

27 February 2026

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

Via Online Smart Form

Dear Sir / Madam,

RE: REQUEST FOR MINOR CHANGE IN ACCORDANCE WITH S81 OF THE PLANNING ACT 2016 - MATERIAL CHANGE OF USE FOR A CHILDCARE CENTRE UPON LAND LOCATED AT 197 BLUNDER ROAD, DURACK QLD 4077 - COUNCIL APPLICATION REFERENCE A006130253.

We write on behalf of the applicant, *Your Realty Pty Ltd* with respect to the development approval given over the abovementioned land originally granted on 14 May 2021 (Council file ref: A005061072) and further modified by way of minor change on 21 June 2024 (Council file ref: A006130253) for a Material Change of Use for Childcare centre (120 Places).

In accordance with section 78 and 81 of the *Planning Act 2016*, we hereby request a Minor Change to the development approval. We provide below an overview and assessment of the Minor Change with respect to relevant provisions under the *Planning Act 2016* below.

To facilitate Councils assessment of the proposal, please find enclosed the following:

- Planning Act Form 5;
- Signed Applicant Owners Consent;
- Brisbane City Council Landowner Consent;
- Architectural Proposal Plans prepared by *Raymond Design*; and
- Civil Servicing & Stormwater Management Technical Memorandum prepared by *Inertia Engineering*.

We trust that the information provided is to your satisfaction.

Should you wish to discuss the matter further please do not hesitate to contact our office on (07) 3361 9999.

Yours faithfully

TOWN PLANNING ALLIANCE PTY LTD



Tom Kedda
PRINCIPAL PLANNER

Enc Minor Change Application

MINOR CHANGE APPLICATION

1. Site Details

Site Address	197 Blunder Road, Durack QLD 4077 which includes Council owners access restriction strips at 9A & 23A Randwick Street, Durack QLD 4077
Real property description	Lot 75 on RP29823, Lot 106 on SP157966 & Lot 5 on RP133938
Area of site	4,047m ²
Zone	EC Emerging community zone
Neighbourhood Plan	Western gateway neighbourhood plan - Inala precinct (NPP-004)
Overlays	<ul style="list-style-type: none"> ▪ Airport environs overlay ▪ Bicycle network overlay ▪ Community purposes overlay ▪ Critical infrastructure and movement network overlay ▪ Road hierarchy overlay ▪ Streetscape hierarchy overlay ▪ Transport air quality corridor overlay ▪ Transport noise corridor overlay

The subject site is a corner allotment located at 197 Blunder Road, Durack QLD 4077 which includes Council owners access restriction strips at 9A & 23A Randwick Street, Durack (i.e. Lot 5 on RP133938 & Lot 106 on SP157966). The site is a rectangular shaped allotment with dual street frontage to Blunder Road (approx. 42.5m) and Randwick Street (approx. 94.5m). The property presents a total area of 4,047m², inclusive of the required new road (non-trunk) along the length of the Randwick Street frontage and is currently vacant land. Please see Figure 1 below for further detail.

