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13/10/2022

APPLICATION REF

A006125616

LEVEL 32
300 GEORGE STREET
BRISBANE QLD 4000

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

13 October 2022

Assessment Manager
Brisbane City Council
GPO Box 1434
Brisbane City QLD 4001

Via online form

Dear Sir/Madam,

REQUEST TO MAKE A MINOR CHANGE TO A DEVELOPMENT APPROVAL AT 168 PARINGA ROAD, MURARRIE (COUNCIL REF: A005832338)

In accordance with Section 78 of the Planning Act 2016 ('Planning Act') and on behalf of *Visy Paper Pty Ltd* ('the Applicant'), we wish to make a Minor Change to the Development Approval for a Development Permit for a Material Change of Use for Industry at 168 Paringa Road, Murarrie (formally described as Lot 408 on CP885750). The approval subject to this change application was approved by Council on 24 November 2021 (Council Reference: A005832338).

This change application is accompanied by the following material:

- **Appendix A** – DA Form 5;
- **Appendix B** – Signed Owner's Consent;
- **Appendix C** – Changed proposal plans;
- **Appendix D** – Existing Approval; and
- **Appendix E** – Stormwater Management Plan.

A description of the proposed Minor Change along with the relevant background information has been detailed in the subsequent sections.

1. SITE DETAILS

The site subject to this Minor Change application is Visy's Gibson Island pulp and paper mill and recycling facility, located at 168 Paringa Road, Murarrie. The site is formally described as Lot 408 on CP885750. The site consists of a total area of 97,390m² and is wholly located within the Industry (General Industry C) Zone. The site is also located within the Hemmant-Lytton Neighbourhood Plan boundaries.

It is noted the proposed changes only affect a portion of the overall development site, being part of the papermill highlighted in **Figure 1**. No other areas of the site are subject to this Minor Change application.

Figure 1 – Site Aerial View



Source: Nearmap

2. APPROVAL HISTORY

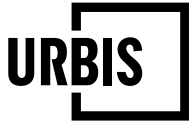
From reviewing the existing approvals that are on site, the main paper recycling use contained within the main building is covered by the 1996 Town Planning Consent. This has been changed once in 2012 to accommodate a change to fuel inputs. A subsequent change application was approved in 2021 relevant to the amendment of the boilers as part of the Boiler Upgrade Project. The approvals relevant to this Minor Change application are further detailed below.

- **Original Approval (Council Ref: 953/96)**

On 18 June 1996 a Town Planning Consent was issued by Brisbane City Council that permitted the establishment of General Industry (waste paper recycling and box making plant) across the site at 168 Paringa Road, Murarrie (Council Ref: 953/96).

- **Minor Change (Council Ref: A003191038)**

On 24 January 2012, a permissible change to this consent was approved that replaces the conditions of the 1996 permit (Council Ref: A003191038). This approval covers the paper



recycling use, and has specific conditions that relate to the operation of boilers in the paper recycling operation.

It is noted that from reviewing the Planning Application that accompanied the request to change the original consent was to permit the burning of materials that were sourced from the MRF operation, excerpt included below:

Visy would like to utilise appropriate fuels derived from all of the streams of on-site generated residues as boiler fuel, and also use other selected fuels. The proposal is to increase the quantity of PM rejects used as fuel in the boiler, as well as to introduce MRF rejects, wax coated boxes and clean wood waste from a homogeneous source, as boiler fuels. The proposed fuel materials are genuine residues from the Visy recycling and remanufacturing process, or other genuine fuel sources. That is, there is Ltr - 210304 - Approvals Advice - Visy Murarrie 4 no higher order use for them for feedstock for paper-making or other manufacture, they contain useful calorific value for energy generation, but they are currently disposed of to landfill. (Town Planning Cover Letter, 2012).

The changes specifically requested the introduction of MRF rejected materials into the fuel for the existing two boilers on the site. This was accepted as a permissible change to the existing permit, with the conditions of approval contemporised to align with the amended fuel inputs.

