proposed Special Industry (Waste Transfer and Resource Recovery Facility) generally aligns with Ipswich City Council's recent Resource Recovery Strategy and Resource Recovery Implementation Plan (RRIP) which focuses on reducing waste generation and landfill disposal, and maximising resource recovery opportunities in line with circular economy principles. The subject proposal develops on the economic and environmental benefits of the circular economy model and assists to stimulate new markets for recycled content products and in turn generates employment opportunities in new industry and manufacturing areas.

Some of the other benefits from the Resource Recovery Facility include:

- Promotes ecological sustainability and improvements in waste avoidance.
- Minimises greenhouse emissions
- Supports resource recovery, recycling and residual waste management, and therefore reducing the reliance on landfills.
- Will reduce or limit the unnecessary transport of waste within the State and the Country.
- Will not result in an outcome whereby landfilling of waste becomes cheaper (economies of scale/supply and demand), which would continue to make the transport of waste in Queensland (including cross border) the most appealing option, therefore, limiting innovation, waste avoidance, resource recovery and recycling.
- Supports local jobs and job creation noting that landfills generally support fewer jobs than Uses where waste is reused or recycled.
- Contributes to achieving the Queensland Government resource recovery targets set out by the Waste Management and Resource Recovery Strategy.

It should be noted that while it is not recommended to support the landfill component of the proposal, wherein the residual waste (that cannot be recycled or reused) from the subject Resource Recovery Facility was envisaged to be disposed of in landfill, such residual waste can be easily transported off the site and disposed of at other existing lawfully established landfills in Ipswich. In fact, Veolia's Ti-Tree Bioenergy facility adjoins the development site thereby providing one such facility in very close proximity.

The transportation of residual waste from this site to existing lawfully established landfills in Ipswich is unlikely to result in additional traffic issues as most of these facilities are well connected by major road networks. In relation to any additional traffic impacts on Champions Way, the applicant is required to submit an amended traffic impact assessment report to identify the required road upgrade works and then carry out such works. Further details in relation to this are provided below.

The Special Industry (Waste Transfer and Resource Recovery Facility) is located in the Regional Business and Industry Investigation Zone wherein such Uses are generally consistent. Further, reasonable and relevant conditions relating to environmental (air quality, noise, water quality, soil, light etc) and traffic impacts have been included for the Special Industry (Waste Transfer and Resource Recovery Facility) by Council and/or SARA to address any potential impacts.

Of particular note are the following conditions:

- ☐ The applicant is required to provide an amended traffic impact report demonstrating the impacts and suitable mitigation measures to eliminate any adverse impacts on the operation of the Willowbank Motorsport Precinct particularly during events at Willowbank Raceway and Queensland Raceway. Further, the amended report shall also need to demonstrate the required upgrade works on Champions Way, Unnamed Road along the northern boundary of Queensland Raceway site and at the existing accesses to the Raceway sites.
- ☐ An amended stormwater and flooding report must be submitted demonstrating no worsening on adjoining properties and downstream.
- ☐ The applicant must maintain records of the waste material received on the development site (including type of waste/material, volume of waste/material (tonnes and cubic metres), and associated vehicle trips) and such records must be provided to Council upon request.
- ☐ Access and haulage by any heavy vehicles used in conjunction with the development is not permitted through residential areas including but not limited to Coopers Road and must be limited to Cunningham Highway and Champions Way.
- ☐ A wheel wash and weigh bridge must be provided for the facility.
- ☐ The applicant must comply with the terms and conditions of the Environmental Authority (EA) issued by DES. The EA has specific requirements in relation to noise, stormwater quality and air quality management on site and its immediate surroundings.

Material Change of Use - Waste Activity Use involving Landfill

The landfill component of the proposed development is recommended to be refused on the basis that the proposal does not advance the purpose of the *Planning Act 2016* and the development conflicts with the assessment benchmarks set out by the categorising instruments in accordance with section 45(5)(a)(i) of the *Planning Act 2016*.

The relevant assessment benchmarks which have been applied for the purposes of this assessment are as follows:

Categorising Instrument	Assessment Benchmarks
Planning Regulation 2017, Schedule 10	Part 3, division 3 – Clearing native vegetation Part 5, division 3 – Environmentally Relevant Activities
State Planning Policy July 2017, Part E	<input type="checkbox"/> Planning for liveable communities and housing <input type="checkbox"/> Planning for economic growth

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	<input type="checkbox"/> Planning for environment and heritage <input type="checkbox"/> Planning for safety and resilience to hazards <input type="checkbox"/> Planning for infrastructure
Ipswich Planning Scheme 2006	<input type="checkbox"/> Desired Environmental Outcomes and Performance Indicators (Part 3) <input type="checkbox"/> Regionally Significant Business Enterprise And Industry Areas Code (Part 6) <input type="checkbox"/> Development Constraints Overlays Code (Part 11, division 4) <input type="checkbox"/> Vegetation Management Code (Part 12, division 4) <input type="checkbox"/> Commercial and Industrial Code (Part 12, division 7) <input type="checkbox"/> Parking Code (Part 12, division 9) <input type="checkbox"/> Earthworks Code (Part 12, division 15) <input type="checkbox"/> Local Government Infrastructure Plan (Part 13) <input type="checkbox"/> Planning Scheme Policy 3 General Works <input type="checkbox"/> Planning Scheme Policy 5 Infrastructure <input type="checkbox"/> Implementation Guideline No. 13 Provision of Electricity, Driveways and Crossovers, Footpaths, Kerb and Channel <input type="checkbox"/> Implementation Guideline No. 14 Sewer Extensions/Connections to Service New Developments <input type="checkbox"/> Implementation Guideline No. 19 Vegetation Retention <input type="checkbox"/> Implementation Guideline No. 24 Stormwater Management <input type="checkbox"/> Implementation Guideline No. 28 Dispersive Soil Management <input type="checkbox"/> Implementation Guideline 32: Ebenezer Regional Industry Area Implementation Guideline
Temporary Local Planning Instrument	TLPI No. 2 of 2020 - Waste Activity Regulation

The assessment must also give regard to the relevant matters identified in section 31 of the *Planning Regulation 2017* and in accordance with section 45(5)(a)(ii) of the *Planning Act 2016*.

The assessment had regard to the following matters:

Relevant matter	Given regard to
Planning Regulation 2017, s31(1)(b)	(i) the strategic outcomes for the local government area stated in the planning scheme; and (ii) the purpose statement stated in the planning scheme for the zone and any overlay applying to the premises under the planning scheme; and (iii) the strategic intent and desired regional outcomes stated in the regional plan for a region.

