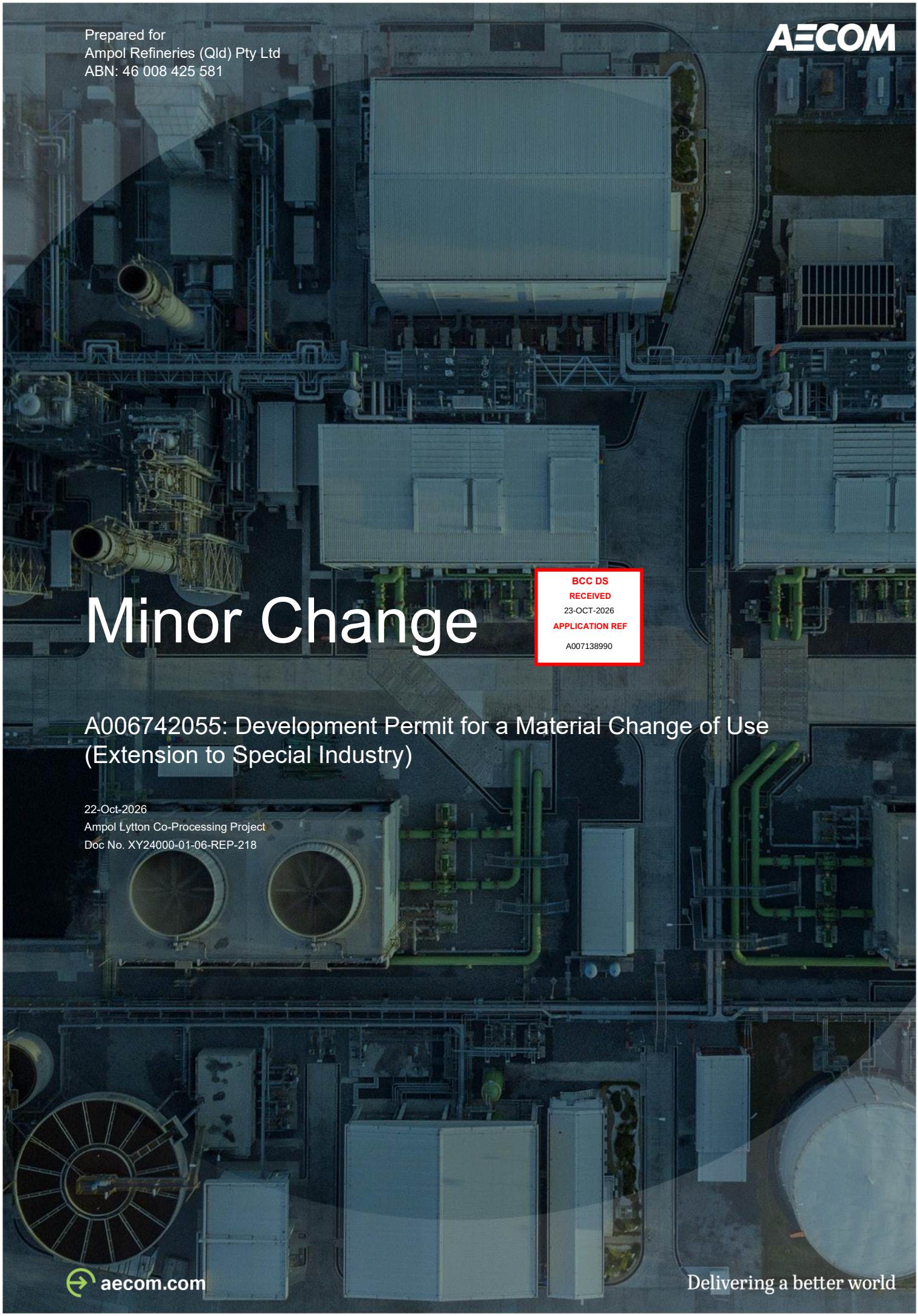
Prepared for
Ampol Refineries (Qld) Pty Ltd
ABN: 46 008 425 581

AECOM



Minor Change

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A007138990

A006742055: Development Permit for a Material Change of Use (Extension to Special Industry)

22-Oct-2026
Ampol Lytton Co-Processing Project
Doc No. XY24000-01-06-REP-218

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Minor Change

A006742055: Development Permit for a Material Change of Use (Extension to Special Industry)

Client: Ampol Refineries (Qld) Pty Ltd

ABN: 46 008 425 581

Prepared by

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Quality Information

Document	Minor Change
Ref	60739275
Date	22-Oct-2026
Originator	Laura Heckel, Katherine Jaenke
Checker/s	Renee Weightman
Verifier/s	Jared Brook

Revision History

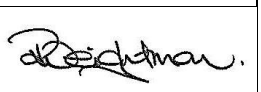
Rev	Revision Date	Details	Approved	
			Name/Position	Signature
A	14-Oct-2026	Draft for Client Review	Renee Weightman Project Manager	
0	22-Oct-2026	Final	Renee Weightman Project Manager	

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1.0 Introduction

On behalf of the applicant, Ampol Refineries (Qld) Pty Ltd (Ampol), AECOM Australia Pty Ltd (AECOM) lodges a minor change application under Section 78 of the *Planning Act 2016* (Planning Act) in relation to the approved extensions to Ampol's Lytton Oil Refinery (the Refinery). This minor change application relates to land at 50 Pritchard Street, Lytton QLD 4178, more formally described as Lot 1 on SP282377.

Ampol proposes to modify the current approval for a Development Permit for a Material Change of Use for Extension to Special Industry (Oil Refining or Processing Facility) (Brisbane City Council (BCC) Reference: A006742055) to reflect the attached drawings and documents, corresponding amendments to relevant conditions, and infrastructure charges in accordance with Section 81 of the Planning Act. The primary changes proposed include a reduction in the number of tanks constructed whilst maintaining overall storage capacity, reconfiguration of tanks and ancillary structures, increase to overall tank height and floor level, and introduction of two-staged construction.

This assessment has been prepared as supporting material for BCC as the responsible entity to demonstrate it complies with the minor change criteria of the Planning Act and assessment benchmarks of the *Brisbane City Plan 2014* (City Plan). It is supported by the following appendices:

- Appendix A: Planning Act Form 5
- Appendix B: Owners Consent
- Appendix C: Pre-lodgement Meeting Minutes
- Appendix D: Revised Drawings Set
- Appendix E: Amended Flood Assessment
- Appendix F: Drainage Technical Note Addendum

1.1 Project background

Ampol's Lytton Refinery currently processes approximately 109,000 barrels/day of predominantly low sulfur crude oil to produce a variety of fuel products for the Australian fuels market. Lytton is one of only two large scale oil Refineries (with the Viva Energy-operated Geelong oil refinery, and a small specialist oil Refinery in Eromanga, Queensland) remaining in Australia. Therefore, the Project is economically and socially significant to Queensland and Australia through the provision of refining capacity and fuel security.