In order to cater for the amendment to the fuel inputs for the boilers, the conditions relating to the boilers were amended. Conditions 31 – 51 of the approval relate to the operation, emissions and design of the boilers. To note, there is no condition that limits the capacity or number of boilers on the property.

▪ **Minor Change (Council Ref: A005832338)**

On 24 November 2021, a change application was approved by Council for the addition of a new boiler and 45m stack in the northern area of the site. This approval was in support of Visy's Boiler Upgrade Project. This application did not propose any changes to the paper mill machinery.

It is acknowledged there is a significant development history on site that pertains to the extension of the High Impact Industry uses on site. These represent a number of extensions to the ancillary uses on the site to the Paper Mill. The proposed changes subject this application are limited to site improvements associated with the site plan attached to the Paper Mill approval (as listed above).

3. THE PROPOSAL

3.1. SUMMARY OF CHANGE

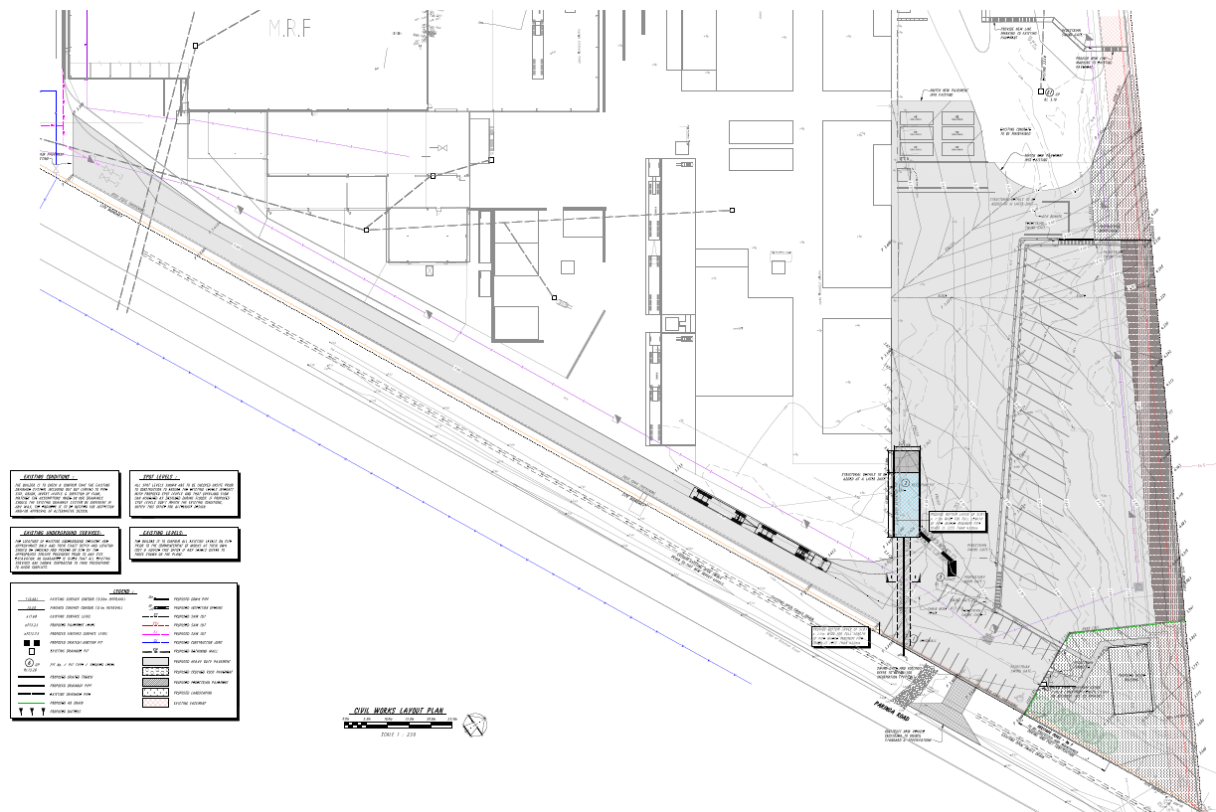
The proposed change relates to improvements in site layout and vehicle manoeuvring areas on site, predominately within the approved Stage 2 area. Changes include:

