

## Danielle Cohen

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**From:** Alyssa Van Butzelaar <Alyssa.VanButzelaar@dsdilgp.qld.gov.au>  
**Sent:** Monday, 29 November 2021 4:42 PM  
**To:** Katharine Wright  
**Cc:** Danielle Cohen; Peter Spencer  
**Subject:** Call in Notice, letter to Wanless and letter to CEO Ipswich  
**Attachments:** D21 216215 PW - Attachment 2 - (ENC for Attachments 3,4,5,6) Proposed Call In ~ Wanless Recycling Park (DECISION DATE TO BE INSERTED ON PAGE 9).pdf; OUT21 4846 PW [cc] - Attachment 4 - Deputy Premier letter to Wanless Recycling Park Pty Ltd (Applicant).pdf; OUT21 5607 PW - Attachment 3 - Deputy Premier letter to Chief Executive, Ipswich City Council.pdf

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**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

1 William Street  
Brisbane Queensland 4000  
PO Box 15009  
City East Queensland 4002  
**Telephone** + 61 3719 7100  
**Email** [deputy.premier@ministerial.qld.gov.au](mailto:deputy.premier@ministerial.qld.gov.au)  
**Website** [www.statedevelopment.qld.gov.au](http://www.statedevelopment.qld.gov.au)

ABN 65 959 415 158

Ms Sonia Cooper  
Chief Executive Officer  
Ipswich City Council  
[Sonia.cooper@ipswich.qld.gov.au](mailto:Sonia.cooper@ipswich.qld.gov.au)

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 redecide 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 redecide 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](mailto: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

A handwritten signature in black ink, appearing to read 'S Miles', is positioned above the printed name and title.

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

Enc



Hon Steven Miles MP  
Deputy Premier  
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**Website** [www.statedevelopment.qld.gov.au](http://www.statedevelopment.qld.gov.au)

ABN 65 959 415 158

Access refused under s.4

Director  
Wanless Recycling Park Pty Ltd  
1-5 Whiting Street  
ARTARMON NSW 2064

Dear Access refused u

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, 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:

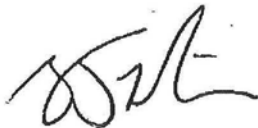
Deputy Premier  
Minister for State Development, Infrastructure, Local Government and Planning  
Minister Assisting the Premier on Olympics Infrastructure  
c/- Director, Development Assessment Division  
Planning Group  
Department of State Development, Infrastructure, Local Government and Planning

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

cc

Access refused under s.4

Urbis Pty Ltd

Access refused under s.47(3)

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

**266 - 304 & 350 COOPERS ROAD, EBENEZER**

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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 redecide 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:

<b>Applicant:</b>	Wanless Recycling Park Pty Ltd
<b>Assessment manager:</b>	Ipswich City Council (the council)
<b>Properly made date:</b>	24 December 2019
<b>Confirmation notice issued:</b>	15 January 2020
<b>Development approval sought (Application):</b>	<p>Development permit for:</p> <ul style="list-style-type: none"><li>• Reconfiguring a Lot - Boundary Realignment (Thirteen (13) Lots into Five (5) Lots)</li><li>• Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction &amp; Demolition, Commercial &amp; Industrial &amp; Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area</li><li>• Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area</li><li>• 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</li></ul>

- 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)

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

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**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

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**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).

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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](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**

<b>Name of Applicant</b>	Wanless Recycling Park Pty Ltd
<b>Approved development</b>	<ul style="list-style-type: none"><li>• Reconfiguring a Lot (Thirteen (13) Lots into Five (5) Lots)</li><li>• 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)</li><li>• 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)</li><li>• 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)</li><li>• 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: &gt;200,000t/yr (in</li></ul>

	accordance with the SARA referral agency response).
<b>Applicable planning scheme</b>	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)
<b>Land zoning</b>	Regional Business and Industry Investigation zone
<b>Level of assessment</b>	Impact assessable (MCU) Code assessment (RoL)
<b>Site address</b>	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)
<b>Real property description</b>	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.
<b>Assessment manager</b>	Ipswich City Council
<b>Referral agencies</b>	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.
<b>Date application properly made</b>	24 December 2019
<b>Date of council information request</b>	20 January 2020
<b>Date of SARA information request</b>	18 February 2020
<b>Date of response to council information request</b>	27 April 2020
<b>Date of response to SARA information request</b>	27 April 2020



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

<b>Documents</b>
Departmental briefing note (Reference: MBN21/1567) and attachments, including: <ul style="list-style-type: none"><li>• Preliminary Assessment Report prepared by the department including schedules</li><li>• draft proposed call in notice</li><li>• draft correspondence to the assessment manager, applicant and the referral agencies and submitters enclosing the proposed call in notice.</li></ul>

**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**

## Danielle Cohen

---

**From:** Kerry DOSS <Kerry.Doss@dsdilgp.qld.gov.au>  
**Sent:** Friday, 1 October 2021 10:07 AM  
**To:** Steve Conner; Teresa Luck; Alyssa Van Butzelaar  
**Subject:** call in request - Wanless

Hi all,

I have been contacted by Jim Soorley who you may be aware is the project director for the Wanless landfill/recycling facility at Ebenezer.

As you may be aware the council approved the recycling component of the development and refused the landfill component.

There will be a request coming to the DP today asking the DP to consider calling in the development application.

regards



**Kerry Doss**

State Planner & Deputy Director-General  
Planning Group  
Department of State Development, Infrastructure,  
Local Government and Planning

P Access refused M Access refused un

Level 13, 1 William Street, Brisbane QLD 4000  
PO Box 611, Brisbane QLD 4001

[statedevelopment.qld.gov.au](https://www.statedevelopment.qld.gov.au)

<https://www.statedevelopment.qld.gov.au/news/social-media>

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## Danielle Cohen

---

**From:** Teresa Luck <Teresa.Luck@dsdilgp.qld.gov.au>  
**Sent:** Thursday, 25 November 2021 12:51 PM  
**To:** Peter Spencer; Alyssa Van Butzelaar  
**Cc:** Kerry DOSS  
**Subject:** DP DG paper Waste management and related activities - Ipswich City Council- 26 November 2022  
**Attachments:** DP DG paper Waste management and related activities - Ipswich City Council- 26 November 2022.docx; Call in timeframes - Wanless & Irrelevant.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Pete, Alyssa

DP/DG paper attached as provided to the DGO.

Also attached, FYI, is the two call in requests and their current indicative timelines.

Cheers  
Teresa



**Teresa Luck**

Director  
**Office of the State Planner**  
Department of State Development, Infrastructure,  
Local Government and Planning

[Microsoft Teams – meet now](#)

P Access refused un  
M

Level 13, 1 William Street, Brisbane QLD 4000  
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<https://www.statedevelopment.qld.gov.au/news/social-media>

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# Waste management and related activities

Ipswich City Council



## Deputy Premier/Director-General Weekly Meeting

### Waste management and related activities

#### Issue

- Ipswich City Council (ICC) receives, and processes most of the waste generated in South East Queensland and other closely located jurisdictions.
- Both the community and ICC have long held concerns about the environmental and health implications associated with storing and processing waste particularly near, or visible to, residential properties.
- There continues to be significant interest from operators to grow the waste industry in Ipswich.
- Through the Resource Recovery Industries 10-year Roadmap and Action Plan (Roadmap), the government continues to support the growth of the industry across Queensland, with the aim of moving beyond waste management into recycling, remanufacturing and development of secondary markets.
- The increasing market interest together with escalating community concerns is highlighting the need to update and refine the current regulatory framework to better regulate and manage the expansion of waste related industries in Ipswich.
- Recognising this, ICC established a Joint Taskforce with DSDILGP, DES and ICC. The Taskforce membership is at the Director-General and CEO level along with their relevant Deputy Directors-General and General Managers.
- The Joint Taskforce has developed a program of collaborative work to address agreed priority issues and maximise economic opportunities arising from the waste management, resource recovery and re-manufacturing industries in Ipswich.
- The matters in this brief are components of this work program and require a coordinated and consistent approach across government.
- To support consistency across government, DES and DSDILGP have agreed to establish and co-chair an Inter-Departmental Committee to ensure the policy, regulatory and industry development strategies are aligned and delivered at agreed points in time.

#### Context

The following summarises the key actions and positions of key stakeholders associated with the waste activities in Ipswich.

#### *Council of Mayor South East Queensland (CoMSEQ) Waste Report*

- CoMSEQ has recently released the *SEQ Waste Management Plan, 2021* (the plan) which establishes a pathway for South East Queensland councils to address the challenges and opportunities with waste management in the South East Queensland Region.
- The plan sets out the following actions for councils to respond to:
  - Optimise co-mingled recycling
  - Removing organic waste from landfill
  - Optimising the treatment of residual municipal solid waste
  - Improving environmental outcomes
  - Growing jobs
  - Improving cost efficiencies



- A key theme of the Plan is to progressively reduce the amount of waste going into landfill while supporting growth in recycling and related activities that collectively contribute to a 'circular economy'. The plan however acknowledges that the plan will take many years to implement requiring lengthy transitions and being guided by a waste management and reduction 'hierarchy'.
- South East Queensland councils are now expected to develop a 10 year road map for each of the actions while exploring and capitalising on early opportunities.
- CoMSEQ will continue to engage with both the state and federal governments to align funding support to deliver implement this plan.
- This planning will be supported by DES who are intending to develop a series of resource recovery regional infrastructure plans.

### ***Temporary Local Planning Instruments***

- In 2020, two Temporary Local Planning Instruments (TLPI) were introduced to provide interim controls for certain waste activities in the Swanbank / New Chum and Ebenezer / Willowbank / Jeebropilly (**Figure 1**) industrial areas. The existing TLPI's are described as:
  - TLPI No. 1 of 2020 (Waste Activity Regulation) over the Swanbank / New Chum industrial area. This TLPI was made by the previous Planning Minister and is in effect until 1 April 2022.
  - TLPI No. 2 of 2020 (Waste Activity Regulation) over the Ebenezer / Willowbank / Jeebropilly industrial area. This TLPI was made by the council and is in effect until 27 January 2022.
- ICC is now proposing to consolidate the current TLPIs and has recently submitted a draft TLPI to the Minister for approval.
- The ICC draft TLPI includes updated, and arguably onerous assessment provisions which may result in all future applications for landfills in the TLPI area being refused. If implemented, the TLPI could have the effect of prohibiting new landfills or expansions to existing landfills as it seeks to severely limit landfill types.
- The proposed TLPI provisions also clearly signal ICC's policy intent to further limit these types of uses into the future via the new draft planning scheme - expected to be in place at the end of 2023.
- The ICC draft TLPI does not include provisions for Energy from Waste uses.
- The department is currently exploring options to refine ICC's draft TLPI to:
  - include appropriate assessment benchmarks to assess Energy from Waste proposals
  - re-structure the code provisions to protect residential amenity, health and environmental concerns in Swanbank
  - explore opportunities to support certain types of waste activities (including a broader range of materials for landfills) in the Ebenezer/Willowbank/Jeebropilly
  - improve the overall workability of the TLPI.
- Discussion have been held with ICC staff on the proposed changes to the TLPI. It is unlikely that ICC would support the refinements which allow for a greater variety of landfill types.
- The proposed TLPI, whether council or state led, is required to be placed by 25 January 2022 before the expiry of the current council led TLPI on the 27 January and accounting for the Australia Day public holiday.

### ***Landfill appeals***

- Current appeals
  - The department is involved in three Planning and Environment Court appeals relating to proposed landfill development (for construction and demolition waste) in ICC area.
  - These applications comprise two new landfill facilities and an expansion of an existing facility.



- The developers, Lantrak Property Holdings (Qld) Pty Ltd, Cleanaway Solid Waste Pty Ltd and Austin BMI Pty Ltd, are challenging ICC's refusal of all three development applications.
- SARA's role in the appeals is limited to issues relating to the state interests it assessed, being:
  - Traffic
  - Noise
  - Air quality
  - Groundwater
  - surface water
  - ecological impacts.
- Hearings on these matters were completed in August and a judgement has not yet been handed down.
- Previous appeal
  - The department was involved in a fourth Planning and Environment Court appeal which related to a proposed expansion to an existing landfill development.
  - The appeal was an applicant appeal against the council's decision to refuse the application in January 2018.
  - The Planning and Environment Court dismissed the applicant's appeal against the refusal in November 2019.

#### ***Proposed Ministerial Call-in, Wanless Recycling Park***

- In December 2019, Wanless Recycling Park Pty Ltd lodged an impact assessable development application with Ipswich City Council (the council) for a waste recycling/reprocessing and landfill facility.
- ICC received 60 submissions on the application during the public notification period.
- The submissions raised a range of issues including:
  - the potential risk of harm to the environment and human health
  - increased traffic and impacts upon the local tourism economy.
- ICC's assessment of the application included an assessment against TLPI No. 2 of 2020 (Waste Activity Regulation) over the Ebenezer / Willowbank / Jeebropilly industrial area (TLPI).
- Waste activities, including landfills and reprocessing facilities, are generally considered to be compatible within specific areas identified in the TLPI on the basis proposal satisfy a range of environment and safety requirements.
- In September 2021, council issued a part approval of the application. Specifically, ICC approved the recycling/reprocessing facility, but it refused all of the proposed waste/landfill activities.
- In October 2021, Wanless Recycling Park Pty Ltd submitted a request to the Deputy Premier for the exercising of ministerial call in powers for the application.
- ICC has previously written to the former Planning Minister requesting that all development applications for waste facilities in the local government area be called in and assessed by the department. These requests were not supported.
- Wanless Recycling Park Ltd lodged a Notice of Appeal with the Planning and Environment Court in mid-October.
- **The last day to issue a proposed call in notice is 29 November 2021.**

- Should a proposed call in notice be issued, in accordance with the indicative timeline shown below, the next decision date required by the Planning Minister is whether to issue a call in notice on **2 February 2022**.



### Energy from Waste policy

- Access refused under s.47(3)(a) of the RTI Act. Exempt information under s.48 and schedule 3, s.2(1)(b) of the RTI Act.

- Energy from Waste proposals are not specifically captured under the current planning framework (Planning Act, 2016), including local planning schemes because it is a new and emerging area of waste management.
- The Roadmap actions include the development of resource recovery precinct guidelines and location strategies. Access refused under s.47(3)(a) of the RTI Act. Exempt information under s.48 and schedule 3, s.2(1)(b) of the RTI Act. State Development Group is currently finalising the scope of work.

### Remondis – Energy from waste proposal

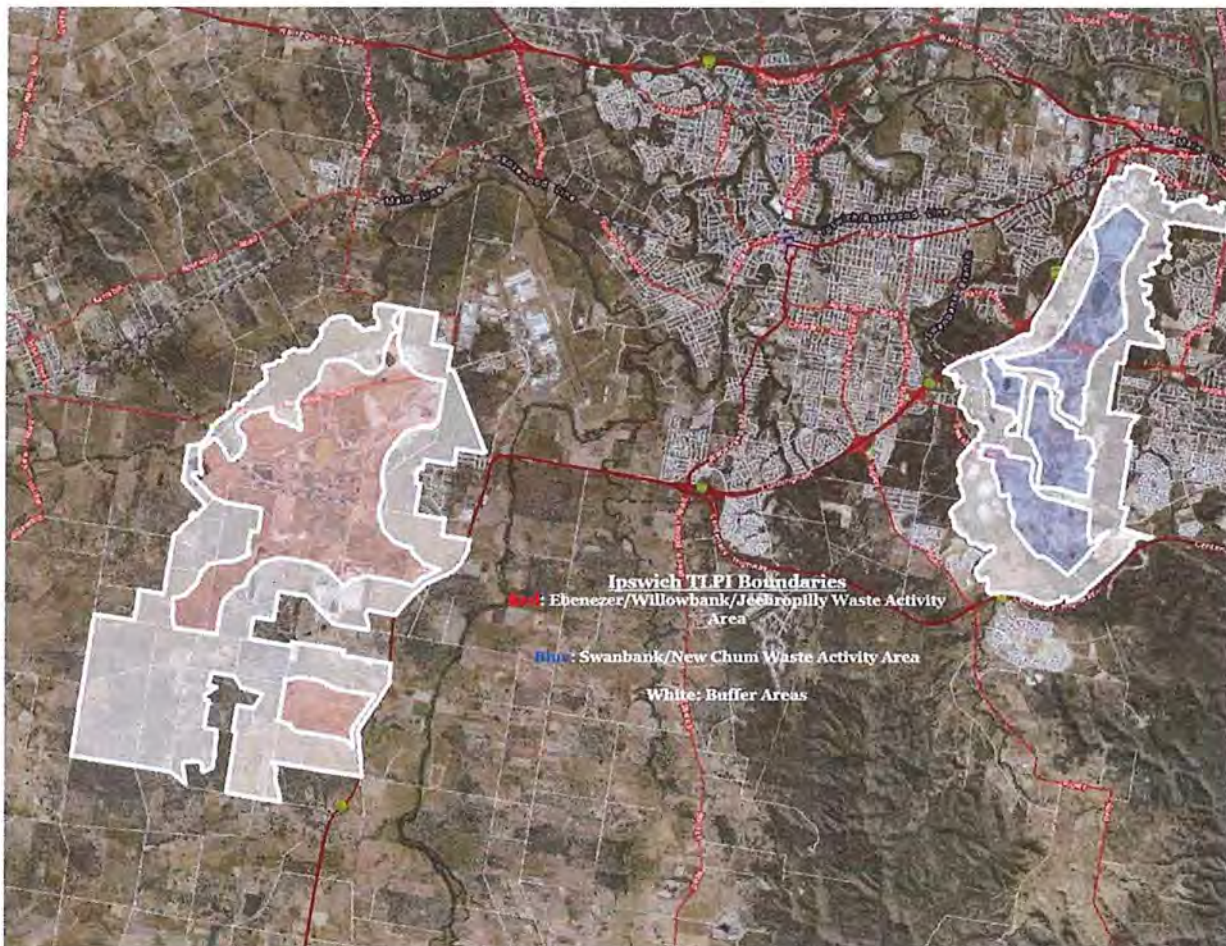
- Remondis currently operates a Renewable Energy and Waste Management Facility at Swanbank.
- The facility comprises seven landfill cells on a site that was previously used for open cut mining activities.
- In June 2020, the Coordinator-General declared the Remondis Australia Pty Ltd proposal a 'coordinated project' under the State Development and Public Works Organisation Act 1971.
- The proposal seeks to establish a \$400 million energy-from-waste facility in Swanbank to generate up to 50 megawatts of baseload electricity by diverting up to 500,000 tonnes per year of non-recyclable waste from landfill.
- The coordinated project, if approved, would be an expansion of the existing facility and consist of a waste to energy plant, buildings where waste is sorted for reuse, offices, car parks and a weighbridge.