To advance Australia's energy transition, Ampol's Future Energy and Decarbonisation Strategy presents an exciting opportunity for Ampol's business to evolve in line with customers' expectations and develop solutions to meet emission reduction targets.

The Lytton Refinery is identified for co-processing to produce renewable diesel to assist in achieving these objectives. The proposed development will receive tallow and canola oil feedstock by truck for blending into the Refinery's Diesel Hydrotreater Unit #2, at up to 4% of its processing capacity, to produce renewable diesel. The estimated annual volume of tallow and canola oil throughput at the site for co-processing is in the order of 30 megalitres (ML) per annum at start-up, with aspirations of up to 60 ML of feedstock processing if feasible and viable.

1.2 Application history

1.2.1 Development application

BCC granted a development approval for a Development Permit for a Material Change of Use for Extension to Special Industry (Oil Refining or Processing Facility) on 11 December 2025 (BCC Reference: A006742055). The approved extensions include new tanks and aboveground pipework to accommodate the storage of feedstock (tallow and canola oil) to be fed to the existing diesel hydro-treater #2 for production of a renewable diesel. The original development application included referral to the State Assessment and Referral Agency (SARA) and Energex.

1.2.1.1 BCC pre-lodgement discussion

In support of the proposed minor change request, a pre-lodgement meeting (Reference: ASR-20727-Z3R) was held with BCC on 17 August 2026. BCC was supportive of the associated changes and indicated it could be supported as a minor change. A summary of the meeting advice, provided on 24 August 2026, is presented below in Table 1.

Table 1 BCC Pre-lodgement Advice

Pre-lodgement advice	Response
Suitability for a Minor Change BCC advised that the proposed changes may be able to proceed as a minor change under section 81 of the Planning Act, provided it can be demonstrated that the proposed changes: • Do not change the category of assessment. • Do not result in substantially different development. • Do not significantly change the building's scale, bulk or appearance. • Do not significantly increase traffic or impacts on the transport network. • Do not introduce new impacts or substantially worsen existing impacts. • Do not remove an incentive or offset that was intended to balance a negative impact.	Section 3.0 in this report provides an assessment against the relevant criteria for a minor change.
Proposed Height During the meeting, the applicant presented a new overall tank height of 25.5 m. BCC confirmed that the increased height could be supported, where it is demonstrated that a conflict does not occur with nearby sensitive land uses and how it sits in relation to other structures on site.	Further discussion and justification on the proposed height increase is provided below in Section 2.2.
Proposed Staging To ensure orderly development occurs, BCC requested staging plans to demonstrate how each stage functions independently and not reliant on future stages if the ultimate development is not carried out (e.g. servicing etc.). This includes: • Separate staging plans to illustrate proposed work within each stage; • Servicing, pedestrian connectivity and vehicular access; • detailing how the relevant conditions will be maintained for each stage; • details of development outcomes if subsequent stages of development are not built.	Relevant staging plans have been provided, demonstrating how each stage functions independently. Refer to Appendix D.
Scope of Assessment and Supporting Information To support this minor change application, the following material is required: • Confirmation that the proposed changes achieve a minor change as defined by the Planning Act • Demonstrate that the proposed changes do not result in substantially different development • Identify all proposed changes to the approval, including conditions, plans, reports and other approved documents	• To assist BCC with the assessment of this minor change application, section 2.0 provides a detailed breakdown of the proposed changes, including side-by-side comparisons of the approved plans vs proposed plans. • A summary of the proposed changes to the approval documents and infrastructure charges notice is outlined in Section 2.5. • Consent and amended plans / reports are provided within the appendices.

Pre-lodgement advice	Response
• Provide a side-by-side comparison of the approved development and areas of all proposed changes on the same page for assessment • Compliance against the City Plan • Amended plans and reports • A breakdown of gross floor area and impervious area to calculate infrastructure charges • Owners consent	• Section 3.0 in this report provides an assessment against the relevant criteria for a minor change, including the definition and the substantially different development criteria.
Environmental Management and Engineering Outcomes • BCC does not have concerns with the proposed changes, as the amount of goods produced appear to be similar to the current approval, with overall tank heights and number of tanks reducing. • Airport Environs overlay code will need to be addressed to ensure the tank heights do not protrude into the BAC airspace. • Revisions to the Flood Report and Stormwater Quantity and Quality Report / Plan will be required. • An Air Quality or Acoustic Report is not required. • The application may be required to address the Storage and dispensing of petroleum products planning scheme policy. • It is acknowledged that the applicant has sought advice from SARA with regards to the proposed changes. It is considered that further clarification with Department of Environment, Tourism, Science and Innovation (DETSI) and Workplace Health and Safety may also be required. BAC, HICB & POB may need to be consulted as Third Party Advice only. Any external advice received should be included within the lodgement material. • A Preliminary earthworks plan should be provided where any excavation or filling is proposed. • Where traffic arrangements are altered, an updated Traffic Report may be required.	• Noted that BCC does not have any concerns regarding the proposed changes. • An assessment of the Airport Environs Overlay Code is provided in Section 3.4. • An amended Flood Report and assessment of stormwater is provided in the appendices. • An assessment against the Storage and dispensing of petroleum products planning scheme policy is not relevant to this minor change application, as tallow and canola oil are not hazardous or dangerous goods under the *Australian Dangerous Goods Code*. • Discussion on SARA pre-lodgement discussion is provided in Section 1.2.1.2 below. • Consistent with the information provided in the original development application package, neither canola oil or tallow are classified as a hazardous chemical according to the criteria of Safe Work Australia or listed as a dangerous good in the Australian Dangerous Goods Code. As such, further clarification or advice is not required from Workplace Health and Safety. • BCC contacted Brisbane Airport Corporation (BAC) to obtain third party advice for the development approval. Ampol has no objections to BCC similarly obtaining advice as part of this minor change request. Assessment against the Airport Environs Overlay Code is provided in Section 3.2 below. • The Project footprint does not intersect Port of Brisbane land. As such, it is not considered that Third Party Advice is required for the proposed changes. • A Civil Earthworks – Cut Fill Plan has been prepared and is provided at Appendix D. • Traffic arrangements are not proposed to be altered as part of this minor change application and therefore an updated Traffic Report is not required.

1.2.1.2 SARA pre-lodgement discussion

The development approval included referral to SARA as a concurrence agency for the following triggers of the *Planning Regulation 2017*:

- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item (10.9.4.1.1.1) – Development impacting on state transport infrastructure
- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) – Material change of use of premises near a state transport corridor.

SARA's referral agency response (2504-45747 SRA) included one condition associated with stormwater management. As such, parallel with the request for BCC pre-lodgement advice, a request for SARA pre-lodgement advice was submitted.

Written advice was received from SARA on 23 July 2026 (2607-53610 SPL). SARA determined that it is unlikely for the changes proposed to result in the development no longer being able to comply with the stormwater condition imposed in SARA's referral agency response (2504-45747 SRA). As such, and as further expanded in section 3.2 below, an application to SARA is not required as this request is lodged as a minor change to BCC.