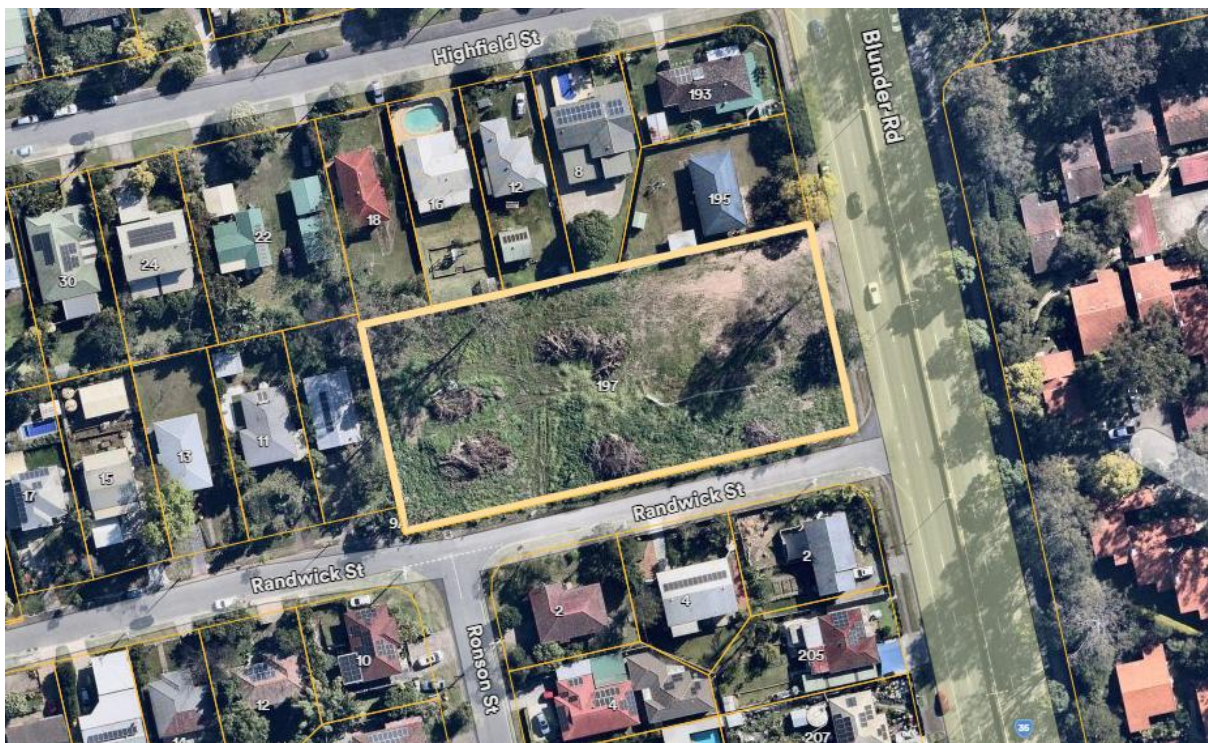


Figure 1: Recent aerial view (August 2025) of the subject site.

Pursuant to the *Brisbane City Plan 2014* (v35), the site is identified within the EC Emerging community zone category as well as the Inala precinct (NPP-004) of the Western gateway neighbourhood plan. The site is predominantly surrounded by land identified in the LDR Low density residential zone.



Figure 2: Zone mapping as per Brisbane City Plan 2014.

2. Application History

To assist Council with this request, the development approval history over the site is as follows:

- **A004780769 | May 2018**
On 30 May 2018, Brisbane Council granted a Development Permit for Reconfiguring a Lot (1 into 8 Lots & New Road). However, following receipt of the approval, the subdivision was never carried out.
- **A005061072 | May 2021**
On 14 May 2021, the Planning & Environment Court granted a Development Permit for a Material Change of Use for a Childcare Centre (up to 120 children). Initially, the proposal was refused by Brisbane City Council on 7 February 2019; however, the decision was appealed by the applicant in the P&E Court, which was subsequently upheld on 14 May 2021. Importantly, we note that the application was not subject to any properly made submissions.
- **A006130253 | June 2024**
On 21 June 2024, Brisbane City Council approved a minor change to the abovementioned Childcare centre. Key changes included as follows:

- Revised layout resulting in minor changes to setbacks and reduction in building length.
- Revised internal layout arrangements.
- Changes to the finish of acoustic screening from transparent screening to treated timber.
- Relocation of stormwater line, and new retaining wall and play store shed in north-west corner of site.

In addition to the above, we note conditions 2, 17, 18(a) & 36 were amended in accordance with the revised plans / documents.

- **A006851916 | October 2025**

On 1 October 2025, a prelodgement meeting was held with Brisbane City Council to discuss a proposed capacity increase. At the pre-lodgement meeting, Council provided their 'in principle' support for increasing the centre's total places to 130 (an additional 10 places) and associated built form amendments.

Currency Period

As noted above, on 14 May 2021, the P&E Court overturned Brisbane City Council's refusal of a development application for a Material Change of Use (Development Permit) for a Childcare centre (up to 120 children). The development is afforded a currency period of 6 years until 14 May 2027.