### ***TMR road upgrades in Ebenezer area***

- Cunningham Highway / Ipswich Rosewood Road Intersection is locally known as the Amberley Intersection project.
- Planning and Business Case Development for this proposed upgrade project is funded (\$1.65M). The business case was commenced this year (2021) and scheduled to be completed (including community consultation) by late 2022.
- Following completion of the business case funding approval for construction will be sought from the Australian Government, based on 80:20, within the existing \$139.5 million in Cunningham Highway future commitments allocation identified in the current QTRIP.
- While this intersection upgrade is a high priority for the Queensland Government, ultimately, the Australian Government has primary funding responsibility.
- If supported, detailed design and pre-construction which forms part of the capital budget, could commence in 2023 with construction works to commence in 2024.

Figure 1 – Swanbank and New Chum area of TLPI No.1 of 2020 and Ebenezer-Willowbank-Jeebropilly area of TLPI No.2 of 2020





# Call in timeframes

Irrelevant information deleted under section 73 of the RTI Act.

## Wanless





## Danielle Cohen

---

**From:** Alyssa Van Butzelaar  
**Sent:** Friday, 1 October 2021 10:15 AM  
**To:** Peter Spencer; Danielle Cohen  
**Subject:** FW: call in request - Wanless

Hey Pete & Dan,

FYI – Request for Wanless call in is anticipated to be received later today.

Thanks  
Alyssa



Alyssa van Butzelaar  
Department Liaison Officer  
Office of the Hon. Steven Miles MP  
Deputy Premier and Minister for State Development,  
Infrastructure, Local Government and Planning

P: Access refuse

1 William Street Brisbane QLD 4000

**From:** Kerry DOSS <Kerry.Doss@dsdilgp.qld.gov.au>  
**Sent:** Friday, October 1, 2021 10:07 AM  
**To:** Steve Conner <Steve.Conner@dsdilgp.qld.gov.au>; Teresa Luck <Teresa.Luck@dsdilgp.qld.gov.au>; Alyssa Van Butzelaar <Alyssa.VanButzelaar@ministerial.qld.gov.au>  
**Subject:** call in request - Wanless

Hi all,

I have been contacted by Jim Soorley who you may be aware is the project director for the Wanless landfill/recycling facility at Ebenezer.

As you may be aware the council approved the recycling component of the development and refused the landfill component.

There will be a request coming to the DP today asking the DP to consider calling in the development application.

regards



Kerry Doss

State Planner & Deputy Director-General  
Planning Group  
Department of State Development, Infrastructure,  
Local Government and Planning

P: Access refuse M: Access refused un

Level 13, 1 William Street, Brisbane QLD 4000  
PO Box 611, Brisbane QLD 4001

[statedevelopment.qld.gov.au](http://statedevelopment.qld.gov.au)

<https://www.statedevelopment.qld.gov.au/news/social-media>

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## Danielle Cohen

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**From:** Deputy Premier  
**Sent:** Friday, 1 October 2021 3:50 PM  
**To:** 'DLO DSDILGP'  
**Cc:** Alyssa Van Butzelaar; Peter Spencer; Danielle Cohen  
**Subject:** FW: Request to Call Development Application In  
**Attachments:** Ltr - 210930 - Request to Call in Development Application.pdf

Department – to register

DPO – Responsible Advisor to notify the DP if necessary/urget

Admin - I will add this to the DP's VIP corro

**From:** [Access refused under s.47(3)(b)]@urbis.com.au>  
**Sent:** Friday, October 1, 2021 3:00 PM  
**To:** Deputy Premier <deputy.premier@ministerial.qld.gov.au>; Danielle Cohen <Danielle.Cohen@ministerial.qld.gov.au>  
**Cc:** [Access refused under s.47(3)(b)]@urbis.com.au>; [Access refused under s.47(3)(b) of the RTI Act. Disclosed]@urbis.com.au>  
**Subject:** Request to Call Development Application In

Hi Danielle,

Please find attached on behalf of the applicant, Wanless Recycling Park Pty Ltd, a request for the Minister to call the development application in. Please let me know if you have any questions regarding this,

Kind regards,

[Access refused under s.47(3)(b)]

D [Access refused under s.47(3)(b)]  
T +61 7 3007 3800  
E [Access refused under s.47(3)(b)]@urbis.com.au

**SHAPING  
CITIES AND  
COMMUNITIES**



LEVEL 32, 300 GEORGE STREET  
BRISBANE, QLD 4000, AUSTRALIA

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LEVEL 32  
300 GEORGE STREET  
BRISBANE QLD 4000

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

30 September 2021

Mr Steven Miles,  
Deputy Premier of Queensland  
C/- Mr Damien Walker  
Director General  
Department of State Development, Infrastructure,  
Local Government & Planning  
1 William Street  
BRISBANE QLD 4000

Dear Mr. Miles,

## REQUEST TO CALL IN DEVELOPMENT APPLICATION – RESOURCE RECOVERY AND RESIDUAL LANDFILL OPERATION, EBENEZER QLD

We write to you to request that you issue a proposed call in notice for a development application for a Material Change of Use for a Waste Activity Use that includes recycling, resource recovery and a landfill operation for associated residual waste at Ebenezer ('the **Application**'). The application and site details are as follows:

- ICC's development application number is 10674/2019/CA.
- The site address is 266-304 Coopers Road, Willowbank, 82A Lanes Road, Ebenezer, 82B Lanes Road, Ebenezer, 82C Lanes Road, Ebenezer, 82D Lanes Road, Ebenezer, 82E Lanes Road, Ebenezer, 82F Lanes Road, Ebenezer, 350 Coopers Road, Willowbank, 166-198 Bergmans Road, Ebenezer, 202-282 Bergmans Road, Ebenezer, Lot 257 Unnamed Road, Ebenezer, Lot 312 Coopers Road, Ebenezer, 82H Lanes Road, Ebenezer, and Lot 1 Coopers Road, Ebenezer ('the **site**').

This request is being made on behalf of Wanless Recycling Park Pty Ltd ('**Wanless**'), the applicant for the development application. Wanless is a renowned operator within the waste industry, currently operating a significant recycling operation from their Sydney Recycling Park in Kemps Creek, NSW. At this site, Wanless is achieving a recycling rate exceeding 80% of all material received on site. The business was initially started in Brisbane, before expanding to Sydney. Wanless is now looking to expand their business towards Ipswich, seeking to establish a recycling and resource recovery facility within Ebenezer, west of Ipswich ('the **project**').

The project itself represents a significant investment within South East Queensland that should be considered as a State Interest for the following reasons:

1. 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, representing a significant economic investment within South East Queensland.

2. The project clearly aligns with various State Government and Ipswich City Council policies that seek to increase recycling rates within QLD and promote a cyclical economy as a driver for increasing recycling and reducing reliance on landfill operations, identifying new investment within the resource recovery sector as the only way to achieve greater recycling. Wanless is a significant economic investment in South East Queensland, to establish a facility that will be targeting a 45-60% recycling rate. As a standalone operation, the modelling demonstrates the development will increase Queensland's, as a State, recycling rate by 4.1%, considerably contributing to the goal of achieving a State recycling rate of 90% by 2050.
3. The proposed development will provide for the remediation of previous mining activities on the site that have resulted in several large mining voids remaining on the property. Under the current obligations for site remediation attached to the previous mining activities (as stipulated under the existing Environmental Authority EPML00594013), the former mining voids will not be filled and only stabilisation works will be required. Under the current proposal, private capital will be used to fill Lanes and Iron Bark pits with a combination of residual waste and clean fill material, restoring the landform to close to its pre-mining contours.

## THE PROJECT

Under the development proposal, the site will receive up to 1 million tonnes of waste material annually at the full operation, which is expected to be achieved in year seven of operation. Approximately 90% of all waste that enters the site will go through the recycling process within the site's resource recovery facilities, ramping up from 45% from the commencement of the operation. Only 10% of waste received will bypass the recycling facilities and this will only occur for waste streams that are unable to be recycled in any fashion (i.e. asbestos materials). The operation will employ best practice recycling technology to facilitate the proposed recycling rate.

The Resource Recovery Facility encompasses 26,880m<sup>2</sup> of enclosed floor area within which all of the recycling activity will occur. This area on site will consist of the following:

- Four (4) Transfer and Resource Recovery Facilities (primary operations) – 2 for Construction & Demolition (C&D) / Commercial & Industrial (C & I) waste (dry waste) and 2 for municipal waste (wet / putrescible waste) associated with Ironbark Pit and Lanes Pit
- Four (4) Transfer and Resource Recovery Facilities (secondary operations) with the purpose to take sorted goods from primary operation to either store, recycle, or recover further material. Two facilities will be associated with dry waste and two will be associated with general / municipal waste.

The types of recycling processes that will occur within the proposed Resource Recovery Facility buildings are outlined below:

- Shredding;
- Screening;
- Crushing;
- Magnetic and eddy current separation;
- Optical sorting;





- Hand picking; and
- Air classification.

It is noted that no chemical processes will be employed on site as part of the resource recovery operation. The materials that are sought 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. Both Council and DES have approved the recycling operation on the site, endorsing the site as an appropriate site for the recycling of waste. The conditions of approval from both Council and DES require mechanical recycling processes to be contained within the proposed buildings, and any putrescible waste recycling, processing or storage to occur under negative air pressure with air extraction systems. The recycling buildings will be fitted with dust and odour collection systems, and fully contained within the negative pressure environment, which also forms part of the conditions of the Environment Authority. Air which is removed from these buildings is passed through a dust collection system before being processed through a Bio Filter, which effectively treats the odours and is the accepted best practice for eliminating organic based odours. This is to ensure that no odour from recycling is experienced off site.

The residual waste will be transferred to Lanes and Ironbark Pits, which will provide approximately 18 years of landfill air space. The strategic advantage of locating the recycling operation adjacent to the landfill space is central to the development proposal and assists in mitigating impacts associated with waste transportation that would otherwise be necessary if the landfill was located offsite.

## APPLICATION CONTEXT

The project is proposed via a development application to Ipswich City Council that formally includes the following specific elements:

- **Reconfiguring a Lot** – Development Permit for a Boundary Realignment (13 into 5 Lots)
- **Material Change of Use**
  - *Waste Activity Use* involving a Landfill
  - *Waste Activity Use* involving Rehabilitating a Mining Void
  - *Waste Activity Use* involving Waste Recycling, Reprocessing and Disposal (Special Industry)
  - *Waste Activity Use* involving Crushing, Milling or Grinding
- **Environmental Relevant Activities**
  - 54 – Mechanical Waste Processing
  - 60 – Waste Disposal
  - 62 – Resource Recovery and Transfer Facility Operation

The below is an overview of the timeline of the application and the comprehensive assessment from both the State Government and Ipswich City Council:

- Lodged with Ipswich City Council 19 December 2019
- Information Requests issued by Ipswich City Council on 20 January and from SARA on 18 February 2020



- Information Requests responded to by the Applicant 27 April 2020
- Public Notification Period ran from 13 May 2020 to 5 June 2020. A total of 60 submissions were received by Council regarding the development application.
- Referral Agency Approval from Department of Environment and Science (DES) and State Assessment Referral Agency (SARA) was received on 2 July 2021.
- Council carried out its assessment of the application which included an Independent Development Review Panel process and Public Hearing on 19 August
- Council decided the application at a Full Council Meeting on 16 September and issued its decision notice on 17 September.

Notably, DES and SARA moved to approve all components of the application including the resource recovery component and the residual waste landfill operation. This approval was achieved after 15 months of working with the State Departments to resolve all issues that were associated with the development. The approval includes conditions that restricts the movement of coal tailings from the previous mining activities on the site until the management of the tailings is fully resolved which by virtue of the condition, does not permit waste filling the occur within the Tailing's Dam under the current development application.

While Ipswich City Council's decision represents a part approval of the development application, it does not provide a development approval that can be acted upon by Wanless and renders the project unfeasible. An approval to operate the recycling facilities in isolation of the landfilling operation significantly impacts on profitability and sustainability of the operation. Recycling, particularly within the Queensland context, cannot currently achieve a 100% recycling rate from the commencement of the operation and as such, residual waste will be created. Without being able to dispose of the residual waste on the same site, the costs of transportation of the residual waste offsite and competitive gate fees at other landfilling operations will have an enormous impact on the viability of the project.

## PLANNING CONTEXT

The site is located within Ipswich City Council area, to the west of Ipswich City in Ebenezer. The surrounding area is characterised by historic mining activities, existing landfill operations, Amberley Air Base, and a combination of rural and urban residential areas. The site is specifically zoned as a Regional Industry and Business Investigation Area under the Ipswich City Planning Scheme, which highlights that the area is an appropriate area for industrial and business activities, subject to investigation into the historic land uses and overcoming associated land constraints caused. The development site is heavily disturbed by the previous mining activities, most notably the significant voids that remain on the site from the previous mining activities.

In addition to the Ipswich Planning Scheme, the site is also regulated by Council's Temporary Local Planning Instrument ('TLPI') No. 2 of 2020 (Waste Activity Regulation). The TLPI seeks to regulate new and expanded waste operations within the Ebenezer, Willowbank and Jeebropilly locality. The TLPI establishes a Waste Activity Area and a Waste Activity Buffer Area to regulate the area within which waste activities can be established.

The proposed development responds directly to Council's TLPI and did not propose any waste activity uses outside of the Waste Activity Area, taking into consideration all recycling operations and residual landfilling on site. Complying with the provisions of the TLPI comes at the cost of a significant portion of the Lanes Pit mining void – the portion of the void is proposed to be filled with clean fill only in accordance with the TLPI provisions.



The planning framework promotes the area as being an appropriate location for both business and industrial activities under the provisions of the Ipswich Planning Scheme as well as Waste Activity Uses in accordance with the TLPI over the site. Notwithstanding the planning intent for the site under the planning framework, potential amenity and environmental impacts of the proposed development must be considered. Over a 22 month period, Wanless has worked through a substantial body of technical reporting to ensure the development is designed and constructed to protect the established surrounding areas, as well as the natural environment.

## STATE INTERESTS

In the following section, an assessment is provided of the alignment between the proposed development and the relevant State Interests of the Queensland Government. The State Interests are determined having regard to key planning and strategy documents – the State Planning Policy (SPP), ShapingSEQ and the Queensland Waste Management and Resource Recovery Strategy.

### State Planning Policy

The SPP outlines the planning policies and interests of the State Government for incorporation into the planning and assessment frameworks and includes State Interest statements. The following provides an assessment of those parts of the SPP that are applicable to the current development application.

4. *Development and construction: Employment needs, economic growth and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed-use development opportunities*

The proposed development includes \$200 million of investment within the Ipswich LGA. The development will introduce 300 construction jobs and 50 direct operational jobs at the time the facility opens. The opportunity on the site to create and grow additional jobs as the operation grows with time is significant and additional to the job numbers stated above. The project presents a significant economic investment in a currently underutilised and derelict site. In the event that the residual landfill operation does not receive approval, this investment and job creation opportunity will be lost.

In its current form, there is limited economic growth generated from the site. The mining lease rehabilitation requirements permit the existing voids to be retained on site as "water storage and fauna habitat". In order for the site to generate economic development and job opportunities, the voids must be filled and rehabilitated. Without the proposal, there is no prospect that the voids will be filled with clean fill and rehabilitated back to natural ground level as there is no economic incentive or regulatory requirement to do so and it would be cost prohibitive. Utilising the voids for disposal of residual waste from the proposed resource recovery achieves both economic development on the site and increases job opportunities by making the recycling operation viable to operate. The residual waste disposal also assists in returning the mining voids to natural ground level, while also generating economic activity which is a significant improvement on the existing requirements for the site.

In short, the proposal presents an economic development opportunity where there is limited opportunities to do so currently. Combined with the residual waste disposal on site, the proposal creates significant long term job opportunities for the area. In the current approved form, without the residual waste disposal, the project is unlikely to proceed.