1.2.2 Environmental authority

The Project currently operates under two existing Environmental Authorities (EA):

- Terminal (EPPR00244913) – With one existing Environmentally Relevant Activity (ERA), being ERA 8(3) for storing 500m^3 or more of chemicals of class C1 or C2 combustible liquids under AS1940 or dangerous goods class 3 subsection (1)(c). This is effective from 22 November 2013 and does not have any related EA applications.
- Refinery (EPPR00536213) – With nine existing ERAs, including but not limited to ERA 8 for chemical storage, ERA 11 for oil refining or processing, ERA 55 for other waste reprocessing or treatment, and ERA 61 for thermal waste reprocessing and treatment. This is effective from 7 March 2019. A major amendment to the Refinery EA was processed by DETSI on 27 October 2025 (EPPR00536213).

Ampol is currently in the process of discussing the amendments with DETSI and an amendment to both EAs will be lodged concurrently to reflect the proposed extensions to the special industry.

2.0 Proposed Changes

Since receipt of the BCC approval in December 2025, the Project layout has been refined as a result of detailed design and onsite operational requirements. The key changes to the Project relate to:

- Introduction of construction staging, discussed further in section 2.1 below.
- Reduction in the number of tanks, reconfiguration of layout and increased in proposed height, discussed further in section 2.2 below.
- Repositioning of ancillary structures, discussed further in section 2.3 below.
- Revised construction methodology for earthworks and increase to slab height, discussed further in section 2.4.1 below.

Further review of proposed changes to the Project is demonstrated in comparison to the existing approved plans against the revised drawings attached in Appendix B.

These proposed changes require a minor change application to the development approval. Pursuant to Section 81 of the Planning Act, the proposed amendments do not result in 'substantially different development', with further discussions against the relevant provisions of the Planning Act and *Development Assessment Rules* – Version 3.0 (DA Rules) provided in Section 3.0 below.

2.1 Staging

The existing development approval (A006742055) did not include staging. Ampol has since identified that staging for the construction of the new tanks is required, with the intent to allow for commencement of use and operation of the co-processing with construction of the first stage. The second stage will then provide for an upscale to the total approved storage and throughput.

Staged plans have been provided in Appendix D, with Drawing 02-00-DRG-003 (Rev G) and 02-00-DRG-003B (Reg A) depicting Stage 1 and Stage 2 of the Project. In particular, the following staging is proposed:

- **Stage 1** will include all necessary infrastructure (including slab, pipework, filters, pumps, plinths for all tanks), four tanks (Tanks A, B, C and H) and proposed covered structure for unloading Bay A and weighbridge.
- **Stage 2** will include two tanks (Tanks D and E), in addition to the weighbridge and ramps within unloading Bay A, as well as unloading Bay B.

2.2 Tank reconfiguration

Three key changes are proposed to the approved tanks, being the overall reduction in the number of tanks (and associated reconfiguration), changes in dimension, and an increase in height of Tank H and maximum height to top rail.

Number and Layout of Tanks

In terms of the reduction in tanks, the development approval included two options for the tanks, being:

1. Eight tanks up to 14.5 m high with maximum storage of 1,490 kL.
2. Seven tanks up to 19 m high with maximum storage of 1,550 kL.

Ampol has advised that the increased tank height and capacity is the desirable option, with a total of six tanks to be constructed over two stages. Approved Tank F and G are proposed to be removed from the Project. Furthermore, the height and capacity for Tank H is proposed to be increased, thereby resulting in a change to the total number of tanks from eight to six. The overall maximum storage remains similar at 1,500 kL.

Additionally, the proposed tank amendments outlined above have resulted in minor configuration changes to the general site arrangement. A comparison of the approved 'general arrangement' plan vs the revised 'general arrangement' plan is shown below in Figure 1,

Figure **2** and Figure 3.

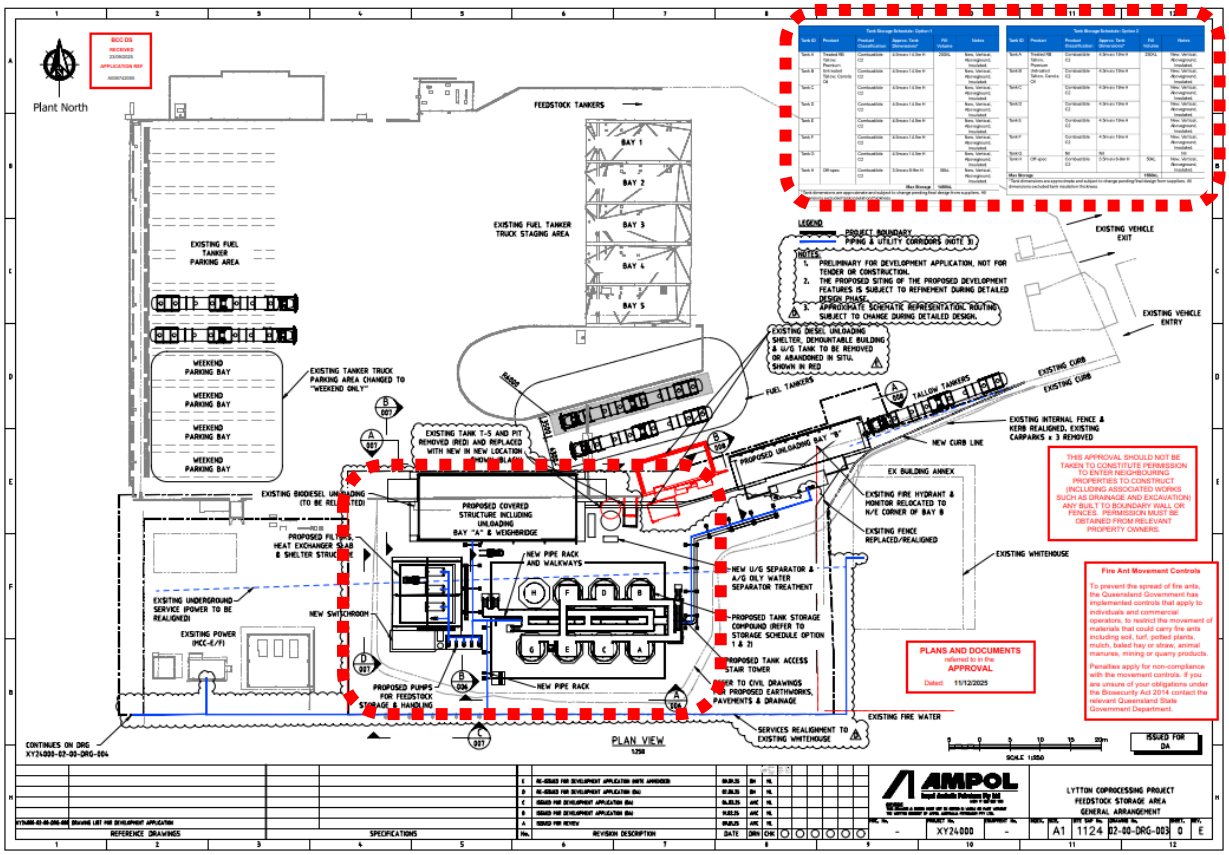


Figure 1 Approved Plan – Feedstock Storage Area General Arrangement (Drawing 02-00-DRG-003, Rev E)