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Planning Regulation 2017, s31(1)(d)	(i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme;
Planning Regulation 2017, s31(1)(f)	any development approval for, and any lawful use of, the premises or adjacent premises; and
Planning Regulation 2017, s31(1)(g)	the common material.

The assessment was also carried out having regard to other relevant matters in accordance with section 45(5)(b) of the *Planning Act 2016*.

The assessment had regard to the following matters:

Relevant matter	Given regard to
<u>Environmental Authority EPML00594013</u>	<p>Regard was given to the existing Mining Environmental Authority EPML00594013 that has specific rehabilitation requirements for the site.</p> <p>The proposal is not consistent with the existing mining rehabilitation requirements for the site under Environmental Authority EPML00594013.</p> <p>It has not been demonstrated that there are any benefits from either partially backfilling the mining voids or filling them with waste material as proposed. In particular it has not been demonstrated that any benefits of either partially filling the former mining voids or filling them with waste material outweigh the existing mining rehabilitation obligations for the site under Environmental Authority EPML00594013 such that they justify approval of the proposed development.</p>
<u>Draft Ipswich Planning Scheme</u>	<p>Regard was given to the Draft Ipswich Planning Scheme as a relevant matter to the application.</p> <p>The draft scheme has undergone community consultation on the Statement of Proposal, including the draft Strategic Framework.</p>

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	Based on the supporting material provided by the applicant, it is considered that the landfill component of the proposed development does not comply with the draft scheme as it does not encourage resource recovery, the need for additional capacity has not been sufficiently addressed, the height of the landfill extended beyond the top of the former mining void and the development will have unacceptable environmental impacts.
<u>South East Queensland Regional Plan 2009-2031 (2009 Regional Plan)</u>	<p>Regard was given to the South East Queensland Regional Plan 2009-2031 as a relevant matter.</p> <p>The 2009 Regional Plan provided 12 Regional policies that set out the desired regional outcomes, principles, policies and programs to address growth and management of the region. Whilst the 2009 Regional Plan is now a superseded document, it is suggested that this document informed the preparation of the current ShapingSEQ document.</p> <p>An assessment of this regional plan was undertaken which identified that the landfill component of the proposed development is inconsistent with Desired Regional Outcome 1 – Sustainability and climate change and Desired Regional Outcome 2 – Natural environment.</p>
<u>State government policies, strategies, discussion papers, direction papers and development programs including:</u> <ul style="list-style-type: none"> <input type="checkbox"/> Queensland Resource Recovery Industries 10 Year Roadmap and Action Plan; <input type="checkbox"/> the State Infrastructure Plan (Part B) (dealing with resource recovery); <input type="checkbox"/> the Waste Management and Resource Recovery Strategy; <input type="checkbox"/> the Transforming Queensland's Recycling and Waste Industry Directions Paper; <input type="checkbox"/> the Queensland Government response to the Honourable Peter Lyons, QC Investigation into the Transport of waste into Queensland; 	<p>Regard was given to a range of State government policies, strategies, discussion papers, direction papers and development programs as relevant matters.</p> <p>An assessment of the proposal against these policies and documents was undertaken and it is considered that the proposed development is in conflict with the intent of these policies/documents.</p>

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<p>□ the Resource Recovery Industry Development Program; Energy from Waste Policy Discussion Paper and the Queensland Climate Transition Strategy.</p>	
<p>Queensland Department of Environment and Science (DES) document <i>Guideline - Landfill siting, design, operation and rehabilitation</i> (ESR/2015/1627, Version 4.01, effective 23 November 2018)</p>	<p>Regard was given to the Queensland Department of Environment and Science (DES) document <i>Guideline - Landfill siting, design, operation and rehabilitation</i> (ESR/2015/1627, Version 4.01, effective 23 November 2018)</p> <p>Based on the supporting material provided by the applicant, it is considered that the proposed development does not achieve the outcomes sought by the Queensland Department of Environment and Science (DES) document <i>Guideline - Landfill siting, design, operation and rehabilitation</i> (ESR/2015/1627, Version 4.01, effective 23 November 2018) as follows:</p> <ul style="list-style-type: none"> - The proposal should consist of a 'well consolidated' platform for the installation of the subsequent lining materials which will protect them from excessive strains, potentially resulting in failure of the materials, and to ensure that the drainage system drains effectively throughout the life of the landfill. - A preferred site for a landfill is one that minimises the risk of groundwater pollution by providing a natural, unsaturated attenuation layer beneath the liner for contaminants that may leach through it. - There is not an adequate separation between the base of the liner and the highest expected groundwater level.
<p>Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020.</p>	<p>Regard was given to the Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020.</p> <p>The directive is a statement of intent and broad desire from the Council about what it is seeking to achieve. It is considered that the fundamental purpose of the policy directive is to ensure an appropriate level of residential</p>

	amenity is maintained for existing and future residential communities. It is considered that in this case, the landfill component of the proposed development does not align with the Policy Directive statements.
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The key issues associated with the landfill component of the proposed development, which form the basis upon why the proposed development is recommended to be refused can be summarised as follows:

Resource Recovery and Sustainability

1. The landfill component of the proposed development does not promote resource recovery and will act as a disincentive for resource recovery.
2. The approval of the landfill component of the proposed development does not facilitate the achievement of waste reduction targets such as 'zero net waste' and discouraging landfill.
3. The landfill component of the proposed development is not sustainable development.
4. The resource recovery component does not justify the need for the landfill component of the development.
5. The landfill component of the proposed development is contrary to the planning principle that '*resource recovery should be promoted (with landfill used as a last resort)*'.

Need

6. It has not been demonstrated that there is an economic, community or planning need for the landfill component of the proposed development.
7. Whilst it may be convenient for the operator to collocate the proposed uses, the resource recovery component does not justify the need for the landfill component of the development.
8. There is an adequate supply of landfill airspace in Ipswich and in South East Queensland;
9. The landfill component of the proposed development will have minimal economic benefits, including by meaningfully contributing to:
 - (a) building economic opportunities through the circular economy;
 - (b) diversity of industry in Ipswich and South East Queensland; and
 - (c) employment.

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10. The Ipswich community will not benefit from approval of the landfill component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.
11. The landfill component of the proposed development does not satisfy the test for need which is in the Statement of Proposals (ICC Draft Planning Scheme).
12. Any attempt by the applicant to demonstrate need is not sufficient to warrant approval of the landfill component of the proposed development owing to potential adverse or unacceptable environmental impacts or risks and adverse or unacceptable amenity impacts.