5. *Biodiversity: Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.*



The site is identified as having a number of environmental values that ought to be protected including remnant habitat vegetation, protected vegetation, koala movements, groundwater linkages, and surface water runoff. The matters of biodiversity have been assessed through the development application, and the proposed development has been approved by both State Government and Ipswich City Council.

The significant body of technical environmental assessments that have been prepared by the applicant outline that any potential impacts associated with the development can be ameliorated through site design and conditioning of the development. A number of management reports and site operational manuals have been approved and conditioned through the development assessment process. The conditions also include an offset in which 22.9ha of additional koala habitat is required to be established on site in response to vegetation being removed. The location of this offset on site has been selected to optimise koala movement through the site and connect to existing vegetation communities external to the site.

The proposed development includes disposing of waste in proximity to the groundwater table. Significant discussions with the State Government have resulted in an agreed approach to design the landfill liner system to include groundwater relief systems that will monitor the flow of ground in and around the liner system to ensure no cross contamination of either landfill cells or the groundwater. The permit issued from DES outlines conditions that ensure that this is delivered on site and continuously maintained.

The development will also require the existing voids be dewatered to create the residual waste landfill cells. Extensive modelling and testing have been conducted through the application material to provide a dewatering strategy for the voids that will permit the voids to be progressively dewatered with no environmental impact downstream of the development. This strategy has been assessed and approved by DES.

The site at present is in a degraded environmental state, with limited activity occurring on site. The proposed development seeks to support existing ecological processes on site, by ensuring impacts are ameliorated and managed appropriately. Establishing the proposed development will create the necessary economic opportunities on the site to make rehabilitation and enhanced ecological outcomes a possibility.

6. *Emissions and hazardous activities: Community health and safety, and the natural and built environment, are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure and sport and recreation activities is ensured.*

The importance of appropriately located and designed industrial development is a key driver under the SPP to ensure that community health and safety is protected at all times. The development site is located within a Regional Industry and Business Investigation Area under the Ipswich Planning Scheme and the defined Waste Activity Area under the Council's TLPI. The development proposal, therefore, aligns with the general planning intent for the site, as identified by Council in the relevant planning documents.

Reviewing the site context from a first principles point of view, the site is located within a predominantly rural and industrial area, within a precinct that is historically degraded through open cut mining activities. An existing landfill operation is located on the adjoining landholding, with the active landfill operation 500m from the site boundary, similarly using a previous mining site to facilitate a landfill operation. The site is also bordered by the Willowbank Motorsports Precinct, which includes a racetrack and drag strip. In addition to this, Amberley Air Base is located 4.5km from the site. The existing collection of land uses within the area, coupled with Council's planning



intent of the site, indicate the area is appropriate to establish industrial land uses with management of potential nuisance impacts in terms of air quality or noise.

Wanless has engaged a number of technical consultants to assist in the design and construction of the proposed development to ensure that no nuisance impacts are experienced offsite. A number of recommendations have been made, assessed and approved by DES and Council regarding the operation of the development. This highlights that the proposed development is able to operate and align with the State Interest of protecting community health and safety.

## ShapingSEQ

ShapingSEQ advances state interests by *"providing a spatial context, defining key outcomes, and establishing planning strategies and directions to achieve these outcomes in response to SEQ's unique values, drivers, expectations, projections and constraints."* ShapingSEQ provides the basis for prioritising, qualifying or resolving the state interests in SEQ. The ShapingSEQ document sets out a variety of themes that for development. The key themes that are pertinent to this context are stepped out herein.

### 7. Theme 2 – prosper: a globally competitive economic powerhouse (which focuses on jobs and employment opportunities)

As mentioned previously, the proposal represents a \$200 million investment into a dilapidated site to create a world class recycling and resource recovery facility. Wanless is in the business of recycling and seeks to employ class leading technology within the development to ensure the resource recovery on site is maximised. Wanless is seeking to replicate their successful Sydney Recycling Park in South East Queensland, which utilises a number of the technological innovations to maximise recycling rates.

This site and proposed development represent an opportunity to create economic development on a challenging and derelict site and to establish a market leading recycling facility. Recycling is a growing and increasingly important industry in accordance with the Queensland Government's strategic objectives and capital investment in the requisite infrastructure is essential to take the industry forward.

In addition to creating a economic opportunity for the recycling industry within the South East Queensland, the development will create job opportunities on a local scale with 300 construction jobs and 50 permanent operational jobs at the commencement of the operation.

### 8. Theme 4 – sustain: promoting ecological and social sustainability

The development site at present is a significantly degraded due to the previous mining activities on the site. The mining activities have impacted the ecological sustainability and social sustainability of the site, with limited opportunities for reuse and economic investment.

The project, if it were to proceed, would see the site rehabilitated through conditions requiring habitat creation and the offset of koala habitat trees removed to establish the operation (at a rate of three trees to every one removed). The rehabilitation of the site will only be possible via the economic activity generated through the proposed development.

As part of the assessment of the site and the proposed development, significant testing and assessment of the groundwater and water management of the site was undertaken. This assessment has determined the most appropriate mitigation measures to manage the interaction of the waste activity uses, particular the residual waste disposal within the mining voids. A dewatering strategy has been developed and approved to remove the water from the existing



mining voids in a manner that will not have a detrimental impact on the receiving environment. A groundwater relief system has been designed to ensure that there is no interaction between the groundwater around the voids and the landfill cells. All site operations are to be managed in accordance with the suite of management plans that have been approved by DES for the site, as well as the numerous operational plans that will be prepared in accordance with the conditions of approval.

## Queensland Waste Management and Resource Recovery Strategy

The State Government released the *Queensland Waste Management and Resource Recovery Strategy* in 2021, which provides a strategic framework to assist in transitioning Queensland to a circular economy and a zero-waste society supported by a heightened reliance on resource recovery. The strategy outlines targets to be achieved by 2050 for 90% of waste to be recovered (without going to landfill) and 75% of waste to be recycled across all waste targets. The strategy provides a staged approach to achieving the target rates.

The strategy is underpinned by three key strategic priorities, each with initiatives targeted at State Government, Local Government and Waste Industry Operators:

- **Reducing the impact of waste on the environment and communities**
  - *The sector has an important role to play in protecting the environment by positioning recycling and resource recovery facilities in strategic locations that minimise impacts on communities, taking action to reduce waste disposal that effectively minimises impacts on communities, managing landfill sites and reducing the transport of waste and recycled materials. The sector must also continue to educate its members about appropriate management actions for particular wastes, to ensure proper treatment, recycling and disposal.*

The proposed development is located in a strategic location and is consistent with the local planning intent for the land and direction for the locality. The site provides the opportunity for waste to be recycled and residual waste to be disposed of on the same site. Furthermore, the operations are buffered from adjoining sensitive land uses, with the nearest residential uses being located 800m from the site boundary, 1200m from the recycling facility and 900m from the landfill void.

As a combined resource recovery facility and residual waste disposal operation, the project minimises the transport of waste and recycled materials within the wider community. Waste to the site is received, with 90% of waste undergoing recycling processes, with between 45-60% of the waste received on site recycled. Any material that is unable to be recycled on the site can be disposed of on site and, as such, does not create additional transport impacts on the surrounding community. The decision by Ipswich City Council directly conflicts with this intent, meaning that any material not being able to be recycled will have to be transported to another site and disposed of off-site. The outcome of this decision is additional transportation impacts and avoidable transportation of waste materials through the community.

Wanless seeks to establish a market leading waste management operation on the site that creates an exemplar recycling operation, similar to the Sydney Recycling Park, to lead the South East Queensland waste industry in a new direction towards a better waste future.

- **Transition to circular economy for waste**
  - *The waste management and resource recovery sector as the key waste management provider is well placed to drive the growth and investment required to grow the sector. The industry has a commercial and ethical responsibility to inform and educate its business clients about how to*



*reduce waste and increase recycling and offer service options that provide them with real choice about the level of recycling they want to adopt. The willing participation of the waste management and resource recovery sector, in partnership with the Queensland Government, is vital to the Strategy's success.*

A key principle under the transition to a circular economy with regards to waste in Queensland is the establishment of recycling projects and investment in the recycling industry. Wanless is seeking to establish a \$200 million project within South East Queensland, targeting a 45-60% recycling rate on the site. As a standalone operation, the development will increase Queensland's recycling rate by 4.1%, which significantly contributes to the goal of achieving a State recycling rate of 90%. Through the proposed development, Wanless is delivering on the Strategy's directive on investing within the recycling industry in South East Queensland.

The Waste Infrastructure Report released by DES in 2019 highlights that the existing industry "capacity is designed to process clean source separate masonry materials" as such, there are "opportunities for new facilities to target mixed commercial and demolition streams". The proposed project is an opportunity to open up a new sector of capacity within the South East Queensland recycling market and increase the opportunities for recycling and contribute to the creation of a circular economy.

Wanless is dedicated to the recycling industry and have a long established history operating a variety of recycling businesses in Queensland and New South Wales. The success and delivery of this project is a great example of the waste industry sector, particularly the resource recovery sector, driving growth and investment in the sector and contributing to the delivering of the Queensland Waste Management and Resource Recovery Strategy.

#### ▪ **Building economic opportunity**

- *The waste management and resource recovery sector should work to identify where the opportunities for economic growth are and be ready to invest accordingly.*

*Industry should work with local government to resolve planning issues for existing and new infrastructure.*

*Industry should also work with government to develop standards and specifications when using recycled material. A consistent approach will give consumers confidence in the quality and safety of these products and help drive market demand.*

Wanless, as a key operator within the waste management and resource recovery sector, has identified a site that is strategically located within a planned industrial and business growth area under the local framework that is a prime site for investment. The site has the elements needed to create a significant waste and resource recovery business on the site, creating the opportunity to establish a side by side recycling facility and residual waste disposal. Wanless is willing to create a significant investment in the site to drive the resource recovery sector within SEQ.

Wanless, throughout the assessment of the application, has negotiated and liaised with Ipswich City Council and the relevant departments of the State Government to work through all planning issues associated with the development. To note, approvals for both the recycling and landfilling components if the proposed development have been issued by the State Government including the Department of Environment and Science (for the environmental authority) and the Department of Transport and Main Roads. As previously mentioned, approval for part of the application has been issued by Ipswich City Council. Through both the State Government and Ipswich City Council approvals, there is an acknowledgement that the





proposed development and proposed land uses are appropriate for the site and that any potential impacts on the infrastructure and the environment can be ameliorated. industries.

### **Ipswich Resource Recovery Strategy**

In a local context, the Ipswich City Council have developed a Resource Recovery Strategy that is directed by *Queensland Waste Management and Resource Recovery Strategy*. The strategy sets out goals for the waste industry in Ipswich. A key goal for the strategy is to increase the materials recovery and actively promote a circular economy, as well as introducing a 'pillar' of the strategy to establish fit-for-purpose waste and resource recovery infrastructure. This strategy is intended to further the intent of the Waste Strategies released from the State Government. The Wanless Recycling Park promotes recycling and resource recovery and creates an integrated waste activity within Ipswich that increases the recycling rates and establishes a fit-for-purpose recycling centre, that aligns with the Council's Resource Recovery Strategy. The decision to part refuse the development application pushes away from Council's endorsement direction towards recycling.

### **QLD Waste Levy**

The Queensland Government introduced a Waste Levy 1 July 2019. The intent of the Waste Levy was to:

- Reduce the amount of waste going to landfill;
- Encourage waste avoidance;
- Provide a source of funding to enable better resource recovery practices; and
- Facilitate industry investment in resource recovery infrastructure.

The drivers behind the Waste Levy have created the economic conditions that have led to the inception of this project, to create an integrated waste facility that focuses on resource recovery at its core. The development delivers a project that drives the intent of the Levy forward.

### **Mining Rehabilitation**

The site has been effected by previous mining activities that are covered under the existing mining lease that remains on the site. Attached to the mining lease are a set of rehabilitation requirements to create a site that is able to support post mining uses. The predominant rehabilitation for the site is to return large portions of the site to grazing land, with the open cut voids retained as water storage. It is acknowledged that the Queensland State Government has appointed a Mine Rehabilitation Commissioner to oversee the rehabilitation of previous mining sites. The Commissioner is tasked with producing guidance on best practice rehabilitation, engaging with stakeholders, report on the performance of rehabilitation requirements and advise the minister on the progress. In his appointment media statement, James Purtill, noted that rehabilitation of mining sites has the potential to create job opportunities for regional communities and is important to create more jobs after the mine is no longer in use.

This project seeks to rehabilitate a previously mined site, in a fashion that has been demonstrated is environmentally sound and will create a number of jobs as part of the rehabilitation. The development project aligns directly with the Government's intentions for historic mining sites, generating jobs through the rehabilitation on the site. The development would be an on the ground example of best practice management of mining sites to economically viably rehabilitate the site, with limited burden on the surrounding community.



## Summary

As detailed above, the proposed development aligns with and furthers the State Interests as identified in the SPP, ShapingSEQ and importantly, the Queensland Waste Management and Resource Recovery Strategy. The development represents significant investment within the Ipswich region that leads to real and permanent job creation on the ground and a significant growth in the resource recovery sector within SEQ, furthering the intent of State waste industry objectives. The project is therefore submitted as an exemplary project and a key driver in advancing the State Government's waste management and resource recovery objectives.

Without the permitting the residual landfill operation on the site, the viability of the project becomes uncertain, and is unlikely to progress through to construction. Approval of the project in its entirety, including both the recycling and residual waste disposal components, is therefore necessary to ensure this project comes to fruition and assists in the achievement of the State Government recycling targets.

## WHY SHOULD THE MINISTER CALL IN THIS APPLICATION?

As outlined in this request, the viability of the project is currently as a result of Ipswich City Council's decision not to approve the landfilling component of the proposal. At this stage, it is likely that the project will not proceed. Whilst the applicant determines its next course of action, it has acted to preserve its appeal rights by lodging a Notice of Appeal with the Planning and Environment Court.

Due to the backlog in Planning and Environment Court hearings, there is no certainty around a final outcome in relation to this development application, which adds further costs and lengthy delays to the project after nearly two years in the planning assessment process. Without timely assessment of applications of this type, investment in recycling infrastructure and local recycling jobs simply can not be supported.

In summary, the proposed development wholly aligns with the State Interests identified in the State Planning Policy, ShapingSEQ and importantly delivers on the directives of the *Waste Management Resource Recovery Strategy*. Construction of this project clearly within the interests of the Queensland Government. The project creates significant economic opportunity leveraging the \$200 million investment into what is currently a derelict and underutilised site and creating upwards of 350 construction and operational jobs within an area that is identified as an area suitable for regional industry and business activity under the local planning instrument. The project balances the economic development on the site with the protection and enhancement of environmental and social sustainability of the site by protecting and enhancing environmental elements of the site, and the potential economic growth on the site from the catalyst investment.

The application in its current form, as approved by Ipswich City Council, is unable to proceed on the basis of economic viability of the project. It is necessary for the proposed development to proceed in its entirety, allowing for the disposal of residual waste on the same site. For the project to progress beyond the concept stage, certainty in the approval process and planning outcome is necessary. As such, it is considered that calling in the application is necessary to ensure that the development is able to proceed and to further the State Interests as detailed in this request.

Yours sincerely,



Access refused under s.47(3)(b) of the Freedom of Information Act 1992

Access refused under s.47(3)(b) of the Freedom of Information Act 1992



## Danielle Cohen

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**From:** Danielle Cohen  
**Sent:** Friday, 1 October 2021 3:01 PM  
**To:** Peter Spencer; Alyssa Van Butzelaar  
**Subject:** Fwd: Request to Call Development Application In  
**Attachments:** image001.gif; image002.png; image003.png; image004.png; image005.png; image006.png; Ltr - 210930 - Request to Call in Development Application.pdf

Danielle Cohen

Chief of Staff

Office of the Hon Steven Miles MP

Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning

P 07 3719 7100 | M [Access refused under s.47(3)(b) of the RTI Act. Disclosure withheld]  
1 William Street Brisbane QLD 4000  
GPO Box 48 Brisbane QLD 4001

Sent from my iPhone

Begin forwarded message:

**From:** [Access refused under s.47(3)(b) of the RTI Act. Disclosure withheld]@urbis.com.au  
**Date:** 1 October 2021 at 2:59:59 pm AEST  
**To:** Deputy Premier <deputy.premier@ministerial.qld.gov.au>, Danielle Cohen <Danielle.Cohen@ministerial.qld.gov.au>  
**Cc:** [Access refused under s.47(3)(b) of the RTI Act. Disclosure withheld]@urbis.com.au, [Access refused under s.47(3)(b) of the RTI Act. Disclosure withheld]@urbis.com.au  
**Subject:** Request to Call Development Application In

Hi Danielle,

Please find attached on behalf of the applicant, Wanless Recycling Park Pty Ltd, a request for the Minister to call the development application in. Please let me know if you have any questions regarding this,

Kind regards,

[Access refused under s.47(3)(b) of the RTI Act. Disclosure withheld]

D [Access refused under s.47(3)(b) of the RTI Act. Disclosure withheld]  
T +61 7 3007 3800  
E [Access refused under s.47(3)(b) of the RTI Act. Disclosure withheld]@urbis.com.au

LEVEL 32, 300 GEORGE STREET  
BRISBANE, QLD 4000, AUSTRALIA

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300 GEORGE STREET  
BRISBANE QLD 4000

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ABN 50 105 256 228

30 September 2021

Mr Steven Miles,  
Deputy Premier of Queensland  
C/- Mr Damien Walker  
Director General  
Department of State Development, Infrastructure,  
Local Government & Planning  
1 William Street  
BRISBANE QLD 4000

Dear Mr. Miles,

## REQUEST TO CALL IN DEVELOPMENT APPLICATION – RESOURCE RECOVERY AND RESIDUAL LANDFILL OPERATION, EBENEZER QLD

We write to you to request that you issue a proposed call in notice for a development application for a Material Change of Use for a Waste Activity Use that includes recycling, resource recovery and a landfill operation for associated residual waste at Ebenezer ('the **Application**'). The application and site details are as follows:

- ICC's development application number is 10674/2019/CA.
- The site address is 266-304 Coopers Road, Willowbank, 82A Lanes Road, Ebenezer, 82B Lanes Road, Ebenezer, 82C Lanes Road, Ebenezer, 82D Lanes Road, Ebenezer, 82E Lanes Road, Ebenezer, 82F Lanes Road, Ebenezer, 350 Coopers Road, Willowbank, 166-198 Bergmans Road, Ebenezer, 202-282 Bergmans Road, Ebenezer, Lot 257 Unnamed Road, Ebenezer, Lot 312 Coopers Road, Ebenezer, 82H Lanes Road, Ebenezer, and Lot 1 Coopers Road, Ebenezer ('the **site**').