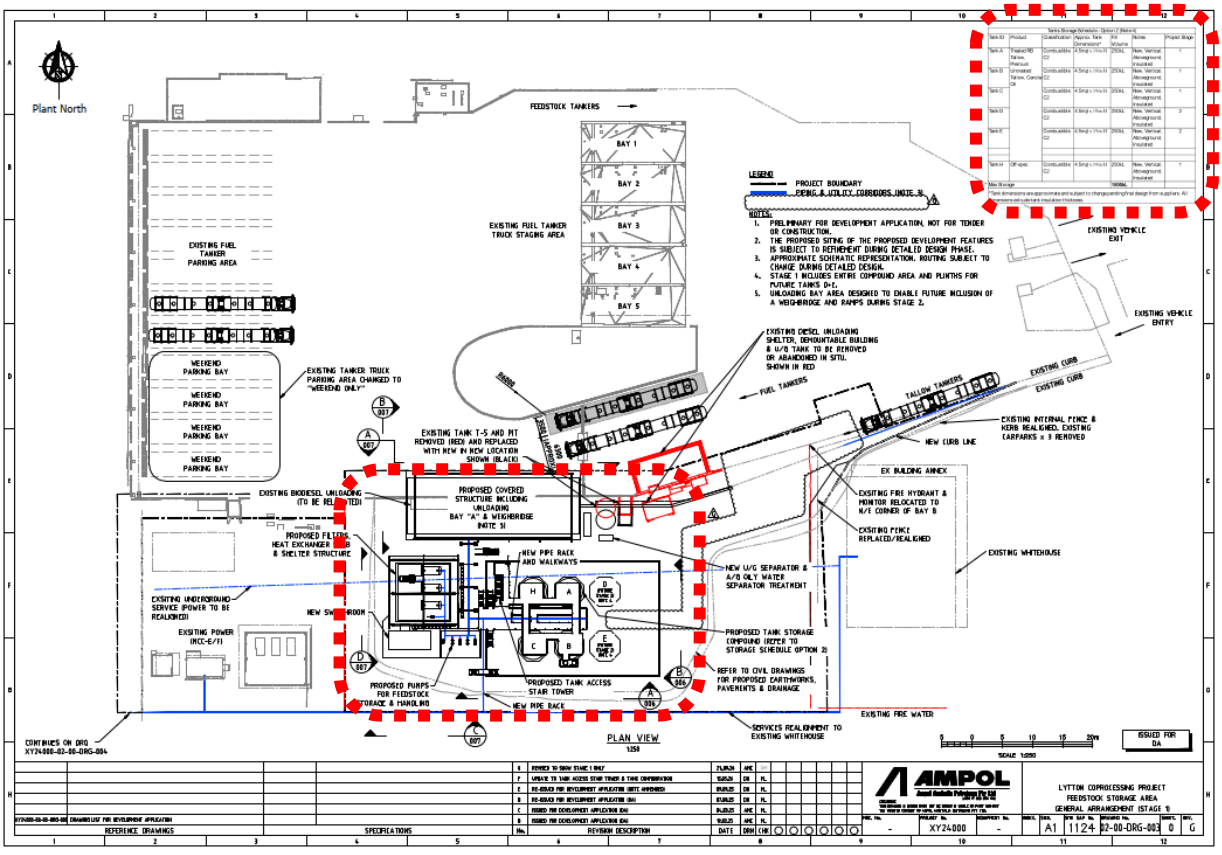


Figure 2 Proposed Plan – Feedstock Storage Area General Arrangement – Stage 1 (Drawing 02-00-DRG-003, Rev G)

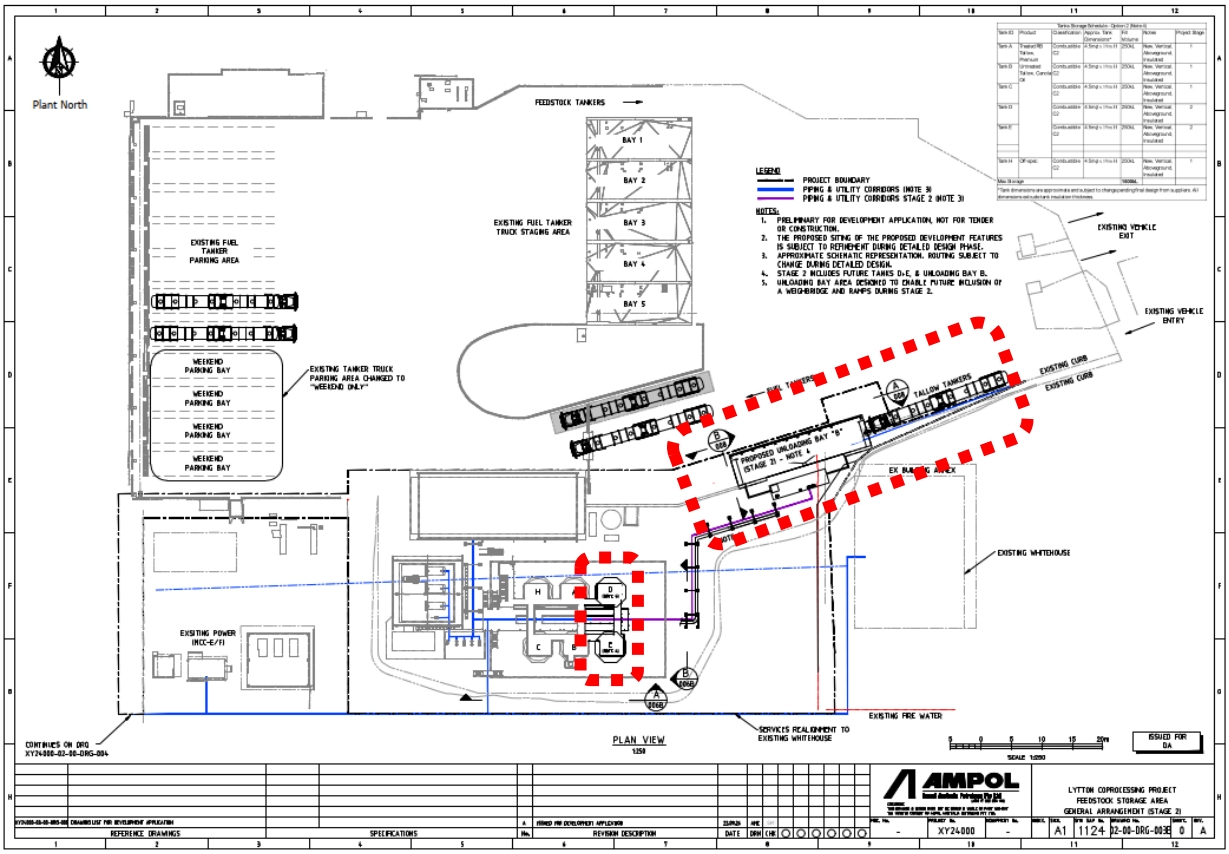


Figure 3 Proposed Plan – Feedstock Storage Area General Arrangement – Stage 2 (Drawing 02-00-DRG-003, Rev A)

Tank Dimensions

In addition to the above, changes are proposed to the dimensions of the approved tanks, as summarised below in Table 2. More specifically, Tanks F and G are proposed to be removed, reducing the net number of tanks to six. The size and capacity of Tanks A, B, C, D and E are not proposed to alter from the approved option 2. However, Tank H is proposed to be increased in size to be the same capacity and height as the other tanks (i.e. a 1 m increase in the diameter to 4.5 m and a 10 m height increase to a total of 19 m).