Environmental Outcomes - Geotechnical and landfill design

13. It has not been demonstrated that the proposed landfill design will appropriately address the risk of total and differential settlement, including:
 - (a) It has not been demonstrated that the proposed backfill material and construction methodology will result in a yielding and geotechnically stable sub-base suitable to support the proposed basal liner;
 - (b) It has not been demonstrated that the effective operation of the leachate riser pipe will not be adversely affected by settlement.

NOTE: The Queensland Department of Environment and Science (DES) document *Guideline - Landfill siting, design, operation and rehabilitation* (ESR/2015/1627, Version 4.01, effective 23 November 2018) requires that liners be supported by a "well consolidated" sub-base and liner manufacturers will require that their products be supported by an "unyielding" sub-base.

14. It has not been demonstrated that the basal liner and batter liner systems proposed will be able to provide an appropriate level of protection to the environment, including groundwaters, from the waste received to the landfill.
15. It has not been demonstrated that the landfill component of the proposed development will produce a final landform able to be used for industrial purposes.
16. It has not been demonstrated from an engineering, environmental and landfill rehabilitation perspective, that it is appropriate for future industrial uses to be established above the proposed landfill.
17. It has not been demonstrated that a source of suitable clay soil to construct the liners or capping layer could be obtained.
18. It has not been demonstrated that sources for suitable daily, final and intermediate cover could be obtained.

Environmental Outcomes - Surface Water and Stormwater

19. It has not been demonstrated that the dewatering of the void will not have impacts on the receiving environment including on:
- (a) flow rates, and any consequential erosion; and
 - (b) water quality.
20. It has not been demonstrated that the landfill component of the proposed development will not result in stormwater impacts to the receiving environment.
21. It has not been demonstrated that the landfill component of the proposed development will not result in impacts to surface waters now and in the future, having regard to:
- (a) the potential for comingling of stormwater, groundwater and leachate;
 - (b) the appropriateness of the design and anticipated performance of the landfill cap proposed;
 - (c) the stormwater, groundwater and leachate management regime proposed;
 - (d) the sediment, stormwater and leachate management design proposed; and
 - (e) the nature of the stormwater system in the land and the receiving environment.

Environmental Outcomes - Groundwater

22. It has not been demonstrated that the landfill component of the proposed development will not result in impacts or risks to groundwaters now and in the future, having regard to:
- (a) the potential for comingling of stormwater, groundwater and leachate and the volume of leachate (or waters to be treated as leachate) likely to be produced;
 - (b) the burial of contaminated waste below a rebounding (post-mining) groundwater table;
 - (c) the likelihood of leachate interactions with groundwater;
 - (d) the need to confine leachate to the underlying (300mm) drainage layer within the basal liner;
 - (e) the appropriateness of the design and anticipated performance of the basal liner and batter liners;
 - (f) the groundwater monitoring regime and compliance with conditions required under the relevant Environmental Authority EA0002905;
 - (g) the stormwater, groundwater and leachate management regime proposed;
 - (h) the sediment, stormwater and leachate management design proposed; and

- (i) the nature of the groundwater system in the land and the receiving environment.

Environmental Outcomes - Rehabilitation

- 23. Landfilling is not consistent with the existing mining rehabilitation requirements for the site under Environmental Authority EPML00594013.
- 24. It has not been demonstrated that there will be acceptable risks to the natural environment post-closure of the landfill component, including:
 - (a) the waste may never be defined as stable where it is (at least partially) beneath a naturally fluctuating groundwater table where;
 - (i) at least some groundwater interchange is anticipated; and
 - (ii) no contaminants are to be released to lands and waters by the conditions required under Environmental Authority EA0002905;
 - (b) given the former mining disturbances, any risks to the natural environment may never be adequately detected and quantified;
 - (c) potential issues below the landfill surface may never be adequately prevented, monitored, assessed, managed, or in the event of failure, remediated; and
 - (d) ongoing maintenance of the various post-closure management and rehabilitation systems (including groundwater pumping, leachate pumping and maintenance of the landfill cap) potentially in perpetuity, may not be achieved and is therefore unacceptable.
- 25. There is an unacceptable environmental risk arising from the potential that the landfill component of the proposed development will be commenced but not completed, or appropriately rehabilitated and maintained into the future.
- 26. It has not been demonstrated that the final landfill landform is appropriate, particularly in respect of post-closure cap maintenance, rainfall infiltration and leachate generation.
- 27. It has not been demonstrated that there are any benefits from rehabilitation of the mining voids by landfilling. In particular it has not been demonstrated that any benefits of filling the former mining voids with waste material outweigh the existing mining rehabilitation obligations for the site under Environmental Authority EPML00594013 such that they justify approval of the landfill component of the proposed development.
- 28. It has not been demonstrated that it is appropriate, from an environmental and landfill rehabilitation perspective, for future industrial uses to be established above the proposed landfill at all, and during the landfill rehabilitation phase.
- 29. It has not been demonstrated that the landfill component of the proposed development aligns with the Waste & Circular Economy Transformation Directive endorsed by Council

on 3 Dec 2020. In particular the proposal does not align with the following Policy Directive:

“Strategic and Sequential Remediation”: Council will seek to ensure the orderly sequencing and proper remediation of mining voids and end-of-life sites across the Ipswich local government area, and seek for a range of alternate remediation options to be considered. Strategic sequencing will be based on infrastructure, topographical, environmental and social opportunities and constraints.

General Environmental Risk

30. The landfill component of the proposed development is contrary to the planning principle that development should not ‘cause (or have the potential to cause) contamination or other adverse environmental impacts’.
31. It has not been demonstrated that the landfill component of the proposed development will not have an impact on the environment.

Planning Outcomes - Land use

32. The landfill component of the proposed development is contrary to the planning intention in the Ipswich Planning Scheme 2006 that the land be rehabilitated for the intended future land uses, as the completed landfill is unlikely to be suitable to accommodate future industrial land uses.
33. It has not been demonstrated that the landfill component of the proposed development is well-located having regard to:
 - (a) the requirements of the *Ipswich Planning Scheme 2006* and the Temporary Local Planning Instrument No. 2 of 2020 (Waste Activity Regulation) (TLPI);
 - (b) the constrained nature of the land the subject of the proposed development as a result of former mining activities;
 - (c) incompatible uses in the locality;
 - (d) community expectations, based on the *Ipswich Planning Scheme 2006*, the TLPI and the Statement of Proposals (to the extent it is relevant);
 - (e) the landfill component of the proposed development, being a difficult to locate activity;
 - (f) the guidance for the location of landfill provided in the Queensland Department of Environment and Science document *Guideline - Landfill siting, design, operation and rehabilitation* (ESR/2015/1627, Version 4.01, effective 23 November 2018); and
 - (g) environmental risks and impacts, and amenity impacts.