This request is being made on behalf of Wanless Recycling Park Pty Ltd ('**Wanless**'), the applicant for the development application. Wanless is a renowned operator within the waste industry, currently operating a significant recycling operation from their Sydney Recycling Park in Kemps Creek, NSW. At this site, Wanless is achieving a recycling rate exceeding 80% of all material received on site. The business was initially started in Brisbane, before expanding to Sydney. Wanless is now looking to expand their business towards Ipswich, seeking to establish a recycling and resource recovery facility within Ebenezer, west of Ipswich ('the **project**').

The project itself represents a significant investment within South East Queensland that should be considered as a State Interest for the following reasons:

1. 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, representing a significant economic investment within South East Queensland.

2. The project clearly aligns with various State Government and Ipswich City Council policies that seek to increase recycling rates within QLD and promote a cyclical economy as a driver for increasing recycling and reducing reliance on landfill operations, identifying new investment within the resource recovery sector as the only way to achieve greater recycling. Wanless is a significant economic investment in South East Queensland, to establish a facility that will be targeting a 45-60% recycling rate. As a standalone operation, the modelling demonstrates the development will increase Queensland's, as a State, recycling rate by 4.1%, considerably contributing to the goal of achieving a State recycling rate of 90% by 2050.
3. The proposed development will provide for the remediation of previous mining activities on the site that have resulted in several large mining voids remaining on the property. Under the current obligations for site remediation attached to the previous mining activities (as stipulated under the existing Environmental Authority EPML00594013), the former mining voids will not be filled and only stabilisation works will be required. Under the current proposal, private capital will be used to fill Lanes and Iron Bark pits with a combination of residual waste and clean fill material, restoring the landform to close to its pre-mining contours.

## THE PROJECT

Under the development proposal, the site will receive up to 1 million tonnes of waste material annually at the full operation, which is expected to be achieved in year seven of operation. Approximately 90% of all waste that enters the site will go through the recycling process within the site's resource recovery facilities, ramping up from 45% from the commencement of the operation. Only 10% of waste received will bypass the recycling facilities and this will only occur for waste streams that are unable to be recycled in any fashion (i.e. asbestos materials). The operation will employ best practice recycling technology to facilitate the proposed recycling rate.

The Resource Recovery Facility encompasses 26,880m<sup>2</sup> of enclosed floor area within which all of the recycling activity will occur. This area on site will consist of the following:

- Four (4) Transfer and Resource Recovery Facilities (primary operations) – 2 for Construction & Demolition (C&D) / Commercial & Industrial (C & I) waste (dry waste) and 2 for municipal waste (wet / putrescible waste) associated with Ironbark Pit and Lanes Pit
- Four (4) Transfer and Resource Recovery Facilities (secondary operations) with the purpose to take sorted goods from primary operation to either store, recycle, or recover further material. Two facilities will be associated with dry waste and two will be associated with general / municipal waste.

The types of recycling processes that will occur within the proposed Resource Recovery Facility buildings are outlined below:

- Shredding;
- Screening;
- Crushing;
- Magnetic and eddy current separation;
- Optical sorting;



- Hand picking; and
- Air classification.

It is noted that no chemical processes will be employed on site as part of the resource recovery operation. The materials that are sought 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. Both Council and DES have approved the recycling operation on the site, endorsing the site as an appropriate site for the recycling of waste. The conditions of approval from both Council and DES require mechanical recycling processes to be contained within the proposed buildings, and any putrescible waste recycling, processing or storage to occur under negative air pressure with air extraction systems. The recycling buildings will be fitted with dust and odour collection systems, and fully contained within the negative pressure environment, which also forms part of the conditions of the Environment Authority. Air which is removed from these buildings is passed through a dust collection system before being processed through a Bio Filter, which effectively treats the odours and is the accepted best practice for eliminating organic based odours. This is to ensure that no odour from recycling is experienced off site.

The residual waste will be transferred to Lanes and Ironbark Pits, which will provide approximately 18 years of landfill air space. The strategic advantage of locating the recycling operation adjacent to the landfill space is central to the development proposal and assists in mitigating impacts associated with waste transportation that would otherwise be necessary if the landfill was located offsite.

## APPLICATION CONTEXT

The project is proposed via a development application to Ipswich City Council that formally includes the following specific elements:

- **Reconfiguring a Lot** – Development Permit for a Boundary Realignment (13 into 5 Lots)
- **Material Change of Use**
  - *Waste Activity Use* involving a Landfill
  - *Waste Activity Use* involving Rehabilitating a Mining Void
  - *Waste Activity Use* involving Waste Recycling, Reprocessing and Disposal (Special Industry)
  - *Waste Activity Use* involving Crushing, Milling or Grinding
- **Environmental Relevant Activities**
  - 54 – Mechanical Waste Processing
  - 60 – Waste Disposal
  - 62 – Resource Recovery and Transfer Facility Operation

The below is an overview of the timeline of the application and the comprehensive assessment from both the State Government and Ipswich City Council:

- Lodged with Ipswich City Council 19 December 2019
- Information Requests issued by Ipswich City Council on 20 January and from SARA on 18 February 2020



- Information Requests responded to by the Applicant 27 April 2020
- Public Notification Period ran from 13 May 2020 to 5 June 2020. A total of 60 submissions were received by Council regarding the development application.
- Referral Agency Approval from Department of Environment and Science (DES) and State Assessment Referral Agency (SARA) was received on 2 July 2021.
- Council carried out its assessment of the application which included an Independent Development Review Panel process and Public Hearing on 19 August
- Council decided the application at a Full Council Meeting on 16 September and issued its decision notice on 17 September.

Notably, DES and SARA moved to approve all components of the application including the resource recovery component and the residual waste landfill operation. This approval was achieved after 15 months of working with the State Departments to resolve all issues that were associated with the development. The approval includes conditions that restricts the movement of coal tailings from the previous mining activities on the site until the management of the tailings is fully resolved which by virtue of the condition, does not permit waste filling the occur within the Tailing's Dam under the current development application.

While Ipswich City Council's decision represents a part approval of the development application, it does not provide a development approval that can be acted upon by Wanless and renders the project unfeasible. An approval to operate the recycling facilities in isolation of the landfilling operation significantly impacts on profitability and sustainability of the operation. Recycling, particularly within the Queensland context, cannot currently achieve a 100% recycling rate from the commencement of the operation and as such, residual waste will be created. Without being able to dispose of the residual waste on the same site, the costs of transportation of the residual waste offsite and competitive gate fees at other landfilling operations will have an enormous impact on the viability of the project.

## PLANNING CONTEXT

The site is located with Ipswich City Council area, to the west of Ipswich City in Ebenezer. The surrounding area is characterised by historic mining activities, existing landfill operations, Amberley Air Base, and a combination of rural and urban residential areas. The site is specifically zoned as a Regional Industry and Business Investigation Area under the Ipswich City Planning Scheme, which highlights that the area is an appropriate area for industrial and business activities, subject to investigation into the historic land uses and overcoming associated land constraints caused. The development site is heavily disturbed by the previous mining activities, most notably the significant voids that remain on the site from the previous mining activities.

In addition to the Ipswich Planning Scheme, the site is also regulated by Council's Temporary Local Planning Instrument ('TLPI') No. 2 of 2020 (Waste Activity Regulation). The TLPI seeks to regulate new and expanded waste operations within the Ebenezer, Willowbank and Jeebropilly locality. The TLPI establishes a Waste Activity Area and a Waste Activity Buffer Area to regulate the area within which waste activities can be established.

The proposed development responds directly to Council's TLPI and did not propose any waste activity uses outside of the Waste Activity Area, taking into consideration all recycling operations and residual landfilling on site. Complying with the provisions of the TLPI comes at the cost of a significant portion of the Lanes Pit mining void – the portion of the void is proposed to be filled with clean fill only in accordance with the TLPI provisions.



The planning framework promotes the area as being an appropriate location for both business and industrial activities under the provisions of the Ipswich Planning Scheme as well as Waste Activity Uses in accordance with the TLPI over the site. Notwithstanding the planning intent for the site under the planning framework, potential amenity and environmental impacts of the proposed development must be considered. Over a 22 month period, Wanless has worked through a substantial body of technical reporting to ensure the development is designed and constructed to protect the established surrounding areas, as well as the natural environment.

## STATE INTERESTS

In the following section, an assessment is provided of the alignment between the proposed development and the relevant State Interests of the Queensland Government. The State Interests are determined having regard to key planning and strategy documents – the State Planning Policy (SPP), ShapingSEQ and the Queensland Waste Management and Resource Recovery Strategy.

### State Planning Policy

The SPP outlines the planning policies and interests of the State Government for incorporation into the planning and assessment frameworks and includes State Interest statements. The following provides an assessment of those parts of the SPP that are applicable to the current development application.

4. *Development and construction: Employment needs, economic growth and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed-use development opportunities*

The proposed development includes \$200 million of investment within the Ipswich LGA. The development will introduce 300 construction jobs and 50 direct operational jobs at the time the facility opens. The opportunity on the site to create and grow additional jobs as the operation grows with time is significant and additional to the job numbers stated above. The project presents a significant economic investment in a currently underutilised and derelict site. In the event that the residual landfill operation does not receive approval, this investment and job creation opportunity will be lost.

In its current form, there is limited economic growth generated from the site. The mining lease rehabilitation requirements permit the existing voids to be retained on site as "water storage and fauna habitat". In order for the site to generate economic development and job opportunities, the voids must be filled and rehabilitated. Without the proposal, there is no prospect that the voids will be filled with clean fill and rehabilitated back to natural ground level as there is no economic incentive or regulatory requirement to do so and it would be cost prohibitive. Utilising the voids for disposal of residual waste from the proposed resource recovery achieves both economic development on the site and increases job opportunities by making the recycling operation viable to operate. The residual waste disposal also assists in returning the mining voids to natural ground level, while also generating economic activity which is a significant improvement on the existing requirements for the site.

In short, the proposal presents an economic development opportunity where there is limited opportunities to do so currently. Combined with the residual waste disposal on site, the proposal creates significant long term job opportunities for the area. In the current approved form, without the residual waste disposal, the project is unlikely to proceed.

5. *Biodiversity: Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.*



The site is identified as having a number of environmental values that ought to be protected including remnant habitat vegetation, protected vegetation, koala movements, groundwater linkages, and surface water runoff. The matters of biodiversity have been assessed through the development application, and the proposed development has been approved by both State Government and Ipswich City Council.

The significant body of technical environmental assessments that have been prepared by the applicant outline that any potential impacts associated with the development can be ameliorated through site design and conditioning of the development. A number of management reports and site operational manuals have been approved and conditioned through the development assessment process. The conditions also include an offset in which 22.9ha of additional koala habitat is required to be established on site in response to vegetation being removed. The location of this offset on site has been selected to optimise koala movement through the site and connect to existing vegetation communities external to the site.

The proposed development includes disposing of waste in proximity to the groundwater table. Significant discussions with the State Government have resulted in an agreed approach to design the landfill liner system to include groundwater relief systems that will monitor the flow of ground in and around the liner system to ensure no cross contamination of either landfill cells or the groundwater. The permit issued from DES outlines conditions that ensure that this is delivered on site and continuously maintained.

The development will also require the existing voids be dewatered to create the residual waste landfill cells. Extensive modelling and testing have been conducted through the application material to provide a dewatering strategy for the voids that will permit the voids to be progressively dewatered with no environmental impact downstream of the development. This strategy has been assessed and approved by DES.

The site at present is in a degraded environmental state, with limited activity occurring on site. The proposed development seeks to support existing ecological processes on site, by ensuring impacts are ameliorated and managed appropriately. Establishing the proposed development will create the necessary economic opportunities on the site to make rehabilitation and enhanced ecological outcomes a possibility.

6. *Emissions and hazardous activities: Community health and safety, and the natural and built environment, are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure and sport and recreation activities is ensured.*

The importance of appropriately located and designed industrial development is a key driver under the SPP to ensure that community health and safety is protected at all times. The development site is located within a Regional Industry and Business Investigation Area under the Ipswich Planning Scheme and the defined Waste Activity Area under the Council's TLPI. The development proposal, therefore, aligns with the general planning intent for the site, as identified by Council in the relevant planning documents.

Reviewing the site context from a first principles point of view, the site is located within a predominantly rural and industrial area, within a precinct that is historically degraded through open cut mining activities. An existing landfill operation is located on the adjoining landholding, with the active landfill operation 500m from the site boundary, similarly using a previous mining site to facilitate a landfill operation. The site is also bordered by the Willowbank Motorsports Precinct, which includes a racetrack and drag strip. In addition to this, Amberley Air Base is located 4.5km from the site. The existing collection of land uses within the area, coupled with Council's planning



intent of the site, indicate the area is appropriate to establish industrial land uses with management of potential nuisance impacts in terms of air quality or noise.

Wanless has engaged a number of technical consultants to assist in the design and construction of the proposed development to ensure that no nuisance impacts are experienced offsite. A number of recommendations have been made, assessed and approved by DES and Council regarding the operation of the development. This highlights that the proposed development is able to operate and align with the State Interest of protecting community health and safety.

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ShapingSEQ advances state interests by *"providing a spatial context, defining key outcomes, and establishing planning strategies and directions to achieve these outcomes in response to SEQ's unique values, drivers, expectations, projections and constraints."* ShapingSEQ provides the basis for prioritising, qualifying or resolving the state interests in SEQ. The ShapingSEQ document sets out a variety of themes that for development. The key themes that are pertinent to this context are stepped out herein.

### 7. Theme 2 – prosper: a globally competitive economic powerhouse (which focuses on jobs and employment opportunities)

As mentioned previously, the proposal represents a \$200 million investment into a dilapidated site to create a world class recycling and resource recovery facility. Wanless is in the business of recycling and seeks to employ class leading technology within the development to ensure the resource recovery on site is maximised. Wanless is seeking to replicate their successful Sydney Recycling Park in South East Queensland, which utilises a number of the technological innovations to maximise recycling rates.

This site and proposed development represent an opportunity to create economic development on a challenging and derelict site and to establish a market leading recycling facility. Recycling is a growing and increasingly important industry in accordance with the Queensland Government's strategic objectives and capital investment in the requisite infrastructure is essential to take the industry forward.

In addition to creating a economic opportunity for the recycling industry within the South East Queensland, the development will create job opportunities on a local scale with 300 construction jobs and 50 permanent operational jobs at the commencement of the operation.

### 8. Theme 4 – sustain: promoting ecological and social sustainability

The development site at present is a significantly degraded due to the previous mining activities on the site. The mining activities have impacted the ecological sustainability and social sustainability of the site, with limited opportunities for reuse and economic investment.

The project, if it were to proceed, would see the site rehabilitated through conditions requiring habitat creation and the offset of koala habitat trees removed to establish the operation (at a rate of three trees to every one removed). The rehabilitation of the site will only be possible via the economic activity generated through the proposed development.

As part of the assessment of the site and the proposed development, significant testing and assessment of the groundwater and water management of the site was undertaken. This assessment has determined the most appropriate mitigation measures to manage the interaction of the waste activity uses, particular the residual waste disposal within the mining voids. A dewatering strategy has been developed and approved to remove the water from the existing



mining voids in a manner that will not have a detrimental impact on the receiving environment. A groundwater relief system has been designed to ensure that there is no interaction between the groundwater around the voids and the landfill cells. All site operations are to be managed in accordance with the suite of management plans that have been approved by DES for the site, as well as the numerous operational plans that will be prepared in accordance with the conditions of approval.

## Queensland Waste Management and Resource Recovery Strategy

The State Government released the *Queensland Waste Management and Resource Recovery Strategy* in 2021, which provides a strategic framework to assist in transitioning Queensland to a circular economy and a zero-waste society supported by a heightened reliance on resource recovery. The strategy outlines targets to be achieved by 2050 for 90% of waste to be recovered (without going to landfill) and 75% of waste to be recycled across all waste targets. The strategy provides a staged approach to achieving the target rates.