Table 2 Summary of Tank Height

Tank Reference	Approved Option 1	Approved Option 2	Proposed Change	Difference
Tank A	4.5 m ⌀ x 14.5 m high	4.5 m ⌀ x 19 m high	4.5 m ⌀ x 19 m high	No change
Tank B	4.5 m ⌀ x 14.5 m high	4.5 m ⌀ x 19 m high	4.5 m ⌀ x 19 m high	No change
Tank C	4.5 m ⌀ x 14.5 m high	4.5 m ⌀ x 19 m high	4.5 m ⌀ x 19 m high	No change
Tank D	4.5 m ⌀ x 14.5 m high	4.5 m ⌀ x 19 m high	4.5 m ⌀ x 19 m high	No change
Tank E	4.5 m ⌀ x 14.5 m high	4.5 m ⌀ x 19 m high	4.5 m ⌀ x 19 m high	No change
Tank F	4.5 m ⌀ x 14.5 m high	4.5 m ⌀ x 19 m high	-	-
Tank G	4.5 m ⌀ x 14.5 m high	-	-	-
Tank H	3.5 m ⌀ x 6-9 m high	3.5 m ⌀ x 6-9 m high	4.5 m ⌀ x 19 m high	+1m ⌀ x + 10 m – 13 m in height

A comparison of the approved elevations against the proposed elevations are shown below in Figure 4 and Figure 5.

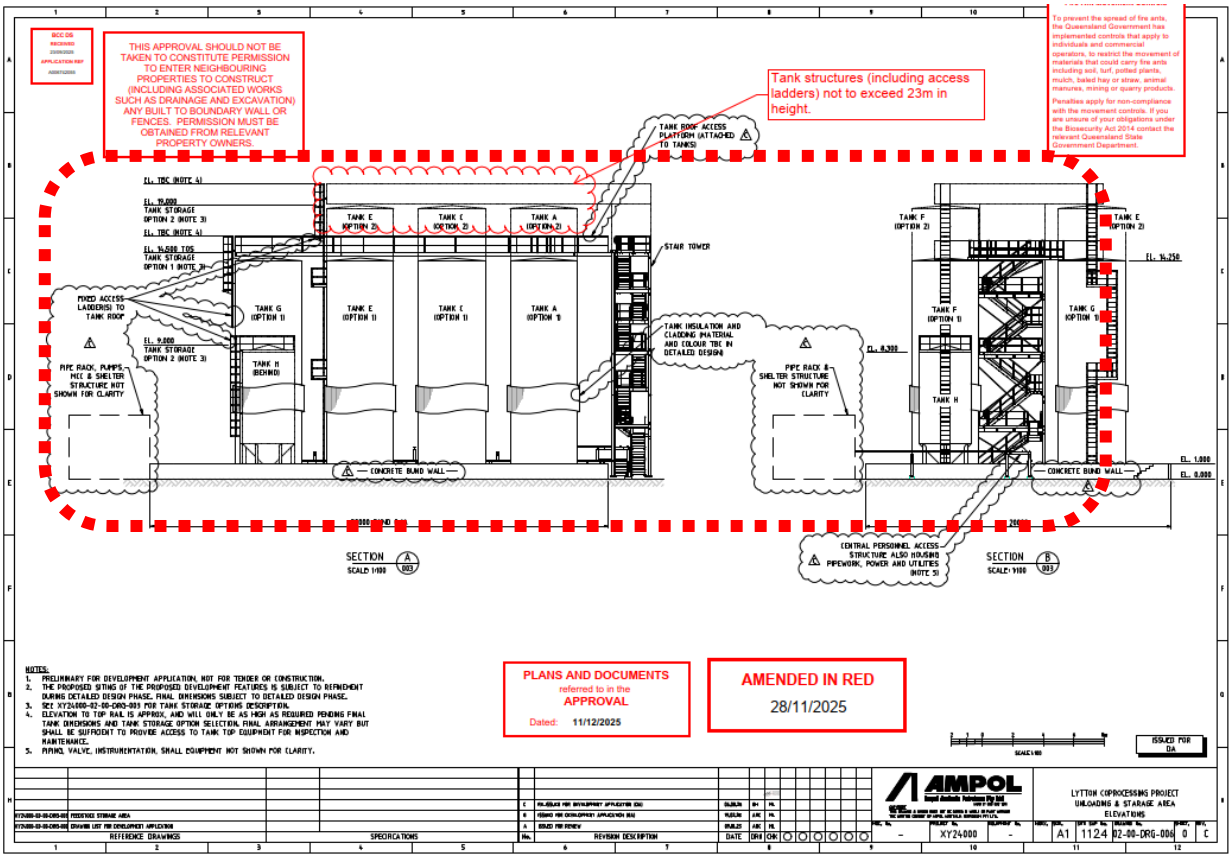


Figure 4 Approved Elevation (Drawing 02-00-DRG-006, Rev C)

