

Our ref: 221009.01
Council ref: A006310258

09 July 2026

The Chief Executive Officer
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Attention: Development Assessment
Via: Online Portal

To the assessment manager,

**RE: Request for Minor Change to Development Permit
Development Permit for Material Change of Use (Health Care Service)
27 and 29 Kakawan Street, Boondall
Lots 12 & 13 on RP106512
Council Ref: A006310258**

In accordance with **Section 78** of the *Planning Act 2016*, please find enclosed a request for a Minor Change to a Development Permit for Material Change of Use (Health Care Service) (Council ref: A006310258).

This request is made on behalf of the applicant, Duncan-Ross Health Pty Ltd. In accordance with **Section 79** of the *Planning Act 2016*, the written consent of the landowner is enclosed.

In support of the application, please find enclosed the updated Landscape Concept Plans prepared by Prandium Studio (**Attachment 1**).

Payment of Council's \$3,600.00 application fee will be made upon Council issuing an invoice for payment.

Background and Summary of Approval

The subject site at 27 & 29 Kakawan Street, Boondall (Lots 12 & 13 on RP106512) was the subject of an Impact Assessable development application, lodged on 30 June 2023, seeking a Development Permit for a Material Change of Use to establish a Health Care Service.

The proposal involved the redevelopment of the site, which was previously improved with a dwelling house and associated structures, to facilitate a small-scale, locally focused medical centre. The development comprises a building with a total gross floor area of approximately 275m², accommodating a general practice and allied health tenancies, supported by on-site car parking, landscaping, and associated infrastructure works.

The application was assessed against the *Brisbane City Plan 2014*, under which the site is included in the Low Density Residential Zone. Following assessment, the development application was approved by Brisbane City Council on 1 December 2023 (Council Reference: A006310258), subject to conditions.

The Proposed Minor Change

Following the issue of the Development Permit (A006310258), the approved Landscape Plans and Condition 8 of the Decision Notice required the retention of seven (7) established trees on the subject site, reflecting the applicant's commitment to maintaining a strong landscape outcome and contributing to on-site amenity.

During early site works, the appointed demolition contractor removed all vegetation on the site, including the trees identified for retention. This was not in accordance with the approval and is acknowledged as an unintended and undesirable outcome. It is therefore necessary to establish an appropriate and practical pathway to rectify the matter while maintaining the intent of the original approval.

To address this matter, a minor change to the Development Permit is proposed. Specifically, it is sought to amend the requirement for retention of the seven (7) established trees to instead require their replacement with advanced stock of appropriate species. The updated Landscape Concept Plans in **Attachment 1** (refer in particular to Pages 2 and 3) identify a coordinated replacement planting strategy, including the use of suitable species and larger container sizes (generally ranging from 100L to 400L stock), to achieve a comparable level of landscape structure and amenity within a reduced establishment timeframe.

This approach maintains the original planning intent of providing a well-landscaped development, including canopy cover, screening and visual amenity, notwithstanding the loss of the existing vegetation. The proposed resolution has been discussed with the assessment officer for the original application, who has generally indicated support for the approach in principle.

Proposed Changes to the Decision Notice

To facilitate the proposed outcome, it is necessary to make targeted amendments to the existing conditions of approval. Condition 8 currently requires the retention, protection and maintenance of existing on-site trees identified for retention on the approved Landscape Concept Plan. As these trees have been removed during demolition works, compliance with this condition is no longer possible. Accordingly, it is proposed that Condition 8 (and its associated sub-conditions) be deleted in full.

The intent of maintaining a high-quality landscape outcome will instead be achieved through the operation of Condition 9, which requires the site to be landscaped in accordance with approved landscape plans. The updated Landscape Concept Plans submitted with this application incorporate a comprehensive replacement planting strategy, including advanced stock to ensure timely canopy establishment and amenity outcomes consistent with the original approval intent.

It is therefore requested that Council formally approve the amended Landscape Concept Plans as part of this minor change application. This approach ensures that the replacement planting is secured through the revised conditioning framework, with Condition 9 facilitating the implementation of the updated Landscape Concept Plans, without the need for additional or duplicative conditions.

Minor Change Assessment - Planning Act 2016

The proposed changes to the Development Permit are considered a 'Minor Change' under **Section 78** of the *Planning Act 2016*, because, if the original development application, including the changes, were to be re-made, the changes would not cause:

- The inclusion of prohibited development in the application; or,
- Referral to a referral agency; or,

- Public notification, with the original application being impact assessable; or
- Substantially different development to that which was approved, as further detailed below.

As stated above, the changes will not result in a substantially different development. To demonstrate this, an assessment against **Schedule 1** of the DA Rules has been carried out below. Overall, it is determined that the proposed changes to the approval will not result in a substantially different development to that which was approved, given the following:

- The proposed change does not involve a new land use.
- The proposed change does not result in the development applying to a new parcel of land.
- The proposed change does not result in any changes to built form in terms of scale, bulk and appearance with the changes limited to landscaping outcomes only.
- The proposed change does not impact on the ability of the proposed development to operate as intended. The proposed change relates solely to landscaping requirements and does not alter the approved use, built form, access arrangements or operational parameters. Accordingly, the development's ability to function as a Health Care Service and deliver intended services remains unchanged.
- The proposed change does not remove any components integral to the operation of the development, as the retained trees were not essential to the functioning of the approved Health Care Service. The development can operate as intended with replacement landscaping achieving equivalent amenity outcomes.
- The changes are limited to landscaping outcomes only and therefore will not result in any negative impacts on traffic flow and the transport network.
- The proposed change does not introduce new impacts or increase the severity of known impacts. While existing trees have been removed, the replacement planting strategy utilising advanced stock will re-establish landscape buffering, screening and visual amenity outcomes consistent with the approved development.
- The proposed change does not remove an incentive or offset that balanced a negative impact of the development. The original retention of trees was an applicant-led design initiative rather than a Council-imposed requirement, and the updated replacement planting continues to deliver equivalent landscape and amenity outcomes.
- The changes are limited to landscaping outcomes only and therefore will not result in any negative impacts on infrastructure provision.

For the reasons outlined above, it is considered that the proposed changes constitute a Minor Change to the approved development. On this basis, it is considered that this request should be dealt with pursuant to the provisions outlined within **Section 81** of the *Planning Act 2016*.

Affected Entities

In accordance with **Section 80** of the *Planning Act 2016*, there are no Affected Entities for this change application.

Proceeding

We trust that this correspondence provides you with sufficient information in relation to the proposal and we look forward to receiving a positive decision from Council at your earliest convenience.

Should you have any further questions in relation to this matter, please feel free to contact me.

Yours faithfully,

ADAMS + SPARKES

TOWN PLANNING

A handwritten signature in black ink, appearing to read 'Adam Seaton', with a stylized, cursive script.

Adam Seaton

SENIOR TOWN PLANNER

Encl: Updated Landscape Concept Plans (**Attachment 1**).