Planning Outcomes - Rehabilitation

34. It has not been demonstrated that the landfill component of the proposed development will:
- (a) achieve positive rehabilitation outcomes for the land after the use (including operational and maintenance phases of the landfill component) has ceased, by filling the mining voids with waste;
 - (b) rehabilitate the land as close as possible to pre-mining conditions and landform.
35. The landfill component of the proposed development is inconsistent with the rehabilitation obligations under Environmental Authority EPML00594013 (and in particular Schedule F – Land) which in the most part requires the former mining voids to be retained as water storage fauna habitat.
36. It has not been demonstrated that the landfill component of the proposed development aligns with the Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020. In particular the proposal does not align with the following Policy Directive:
- “Strategic and Sequential Remediation”: Council will seek to ensure the orderly sequencing and proper remediation of mining voids and end-of-life sites across the Ipswich local government area, and seek for a range of alternate remediation options to be considered. Strategic sequencing will be based on infrastructure, topographical, environmental and social opportunities and constraints.
37. The landfill component of the proposed development is contrary to the planning principle that development should not compromise the future capacity of land to be re-used in a way that is compatible with the surrounding area or the uses promoted in planning documents.

Planning Outcomes - Amenity

38. It has not been demonstrated that the landfill component of the proposed development does not involve filling *‘beyond the top of former mining voids’*.
39. It has not been demonstrated that the landfill component of the proposed development presents an opportunity to significantly improve long-term amenity outcomes for surrounding sensitive uses, and the wider community generally, than would be the case if the existing rehabilitation obligations in Environmental Authority EPML00594013 were carried out, as required.
40. Having regard to the uncertainties with respect to the length of the operational life of the landfill component, it has not been demonstrated that the proposed development will not have impacts on general amenity, the community’s perception and sense of place.

41. It has not been demonstrated that the landfill component of the proposed development is of a type or scale appropriate for the prevailing nature of the area and particular circumstances of the site and its surrounds particularly given its close proximity to surrounding sensitive uses.
42. It has not been demonstrated that the landfill component of the proposed development aligns with the Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020. In particular the proposal does not align with the following Policy Directive:
 - ☐ “Protect Our Residential Amenity”: new waste industry developments in close proximity to residential areas should be discouraged where it is clear the development impacts will not be manageable onsite and will negatively detract from amenity.

The key issues summarised above have been expanded upon below for further context.

NEED

There is approximately 105 million cubic meters of approved landfill capacity in South East Queensland. A majority of this landfill capacity is within the Ipswich City Council area. This landfill capacity, or airspace, equates to a minimum of about 20 years of landfill airspace supply – taking account of projected population growth and conservative estimates of future reductions in waste generation and increases in recycling activity. The actual time taken by the community to consume existing available airspace could be much longer than this projection. The applicant has submitted a Needs Analysis Report which identifies approximately 86.7 million cubic metres of approved landfill capacity within South East Queensland landfills, and about 15 years supply. In circumstances where there is a growing community expectation for waste minimisation and increased recycling, supported by the State waste levy, it has not been demonstrated that the recycling component of the proposed development justifies approval or the landfill component. Further, the applicant has not demonstrated that there is an economic, community or planning need for the landfill component of the proposed development.

The landfill component of the proposed development is unacceptable having regard to matters of landfill design and ongoing management and presents unacceptable environmental impacts or risks.

Furthermore, the proposed development will have unacceptable impacts on the general amenity of the area including visual amenity and will also impact on the sense of place and community perception of the locality and of the local government area. These issues combined mean that the Ipswich community will not benefit from approval of the landfill component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.

If the applicant were to demonstrate any need for the landfill component of the proposed development, which is not acknowledged, that need does not overcome the adverse environmental, amenity and community impacts that would arise from approval of the proposed landfill.

PRE-EXISTING LANDFORM

The subject site is in an area that has been subject to historic mining. This creates an uncertain/unstable landform and adversely impacts upon the performance of any environmental safety measures that may be constructed/implemented above that unstable base.

The Queensland Department of Environment and Science (DES) document *Guideline - Landfill siting, design, operation and rehabilitation* (ESR/2015/1627, Version 4.01, effective 23 November 2018) require that liners be supported by a “well consolidated” sub-base and liner manufacturers will require that their products be supported by an “unyielding” sub-base.

The application material clearly shows that some of the landfill liner will be built above existing mine spoil with the overall depth of the landfill to be approximately 50m. Whilst the degree of settlement beneath the liner and the tensile strains that may occur on the liner system are unknown, there is a risk that the settlement could result in a failure of the liner which may result in co-mingling of leachate, groundwater and surface water thereby increasing the risk of environmental harm.

Having considered relevant information that is available, it is considered that the landfill component of the proposed development is contrary to the planning principle that development should not *‘cause (or have the potential to cause) contamination or other adverse environmental impacts.*

LEACHATE FORMATION AND COLLECTION

A key and significant issue with any landfill is leachate. Leachate is produced when water percolates through deposited waste. As it passes through the waste, the water becomes contaminated as it ‘leaches’ compounds from the waste. Leachate composition varies with the age of the waste from which it is generated; it also varies depending on the nature of the waste and the volume of water. It is widely recognised that the dissolved and suspended constituents of leachate have the potential to cause groundwater and surface water contamination.

Water may enter the waste from several sources:

- ☐ rainfall
- ☐ liquid as a result of breakdown of the landfill waste
- ☐ surface water inflow (as run-off)
- ☐ groundwater inflow
- ☐ liquid may also be present in the waste when deposited

Many landfills experience leachate management problems due to inappropriate design and/or management practices such as:

- ☐ allowing too much waste to be open to rainfall on the landfill surface

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- ☐ allowing (or not preventing) rainwater from adding to the collected leachate
- ☐ allowing (or not preventing) surface water from mixing with leachate
- ☐ relying on a waste cell size (within the landfill filling sequence) that is too great for the leachate management system to accommodate
- ☐ failing to adequately monitor, manage and/or mitigate excessive leachate generation issues as they occur, during and after the landfilling activities.