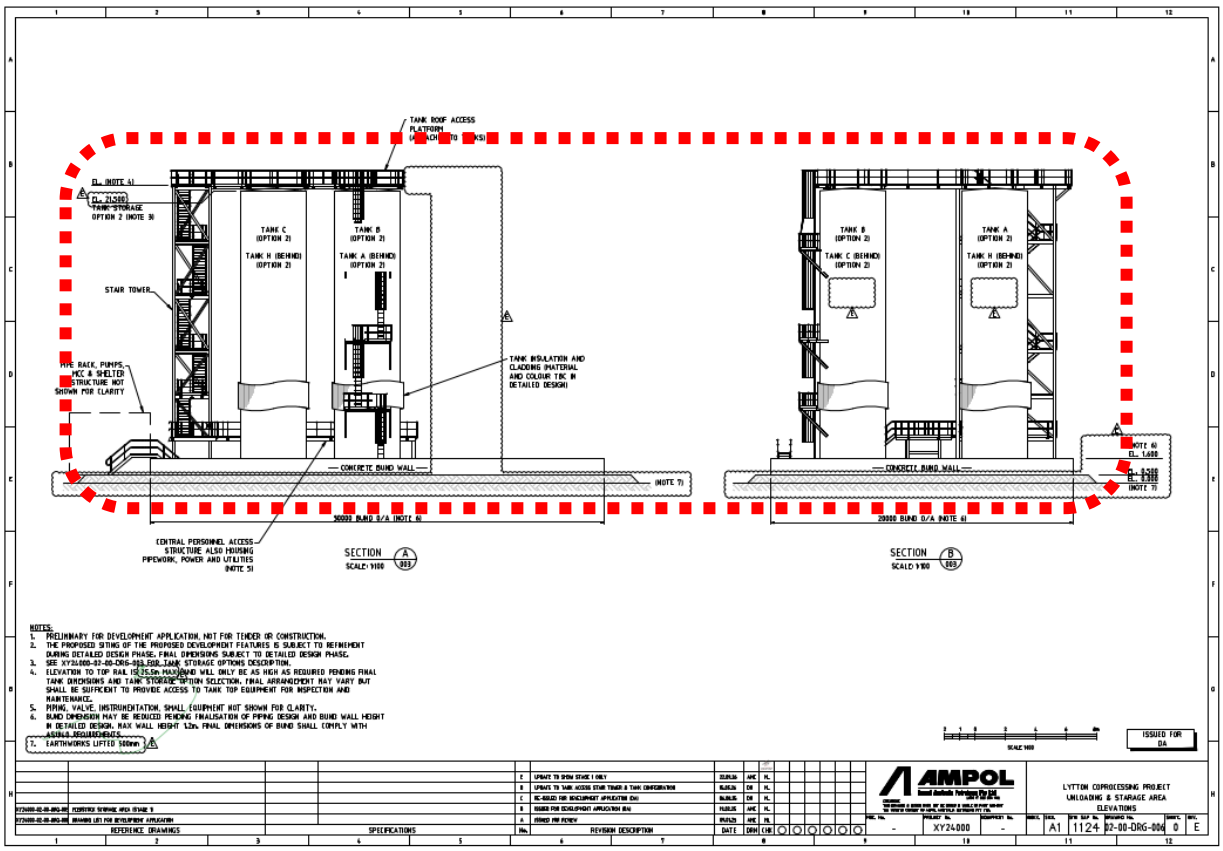


Figure 5 Proposed Elevation: Stage 1 (Drawing 02-00-DRG-006, Rev E)

Overall Height

In addition to the change in height of Tank H, as discussed above, it is also proposed to increase the maximum height of the tank structure from approximately 23 m to approximately 25.5 m. This increase is identified as part of the detailed design undertaken prior to lodgement, to allow marginal flexibility (i.e. approximately 2.5 m) in overall tank selection as the Project progresses closer to construction and suppliers are confirmed.

The proposed change does not alter existing compliance with performance outcome PO11 of the Industry Code, which states:

> *PO11*
>
> *Development for a building:*
>
> *a. is of a scale and design which contributes positively to the visual character of the area, especially as seen from the street;*
>
> *b. is easily accessible and legible;*
>
> c. *designs and locates vehicle unloading and outdoor storage areas to be unobtrusive from the street.*

The proposed height of the tank structure remains consistent with the established industrial built form and massing onsite. The increased height by approximately 2.5 m from the existing approval has a negligible impact on the visual character of the locality, with the structure remaining significantly lower than the tallest existing Refinery structure, being the Reformer CCR Reactor head at approximately 69 m, as well as the previously approved 18F2 HDS Reactor Heater at approximately 58 m. It is important to highlight that the tanks will become an integrated component of the established Refinery environment rather than as visually prominent standalone structures.

The tank structure is appropriately setback from street frontages and sensitive land uses, which ensures the development does not derogate from the established industrial character and amenity of the area. Furthermore, the development is integrated with the existing site layout and access arrangements. The location and arrangement of the proposed infrastructure maintains clear access to the relevant operational areas.

Vehicle unloading activities are internalised within the site and appropriately located to minimise their visibility from surrounding street frontages. This ensures that unloading activities, together with associated operational areas, remain unobtrusive from the street and do not adversely affect the visual presentation of the site.

On this basis, the proposed changes continue to satisfy performance outcome PO11 of the Industry Code.

2.3 Ancillary structures

As a result of the tank reconfiguration outlined above, ancillary structures within the terminal have been repositioned and/or marginally altered. This includes the access stair tower, proposed pumps for feedstock storage and handling and the switchroom. This remains within the approved footprint within the Terminal, with the changes visually demonstrated in comparison of Figure 1, Figure 2 and Figure 3 above.

2.4 Surface water impacts

Changes to the civil earthworks associated with the combination of engineered fill and mass soil mixed ground improvement is proposed. This includes lifting the proposed earthworks by approximately 0.5 m (shown on Drawing No. 02-00-DRG-006 Rev E, Drawing No. 02-00-DRG-006B Rev A) to reduce interface with the water table. Updated earthworks plans have been provided within the revised drawings provided in Appendix D.

2.4.1 Flooding

To support the proposed changes, an update to the Flood Assessment Report is provided at Appendix C. The conclusions of the assessment remain unchanged by the changes, with the Project expected to

have minimal impact on existing flood conditions with the extent of flooding to remain within the Project site without exacerbating impacts on neighbouring properties.

2.4.2 Stormwater

The proposed changes and revised drawings have been reviewed in the context of the Drainage Technical Note. An addendum is provided at Appendix D demonstrating that the approved document, with associated conclusion and recommendations, remains unimpacted by the proposed changes. The pre-catchment and post-catchment calculations are unchanged, and the associated stormwater infrastructure including installation of concrete swale drains and discharge to stormwater pit / tanks also remains. Refer to the revised drawings provided in Appendix D.

2.5 Approval Package

2.5.1 Administrative Changes

The Currency Period in the Decision Notice states:

> *'The currency period for this development approval (inclusive of all of its parts) will end on 12 March 2026.'*

Given the approval was only granted on 11 December 2025, this is an administrative error and should be amended to state:

> *'The currency period for this development approval (inclusive of all of its parts) will end on 12 March 2032.'*

It is requested that BCC amend the date in the amended Decision Notice to reflect section 85 of the Planning Act.

2.5.2 Drawings and Documents

With reference to the 'Drawings and Documents' schedule of the existing approval package, it is requested this is updated with reference to the revised drawings provided in Appendix D. For reference, the recommended changes are outlined in Appendix E**.**

2.5.3 Conditions

In response to the proposed changes outlined throughout this section, amendments to conditions in the current approval package will require amendments. The recommended changes are outlined in Appendix E.

Furthermore, given this change request involves the introduction of staging, a separate set of conditions will be required for Stage 2. As briefly discussed in Section 2.1 above, and demonstrated on the revised drawings provided in Appendix D, new infrastructure in Stage 2 is generally limited to two additional feedstock tanks, weighbridge and ramps in unloading Bay A, and installation of unloading Bay B. As such, fewer conditions are anticipated in Stage 2.

2.5.4 Infrastructure Charges Notice

Pursuant to Section 119(6) of the Planning Act, it is requested that BCC issue an amended infrastructure charges notice (ICN) to reflect the proposed reduction in new impervious area.