The strategy is underpinned by three key strategic priorities, each with initiatives targeted at State Government, Local Government and Waste Industry Operators:

- **Reducing the impact of waste on the environment and communities**
  - *The sector has an important role to play in protecting the environment by positioning recycling and resource recovery facilities in strategic locations that minimise impacts on communities, taking action to reduce waste disposal that effectively minimises impacts on communities, managing landfill sites and reducing the transport of waste and recycled materials. The sector must also continue to educate its members about appropriate management actions for particular wastes, to ensure proper treatment, recycling and disposal.*

The proposed development is located in a strategic location and is consistent with the local planning intent for the land and direction for the locality. The site provides the opportunity for waste to be recycled and residual waste to be disposed of on the same site. Furthermore, the operations are buffered from adjoining sensitive land uses, with the nearest residential uses being located 800m from the site boundary, 1200m from the recycling facility and 900m from the landfill void.

As a combined resource recovery facility and residual waste disposal operation, the project minimises the transport of waste and recycled materials within the wider community. Waste to the site is received, with 90% of waste undergoing recycling processes, with between 45-60% of the waste received on site recycled. Any material that is unable to be recycled on the site can be disposed of on site and, as such, does not create additional transport impacts on the surrounding community. The decision by Ipswich City Council directly conflicts with this intent, meaning that any material not being able to be recycled will have to be transported to another site and disposed of off-site. The outcome of this decision is additional transportation impacts and avoidable transportation of waste materials through the community.

Wanless seeks to establish a market leading waste management operation on the site that creates an exemplar recycling operation, similar to the Sydney Recycling Park, to lead the South East Queensland waste industry in a new direction towards a better waste future.

- **Transition to circular economy for waste**
  - *The waste management and resource recovery sector as the key waste management provider is well placed to drive the growth and investment required to grow the sector. The industry has a commercial and ethical responsibility to inform and educate its business clients about how to*



*reduce waste and increase recycling and offer service options that provide them with real choice about the level of recycling they want to adopt. The willing participation of the waste management and resource recovery sector, in partnership with the Queensland Government, is vital to the Strategy's success.*

A key principle under the transition to a circular economy with regards to waste in Queensland is the establishment of recycling projects and investment in the recycling industry. Wanless is seeking to establish a \$200 million project within South East Queensland, targeting a 45-60% recycling rate on the site. As a standalone operation, the development will increase Queensland's recycling rate by 4.1%, which significantly contributes to the goal of achieving a State recycling rate of 90%. Through the proposed development, Wanless is delivering on the Strategy's directive on investing within the recycling industry in South East Queensland.

The Waste Infrastructure Report released by DES in 2019 highlights that the existing industry "capacity is designed to process clean source separate masonry materials" as such, there are "opportunities for new facilities to target mixed commercial and demolition streams". The proposed project is an opportunity to open up a new sector of capacity within the South East Queensland recycling market and increase the opportunities for recycling and contribute to the creation of a circular economy.

Wanless is dedicated to the recycling industry and have a long established history operating a variety of recycling businesses in Queensland and New South Wales. The success and delivery of this project is a great example of the waste industry sector, particularly the resource recovery sector, driving growth and investment in the sector and contributing to the delivering of the Queensland Waste Management and Resource Recovery Strategy.

#### ▪ **Building economic opportunity**

- *The waste management and resource recovery sector should work to identify where the opportunities for economic growth are and be ready to invest accordingly.*

*Industry should work with local government to resolve planning issues for existing and new infrastructure.*

*Industry should also work with government to develop standards and specifications when using recycled material. A consistent approach will give consumers confidence in the quality and safety of these products and help drive market demand.*

Wanless, as a key operator within the waste management and resource recovery sector, has identified a site that is strategically located within a planned industrial and business growth area under the local framework that is a prime site for investment. The site has the elements needed to create a significant waste and resource recovery business on the site, creating the opportunity to establish a side by side recycling facility and residual waste disposal. Wanless is willing to create a significant investment in the site to drive the resource recovery sector within SEQ.

Wanless, throughout the assessment of the application, has negotiated and liaised with Ipswich City Council and the relevant departments of the State Government to work through all planning issues associated with the development. To note, approvals for both the recycling and landfilling components if the proposed development have been issued by the State Government including the Department of Environment and Science (for the environmental authority) and the Department of Transport and Main Roads. As previously mentioned, approval for part of the application has been issued by Ipswich City Council. Through both the State Government and Ipswich City Council approvals, there is an acknowledgement that the

proposed development and proposed land uses are appropriate for the site and that any potential impacts on the infrastructure and the environment can be ameliorated. industries.

### **Ipswich Resource Recovery Strategy**

In a local context, the Ipswich City Council have developed a Resource Recovery Strategy that is directed by *Queensland Waste Management and Resource Recovery Strategy*. The strategy sets out goals for the waste industry in Ipswich. A key goal for the strategy is to increase the materials recovery and actively promote a circular economy, as well as introducing a 'pillar' of the strategy to establish fit-for-purpose waste and resource recovery infrastructure. This strategy is intended to further the intent of the Waste Strategies released from the State Government. The Wanless Recycling Park promotes recycling and resource recovery and creates an integrated waste activity within Ipswich that increases the recycling rates and establishes a fit-for-purpose recycling centre, that aligns with the Council's Resource Recovery Strategy. The decision to part refuse the development application pushes away from Council's endorsement direction towards recycling.

### **QLD Waste Levy**

The Queensland Government introduced a Waste Levy 1 July 2019. The intent of the Waste Levy was to:

- Reduce the amount of waste going to landfill;
- Encourage waste avoidance;
- Provide a source of funding to enable better resource recovery practices; and
- Facilitate industry investment in resource recovery infrastructure.

The drivers behind the Waste Levy have created the economic conditions that have led to the inception of this project, to create an integrated waste facility that focuses on resource recovery at its core. The development delivers a project that drives the intent of the Levy forward.

### **Mining Rehabilitation**

The site has been effected by previous mining activities that are covered under the existing mining lease that remains on the site. Attached to the mining lease are a set of rehabilitation requirements to create a site that is able to support post mining uses. The predominant rehabilitation for the site is to return large portions of the site to grazing land, with the open cut voids retained as water storage. It is acknowledged that the Queensland State Government has appointed a Mine Rehabilitation Commissioner to oversee the rehabilitation of previous mining sites. The Commissioner is tasked with producing guidance on best practice rehabilitation, engaging with stakeholders, report on the performance of rehabilitation requirements and advise the minister on the progress. In his appointment media statement, James Purtill, noted that rehabilitation of mining sites has the potential to create job opportunities for regional communities and is important to create more jobs after the mine is no longer in use.

This project seeks to rehabilitate a previously mined site, in a fashion that has been demonstrated is environmentally sound and will create a number of jobs as part of the rehabilitation. The development project aligns directly with the Government's intentions for historic mining sites, generating jobs through the rehabilitation on the site. The development would be an on the ground example of best practice management of mining sites to economically viably rehabilitate the site, with limited burden on the surrounding community.





## Summary

As detailed above, the proposed development aligns with and furthers the State Interests as identified in the SPP, ShapingSEQ and importantly, the Queensland Waste Management and Resource Recovery Strategy. The development represents significant investment within the Ipswich region that leads to real and permanent job creation on the ground and a significant growth in the resource recovery sector within SEQ, furthering the intent of State waste industry objectives. The project is therefore submitted as an exemplary project and a key driver in advancing the State Government's waste management and resource recovery objectives.

Without the permitting the residual landfill operation on the site, the viability of the project becomes uncertain, and is unlikely to progress through to construction. Approval of the project in its entirety, including both the recycling and residual waste disposal components, is therefore necessary to ensure this project comes to fruition and assists in the achievement of the State Government recycling targets.

## WHY SHOULD THE MINISTER CALL IN THIS APPLICATION?

As outlined in this request, the viability of the project is currently as a result of Ipswich City Council's decision not to approve the landfilling component of the proposal. At this stage, it is likely that the project will not proceed. Whilst the applicant determines its next course of action, it has acted to preserve its appeal rights by lodging a Notice of Appeal with the Planning and Environment Court.

Due to the backlog in Planning and Environment Court hearings, there is no certainty around a final outcome in relation to this development application, which adds further costs and lengthy delays to the project after nearly two years in the planning assessment process. Without timely assessment of applications of this type, investment in recycling infrastructure and local recycling jobs simply can not be supported.

In summary, the proposed development wholly aligns with the State Interests identified in the State Planning Policy, ShapingSEQ and importantly delivers on the directives of the *Waste Management Resource Recovery Strategy*. Construction of this project clearly within the interests of the Queensland Government. The project creates significant economic opportunity leveraging the \$200 million investment into what is currently a derelict and underutilised site and creating upwards of 350 construction and operational jobs within an area that is identified as an area suitable for regional industry and business activity under the local planning instrument. The project balances the economic development on the site with the protection and enhancement of environmental and social sustainability of the site by protecting and enhancing environmental elements of the site, and the potential economic growth on the site from the catalytic investment.

The application in its current form, as approved by Ipswich City Council, is unable to proceed on the basis of economic viability of the project. It is necessary for the proposed development to proceed in its entirety, allowing for the disposal of residual waste on the same site. For the project to progress beyond the concept stage, certainty in the approval process and planning outcome is necessary. As such, it is considered that calling in the application is necessary to ensure that the development is able to proceed and to further the State Interests as detailed in this request.

Yours sincerely,



Access refused under s.47(3)

Access refused under s.47(3) [info@urbis.com.au](mailto:info@urbis.com.au)



## Danielle Cohen

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**From:** Alyssa Van Butzelaar  
**Sent:** Sunday, 28 November 2021 9:33 PM  
**To:** Danielle Cohen  
**Cc:** Peter Spencer  
**Subject:** Proposed call in notice - Wanless Recycling Park  
**Attachments:** D21 216215 Attachment 2 - (ENC for Attachments 3456) Proposed Call In ~ Wanless Recycling Park (DECISION DATE TO BE INSERTED ON PAGE 9)(2).docx

Hey Dan,

See attached call in notice with tracked changes.

Three points added:

1. 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) with an early effective date of 28 January 2022. This TLPI replaces two existing TLPIs for waste activity regulation that will expire in early 2022.
2. Ipswich City Council 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.
3. 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.

Let me know if you would like any further changes before I send onto Planning Group for Source.

Thanks

Alyssa



Alyssa van Butzelaar  
Department Liaison Officer  
Office of the Hon. Steven Miles MP  
Deputy Premier and Minister for State Development,  
Infrastructure, Local Government and Planning and  
Minister Assisting the Premier on Olympics Infrastructure

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p: Access refuse

1 William Street Brisbane QLD 4000

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

266 - 304 & 350 COOPERS ROAD, EBENEZER

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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 redetermine 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:

<b>Applicant:</b>	Wanless Recycling Park Pty Ltd
<b>Assessment manager:</b>	Ipswich City Council (the council)
<b>Properly made date:</b>	24 December 2019
<b>Confirmation notice issued:</b>	15 January 2020
<b>Development approval sought (Application):</b>	<p>Development permit for:</p> <ul style="list-style-type: none"><li>• Reconfiguring a Lot - Boundary Realignment (Thirteen (13) Lots into Five (5) Lots)</li><li>• Material Change of Use - Waste Activity Use involving Landfill (Combination of Construction &amp; Demolition, Commercial &amp; Industrial &amp; Putrescible Waste) in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area</li><li>• Material Change of Use - Waste Activity Use involving Rehabilitating a Mining Void in the Ebenezer / Willowbank / Jeebropilly Buffer Area</li><li>• 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</li></ul>



- 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)

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

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**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

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**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).

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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](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:

- I consider that the proposed development involves, or is likely to involve, the state interests set out above.
- 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.
- The application involves complex and significant environmental issues associated with the potential rehabilitation of mining voids and the environmental impacts of waste activities.
- 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.
- 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).
- 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) with an early effective date of 28 January 2022. This TLPI replaces two existing TLPs for waste activity regulation that will expire in early 2022.
- Ipswich City Council 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.

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5.8. 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.

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6.9. 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.

7.10. 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.

8.11. This indicates the level of complexity associated with the assessment of waste activities in this area and the significant community concern. ~~If this application is called in, this will avoid the need for the appeal to continue and avoid potential time and cost implications for a number of parties.~~

9.12. 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.

10.13. 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 18 January 2022 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"><li>• Reconfiguring a Lot (Thirteen (13) Lots into Five (5) Lots)</li><li>• 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)</li><li>• 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)</li><li>• 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)</li><li>• 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: &gt;200,000t/yr (in</li></ul>



	accordance with the SARA referral agency response).
<b>Applicable planning scheme</b>	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)
<b>Land zoning</b>	Regional Business and Industry Investigation zone
<b>Level of assessment</b>	Impact assessable (MCU) Code assessment (RoL)
<b>Site address</b>	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)
<b>Real property description</b>	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.
<b>Assessment manager</b>	Ipswich City Council
<b>Referral agencies</b>	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.
<b>Date application properly made</b>	24 December 2019
<b>Date of council information request</b>	20 January 2020
<b>Date of SARA information request</b>	18 February 2020
<b>Date of response to council information request</b>	27 April 2020
<b>Date of response to SARA information request</b>	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:



<b>Documents</b>
Departmental briefing note (Reference: MBN21/1567) and attachments, including: <ul style="list-style-type: none"><li>• Preliminary Assessment Report prepared by the department including schedules</li><li>• draft proposed call in notice</li><li>• draft correspondence to the assessment manager, applicant and the referral agencies and submitters enclosing the proposed call in notice.</li></ul>

**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: <INSERT DECISION DATE>

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

## Danielle Cohen

---

**From:** Access refused under s.47(3)(b) <[redacted]@urbis.com.au>  
**Sent:** Friday, 1 October 2021 3:00 PM  
**To:** Deputy Premier; Danielle Cohen  
**Cc:** Access refused under s.47(3)(b) of the RTI  
**Subject:** Request to Call Development Application In  
**Attachments:** Ltr - 210930 - Request to Call in Development Application.pdf

Hi Danielle,

Please find attached on behalf of the applicant, Wanless Recycling Park Pty Ltd, a request for the Minister to call the development application in. Please let me know if you have any questions regarding this.

Kind regards,

Access refused under s.47(3)(b)  
[redacted]

D Access refused un  
T +61 7 3007 3800  
E Access ref[redacted]@urbis.com.au

**SHAPING  
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COMMUNITIES**



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BRISBANE, QLD 4000, AUSTRALIA

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ABN 50 105 256 228

30 September 2021

Mr Steven Miles,  
Deputy Premier of Queensland  
C/- Mr Damien Walker  
Director General  
Department of State Development, Infrastructure,  
Local Government & Planning  
1 William Street  
BRISBANE QLD 4000

Dear Mr. Miles,

## REQUEST TO CALL IN DEVELOPMENT APPLICATION – RESOURCE RECOVERY AND RESIDUAL LANDFILL OPERATION, EBENEZER QLD

We write to you to request that you issue a proposed call in notice for a development application for a Material Change of Use for a Waste Activity Use that includes recycling, resource recovery and a landfill operation for associated residual waste at Ebenezer ('the **Application**'). The application and site details are as follows:

- ICC's development application number is 10674/2019/CA.
- The site address is 266-304 Coopers Road, Willowbank, 82A Lanes Road, Ebenezer, 82B Lanes Road, Ebenezer, 82C Lanes Road, Ebenezer, 82D Lanes Road, Ebenezer, 82E Lanes Road, Ebenezer, 82F Lanes Road, Ebenezer, 350 Coopers Road, Willowbank, 166-198 Bergmans Road, Ebenezer, 202-282 Bergmans Road, Ebenezer, Lot 257 Unnamed Road, Ebenezer, Lot 312 Coopers Road, Ebenezer, 82H Lanes Road, Ebenezer, and Lot 1 Coopers Road, Ebenezer ('the **site**').

This request is being made on behalf of Wanless Recycling Park Pty Ltd ('**Wanless**'), the applicant for the development application. Wanless is a renowned operator within the waste industry, currently operating a significant recycling operation from their Sydney Recycling Park in Kemps Creek, NSW. At this site, Wanless is achieving a recycling rate exceeding 80% of all material received on site. The business was initially started in Brisbane, before expanding to Sydney. Wanless is now looking to expand their business towards Ipswich, seeking to establish a recycling and resource recovery facility within Ebenezer, west of Ipswich ('the **project**').

The project itself represents a significant investment within South East Queensland that should be considered as a State Interest for the following reasons:

1. 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, representing a significant economic investment within South East Queensland.

2. The project clearly aligns with various State Government and Ipswich City Council policies that seek to increase recycling rates within QLD and promote a cyclical economy as a driver for increasing recycling and reducing reliance on landfill operations, identifying new investment within the resource recovery sector as the only way to achieve greater recycling. Wanless is a significant economic investment in South East Queensland, to establish a facility that will be targeting a 45-60% recycling rate. As a standalone operation, the modelling demonstrates the development will increase Queensland's, as a State, recycling rate by 4.1%, considerably contributing to the goal of achieving a State recycling rate of 90% by 2050.
3. The proposed development will provide for the remediation of previous mining activities on the site that have resulted in several large mining voids remaining on the property. Under the current obligations for site remediation attached to the previous mining activities (as stipulated under the existing Environmental Authority EPML00594013), the former mining voids will not be filled and only stabilisation works will be required. Under the current proposal, private capital will be used to fill Lanes and Iron Bark pits with a combination of residual waste and clean fill material, restoring the landform to close to its pre-mining contours.