In the case of this proposed landfill, the applicant has advised that they would manage the leachate generation rate through means such as:

- ☐ Minimising the active waste face;
- ☐ Bunding around the active waste face to promote diversion of surface water run-on;
- ☐ Update and implement a stormwater management plan that addresses management of surface water run-on;
- ☐ Ensuring daily cover is applied at the end of every day;
- ☐ Application of intermediate capping material on completed areas as soon as practicable;
- ☐ Commencing waste placement in new cells at the beginning of the dry season;
- ☐ Aiming to have waste disposal areas with 5m or more of placed waste at commencement of the wet season to promote surface water runoff from inactive areas, and to reduce the rate at which leachate migrates to the leachate collection layer;
- ☐ Recirculation of leachate into cells that aren't saturated with leachate, and where removal of leachate is undertaken regularly;
- ☐ Implementation of automated leachate pumps for each landfill cell to allow leachate levels to be managed in each cell.

In order to collect and remove leachate from the base of the landfill and reduce the head of leachate on the lining system, the applicant has proposed a leachate collection system. It is proposed that the base of the cell would fall towards a leachate collection sump. The leachate collection layer would comprise a 300mm thick layer of free draining aggregate incorporating a network of perforated pipes across the base of the cell. Leachate would then need to be extracted from the sump by a submersible pump in order to maintain a 300mm maximum head of leachate (as required by the standard landfill EA conditions).

Notwithstanding the fact that it is a standard EA condition, the removal of leachate from the base of the landfill is of particular importance in this case as the base of the landfill is proposed beneath the groundwater level where there is an increased risk of groundwater co-mingling with leachate. Advice contained within the applicants engineering reports suggest that leachate collection systems eventually clog which reduces the hydraulic conductivity of the system, and then their lifespan has reduced. This occurs through a combination of physical, biological and chemical mechanisms including the deposition of particulate material, biologically induced chemical precipitation and biofilm growth. Once clogging of the system has occurred the leachate mounding on the base of the liner system occurs and increases the advective flow through the lining system. The applicant has advised that the estimated service life for a leachate collection system is in the order of 90 years which is of concern considering DES has conditioned a post filling maintenance period of 100 years after landfilling activities have ceased.

Whilst it is recognised that leachate management will be regulated by DES through the Environmental Authority (EA), failure for site management to comply with landfill design requirements is not uncommon. Those who design and approve the leachate management and pumping systems are not necessarily engaged to monitor, audit, regulate and consult during the (often) lengthy operational and post closure phases, which can often lead to major issues (some of which have recently been experienced in existing landfill operations in Ipswich).

The success of this proposal would rely almost entirely on necessary systems and measures that cannot be guaranteed in perpetuity. Each of the necessary systems and measures, individually and collectively, are complex and would require careful attention and management on an ongoing basis.

They are individually subject to various failures, human errors and other risks. The failure of any one of the following systems will exacerbate the environmental risks associated with the proposal:

- i. A leachate management and pumping system;
- ii. A liner system that must remain intact and not be breached;
- iii. A groundwater depressurisation system;
- iv. Operational management measures including daily cover of waste to prevent infiltration;
- v. Water storages (and potential treatments systems) for stormwater and leachate;
- vi. A capping system;
- vii. Monitoring programs for both the operational and rehabilitation phases;
- viii. Ongoing maintenance and management during the rehabilitation phase.

Whilst it is recognised that the Department of Environment and Science (DES) issued an Environmental Authority (EA0002905) on 28 June 2021, the EA does not completely eliminate the risk of environmental harm resulting from leachate on this site (as has already been experienced in existing landfill operations in Ipswich) and therefore the landfill component of this application is unacceptable.

LEACHATE TREATMENT

Once leachate is pumped from the base of the landfill, it is proposed to be stored on site and evaporated in a lined leachate pond and recirculated through the waste mass. The applicant is of the understanding that on-site treatment for reuse (dust suppression/vegetation management) or to achieve a trade waste quality criteria can be achieved through mobile or permanent technologies such as reverse osmosis and activated carbon, which can be used for the treatment of PFAS.

The applicant understands that a treatment option may be required in conjunction with or as an alternative to enhanced evaporation. These systems are dependent on the leachate quantity and quality at the site, and the final disposal method if required. The applicant has advised that they will engage a treatment provider at a later date to assess options in providing long term solutions such as treatment plant enhancements that enable the providers to accept and treat leachate. At this stage the applicant believes that current

treatment technologies are feasible and therefore they have not committed to nor explored a particular type of technology to treat the leachate onsite.

The leachate treatment plant should form part of the material change of use application and be commissioned and installed upfront so as to ensure that leachate can be appropriately treated from day one of any operations. The fact that the applicant has not undertaken the work required to determine a suitable plant for the site is of concern, particularly considering leachate build up and contamination issues are already present within existing landfill operations in Ipswich, with some operators currently rushing to procure suitable leachate treatment plants in order to retrospectively comply with their EA conditions. This issue has recently come to light as a result of Environmental Protection Orders (EPO's) that have been issued by DES.

GROUNDWATER AND SURFACE WATER

The voids on the site are currently full of water as a result of rainfall, surface water inflow (as run-off) and groundwater inflow. Prior to landfilling, the water from within the voids will be pumped out and released into Ebenezer Creek, which flows and discharges into the Warrill Creek situated to the east of the subject site. Whilst the base of the landfill will need to be modified to accommodate the lining system, it will ultimately sit below the groundwater level and therefore overtime the groundwater would naturally rebound beneath the lining system as a result of seepage from the Walloon coal measures (WCM) which are contained within the void batters.

According to the technical reporting submitted in support of this application, the subject site has two distinct hydrogeological systems, partially backfilled mine voids with overburden and the underlying natural ground comprising the WCM. The partially backfilled mine voids consist of an unconfined groundwater system of overburden material composed of randomly distributed proportions of siltstone, sandstone and claystone. This material has a random particle size distribution ranging from clay to boulders sized particles within the backfilled overburden mass. The overburden backfill material is reactive to water and readily degrades upon contact with water by slaking and dispersing to form a material with similar properties to soil with a very poor structure. The Tailings Dam was used for disposal of tailings from the coal washplant. Volume and thickness contained in this void, along with geotechnical and geological qualities of this material is not known. General groundwater flow is in a west to east direction, with a reduced northerly component. The natural groundwater system within the WCM consists of confined coal seam aquifers of the WCM.

In order to address potential hydrostatic uplift (i.e. when water pressure builds up and lifts the subgrade and/or the lining system) the applicant has proposed a groundwater relief system that would be employed to actively pump out any groundwaters from beneath the liner, rather than maintain the groundwater at a set level around the landfill liner. The applicant has advised that once the landfill reaches near ground levels there would be sufficient force from the waste mass to prevent liner uplift, and groundwater pumping under the liner could then cease. During the pumping stage the groundwater would be accommodated in stormwater sedimentation ponds. Upon testing the water and subject to meeting DES discharge criteria the water would then be actively discharged through pumping

to the closet legal point of discharge. Alternatively, the applicant proposes to use the collected water for dust suppression, maintaining vegetation on rehabilitated areas and construction activities such as lining or capping.