- Sealing of the Stage 2 area to accommodate improved vehicle manoeuvring areas and a heavy vehicle car park;
- New access road for heavy vehicles linking the Stage 2 area to the existing driveway crossover in the west;
- New vehicular access to Paringa Road that will support light vehicles only (subject to legal agreement between Visy and Department of Resources as land owner);

- New staff car parking area, accessible from the new vehicular crossover; and
- New retention pit.

These changes will allow the existing development to have improved functionality, with sealed parking spaces for staff and heavy vehicles. The above changes will in no way compromise the existing capacity or function of the paper mill. The changes are illustrated in **Figure 2** below.

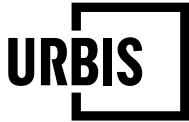
Figure 2 – Civil Works Layout Plan



Source: KD Engineering

3.1.1. Stormwater Infrastructure

The site is currently serviced by on-site reticulated stormwater system. The stormwater system collects runoff from the impervious areas within the site and collects this in a detention system. The detention system then seeks to use the runoff water that has been collected as inputs into the cooling process for the boilers and to supplement the water needs of the site. **Figure 3** below depicts the onsite infrastructure that collects stormwater.



4. ASSESSMENT OF CHANGES AGAINST THE PLANNING ACT 2016

4.1. MINOR CHANGE CRITERIA

Consideration has been given to the relevant matters for assessing a Minor Change set out in the *Planning Act 2016* ('the Act'), having regard to the definition of a Minor Change in Schedule 2 and the assessment criteria set out in Section 81.

Schedule 2 of the Act sets out the definition for a Minor Change as follows,

minor change means a change that—

...

(b) for a development approval—

(i) would not result in substantially different development; and

(ii) if a development application for the development, including the change, were made when the change application is made would not cause—

(A) the inclusion of prohibited development in the application; or

(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or

(C) referral to extra referral agencies, other than to the chief executive; or

(D) a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or

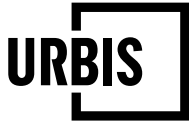
(E) public notification if public notification was not required for the development application.

4.1.1. Substantially Different Development

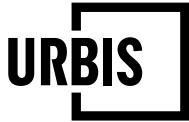
In respect to (b)(i) of the above definition regarding what constitutes substantially different development, it is appropriate to have regard to the Development Assessment Rules, Schedule 1. An assessment of the proposed changes against the substantially different development criteria is included in **Table 1** below.

Table 1 - Substantially Different Development Assessment Criteria

Guideline Criteria	Comment
Involves a new use.	The proposal does not involve any new land uses being introduced to the site. All land uses on site and part of this approval are existing on site.



Guideline Criteria	Comment
Results in the application applying to a new parcel of land.	The proposal does not involve the application applying to any new parcels of land.
Dramatically changes the built form in terms of scale, bulk and appearance.	The proposal is generally limited to changes within the Stage 2 area, which will result in sealing of this area for improved vehicle manoeuvring and car parking areas. These changes will not change the bulk, scale or appearance of the existing development.
<p>Changes the ability of the proposed development to operate as intended.</p> <p><i>For example, reducing the size of a retail complex may reduce the capacity of the complex to service the intended catchment.</i></p>	The proposal will not change the ability for the development to operate as intended. The changes relate to improvements in vehicle manoeuvring and site layout of Stage 2, which will not impact the operation of the approved land uses.
Removes a component that is integral to the operation of the development.	The proposal does not remove any components of the approved development that are integral to the operation of the development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	The proposed changes will have no impact on traffic flow or the transport network. The proposed improvements to site layout and vehicle manoeuvring areas will improve the functionality of the site. The new driveway crossover will provide improved efficiencies for staff accessing and parking on site.
Introduces new impacts or increases the severity of known impacts.	The proposed changes do not introduce nor worsen the severity of known impacts associated with the development.
Removes an incentive or offset component that would have balanced a negative impact of the development.	No incentives or offsets are removed.
Impacts on infrastructure provision.	The proposal will not impact the provision of infrastructure required by the development.