## THE PROJECT

Under the development proposal, the site will receive up to 1 million tonnes of waste material annually at the full operation, which is expected to be achieved in year seven of operation. Approximately 90% of all waste that enters the site will go through the recycling process within the site's resource recovery facilities, ramping up from 45% from the commencement of the operation. Only 10% of waste received will bypass the recycling facilities and this will only occur for waste streams that are unable to be recycled in any fashion (i.e. asbestos materials). The operation will employ best practice recycling technology to facilitate the proposed recycling rate.

The Resource Recovery Facility encompasses 26,880m<sup>2</sup> of enclosed floor area within which all of the recycling activity will occur. This area on site will consist of the following:

- Four (4) Transfer and Resource Recovery Facilities (primary operations) – 2 for Construction & Demolition (C&D) / Commercial & Industrial (C & I) waste (dry waste) and 2 for municipal waste (wet / putrescible waste) associated with Ironbark Pit and Lanes Pit
- Four (4) Transfer and Resource Recovery Facilities (secondary operations) with the purpose to take sorted goods from primary operation to either store, recycle, or recover further material. Two facilities will be associated with dry waste and two will be associated with general / municipal waste.

The types of recycling processes that will occur within the proposed Resource Recovery Facility buildings are outlined below:

- Shredding;
- Screening;
- Crushing;
- Magnetic and eddy current separation;
- Optical sorting;





- Hand picking; and
- Air classification.

It is noted that no chemical processes will be employed on site as part of the resource recovery operation. The materials that are sought 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. Both Council and DES have approved the recycling operation on the site, endorsing the site as an appropriate site for the recycling of waste. The conditions of approval from both Council and DES require mechanical recycling processes to be contained within the proposed buildings, and any putrescible waste recycling, processing or storage to occur under negative air pressure with air extraction systems. The recycling buildings will be fitted with dust and odour collection systems, and fully contained within the negative pressure environment, which also forms part of the conditions of the Environment Authority. Air which is removed from these buildings is passed through a dust collection system before being processed through a Bio Filter, which effectively treats the odours and is the accepted best practice for eliminating organic based odours. This is to ensure that no odour from recycling is experienced off site.

The residual waste will be transferred to Lanes and Ironbark Pits, which will provide approximately 18 years of landfill air space. The strategic advantage of locating the recycling operation adjacent to the landfill space is central to the development proposal and assists in mitigating impacts associated with waste transportation that would otherwise be necessary if the landfill was located offsite.

## APPLICATION CONTEXT

The project is proposed via a development application to Ipswich City Council that formally includes the following specific elements:

- **Reconfiguring a Lot** – Development Permit for a Boundary Realignment (13 into 5 Lots)
- **Material Change of Use**
  - *Waste Activity Use* involving a Landfill
  - *Waste Activity Use* involving Rehabilitating a Mining Void
  - *Waste Activity Use* involving Waste Recycling, Reprocessing and Disposal (Special Industry)
  - *Waste Activity Use* involving Crushing, Milling or Grinding
- **Environmental Relevant Activities**
  - 54 – Mechanical Waste Processing
  - 60 – Waste Disposal
  - 62 – Resource Recovery and Transfer Facility Operation

The below is an overview of the timeline of the application and the comprehensive assessment from both the State Government and Ipswich City Council:

- Lodged with Ipswich City Council 19 December 2019
- Information Requests issued by Ipswich City Council on 20 January and from SARA on 18 February 2020



- Information Requests responded to by the Applicant 27 April 2020
- Public Notification Period ran from 13 May 2020 to 5 June 2020. A total of 60 submissions were received by Council regarding the development application.
- Referral Agency Approval from Department of Environment and Science (DES) and State Assessment Referral Agency (SARA) was received on 2 July 2021.
- Council carried out its assessment of the application which included an Independent Development Review Panel process and Public Hearing on 19 August
- Council decided the application at a Full Council Meeting on 16 September and issued its decision notice on 17 September.

Notably, DES and SARA moved to approve all components of the application including the resource recovery component and the residual waste landfill operation. This approval was achieved after 15 months of working with the State Departments to resolve all issues that were associated with the development. The approval includes conditions that restricts the movement of coal tailings from the previous mining activities on the site until the management of the tailings is fully resolved which by virtue of the condition, does not permit waste filling the occur within the Tailing's Dam under the current development application.

While Ipswich City Council's decision represents a part approval of the development application, it does not provide a development approval that can be acted upon by Wanless and renders the project unfeasible. An approval to operate the recycling facilities in isolation of the landfilling operation significantly impacts on profitability and sustainability of the operation. Recycling, particularly within the Queensland context, cannot currently achieve a 100% recycling rate from the commencement of the operation and as such, residual waste will be created. Without being able to dispose of the residual waste on the same site, the costs of transportation of the residual waste offsite and competitive gate fees at other landfilling operations will have an enormous impact on the viability of the project.

## PLANNING CONTEXT

The site is located within Ipswich City Council area, to the west of Ipswich City in Ebenezer. The surrounding area is characterised by historic mining activities, existing landfill operations, Amberley Air Base, and a combination of rural and urban residential areas. The site is specifically zoned as a Regional Industry and Business Investigation Area under the Ipswich City Planning Scheme, which highlights that the area is an appropriate area for industrial and business activities, subject to investigation into the historic land uses and overcoming associated land constraints caused. The development site is heavily disturbed by the previous mining activities, most notably the significant voids that remain on the site from the previous mining activities.

In addition to the Ipswich Planning Scheme, the site is also regulated by Council's Temporary Local Planning Instrument ('TLPI') No. 2 of 2020 (Waste Activity Regulation). The TLPI seeks to regulate new and expanded waste operations within the Ebenezer, Willowbank and Jeebropilly locality. The TLPI establishes a Waste Activity Area and a Waste Activity Buffer Area to regulate the area within which waste activities can be established.

The proposed development responds directly to Council's TLPI and did not propose any waste activity uses outside of the Waste Activity Area, taking into consideration all recycling operations and residual landfilling on site. Complying with the provisions of the TLPI comes at the cost of a significant portion of the Lanes Pit mining void – the portion of the void is proposed to be filled with clean fill only in accordance with the TLPI provisions.



The planning framework promotes the area as being an appropriate location for both business and industrial activities under the provisions of the Ipswich Planning Scheme as well as Waste Activity Uses in accordance with the TLPI over the site. Notwithstanding the planning intent for the site under the planning framework, potential amenity and environmental impacts of the proposed development must be considered. Over a 22 month period, Wanless has worked through a substantial body of technical reporting to ensure the development is designed and constructed to protect the established surrounding areas, as well as the natural environment.

## STATE INTERESTS

In the following section, an assessment is provided of the alignment between the proposed development and the relevant State Interests of the Queensland Government. The State Interests are determined having regard to key planning and strategy documents – the State Planning Policy (SPP), ShapingSEQ and the Queensland Waste Management and Resource Recovery Strategy.

### State Planning Policy

The SPP outlines the planning policies and interests of the State Government for incorporation into the planning and assessment frameworks and includes State Interest statements. The following provides an assessment of those parts of the SPP that are applicable to the current development application.

4. *Development and construction: Employment needs, economic growth and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed-use development opportunities*

The proposed development includes \$200 million of investment within the Ipswich LGA. The development will introduce 300 construction jobs and 50 direct operational jobs at the time the facility opens. The opportunity on the site to create and grow additional jobs as the operation grows with time is significant and additional to the job numbers stated above. The project presents a significant economic investment in a currently underutilised and derelict site. In the event that the residual landfill operation does not receive approval, this investment and job creation opportunity will be lost.

In its current form, there is limited economic growth generated from the site. The mining lease rehabilitation requirements permit the existing voids to be retained on site as "water storage and fauna habitat". In order for the site to generate economic development and job opportunities, the voids must be filled and rehabilitated. Without the proposal, there is no prospect that the voids will be filled with clean fill and rehabilitated back to natural ground level as there is no economic incentive or regulatory requirement to do so and it would be cost prohibitive. Utilising the voids for disposal of residual waste from the proposed resource recovery achieves both economic development on the site and increases job opportunities by making the recycling operation viable to operate. The residual waste disposal also assists in returning the mining voids to natural ground level, while also generating economic activity which is a significant improvement on the existing requirements for the site.

In short, the proposal presents an economic development opportunity where there is limited opportunities to do so currently. Combined with the residual waste disposal on site, the proposal creates significant long term job opportunities for the area. In the current approved form, without the residual waste disposal, the project is unlikely to proceed.

5. *Biodiversity: Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.*



The site is identified as having a number of environmental values that ought to be protected including remnant habitat vegetation, protected vegetation, koala movements, groundwater linkages, and surface water runoff. The matters of biodiversity have been assessed through the development application, and the proposed development has been approved by both State Government and Ipswich City Council.

The significant body of technical environmental assessments that have been prepared by the applicant outline that any potential impacts associated with the development can be ameliorated through site design and conditioning of the development. A number of management reports and site operational manuals have been approved and conditioned through the development assessment process. The conditions also include an offset in which 22.9ha of additional koala habitat is required to be established on site in response to vegetation being removed. The location of this offset on site has been selected to optimise koala movement through the site and connect to existing vegetation communities external to the site.

The proposed development includes disposing of waste in proximity to the groundwater table. Significant discussions with the State Government have resulted in an agreed approach to design the landfill liner system to include groundwater relief systems that will monitor the flow of ground in and around the liner system to ensure no cross contamination of either landfill cells or the groundwater. The permit issued from DES outlines conditions that ensure that this is delivered on site and continuously maintained.

The development will also require the existing voids be dewatered to create the residual waste landfill cells. Extensive modelling and testing have been conducted through the application material to provide a dewatering strategy for the voids that will permit the voids to be progressively dewatered with no environmental impact downstream of the development. This strategy has been assessed and approved by DES.

The site at present is in a degraded environmental state, with limited activity occurring on site. The proposed development seeks to support existing ecological processes on site, by ensuring impacts are ameliorated and managed appropriately. Establishing the proposed development will create the necessary economic opportunities on the site to make rehabilitation and enhanced ecological outcomes a possibility.

6. *Emissions and hazardous activities: Community health and safety, and the natural and built environment, are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure and sport and recreation activities is ensured.*

The importance of appropriately located and designed industrial development is a key driver under the SPP to ensure that community health and safety is protected at all times. The development site is located within a Regional Industry and Business Investigation Area under the Ipswich Planning Scheme and the defined Waste Activity Area under the Council's TLPI. The development proposal, therefore, aligns with the general planning intent for the site, as identified by Council in the relevant planning documents.

Reviewing the site context from a first principles point of view, the site is located within a predominantly rural and industrial area, within a precinct that is historically degraded through open cut mining activities. An existing landfill operation is located on the adjoining landholding, with the active landfill operation 500m from the site boundary, similarly using a previous mining site to facilitate a landfill operation. The site is also bordered by the Willowbank Motorsports Precinct, which includes a racetrack and drag strip. In addition to this, Amberley Air Base is located 4.5km from the site. The existing collection of land uses within the area, coupled with Council's planning



intent of the site, indicate the area is appropriate to establish industrial land uses with management of potential nuisance impacts in terms of air quality or noise.

Wanless has engaged a number of technical consultants to assist in the design and construction of the proposed development to ensure that no nuisance impacts are experienced offsite. A number of recommendations have been made, assessed and approved by DES and Council regarding the operation of the development. This highlights that the proposed development is able to operate and align with the State Interest of protecting community health and safety.

## ShapingSEQ

ShapingSEQ advances state interests by *"providing a spatial context, defining key outcomes, and establishing planning strategies and directions to achieve these outcomes in response to SEQ's unique values, drivers, expectations, projections and constraints."* ShapingSEQ provides the basis for prioritising, qualifying or resolving the state interests in SEQ. The ShapingSEQ document sets out a variety of themes that for development. The key themes that are pertinent to this context are stepped out herein.

### 7. Theme 2 – prosper: a globally competitive economic powerhouse (which focuses on jobs and employment opportunities)

As mentioned previously, the proposal represents a \$200 million investment into a dilapidated site to create a world class recycling and resource recovery facility. Wanless is in the business of recycling and seeks to employ class leading technology within the development to ensure the resource recovery on site is maximised. Wanless is seeking to replicate their successful Sydney Recycling Park in South East Queensland, which utilises a number of the technological innovations to maximise recycling rates.

This site and proposed development represent an opportunity to create economic development on a challenging and derelict site and to establish a market leading recycling facility. Recycling is a growing and increasingly important industry in accordance with the Queensland Government's strategic objectives and capital investment in the requisite infrastructure is essential to take the industry forward.

In addition to creating a economic opportunity for the recycling industry within the South East Queensland, the development will create job opportunities on a local scale with 300 construction jobs and 50 permanent operational jobs at the commencement of the operation.

### 8. Theme 4 – sustain: promoting ecological and social sustainability

The development site at present is a significantly degraded due to the previous mining activities on the site. The mining activities have impacted the ecological sustainability and social sustainability of the site, with limited opportunities for reuse and economic investment.

The project, if it were to proceed, would see the site rehabilitated through conditions requiring habitat creation and the offset of koala habitat trees removed to establish the operation (at a rate of three trees to every one removed). The rehabilitation of the site will only be possible via the economic activity generated through the proposed development.

As part of the assessment of the site and the proposed development, significant testing and assessment of the groundwater and water management of the site was undertaken. This assessment has determined the most appropriate mitigation measures to manage the interaction of the waste activity uses, particular the residual waste disposal within the mining voids. A dewatering strategy has been developed and approved to remove the water from the existing



mining voids in a manner that will not have a detrimental impact on the receiving environment. A groundwater relief system has been designed to ensure that there is no interaction between the groundwater around the voids and the landfill cells. All site operations are to be managed in accordance with the suite of management plans that have been approved by DES for the site, as well as the numerous operational plans that will be prepared in accordance with the conditions of approval.

## Queensland Waste Management and Resource Recovery Strategy

The State Government released the *Queensland Waste Management and Resource Recovery Strategy* in 2021, which provides a strategic framework to assist in transitioning Queensland to a circular economy and a zero-waste society supported by a heightened reliance on resource recovery. The strategy outlines targets to be achieved by 2050 for 90% of waste to be recovered (without going to landfill) and 75% of waste to be recycled across all waste targets. The strategy provides a staged approach to achieving the target rates.

The strategy is underpinned by three key strategic priorities, each with initiatives targeted at State Government, Local Government and Waste Industry Operators:

- **Reducing the impact of waste on the environment and communities**
  - *The sector has an important role to play in protecting the environment by positioning recycling and resource recovery facilities in strategic locations that minimise impacts on communities, taking action to reduce waste disposal that effectively minimises impacts on communities, managing landfill sites and reducing the transport of waste and recycled materials. The sector must also continue to educate its members about appropriate management actions for particular wastes, to ensure proper treatment, recycling and disposal.*

The proposed development is located in a strategic location and is consistent with the local planning intent for the land and direction for the locality. The site provides the opportunity for waste to be recycled and residual waste to be disposed of on the same site. Furthermore, the operations are buffered from adjoining sensitive land uses, with the nearest residential uses being located 800m from the site boundary, 1200m from the recycling facility and 900m from the landfill void.

As a combined resource recovery facility and residual waste disposal operation, the project minimises the transport of waste and recycled materials within the wider community. Waste to the site is received, with 90% of waste undergoing recycling processes, with between 45-60% of the waste received on site recycled. Any material that is unable to be recycled on the site can be disposed of on site and, as such, does not create additional transport impacts on the surrounding community. The decision by Ipswich City Council directly conflicts with this intent, meaning that any material not being able to be recycled will have to be transported to another site and disposed of off-site. The outcome of this decision is additional transportation impacts and avoidable transportation of waste materials through the community.

Wanless seeks to establish a market leading waste management operation on the site that creates an exemplar recycling operation, similar to the Sydney Recycling Park, to lead the South East Queensland waste industry in a new direction towards a better waste future.

- **Transition to circular economy for waste**
  - *The waste management and resource recovery sector as the key waste management provider is well placed to drive the growth and investment required to grow the sector. The industry has a commercial and ethical responsibility to inform and educate its business clients about how to*



*reduce waste and increase recycling and offer service options that provide them with real choice about the level of recycling they want to adopt. The willing participation of the waste management and resource recovery sector, in partnership with the Queensland Government, is vital to the Strategy's success.*

A key principle under the transition to a circular economy with regards to waste in Queensland is the establishment of recycling projects and investment in the recycling industry. Wanless is seeking to establish a \$200 million project within South East Queensland, targeting a 45-60% recycling rate on the site. As a standalone operation, the development will increase Queensland's recycling rate by 4.1%, which significantly contributes to the goal of achieving a State recycling rate of 90%. Through the proposed development, Wanless is delivering on the Strategy's directive on investing within the recycling industry in South East Queensland.

The Waste Infrastructure Report released by DES in 2019 highlights that the existing industry "capacity is designed to process clean source separate masonry materials" as such, there are "opportunities for new facilities to target mixed commercial and demolition streams". The proposed project is an opportunity to open up a new sector of capacity within the South East Queensland recycling market and increase the opportunities for recycling and contribute to the creation of a circular economy.

Wanless is dedicated to the recycling industry and have a long established history operating a variety of recycling businesses in Queensland and New South Wales. The success and delivery of this project is a great example of the waste industry sector, particularly the resource recovery sector, driving growth and investment in the sector and contributing to the delivering of the Queensland Waste Management and Resource Recovery Strategy.