The approved ICN (ICN-029761) was calculated with 1,831 m^2 development demand from the new concrete area (1,696 m^2) and concrete surface drain (135 m^2). The proposed changes result in a reduced impervious area, and proposed staging. With reference to the revised pavement plans provided in Appendix D, the following updates are noted:

- Stage 1 (Drawing No. 02-01-LAY-009) includes a total of 1,583 m^2 from the new concrete area (1,487 m^2) and concrete surface drain (96 m^2).
- Stage 2 (Drawing No. 02-01-LAY-009B) includes additional new concrete area (184 m^2) and concrete surface drain (39 m^2) for a total additional demand of 223 m^2.

In light of the above, an updated ICN is requested from BCC.

3.0 Planning Act Statutory Provisions

3.1 Making a change application

With reference to Chapter 3, Division 2, Subdivision 2 of the Planning Act:

78 Making change application

(1) A person may make an application (a change application) to change a development approval.

(2) A change application must be made to the responsible entity for the application.

78A Responsible entity for change applications

(1) The responsible entity for a change application is—

(a) if the change application is for a minor change to a development condition of a development approval stated in a referral agency's response for the development application or another change application for the approval—the referral agency; or

(b) otherwise—the assessment manager.

Ampol is seeking to modify the current development approval (A006742055), pursuant to Section 78 of the Planning Act. With BCC as the assessment manager and authority issuing the existing approval, it is acknowledged as the responsible entity for this change application.

Section 79 of the Planning Act details the requirements for a change application, which have been assessed in Table 3 below.

Table 3 Response to requirements for change applications

1. A change application must be- *a. Accompanied by-* *i. The required fee; and* *ii. For an application for a minor change — a copy of any pre-request response notice for the application.*
Response: This change application is made in the approved form, with Planning Act Form 5 included in Appendix A. Refer to Section 4.1 for further commentary on the required fee.
1A. Also, a change application must be accompanied by the written consent of the owner of the premises the subject of the application to the extent- *a. The applicant is not the owner; and* *b. The application is in relation to-* *i. A material change of use of premises or reconfiguring a lot; or* *ii. Works on premises that are below high-water mark and outside a canal;* *c. The premises are not excluded premises.*
Response: Ampol owner's consent and letter of authorisation for AECOM to act on its behalf is included in Appendix B.
2. The responsible entity- *a. Must accept an application that the responsible entity is satisfied complies with subsections (a) and (1A); and* *b. Must not accept an application unless the responsible entity is satisfied the application complies with subsection (1A); and* *c. May accept an application that does not comply with subsection (1)(a) or (b)(ii); and* *d. May accept an application that does not comply with subsection (1)(b)(i) to the extent the required fee has been waived under section 109(b).*
Response: BCC is the responsible entity for this minor change application. Further, Energex is an affected entity per section 80(1)(a) of the Planning Act, with notice to be provided to the affected entities post-lodgement. SARA as chief executive is not an affected entity.

3.2 Assessment of minor change

With this minor change application made in accordance with Section 81/81A of the Planning Act, Schedule 2 of the Planning Act defines a minor change for a development approval as:

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, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or

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

Table 4 provides an assessment of the proposed development against the minor change criteria included within Schedule 2 of the Planning Act.

Table 4 Minor change criteria - *Planning Act 2016*, Schedule 2

(i) would not result in substantially different development; and
Complies. Refer to the assessment against the 'substantially different development' criteria of the DA Rules in Table 5 below.
(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*
Complies. The proposed change does not introduce prohibited development and remains as per the approved use.
(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or
Not Applicable. The original development application included referrals, with SARA identified as a concurrence agency referral (to the chief executive) in addition to Energex as advice agency referral (other than the chief executive). Refer to discussion in (C) and (D) below.
(C) referral to extra referral agencies, other than to the chief executive; or
Complies. As noted above, the original development application included referrals, with the SARA identified as a concurrence agency referral in addition to Energex as an advice agency referral. The proposed changes do not trigger an extra referral agency.
(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or
Complies The original development application triggered referral to SARA and Energex. The proposed changes do not result in any new matters for assessment by the relevant referral agencies.
(E) public notification if public notification was not required for the development application.
Complies The original development application was impact assessable and required public notification. As this is lodged as a minor change, it does not trigger additional public notification. The proposed changes do not introduce any new components or uses that would require additional public notification.

3.3 Assessment of 'substantially different development'

With reference to Schedule 1 of the DA Rules, it is noted that the assessment manager may determine that the change is a minor change *"where – amongst other criteria – a minor change is a change that would not result in 'substantially different' development"*.

Schedule 1, Item 4 in the DA Rules outlines what may be considered to result in a substantially different development. Discussion against each point is provided in Table 5 below.

Table 5 Substantially different development - Development Assessment Rules, Schedule 1

(a) Involves a new use; or
Complies. The proposed change does not alter the approved use (i.e. Special Industry).
(b) Results in the application applying to a new parcel of land: or
Complies. The proposed changes do not occur over a new parcel of land and remain within Lot 1 on SP282377.
(c) Dramatically changes the built form in terms of scale, bulk and appearance; or
Complies. The proposed changes to the tanks do not dramatically change the built form, including scale, bulk or appearance. The changes to the tanks remain consistent with the established industrial built form and massing onsite, noting that they are significantly lower in height and scale than other structures on site. The marginal increase in height has a negligible impact on the visual character of the locality, with the tanks reading as an integrated component of the established Refinery environment rather than as visually prominent standalone structures. Further discussion in provided above in Section 2.0.
(d) Changes the ability of the proposed development to operate as intended; or
Complies. As discussed, the proposed use of the Refinery and associated Project remains unchanged. The amendments subject to this minor change request do not affect the operation of the Refinery and intended nature of the approval.
(e) Removes a component that is integral to the operation of the development; or
Complies. The proposed changes do not remove a component to the operation of either the Refinery or Terminal. The changes will maintain high-quality standards for feedstock received onsite and allow for improved construction conditions of the tank pad.
(f) Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or
Complies. The proposed changes do not significantly impact on traffic flow and the transport network more broadly. It is highlighted that no changes are proposed to the quantities of feedstock onsite. There is not anticipated to be any changes to the number of vehicles accessing the site. Furthermore, the staging of the unloading bays will align with the staging of the tanks and does not impact on traffic flow or the transport network.
(g) Introduces new impacts or increases the severity of known impacts; or
Complies. The proposed change is not considered to introduce a new impact or increase the severity of a known impact. This has been demonstrated through pre-lodgement discussion with BCC, and supporting technical assessments included as appendices.
(h) Removes an incentive or offset component that would have balanced a negative impact of the development; or
Complies. The proposed change does not remove an incentive or offset component that would have balanced a negative impact of the development.

(i) Impacts on infrastructure provisions.

Complies.
The Project remains connected to all relevant infrastructure services. As discussed in Section 2.5 above and Section 119(6) of the Planning Act, it is requested that BCC issue an amended infrastructure charges notice, given the reduction in stormwater impervious area.