Non-rehabilitated areas of the site will typically have poor ground cover which results in transportation of sediments during rainfall events. Sediment laden stormwater is required to be treated via a sediment pond prior to leaving the site. The applicant has advised that sediment ponds will be provided and collected water will be used for dust suppression on the site and irrigation of vegetation. Diversion drains around the crest of the footprint and crest of the progressively capped areas will also be constructed to reduce run on into the pit. As per DES Guideline on Stormwater and Environmentally Relevant Activities (2014) the applicant has designed their sedimentation ponds to contain the stormwater run-off expected from the landfill area for a 24 hour storm with an average recurrence interval of 1 in 10 years. For rainfall events in excess of the 1 in 10 year 24 hour events the applicant has advised that surface water will be directed to off-site watercourses through approved release points that lead to Ebenezer Creek and ultimately Warrill Creek.

Whilst it is recognised that the rate of release for stormwater and water quality standards will be regulated by DES through the environmental authority (EA), failure for site management to comply with landfill design requirements (including ongoing maintenance) is not uncommon nor is it uncommon for sediment ponds to overflow during rain events in excess of 1 in 10 years thereby causing issues downstream. Those who design and approve the landfill systems are not necessarily engaged to monitor, audit, regulate and consult during the (often) lengthy operational and post closure phases, which can often lead to major issues (some of which have recently been experienced in existing landfill operations in Ipswich).

The success of this proposal relies almost entirely on necessary systems and measures that cannot be guaranteed in perpetuity. Each of the necessary systems and measures, individually and collectively, are complex and would require careful attention and management on an ongoing basis. They are individually subject to various failures, human errors and other risks.

Whilst it is recognised that the Department of Environment and Science (DES) issued an Environmental Authority EA0002905 on 28 June 2021, the EA does not completely eliminate the risk of environmental harm (as has already been experienced in existing landfill operations in Ipswich) and therefore the landfill component of this application is unacceptable.

CLAY LINING SYSTEM

The proposed landfills will be heavily reliant upon clay in order to form up the landfill (a minimum 600 mm thick low permeability clay liner for the base of the landfill, and 1,000 mm for the side walls is required). At this stage the applicant has not undertaken an assessment to determine the availability of clay to be used beneath the liner as they believe that the inclusion of geosynthetics such as geosynthetic clay liners and geomembranes may be acceptable where a suitable source of clay is not be available. No further details have been provided to prove this up which is of concern particularly considering this is such an integral part of the landfill proposal.

GAS

Landfill gas is a by-product of biological anaerobic decomposition of organic materials in landfills. Landfill gas is principally composed of methane and carbon dioxide. The gas generation rate for each void would be different due to the proposed different waste types to be disposed of in each void. Lane's and Ironbark pit would have higher gas production than the Tailings Dam void, due to the higher amount of organics that would be disposed of.

In order to appropriately manage landfill gas, the applicant has proposed an extraction system comprising vertical and horizontal collection wells and a combination of flaring and power generators. Based on the landfill gas generation modelling estimates, it is anticipated that four (4) 1MW engines and one (1) high temperature flare would be operational at the site at any one time.

It is acknowledged that gases issues may be mitigated if the applicant complies with the Department of Environment and Science (DES) Environmental Authority conditions.

Notwithstanding, even if the applicant were to comply with their Environmental Authority conditions with respect to this issue this does not overcome the adverse environmental, amenity and community impacts that would arise from approval of the proposed landfill.

The issues associated with this proposal mean that the Ipswich community will not benefit from approval of the landfill component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.

ODOUR

Odours at the site will principally be associated with the decomposition of waste, landfill gas and collected leachate. The applicant has advised that the following operational measures to prevent odour nuisance associated with the landfilled waste would be used:

- ☐ Waste deposited during the working day would be compacted and progressively covered.
- ☐ The site operator would ensure that an adequate supply of cover material is available
- ☐ The working area, and in particular areas of exposed waste, would be kept as small as practicable
- ☐ Disturbance of waste already deposited and covered in the landfill would be minimised.
- ☐ Should operational procedures prove ineffective, odour neutralising or masking sprays would be employed if appropriate.

It is acknowledged that odour issues may be mitigated if the applicant complies with the Department of Environment and Science (DES) Environmental Authority conditions. Notwithstanding, the applicant has not demonstrated the means by which they would appropriately treat leachate on the site nor have they demonstrated that sources for suitable daily, final and intermediate cover could be obtained, which is of concern to Council.

Notwithstanding, even if the applicant were to comply with their Environmental Authority conditions with respect to this issue this does not overcome the adverse environmental, amenity and community impacts that would arise from approval of the proposed landfill.

The issues associated with this proposal mean that the Ipswich community will not benefit from approval of the landfill component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.

NOISE

The main sources of noise at the site would likely arise from operation of plant and vehicles associated with waste delivery, deposition and material processing. The applicant has advised that measures that will be taken to control noise from plant and vehicles include:

- ☐ Operation during working hours only.
- ☐ Effective maintenance of plant and equipment.
- ☐ Maintenance of access roads, and a speed limit on site.

It is acknowledged that noise issues may be mitigated if the applicant complies with the Department of Environment and Science (DES) Environmental Authority conditions.

Notwithstanding, even if the applicant were to comply with their Environmental Authority conditions with respect to this issue this does not overcome the adverse environmental, amenity and community impacts that would arise from approval of the proposed landfill.

The issues associated with this proposal mean that the Ipswich community will not benefit from approval of the landfill component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.

DUST

The applicant has advised that the following mitigation measures are proposed to minimise the potential for generation of dust at the site:

- ☐ Surfacing of access roads/hardstandings in and around the site entrance area
- ☐ Use of a wheel wash for vehicles exiting the site
- ☐ Instructions to all vehicles with regard to the covering of loads
- ☐ Grading and other regular maintenance of internal haul roads to minimise potholes
- ☐ Use of a road sweeper to minimise dirt and debris accumulating on the surfaced areas within the site
- ☐ Use of a water truck on site to suppress dust on unsurfaced haul routes and active working areas
- ☐ Compaction and covering of the waste to reduce wind erosion
- ☐ Waste loads of a dusty nature would, where necessary, be sprayed with water or otherwise treated to minimise dust emissions during transport, discharge and subsequent levelling operations.
- ☐ During long periods of dry weather, reduced vehicle speeds would be enforced on site.