- **Building economic opportunity**

- *The waste management and resource recovery sector should work to identify where the opportunities for economic growth are and be ready to invest accordingly.*

*Industry should work with local government to resolve planning issues for existing and new infrastructure.*

*Industry should also work with government to develop standards and specifications when using recycled material. A consistent approach will give consumers confidence in the quality and safety of these products and help drive market demand.*

Wanless, as a key operator within the waste management and resource recovery sector, has identified a site that is strategically located within a planned industrial and business growth area under the local framework that is a prime site for investment. The site has the elements needed to create a significant waste and resource recovery business on the site, creating the opportunity to establish a side by side recycling facility and residual waste disposal. Wanless is willing to create a significant investment in the site to drive the resource recovery sector within SEQ.

Wanless, throughout the assessment of the application, has negotiated and liaised with Ipswich City Council and the relevant departments of the State Government to work through all planning issues associated with the development. To note, approvals for both the recycling and landfilling components of the proposed development have been issued by the State Government including the Department of Environment and Science (for the environmental authority) and the Department of Transport and Main Roads. As previously mentioned, approval for part of the application has been issued by Ipswich City Council. Through both the State Government and Ipswich City Council approvals, there is an acknowledgement that the





proposed development and proposed land uses are appropriate for the site and that any potential impacts on the infrastructure and the environment can be ameliorated. industries.

### **Ipswich Resource Recovery Strategy**

In a local context, the Ipswich City Council have developed a Resource Recovery Strategy that is directed by *Queensland Waste Management and Resource Recovery Strategy*. The strategy sets out goals for the waste industry in Ipswich. A key goal for the strategy is to increase the materials recovery and actively promote a circular economy, as well as introducing a 'pillar' of the strategy to establish fit-for-purpose waste and resource recovery infrastructure. This strategy is intended to further the intent of the Waste Strategies released from the State Government. The Wanless Recycling Park promotes recycling and resource recovery and creates an integrated waste activity within Ipswich that increases the recycling rates and establishes a fit-for-purpose recycling centre, that aligns with the Council's Resource Recovery Strategy. The decision to part refuse the development application pushes away from Council's endorsement direction towards recycling.

### **QLD Waste Levy**

The Queensland Government introduced a Waste Levy 1 July 2019. The intent of the Waste Levy was to:

- Reduce the amount of waste going to landfill;
- Encourage waste avoidance;
- Provide a source of funding to enable better resource recovery practices; and
- Facilitate industry investment in resource recovery infrastructure.

The drivers behind the Waste Levy have created the economic conditions that have led to the inception of this project, to create an integrated waste facility that focuses on resource recovery at its core. The development delivers a project that drives the intent of the Levy forward.

### **Mining Rehabilitation**

The site has been effected by previous mining activities that are covered under the existing mining lease that remains on the site. Attached to the mining lease are a set of rehabilitation requirements to create a site that is able to support post mining uses. The predominant rehabilitation for the site is to return large portions of the site to grazing land, with the open cut voids retained as water storage. It is acknowledged that the Queensland State Government has appointed a Mine Rehabilitation Commissioner to oversee the rehabilitation of previous mining sites. The Commissioner is tasked with producing guidance on best practice rehabilitation, engaging with stakeholders, report on the performance of rehabilitation requirements and advise the minister on the progress. In his appointment media statement, James Purtill, noted that rehabilitation of mining sites has the potential to create job opportunities for regional communities and is important to create more jobs after the mine is no longer in use.

This project seeks to rehabilitate a previously mined site, in a fashion that has been demonstrated is environmentally sound and will create a number of jobs as part of the rehabilitation. The development project aligns directly with the Government's intentions for historic mining sites, generating jobs through the rehabilitation on the site. The development would be an on the ground example of best practice management of mining sites to economically viably rehabilitate the site, with limited burden on the surrounding community.



## Summary

As detailed above, the proposed development aligns with and furthers the State Interests as identified in the SPP, ShapingSEQ and importantly, the Queensland Waste Management and Resource Recovery Strategy. The development represents significant investment within the Ipswich region that leads to real and permanent job creation on the ground and a significant growth in the resource recovery sector within SEQ, furthering the intent of State waste industry objectives. The project is therefore submitted as an exemplary project and a key driver in advancing the State Government's waste management and resource recovery objectives.

Without the permitting the residual landfill operation on the site, the viability of the project becomes uncertain, and is unlikely to progress through to construction. Approval of the project in its entirety, including both the recycling and residual waste disposal components, is therefore necessary to ensure this project comes to fruition and assists in the achievement of the State Government recycling targets.

## WHY SHOULD THE MINISTER CALL IN THIS APPLICATION?

As outlined in this request, the viability of the project is currently as a result of Ipswich City Council's decision not to approve the landfilling component of the proposal. At this stage, it is likely that the project will not proceed. Whilst the applicant determines its next course of action, it has acted to preserve its appeal rights by lodging a Notice of Appeal with the Planning and Environment Court.

Due to the backlog in Planning and Environment Court hearings, there is no certainty around a final outcome in relation to this development application, which adds further costs and lengthy delays to the project after nearly two years in the planning assessment process. Without timely assessment of applications of this type, investment in recycling infrastructure and local recycling jobs simply can not be supported.

In summary, the proposed development wholly aligns with the State Interests identified in the State Planning Policy, ShapingSEQ and importantly delivers on the directives of the *Waste Management Resource Recovery Strategy*. Construction of this project clearly within the interests of the Queensland Government. The project creates significant economic opportunity leveraging the \$200 million investment into what is currently a derelict and underutilised site and creating upwards of 350 construction and operational jobs within an area that is identified as an area suitable for regional industry and business activity under the local planning instrument. The project balances the economic development on the site with the protection and enhancement of environmental and social sustainability of the site by protecting and enhancing environmental elements of the site, and the potential economic growth on the site from the catalyst investment.

The application in its current form, as approved by Ipswich City Council, is unable to proceed on the basis of economic viability of the project. It is necessary for the proposed development to proceed in its entirety, allowing for the disposal of residual waste on the same site. For the project to progress beyond the concept stage, certainty in the approval process and planning outcome is necessary. As such, it is considered that calling in the application is necessary to ensure that the development is able to proceed and to further the State Interests as detailed in this request.

Yours sincerely,





Access refused under s.47

Access refused  
@urbis.com.au

## Danielle Cohen

---

**From:** Alyssa Van Butzelaar  
**Sent:** Friday, 1 October 2021 4:31 PM  
**To:** Katharine Wright; Amy Hunter  
**Cc:** Danielle Cohen  
**Subject:** Request to Call in Development Application -  
**Attachments:** Ltr - 210930 - Request to Call in Development Application.pdf

Hey Kat and Amy,

This is just an FYI as this may attract media attention.

The DP has just received the attached request to call in the Wanless Recycling Park at Ebenezer. The department will now assess this request and make a recommendation to the DP.

Three reasons have been provided to support the call in:

- **Job creation** - 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.
- **Alignment with State Government and Ipswich City Council policies** - development will increase Queensland's recycling rate by 4.1% contributing to the goal of achieving a State recycling rate of 90% by 2050
- **Remediation of previous mining activities** - the former mining voids will be filled with a combination of residual waste and clean fill material, *"restoring the landform to close to its pre-mining contours"*.

By way of background:

- On 2 July 2021, SARA issued a referral agency response (which included the Environmental Authority (EA) for operational aspects of the waste related activities).
- SARA's referral agency response included conditions relating to access and traffic movements, native vegetation clearing and a number of requirements to mitigate impacts to koala habitat.
- On 17 September 2021, the council issued a part approval of the application. The recycling components were approved while the council refused all the landfill components of the application - including the tailings dam.
- Wanless stressed to SARA during the assessment that the landfill components of its application were necessary to support the viability of the proposed recycling facility.
- Wanless has lodged an appeal in the Planning and Environment Court against the council decision.

Please let me know if you need anything or would like to discuss the above further.

Thanks  
Alyssa



Alyssa van Butzelaar  
Department Liaison Officer  
**Office of the Hon. Steven Miles MP**  
Deputy Premier and Minister for State Development,  
Infrastructure, Local Government and Planning

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P: [Access refuse](#)

1 William Street Brisbane QLD 4000





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30 September 2021

Mr Steven Miles,  
Deputy Premier of Queensland  
C/- Mr Damien Walker  
Director General  
Department of State Development, Infrastructure,  
Local Government & Planning  
1 William Street  
BRISBANE QLD 4000

Dear Mr. Miles,

## REQUEST TO CALL IN DEVELOPMENT APPLICATION – RESOURCE RECOVERY AND RESIDUAL LANDFILL OPERATION, EBENEZER QLD

We write to you to request that you issue a proposed call in notice for a development application for a Material Change of Use for a Waste Activity Use that includes recycling, resource recovery and a landfill operation for associated residual waste at Ebenezer ('the **Application**'). The application and site details are as follows:

- ICC's development application number is 10674/2019/CA.
- The site address is 266-304 Coopers Road, Willowbank, 82A Lanes Road, Ebenezer, 82B Lanes Road, Ebenezer, 82C Lanes Road, Ebenezer, 82D Lanes Road, Ebenezer, 82E Lanes Road, Ebenezer, 82F Lanes Road, Ebenezer, 350 Coopers Road, Willowbank, 166-198 Bergmans Road, Ebenezer, 202-282 Bergmans Road, Ebenezer, Lot 257 Unnamed Road, Ebenezer, Lot 312 Coopers Road, Ebenezer, 82H Lanes Road, Ebenezer, and Lot 1 Coopers Road, Ebenezer ('the **site**').

This request is being made on behalf of Wanless Recycling Park Pty Ltd ('**Wanless**'), the applicant for the development application. Wanless is a renowned operator within the waste industry, currently operating a significant recycling operation from their Sydney Recycling Park in Kemps Creek, NSW. At this site, Wanless is achieving a recycling rate exceeding 80% of all material received on site. The business was initially started in Brisbane, before expanding to Sydney. Wanless is now looking to expand their business towards Ipswich, seeking to establish a recycling and resource recovery facility within Ebenezer, west of Ipswich ('the **project**').

The project itself represents a significant investment within South East Queensland that should be considered as a State Interest for the following reasons:

1. 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, representing a significant economic investment within South East Queensland.

2. The project clearly aligns with various State Government and Ipswich City Council policies that seek to increase recycling rates within QLD and promote a cyclical economy as a driver for increasing recycling and reducing reliance on landfill operations, identifying new investment within the resource recovery sector as the only way to achieve greater recycling. Wanless is a significant economic investment in South East Queensland, to establish a facility that will be targeting a 45-60% recycling rate. As a standalone operation, the modelling demonstrates the development will increase Queensland's, as a State, recycling rate by 4.1%, considerably contributing to the goal of achieving a State recycling rate of 90% by 2050.
3. The proposed development will provide for the remediation of previous mining activities on the site that have resulted in several large mining voids remaining on the property. Under the current obligations for site remediation attached to the previous mining activities (as stipulated under the existing Environmental Authority EPML00594013), the former mining voids will not be filled and only stabilisation works will be required. Under the current proposal, private capital will be used to fill Lanes and Iron Bark pits with a combination of residual waste and clean fill material, restoring the landform to close to its pre-mining contours.

## THE PROJECT

Under the development proposal, the site will receive up to 1 million tonnes of waste material annually at the full operation, which is expected to be achieved in year seven of operation. Approximately 90% of all waste that enters the site will go through the recycling process within the site's resource recovery facilities, ramping up from 45% from the commencement of the operation. Only 10% of waste received will bypass the recycling facilities and this will only occur for waste streams that are unable to be recycled in any fashion (i.e. asbestos materials). The operation will employ best practice recycling technology to facilitate the proposed recycling rate.

The Resource Recovery Facility encompasses 26,880m<sup>2</sup> of enclosed floor area within which all of the recycling activity will occur. This area on site will consist of the following:

- Four (4) Transfer and Resource Recovery Facilities (primary operations) – 2 for Construction & Demolition (C&D) / Commercial & Industrial (C & I) waste (dry waste) and 2 for municipal waste (wet / putrescible waste) associated with Ironbark Pit and Lanes Pit
- Four (4) Transfer and Resource Recovery Facilities (secondary operations) with the purpose to take sorted goods from primary operation to either store, recycle, or recover further material. Two facilities will be associated with dry waste and two will be associated with general / municipal waste.

The types of recycling processes that will occur within the proposed Resource Recovery Facility buildings are outlined below:

- Shredding;
- Screening;
- Crushing;
- Magnetic and eddy current separation;
- Optical sorting;





- Hand picking; and
- Air classification.

It is noted that no chemical processes will be employed on site as part of the resource recovery operation. The materials that are sought 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. Both Council and DES have approved the recycling operation on the site, endorsing the site as an appropriate site for the recycling of waste. The conditions of approval from both Council and DES require mechanical recycling processes to be contained within the proposed buildings, and any putrescible waste recycling, processing or storage to occur under negative air pressure with air extraction systems. The recycling buildings will be fitted with dust and odour collection systems, and fully contained within the negative pressure environment, which also forms part of the conditions of the Environment Authority. Air which is removed from these buildings is passed through a dust collection system before being processed through a Bio Filter, which effectively treats the odours and is the accepted best practice for eliminating organic based odours. This is to ensure that no odour from recycling is experienced off site.

The residual waste will be transferred to Lanes and Ironbark Pits, which will provide approximately 18 years of landfill air space. The strategic advantage of locating the recycling operation adjacent to the landfill space is central to the development proposal and assists in mitigating impacts associated with waste transportation that would otherwise be necessary if the landfill was located offsite.

## APPLICATION CONTEXT

The project is proposed via a development application to Ipswich City Council that formally includes the following specific elements:

- **Reconfiguring a Lot** – Development Permit for a Boundary Realignment (13 into 5 Lots)
- **Material Change of Use**
  - *Waste Activity Use* involving a Landfill
  - *Waste Activity Use* involving Rehabilitating a Mining Void
  - *Waste Activity Use* involving Waste Recycling, Reprocessing and Disposal (Special Industry)
  - *Waste Activity Use* involving Crushing, Milling or Grinding
- **Environmental Relevant Activities**
  - 54 – Mechanical Waste Processing
  - 60 – Waste Disposal
  - 62 – Resource Recovery and Transfer Facility Operation

The below is an overview of the timeline of the application and the comprehensive assessment from both the State Government and Ipswich City Council:

- Lodged with Ipswich City Council 19 December 2019
- Information Requests issued by Ipswich City Council on 20 January and from SARA on 18 February 2020

- Information Requests responded to by the Applicant 27 April 2020
- Public Notification Period ran from 13 May 2020 to 5 June 2020. A total of 60 submissions were received by Council regarding the development application.
- Referral Agency Approval from Department of Environment and Science (DES) and State Assessment Referral Agency (SARA) was received on 2 July 2021.
- Council carried out its assessment of the application which included an Independent Development Review Panel process and Public Hearing on 19 August
- Council decided the application at a Full Council Meeting on 16 September and issued its decision notice on 17 September.

Notably, DES and SARA moved to approve all components of the application including the resource recovery component and the residual waste landfill operation. This approval was achieved after 15 months of working with the State Departments to resolve all issues that were associated with the development. The approval includes conditions that restricts the movement of coal tailings from the previous mining activities on the site until the management of the tailings is fully resolved which by virtue of the condition, does not permit waste filling the occur within the Tailing's Dam under the current development application.

While Ipswich City Council's decision represents a part approval of the development application, it does not provide a development approval that can be acted upon by Wanless and renders the project unfeasible. An approval to operate the recycling facilities in isolation of the landfilling operation significantly impacts on profitability and sustainability of the operation. Recycling, particularly within the Queensland context, cannot currently achieve a 100% recycling rate from the commencement of the operation and as such, residual waste will be created. Without being able to dispose of the residual waste on the same site, the costs of transportation of the residual waste offsite and competitive gate fees at other landfilling operations will have an enormous impact on the viability of the project.

## PLANNING CONTEXT

The site is located with Ipswich City Council area, to the west of Ipswich City in Ebenezer. The surrounding area is characterised by historic mining activities, existing landfill operations, Amberley Air Base, and a combination of rural and urban residential areas. The site is specifically zoned as a Regional Industry and Business Investigation Area under the Ipswich City Planning Scheme, which highlights that the area is an appropriate area for industrial and business activities, subject to investigation into the historic land uses and overcoming associated land constraints caused. The development site is heavily disturbed by the previous mining activities, most notably the significant voids that remain on the site from the previous mining activities.

In addition to the Ipswich Planning Scheme, the site is also regulated by Council's Temporary Local Planning Instrument ('TLPI') No. 2 of 2020 (Waste Activity Regulation). The TLPI seeks to regulate new and expanded waste operations within the Ebenezer, Willowbank and Jeebropilly locality. The TLPI establishes a Waste Activity Area and a Waste Activity Buffer Area to regulate the area within which waste activities can be established.

The proposed development responds directly to Council's TLPI and did not propose any waste activity uses outside of the Waste Activity Area, taking into consideration all recycling operations and residual landfilling on site. Complying with the provisions of the TLPI comes at the cost of a significant portion of the Lanes Pit mining void – the portion of the void is proposed to be filled with clean fill only in accordance with the TLPI provisions.