4.1.2. Prohibited Development

In respect to (b)(ii)(A) of the above definition, the proposed changes do not introduce any prohibited development to the application.

4.1.3. Referral Matters

The original application the subject of this change did not require referral for any matters in identified in the *Planning Regulation 2017*. Accordingly, there will be no new or additional referral agencies as a result of the change and no new matters that the referral agency may, or must, assess the development application against, or having regard to. The above demonstrates that the proposed changes comply with the criteria stated in parts (b)(ii)(B), (C) and (D) of the minor change definition provided by the Planning Act 2016.

4.1.4. Category of Assessment

In respect to parts (b)(ii)(E) of the definition of Minor Change we note that the original development application was subject to Impact Assessment and the proposed change does not alter the level of assessment or require public notification where notification was not required previously.

4.2. PROPOSED CHANGES TO CONDITIONS OF APPROVAL

This Minor Change application does not propose any amendments to the existing approved conditions over the site. The conditions, as drafted, do not specifically relate to the Stage 2 area or any existing structures or activities which occur within this area. The site will continue to operate within the bounds contained within the conditions and therefore no change is required to existing conditions of approval.

It is acknowledged that Conditions 18 (Car Parking and Delivery Provisions) and 19 (Staff, Service and Visitor Parking Provisions) relate to parking provisions on the site. As part of the changes to the site proposed as part of this application, the applicant does not seek to change either of these conditions.

5. AFFECTED ENTITIES

There are no relevant affected entities in relation to this Minor Change application.

6. ASSESSMENT FEE

In accordance with Brisbane City Council's Schedule of Fees and Charges for 2022-23, a request to change a development approval, other than staging, attracts a fee of **\$3,072** per stage being changed. The fee will be paid subsequent to Council's issue of a fee quote.

7. CONCLUSION

As outlined in this letter, the proposed changes are considered to be a Minor Change and do not comprise 'substantially different development' as described by the *Planning Act 2016* and *DA Rules*. Furthermore, the proposed changes are considered to be appropriate in consideration of the approved development and planning controls relevant to the site. Accordingly, we respectfully request that Council approve the proposed changes.

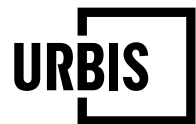


We trust the supplied documentation is sufficient in order for Council to undertake an assessment of this proposal. If you have any questions, please don't hesitate to contact Tom Auckland or the undersigned on 07 3007 3800.

Yours sincerely,

A handwritten signature in black ink, appearing to read "B Slack". The signature is fluid and cursive.

Ben Slack
Regional Director
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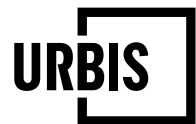
APPENDIX A

DA FORM 5



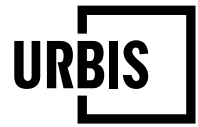
APPENDIX B

OWNERS CONSENT



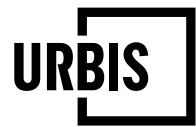
APPENDIX C

CHANGED PROPOSAL PLANS



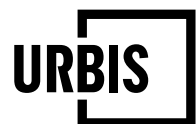
APPENDIX D

EXISTING APPROVAL



APPENDIX E

STORMWATER MANAGEMENT PLAN



APPENDIX F

STATE LAND DEDICATION PROCEEDINGS