- Wastes known to produce problems with dust in the working area would be delivered bagged or otherwise contained wherever possible.
- Operatives working in the tipping area would be instructed on the hazards associated with dust, and would be provided with appropriate personal protective equipment (PPE) (e.g. overalls, dust masks and goggles).

It is acknowledged that dust issues may be mitigated if the applicant complies with the Department of Environment and Science (DES) Environmental Authority conditions.

Notwithstanding, even if the applicant were to comply with their Environmental Authority conditions with respect to this issue this does not overcome the adverse environmental, amenity and community impacts that would arise from approval of the proposed landfill.

The issues associated with this proposal mean that the Ipswich community will not benefit from approval of the landfill component of the proposed development in any material respect and the adverse risks and consequences of approval outweigh any benefits.

COVERING OF WASTE

An essential part of landfill operations is the placement of cover over deposited wastes. The purpose of cover at a landfill is to achieve the following environmental outcomes:

- minimise landfill odours
- control litter
- prevent the spread of fire
- control disease vectors such as birds, flies and rodents
- minimise rainwater ingress (including run on)
- ensure that the landfill is trafficable
- maintain visual amenity.

The applicant has advised that waste will be covered at the end of every operational day however cover may need to be progressively applied in some circumstances to ensure the above environmental outcomes are achieved. Daily cover material shall be either site derived virgin material from an approved onsite borrow source or select imported virgin material delivered to the site. This is of concern as it has not been demonstrated that sources for suitable daily, final and intermediate cover could be obtained once onsite sources are exhausted.

CAPPING

Whilst the applicant is proposing to undertake progressive capping at the site as each stage of the landfill is completed, they have advised that the final capping system is likely to comprise a low permeability compacted clay layer or similar, together with cover soils to protect the clay from desiccation and to provide a growth medium for vegetation. The applicant has outlined a number of different options that may be appropriate for the site, however at this stage the exact details of the final capping strategy is unknown.

The final capping strategy of landfills is important to understand as it can have consequences from both a visual perspective as well as from an environmental perspective. For example the strategy should be visually appealing but also promote runoff, eliminate erosion, prevent ponding of water and remove any risks of percolation through the capping system into the waste mass.) The applicants lack of detail in this regard is of concern particularly given the site is likely to be visible from surrounding areas, including residential properties and if not installed correctly, the proposed outcome has the potential to result in environmental harm.

REHABILITATION

The development site currently has voids that are reminiscent of the previous mining activities on the site. Notwithstanding, the land is currently required to be rehabilitated pursuant to the Environmental Authority that authorised the mining operation (Environmental Authority EPML00594013). These rehabilitation obligations are of particular importance, as they indicate the state in which the land will ultimately reach, in any event, absent approval of the landfill component. In that regard, the relevant Environmental Authority conditions require that of the 166.8ha of disturbed land covered by the relevant mining permit:

- (a) 80.8ha of the site is to recontoured and used for light grazing;
- (b) 54.3ha of water bodies are to be retained and used for water storage fauna habitat (inclusive of the mining pit (final void) and existing dams and ponds); and
- (c) 31.7ha of the site is to be used for fauna habitat (inclusive of the tailings ponds).

In light of the above, it is clear that filling the voids with waste material is not consistent with the existing mining rehabilitation requirements for the site under Environmental Authority EPML00594013. Furthermore, it has not been demonstrated that there are any benefits from rehabilitation of the mining voids by landfilling. In particular it has not been demonstrated that any benefits of filling the former mining voids with waste material outweigh the existing mining rehabilitation obligations for the site under Environmental Authority EPML00594013 such that they justify approval of the landfill component of the proposed development.

Furthermore, it has not been demonstrated that the landfill will achieve any positive rehabilitation outcomes for the land after the use (including operational and maintenance phases of the landfill component) has ceased, In particular it has not been demonstrated that by filling the voids with waste the land will be rehabilitated as close as possible to pre-mining conditions and landform so as to be suitable to accommodate future industrial land uses.

Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void

This component of the proposed development is recommended to be refused on the basis that the proposal conflicts with the assessment benchmarks set out by the categorising instruments in accordance with section 45(3)(a) of the *Planning Act 2016*.

The relevant assessment benchmarks which have been applied for the purposes of this assessment are as follows:

Item 15.8 / Attachment 10.

Categorising Instrument	Assessment Benchmarks
State Planning Policy July 2017, Part E	<input type="checkbox"/> Planning for liveable communities and housing <input type="checkbox"/> Planning for economic growth <input type="checkbox"/> Planning for environment and heritage <input type="checkbox"/> Planning for safety and resilience to hazards <input type="checkbox"/> Planning for infrastructure
Ipswich Planning Scheme 2006	<input type="checkbox"/> Desired Environmental Outcomes and Performance Indicators (Part 3) <input type="checkbox"/> Regionally Significant Business Enterprise And Industry Areas Code (Part 6) <input type="checkbox"/> Commercial and Industrial Code (Part 12, division 7) <input type="checkbox"/> Parking Code (Part 12, division 9) <input type="checkbox"/> Earthworks Code (Part 12, division 15) <input type="checkbox"/> Implementation Guideline 32: Ebenezer Regional Industry Area Implementation Guideline
Temporary Local Planning Instrument	TLPI No. 2 of 2020 - Waste Activity Regulation

The assessment must also give regard to the relevant matters identified in section 31 of the *Planning Regulation 2017* and in accordance with section 45(3)(b) of the *Planning Act 2016*.

The assessment had regard to the following matters:

Relevant matter	Given regard to
Planning Regulation 2017, s31(1)(b)	(i) the strategic outcomes for the local government area stated in the planning scheme; and (ii) the purpose statement stated in the planning scheme for the zone and any overlay applying to the premises under the planning scheme; and (iii) the strategic intent and desired regional outcomes stated in the regional plan for a region.
Planning Regulation 2017, s31(1)(d)	(i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme;
Planning Regulation 2017, s31(1)(f)	any development approval for, and any lawful use of, the premises or adjacent premises; and
Planning Regulation 2017, s31(1)(g)	the common material.