The planning framework promotes the area as being an appropriate location for both business and industrial activities under the provisions of the Ipswich Planning Scheme as well as Waste Activity Uses in accordance with the TLPI over the site. Notwithstanding the planning intent for the site under the planning framework, potential amenity and environmental impacts of the proposed development must be considered. Over a 22 month period, Wanless has worked through a substantial body of technical reporting to ensure the development is designed and constructed to protect the established surrounding areas, as well as the natural environment.

## STATE INTERESTS

In the following section, an assessment is provided of the alignment between the proposed development and the relevant State Interests of the Queensland Government. The State Interests are determined having regard to key planning and strategy documents – the State Planning Policy (SPP), ShapingSEQ and the Queensland Waste Management and Resource Recovery Strategy.

### State Planning Policy

The SPP outlines the planning policies and interests of the State Government for incorporation into the planning and assessment frameworks and includes State Interest statements. The following provides an assessment of those parts of the SPP that are applicable to the current development application.

4. *Development and construction: Employment needs, economic growth and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed-use development opportunities*

The proposed development includes \$200 million of investment within the Ipswich LGA. The development will introduce 300 construction jobs and 50 direct operational jobs at the time the facility opens. The opportunity on the site to create and grow additional jobs as the operation grows with time is significant and additional to the job numbers stated above. The project presents a significant economic investment in a currently underutilised and derelict site. In the event that the residual landfill operation does not receive approval, this investment and job creation opportunity will be lost.

In its current form, there is limited economic growth generated from the site. The mining lease rehabilitation requirements permit the existing voids to be retained on site as "water storage and fauna habitat". In order for the site to generate economic development and job opportunities, the voids must be filled and rehabilitated. Without the proposal, there is no prospect that the voids will be filled with clean fill and rehabilitated back to natural ground level as there is no economic incentive or regulatory requirement to do so and it would be cost prohibitive. Utilising the voids for disposal of residual waste from the proposed resource recovery achieves both economic development on the site and increases job opportunities by making the recycling operation viable to operate. The residual waste disposal also assists in returning the mining voids to natural ground level, while also generating economic activity which is a significant improvement on the existing requirements for the site.

In short, the proposal presents an economic development opportunity where there is limited opportunities to do so currently. Combined with the residual waste disposal on site, the proposal creates significant long term job opportunities for the area. In the current approved form, without the residual waste disposal, the project is unlikely to proceed.

5. *Biodiversity: Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.*



The site is identified as having a number of environmental values that ought to be protected including remnant habitat vegetation, protected vegetation, koala movements, groundwater linkages, and surface water runoff. The matters of biodiversity have been assessed through the development application, and the proposed development has been approved by both State Government and Ipswich City Council.

The significant body of technical environmental assessments that have been prepared by the applicant outline that any potential impacts associated with the development can be ameliorated through site design and conditioning of the development. A number of management reports and site operational manuals have been approved and conditioned through the development assessment process. The conditions also include an offset in which 22.9ha of additional koala habitat is required to be established on site in response to vegetation being removed. The location of this offset on site has been selected to optimise koala movement through the site and connect to existing vegetation communities external to the site.

The proposed development includes disposing of waste in proximity to the groundwater table. Significant discussions with the State Government have resulted in an agreed approach to design the landfill liner system to include groundwater relief systems that will monitor the flow of ground in and around the liner system to ensure no cross contamination of either landfill cells or the groundwater. The permit issued from DES outlines conditions that ensure that this is delivered on site and continuously maintained.

The development will also require the existing voids be dewatered to create the residual waste landfill cells. Extensive modelling and testing have been conducted through the application material to provide a dewatering strategy for the voids that will permit the voids to be progressively dewatered with no environmental impact downstream of the development. This strategy has been assessed and approved by DES.

The site at present is in a degraded environmental state, with limited activity occurring on site. The proposed development seeks to support existing ecological processes on site, by ensuring impacts are ameliorated and managed appropriately. Establishing the proposed development will create the necessary economic opportunities on the site to make rehabilitation and enhanced ecological outcomes a possibility.

6. *Emissions and hazardous activities: Community health and safety, and the natural and built environment, are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure and sport and recreation activities is ensured.*

The importance of appropriately located and designed industrial development is a key driver under the SPP to ensure that community health and safety is protected at all times. The development site is located within a Regional Industry and Business Investigation Area under the Ipswich Planning Scheme and the defined Waste Activity Area under the Council's TLPI. The development proposal, therefore, aligns with the general planning intent for the site, as identified by Council in the relevant planning documents.

Reviewing the site context from a first principles point of view, the site is located within a predominantly rural and industrial area, within a precinct that is historically degraded through open cut mining activities. An existing landfill operation is located on the adjoining landholding, with the active landfill operation 500m from the site boundary, similarly using a previous mining site to facilitate a landfill operation. The site is also bordered by the Willowbank Motorsports Precinct, which includes a racetrack and drag strip. In addition to this, Amberley Air Base is located 4.5km from the site. The existing collection of land uses within the area, coupled with Council's planning





intent of the site, indicate the area is appropriate to establish industrial land uses with management of potential nuisance impacts in terms of air quality or noise.

Wanless has engaged a number of technical consultants to assist in the design and construction of the proposed development to ensure that no nuisance impacts are experienced offsite. A number of recommendations have been made, assessed and approved by DES and Council regarding the operation of the development. This highlights that the proposed development is able to operate and align with the State Interest of protecting community health and safety.

## ShapingSEQ

ShapingSEQ advances state interests by "*providing a spatial context, defining key outcomes, and establishing planning strategies and directions to achieve these outcomes in response to SEQ's unique values, drivers, expectations, projections and constraints.*" ShapingSEQ provides the basis for prioritising, qualifying or resolving the state interests in SEQ. The ShapingSEQ document sets out a variety of themes that for development. The key themes that are pertinent to this context are stepped out herein.

### 7. *Theme 2 – prosper: a globally competitive economic powerhouse (which focuses on jobs and employment opportunities)*

As mentioned previously, the proposal represents a \$200 million investment into a dilapidated site to create a world class recycling and resource recovery facility. Wanless is in the business of recycling and seeks to employ class leading technology within the development to ensure the resource recovery on site is maximised. Wanless is seeking to replicate their successful Sydney Recycling Park in South East Queensland, which utilises a number of the technological innovations to maximise recycling rates.

This site and proposed development represent an opportunity to create economic development on a challenging and derelict site and to establish a market leading recycling facility. Recycling is a growing and increasingly important industry in accordance with the Queensland Government's strategic objectives and capital investment in the requisite infrastructure is essential to take the industry forward.

In addition to creating a economic opportunity for the recycling industry within the South East Queensland, the development will create job opportunities on a local scale with 300 construction jobs and 50 permanent operational jobs at the commencement of the operation.

### 8. *Theme 4 – sustain: promoting ecological and social sustainability*

The development site at present is a significantly degraded due to the previous mining activities on the site. The mining activities have impacted the ecological sustainability and social sustainability of the site, with limited opportunities for reuse and economic investment.

The project, if it were to proceed, would see the site rehabilitated through conditions requiring habitat creation and the offset of koala habitat trees removed to establish the operation (at a rate of three trees to every one removed). The rehabilitation of the site will only be possible via the economic activity generated through the proposed development.

As part of the assessment of the site and the proposed development, significant testing and assessment of the groundwater and water management of the site was undertaken. This assessment has determined the most appropriate mitigation measures to manage the interaction of the waste activity uses, particular the residual waste disposal within the mining voids. A dewatering strategy has been developed and approved to remove the water from the existing



mining voids in a manner that will not have a detrimental impact on the receiving environment. A groundwater relief system has been designed to ensure that there is no interaction between the groundwater around the voids and the landfill cells. All site operations are to be managed in accordance with the suite of management plans that have been approved by DES for the site, as well as the numerous operational plans that will be prepared in accordance with the conditions of approval.

## Queensland Waste Management and Resource Recovery Strategy

The State Government released the *Queensland Waste Management and Resource Recovery Strategy* in 2021, which provides a strategic framework to assist in transitioning Queensland to a circular economy and a zero-waste society supported by a heightened reliance on resource recovery. The strategy outlines targets to be achieved by 2050 for 90% of waste to be recovered (without going to landfill) and 75% of waste to be recycled across all waste targets. The strategy provides a staged approach to achieving the target rates.

The strategy is underpinned by three key strategic priorities, each with initiatives targeted at State Government, Local Government and Waste Industry Operators:

- **Reducing the impact of waste on the environment and communities**

- *The sector has an important role to play in protecting the environment by positioning recycling and resource recovery facilities in strategic locations that minimise impacts on communities, taking action to reduce waste disposal that effectively minimises impacts on communities, managing landfill sites and reducing the transport of waste and recycled materials. The sector must also continue to educate its members about appropriate management actions for particular wastes, to ensure proper treatment, recycling and disposal.*

The proposed development is located in a strategic location and is consistent with the local planning intent for the land and direction for the locality. The site provides the opportunity for waste to be recycled and residual waste to be disposed of on the same site. Furthermore, the operations are buffered from adjoining sensitive land uses, with the nearest residential uses being located 800m from the site boundary, 1200m from the recycling facility and 900m from the landfill void.

As a combined resource recovery facility and residual waste disposal operation, the project minimises the transport of waste and recycled materials within the wider community. Waste to the site is received, with 90% of waste undergoing recycling processes, with between 45-60% of the waste received on site recycled. Any material that is unable to be recycled on the site can be disposed of on site and, as such, does not create additional transport impacts on the surrounding community. The decision by Ipswich City Council directly conflicts with this intent, meaning that any material not being able to be recycled will have to be transported to another site and disposed of off-site. The outcome of this decision is additional transportation impacts and avoidable transportation of waste materials through the community.

Wanless seeks to establish a market leading waste management operation on the site that creates an exemplar recycling operation, similar to the Sydney Recycling Park, to lead the South East Queensland waste industry in a new direction towards a better waste future.

- **Transition to circular economy for waste**

- *The waste management and resource recovery sector as the key waste management provider is well placed to drive the growth and investment required to grow the sector. The industry has a commercial and ethical responsibility to inform and educate its business clients about how to*



*reduce waste and increase recycling and offer service options that provide them with real choice about the level of recycling they want to adopt. The willing participation of the waste management and resource recovery sector, in partnership with the Queensland Government, is vital to the Strategy's success.*

A key principle under the transition to a circular economy with regards to waste in Queensland is the establishment of recycling projects and investment in the recycling industry. Wanless is seeking to establish a \$200 million project within South East Queensland, targeting a 45-60% recycling rate on the site. As a standalone operation, the development will increase Queensland's recycling rate by 4.1%, which significantly contributes to the goal of achieving a State recycling rate of 90%. Through the proposed development, Wanless is delivering on the Strategy's directive on investing within the recycling industry in South East Queensland.

The Waste Infrastructure Report released by DES in 2019 highlights that the existing industry "capacity is designed to process clean source separate masonry materials" as such, there are "opportunities for new facilities to target mixed commercial and demolition streams". The proposed project is an opportunity to open up a new sector of capacity within the South East Queensland recycling market and increase the opportunities for recycling and contribute to the creation of a circular economy.

Wanless is dedicated to the recycling industry and have a long established history operating a variety of recycling businesses in Queensland and New South Wales. The success and delivery of this project is a great example of the waste industry sector, particularly the resource recovery sector, driving growth and investment in the sector and contributing to the delivering of the Queensland Waste Management and Resource Recovery Strategy .

- **Building economic opportunity**

- *The waste management and resource recovery sector should work to identify where the opportunities for economic growth are and be ready to invest accordingly.*

*Industry should work with local government to resolve planning issues for existing and new infrastructure.*

*Industry should also work with government to develop standards and specifications when using recycled material. A consistent approach will give consumers confidence in the quality and safety of these products and help drive market demand.*

Wanless, as a key operator within the waste management and resource recovery sector, has identified a site that is strategically located within a planned industrial and business growth area under the local framework that is a prime site for investment. The site has the elements needed to create a significant waste and resource recovery business on the site, creating the opportunity to establish a side by side recycling facility and residual waste disposal. Wanless is willing to create a significant investment in the site to drive the resource recovery sector within SEQ.

Wanless, throughout the assessment of the application, has negotiated and liaised with Ipswich City Council and the relevant departments of the State Government to work through all planning issues associated with the development. To note, approvals for both the recycling and landfilling components if the proposed development have been issued by the State Government including the Department of Environment and Science (for the environmental authority) and the Department of Transport and Main Roads. As previously mentioned, approval for part of the application has been issued by Ipswich City Council. Through both the State Government and Ipswich City Council approvals, there is an acknowledgement that the



proposed development and proposed land uses are appropriate for the site and that any potential impacts on the infrastructure and the environment can be ameliorated. industries.

### **Ipswich Resource Recovery Strategy**

In a local context, the Ipswich City Council have developed a Resource Recovery Strategy that is directed by *Queensland Waste Management and Resource Recovery Strategy*. The strategy sets out goals for the waste industry in Ipswich. A key goal for the strategy is to increase the materials recovery and actively promote a circular economy, as well as introducing a 'pillar' of the strategy to establish fit-for-purpose waste and resource recovery infrastructure. This strategy is intended to further the intent of the Waste Strategies released from the State Government. The Wanless Recycling Park promotes recycling and resource recovery and creates an integrated waste activity within Ipswich that increases the recycling rates and establishes a fit-for-purpose recycling centre, that aligns with the Council's Resource Recovery Strategy. The decision to part refuse the development application pushes away from Council's endorsement direction towards recycling.

### **QLD Waste Levy**

The Queensland Government introduced a Waste Levy 1 July 2019. The intent of the Waste Levy was to:

- Reduce the amount of waste going to landfill;
- Encourage waste avoidance;
- Provide a source of funding to enable better resource recovery practices; and
- Facilitate industry investment in resource recovery infrastructure.

The drivers behind the Waste Levy have created the economic conditions that have led to the inception of this project, to create an integrated waste facility that focuses on resource recovery at its core. The development delivers a project that drives the intent of the Levy forward.

### **Mining Rehabilitation**

The site has been effected by previous mining activities that are covered under the existing mining lease that remains on the site. Attached to the mining lease are a set of rehabilitation requirements to create a site that is able to support post mining uses. The predominant rehabilitation for the site is to return large portions of the site to grazing land, with the open cut voids retained as water storage. It is acknowledged that the Queensland State Government has appointed a Mine Rehabilitation Commissioner to oversee the rehabilitation of previous mining sites. The Commissioner is tasked with producing guidance on best practice rehabilitation, engaging with stakeholders, report on the performance of rehabilitation requirements and advise the minister on the progress. In his appointment media statement, James Purtill, noted that rehabilitation of mining sites has the potential to create job opportunities for regional communities and is important to create more jobs after the mine is no longer in use.

This project seeks to rehabilitate a previously mined site, in a fashion that has been demonstrated is environmentally sound and will create a number of jobs as part of the rehabilitation. The development project aligns directly with the Government's intentions for historic mining sites, generating jobs through the rehabilitation on the site. The development would be an on the ground example of best practice management of mining sites to economically viably rehabilitate the site, with limited burden on the surrounding community.





## Summary

As detailed above, the proposed development aligns with and furthers the State Interests as identified in the SPP, ShapingSEQ and importantly, the Queensland Waste Management and Resource Recovery Strategy. The development represents significant investment within the Ipswich region that leads to real and permanent job creation on the ground and a significant growth in the resource recovery sector within SEQ, furthering the intent of State waste industry objectives. The project is therefore submitted as an exemplary project and a key driver in advancing the State Government's waste management and resource recovery objectives.

Without the permitting the residual landfill operation on the site, the viability of the project becomes uncertain, and is unlikely to progress through to construction. Approval of the project in its entirety, including both the recycling and residual waste disposal components, is therefore necessary to ensure this project comes to fruition and assists in the achievement of the State Government recycling targets.

## WHY SHOULD THE MINISTER CALL IN THIS APPLICATION?

As outlined in this request, the viability of the project is currently as a result of Ipswich City Council's decision not to approve the landfilling component of the proposal. At this stage, it is likely that the project will not proceed. Whilst the applicant determines its next course of action, it has acted to preserve its appeal rights by lodging a Notice of Appeal with the Planning and Environment Court.

Due to the backlog in Planning and Environment Court hearings, there is no certainty around a final outcome in relation to this development application, which adds further costs and lengthy delays to the project after nearly two years in the planning assessment process. Without timely assessment of applications of this type, investment in recycling infrastructure and local recycling jobs simply can not be supported.

In summary, the proposed development wholly aligns with the State Interests identified in the State Planning Policy, ShapingSEQ and importantly delivers on the directives of the *Waste Management Resource Recovery Strategy*. Construction of this project clearly within the interests of the Queensland Government. The project creates significant economic opportunity leveraging the \$200 million investment into what is currently a derelict and underutilised site and creating upwards of 350 construction and operational jobs within an area that is identified as an area suitable for regional industry and business activity under the local planning instrument. The project balances the economic development on the site with the protection and enhancement of environmental and social sustainability of the site by protecting and enhancing environmental elements of the site, and the potential economic growth on the site from the catalyst investment.

The application in its current form, as approved by Ipswich City Council, is unable to proceed on the basis of economic viability of the project. It is necessary for the proposed development to proceed in its entirety, allowing for the disposal of residual waste on the same site. For the project to progress beyond the concept stage, certainty in the approval process and planning outcome is necessary. As such, it is considered that calling in the application is necessary to ensure that the development is able to proceed and to further the State Interests as detailed in this request.

Yours sincerely,



Access refused under s.47

Access refused under s.47  
@urbis.com.au