3.4 Grounds for request

With reference to Section 81(4) and (5) of the Planning Act, BCC as the responsible entity *"**must** consider the statutory instrument, or other document as in effect when the development application or the development approval was properly made"* and only *"**may** give weight"* to other statutory instruments. As such, this minor change includes primary assessment against the *City Plan 2014* in place at the time the development approval was given (being v24.00/2022).

For completeness, due to an increase in the height of the tanks, an assessment against the Airport Environs Overlay is provided below in Table 6.

Table 6 Assessment against Airport Environs Overlay Code

Acceptable Outcome	Performance Outcome	Applicant Response
Section A—If in the OLS sub-categories, the PANS OPS sub-categories or the height restriction zone sub-categories		
General		
PO1 Development does not create or potentially create a permanent or temporary obstruction or hazard to operational airspace of Brisbane, Archerfield or Amberley airports.	**AO1** Development does not penetrate or create any physical obstruction into the OLS, height restriction zone or PANS-OPS and create an obstacle to an aircraft operating to or from the Brisbane, Archerfield or Amberley airports unless approved in accordance with the relevant federal legislation. Editor's note— Where development intrudes into an airport's OLS or PANS-OPS, advice from the Civil Aviation Safety Authority should be sought.	**Complies with AO1** The proposed changes to the tanks result in a maximum height of 19 m and overall height of approximately 25.5 m. This is well below the height of existing and approved structures onsite. Existing BCC mapped contours identify 4 m AHD within the Project footprint, with the proposed 25.5 m height thereby remaining well below the mapped OLS under the *City Plan 2014* of 75 – 80 m. As such, it will not penetrate, physically obstruct, or create an obstacle to the operational airspace.
PO2 Development ensures that emissions do not significantly affect air turbulence, visibility or aircraft engine operation within the operational airspace of Brisbane, Archerfield or Amberley airports. Editor's note— Where development does emit gases or particulates above those outlined in AO2, advice from the Civil Aviation Safety Authority should be sought.	**AO2** Development does not emit into the OLS or height restriction zone: a. a gaseous plume at velocity exceeding 4.3m/s, as determined in conjunction with CASA Advisory Circular AC-139-05(1) Plume rise assessments; b. smoke, dust, ash, steam or other airborne particulate.	**Complies with PO2** As supported in the approved Air Quality Impact Assessment (XY24000-01-06-REP-211 Rev 1), the Project does not result in additional emission sources and does not increase the approved air emission limits in the environmental authority. Appropriate dust mitigation will be incorporated into construction to minimise disturbance. The proposed change/s and introduction of staging does not alter the outcomes and recommendations of this report.
Additional performance outcomes and acceptable outcomes if involving air service		
Not Applicable The Project does not involve air service.		

Acceptable Outcome	Performance Outcome	Applicant Response
Section B—If in the Bird and bat strike zone sub-categories		
PO4 Development does not attract birds and bats into operational airspace in significant numbers likely to cause a safety hazard to airport operations.	**AO4.1** Development within the Bird and bat strike zone sub-categories area ensures that waste is covered and collected so that it is inaccessible to birds and bats.	**Complies with AO4.1** No changes to the existing waste arrangements are proposed.
	AO4.2 Development involving landscaping or drainage works, including artificial water bodies located within the distance from airport 0-3km sub-category, are designed and installed to minimise the potential to attract birds and bats.	**Not Applicable** The Project does not include landscaping or drainage works that would attract birds and bats to cause a safety hazard to airport operations.
Section C—If in the Public safety area sub-categories		
Not Applicable The site is not mapped within the public safety area sub-category.		
Section D—If in the Light intensity sub-categories		
PO6 Development ensures that buildings and structures do not adversely impact airport operations or interfere with pilot vision.	**AO6.1** Development ensures that outdoor lighting: a. does not imitate the format of approach or runway lighting by configuring lights in straight parallel lines greater than 500m in length; b. does not emit light that will exceed the maximum light intensity specified within the light intensity area identified on the Light intensity sub-categories. Note—Compliance with this acceptable outcome may be demonstrated by complying with the standards specified in the Civil Aviation Safety Authority guideline Chapter 12—Aerodrome lighting, 1.2 Lighting in the vicinity of an aerodrome and written confirmation from the airport operator.	**Not Applicable** This Project does not include new formal outdoor lighting.
	AO6.2 Development in the Within 6km-Max intensity of light sources 3 degrees above horizon sub-category does not involve: a. coloured flashing or sodium lighting; or b. glare or upward shining lights; or c. flare plumes.	**Complies with AO6.2** Should safety lights be required, it will not involve coloured flashing, sodium lighting, glare / upward shining lights, or flare plumes.

Acceptable Outcome	Performance Outcome	Applicant Response
Section E—If in the Aviation facilities sub-categories		
Not Applicable The site is not mapped within the Aviation facilities sub-category.		
Section F—If in the Australian Noise Exposure Forecast (ANEF) contour sub-categories		
Not Applicable The site is not mapped within the ANEF contour sub-category.		

4.0 Conclusion

This minor change request has been prepared by AECOM on behalf of Ampol in support of a request to change the development approval for the Project (BCC Reference: A006742055) in accordance with Section 78 of the Planning Act. Reference should be made to the supporting appendices.

The proposed change is consistent with the definition of a minor change, as defined in Schedule 2 of the Planning Act and should therefore be favourably considered by BCC.

4.1 Fee

In accordance with BCC's Development Assessment and Compliance Fees 2026-27 schedule, a minor change to a development approval where the application adds stages of development will be calculated as 50% of a fee equal to the current application fee.

Development for industrial uses attract a 'development assessment area charge', with the fee calculated on a combination of the below areas:

- Gross floor area (GFA) as defined by *Brisbane City Plan 2014*.
- Areas not forming part of the definition of GFA, integral to the development, i.e. unenclosed structures, decks, awnings, outdoor storage / stockpiling areas, ancillary outdoor areas used by a development etc.

The Project does not include an increase in GFA, with the Project works involving:

- 2,433 m^2 disturbance area for works within the Terminal area in Stage 1 and no change for Stage 2, as shown on Drawing No. 02-01-LAY-008 and 02-01-LAY-008B attached in Appendix D.
- 857 m pipe length extending from the disturbance area within the Terminal into the Refinery in Stage 1 and no additional pipework constructed for Stage 2, as shown on Drawing No. 02-00-DRG-004 attached in Appendix D.

Consistent with the original development application, the Project will be calculated on the combined areas for Stage 1 (3,290) and as the base fee for Stage 2 given no increase in disturbance area or additional pipework. This is calculated as a total fee of $14,775 ($23,700 for Stage 1, $5,850 for Stage 2) and is confirmed to not require the impact assessable development additional fee as it is lodged as a change application.

The fee quote should be addressed as outlined in DA Form 5, to Ampol Refineries (Qld) Pty Ltd c/- AECOM Australia Pty Ltd.