The key issues associated with the Waste Activity Use involving Rehabilitating a Mining Void component of the proposed development, which form the basis upon why the proposed development is recommended to be refused can be summarised as follows:

Planning and Environmental Outcomes - Rehabilitation

1. There is no utility in granting approval to partially fill the mining voids if the landfill component is refused.
2. The proposal to partially backfill the void is inconsistent with the rehabilitation obligations under Environmental Authority EPML00594013 (and in particular Schedule F – Land) which in the most part requires the former mining voids to be retained as water storage fauna habitat.
3. It has not been demonstrated that there are any benefits from partially backfilling the mining voids as proposed. In particular it has not been demonstrated that any benefits of partially filling the former mining voids outweigh the existing mining rehabilitation obligations for the site under Environmental Authority EPML00594013 such that they justify approval of the proposed development.
4. It has not been demonstrated that the landfill component of the proposed development aligns with the Waste & Circular Economy Transformation Directive endorsed by Council on 3 Dec 2020. In particular the proposal does not align with the following Policy Directive:

“Strategic and Sequential Remediation”: Council will seek to ensure the orderly sequencing and proper remediation of mining voids and end-of-life sites across the Ipswich local government area, and seek for a range of alternate remediation options to be considered. Strategic sequencing will be based on infrastructure, topographical, environmental and social opportunities and constraints.

Planning Outcomes – Land Use

5. The proposal development is contrary to the planning intention in the Ipswich Planning Scheme 2006 that the land be rehabilitated for the intended future land uses, as the proposal to partially backfill the void is unlikely to be suitable to accommodate future industrial land uses.

Planning Outcomes – Amenity

6. It has not been demonstrated that the proposal to partially backfill the void presents an opportunity to significantly improve long-term amenity outcomes for surrounding sensitive uses, and the wider community generally, than would be the case if the existing rehabilitation obligations in Environmental Authority EPML00594013 were carried out, as required.

Environmentally Relevant Activity 54 - 2(c): Mechanical Waste Reprocessing

Assessment of the ERA 54 - 2(c) is the responsibility of Department of Science (DES) via referral of the application to SARA. DES issued an Environmental Authority EA0002905 on 28 June 2021 relating to this.

Environmentally Relevant Activity 60 - 2(1)(b)(h): Waste Disposal

Assessment of the ERA 60 - 2(1)(b)(h) is the responsibility of DES via referral of the application to SARA. DES issued an Environmental Authority EA0002905 on 28 June 2021 relating to this. Notwithstanding, the Environmental Authority does not take effect until the related development approval 10674/2019/CA takes effect. On the basis that the landfill component of 10674/2019/CA is recommended to be refused, this Environmental Authority will have no force or effect.

Environmentally Relevant Activity 62 - 1(b): Resource Recovery and Transfer Facility Operation

The resource recovery facility proposes to accept all types of waste. Accordingly, ERA 62 - 1(b) is triggered which is assessed DES via referral of the application to SARA. DES issued an Environmental Authority EA0002905 on 28 June 2021 relating to this.

CONCLUSION

An assessment of the proposal as described above has been undertaken and it has been determined that:

- The Reconfiguring a Lot {Thirteen (13) Lots into Five (5) Lots} generally complies with the assessment benchmarks or can be conditioned to comply. It is therefore recommended that this component of the development application be approved subject to conditions as contained in Attachment 1 of this report.
- The Material Change of Use for, Special Industry (Waste Transfer and Resource Recovery Facility), generally complies with the assessment benchmarks or can be conditioned to comply. It is therefore recommended that this component of the development application be approved subject to conditions as contained in Attachment 2 of this report.
- The Material Change of Use for Waste Activity Use involving Landfill does not advance the purpose of the *Planning Act 2016* and conflicts with the applicable assessment benchmarks and other relevant matters. It is therefore recommended that this component of the development application be refused for the reasons as contained in Attachment 3 of this report.
- The Material Change of Use for Waste Activity Use involving Rehabilitating a Mining Void does not advance the purpose of the *Planning Act 2016* and conflicts with the applicable assessment benchmarks and other relevant matters. It is therefore recommended that this component of the development application be refused for the reasons as contained in Attachment 4 of this report.

Item 15.8 / Attachment 10.

COUNCIL
MEETING AGENDA16 SEPTEMBER
2021

In closing it is important to note that the Queensland State Government has recently made a range of legislative and policy reforms with respect to the management of the waste industry which is aimed at significantly changing the way in which we deal with waste in Queensland. More specifically, the Queensland Government has set a vision and a clear set of goals within the following waste related policies, strategies, discussion papers, directions papers and development programs:

- State Infrastructure Plan;
- Queensland Resource Recovery Industries 10 Year Roadmap and Action Plan;
- Waste Management and Resource Recovery Strategy;
- Transforming Queensland's Recycling and Waste Industry Directions Paper;
- The Queensland Government response to the Honourable Peter Lyons, QC Investigation into the Transport of waste into Queensland;
- Resource recovery industry development program;
- Energy from Waste Policy Discussion Paper; and
- Queensland Climate Transition Strategy

The landfill component of the proposed development has the potential to undermine the vision, strategies, objectives and outcomes sought by the Queensland State Government. The decision to refuse the landfill component of the development application is therefore considered necessary in order to align the current policies and strategic direction of both the Ipswich City Council and the Queensland State Government.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Reconfiguring a Lot - Conditions (<i>under separate cover</i>)
2.	Special Industry (Waste Transfer and Resource Recovery Facility) - Conditions (<i>under separate cover</i>)
3.	Waste Activity Use involving Landfill - Reasons for Refusal (<i>under separate cover</i>)
4.	Waste Activity Use involving Rehabilitating a Mining Void - Reasons for Refusal (<i>under separate cover</i>)
5.	Draft Decision Notice and ICN (<i>under separate cover</i>)
6.	Draft Approval Plans (<i>under separate cover</i>)
7.	Draft Statement of Reasons (<i>under separate cover</i>)
8.	Referral Agency Response (Queensland Government - SARA) (<i>under separate cover</i>)
9.	Referral Agency Response (Energex) (<i>under separate cover</i>)
10.	Referral Agency Response (Department of Defence) (<i>under separate cover</i>)
11.	Application Material to Independent Decision Review Panel (<i>under separate cover</i>)
12.	Independent Decision Review Panel Report (<i>under separate cover</i>)

Sandeep Nanjappa

SENIOR PLANNER (DEVELOPMENT)

I concur with the recommendations contained in this report.

Michael Simmons

DEVELOPMENT ASSESSMENT WEST MANAGER

I concur with the recommendations contained in this report.

Anthony Bowles

MANAGER, DEVELOPMENT PLANNING

I concur with the recommendations contained in this report.

Peter Tabulo

GENERAL MANAGER, PLANNING AND REGULATORY SERVICES

"Together, we proudly enhance the quality of life for our community"