Furthermore, in accordance with section 275R of the *Planning Act 2016*, the Treasurer and Minister for Infrastructure and Planning declared COVID-19 as an Applicable Event. Under this provision, two (2) automatic extensions were granted, with the following being applicable / beneficial to this approval as detailed below:

- On 1 September 2021, the Minister granted an automatic extension notice for a period of six (6) months for all approvals that were in effect on 1 September 2021, or that come into effect between 1 September 2021 and 30 September 2021. This extension notice further extended the currency period of the approval by a further six (6) months or until 14 September 2027.
- On 22 April 2022, the Minister granted an automatic extension notice for a period of twelve (12) months for all approvals that were either in effect on 28 April 2022, or those that come into effect between 28 April 2022 and 24 June 2022. This extension notice further extended the currency period by a further twelve (12) months or until 14 September 2028.

Considering the above, it is understood that the development approval is currently due to expire on 14 November 2028.

3. Proposed Changes

Following receipt of the most recent approval in June 2024, the development has progressed through the detailed design phase, with construction currently set to commence in in late 2026. The primary purpose of this change application is to seek Council support for an additional 10 places, bringing the centre's total capacity to 130 children. Design amendments are limited to capture alterations made following specialist consultancy input and to appropriately respond to feedback from parents / guardians of other facilities owned by the applicant.

Specifically, the proposal differs from the approved plans by way of the following:

- Increase the maximum number of children on-site at any one time from 120 to 130 kids;
- Extension to western portion of the building for increased child capacity of activity rooms 3 & 4;
- The internal floor plan layout has been reconfigured and rationalised, including a minor increase of gross floor area (GFA);

- The extent of outdoor play area has also subsequently reduced to approximately 923m² from 943m²; and
- Minor increase to the total site cover to 1,070.2m² (30% of total site area).

As further detailed below, the amended design results from the applicants request to increase the maximum number of children allowed on-site at any one time to 130. As discussed with Council during the prelodgement meeting (Council file ref: A006851916) and confirmed in their prelodgement advice, the centre is suitably provisioned to care for an additional 10 children without significant changes to built form, services or carparking allocations.

Importantly, the changes are deemed minor in nature and will not significantly alter the overall built form or materially change what has previously been approved by Brisbane City Council in accordance with s78 and s81 of the *Planning Act 2016*. Despite the minor scale of proposed changes, approved plans and documents are required to be formally updated and are noted in the following sections of this letter to assist with Councils assessment.

Built Form & Gross Floor Area (GFA)

The proposal includes minor amendments to the childcare centres internal design resulting from design efficiency to create a safe and logical internal layout. Internal layout amendments are largely limited to the entry / foyer areas and the activity rooms closest to Randwick Street.

When viewed from the street, the only visible change is an extension to the western portion of the building to enlarge activity rooms 4 & 5. As illustrated in the following Figures 3 & 4, the overall design, scale and site layout remain unchanged.

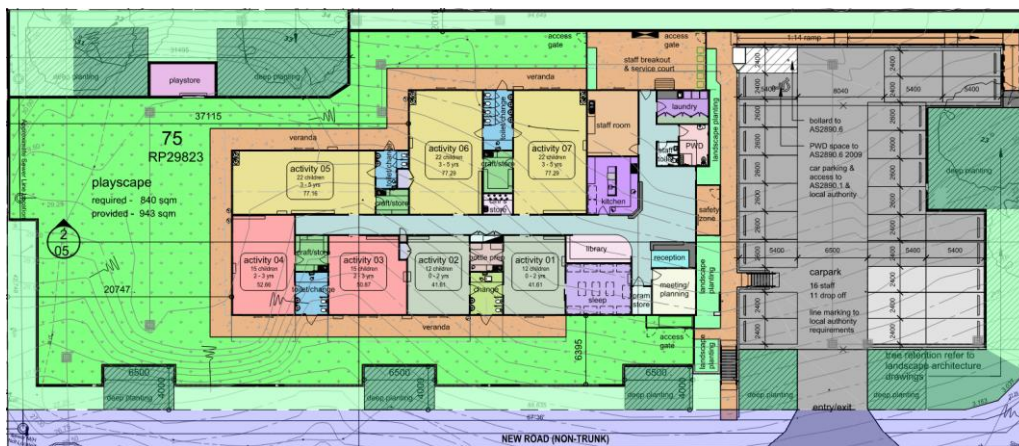


Figure 3: Current approved childcare centre layout (Council file ref: A006130253).

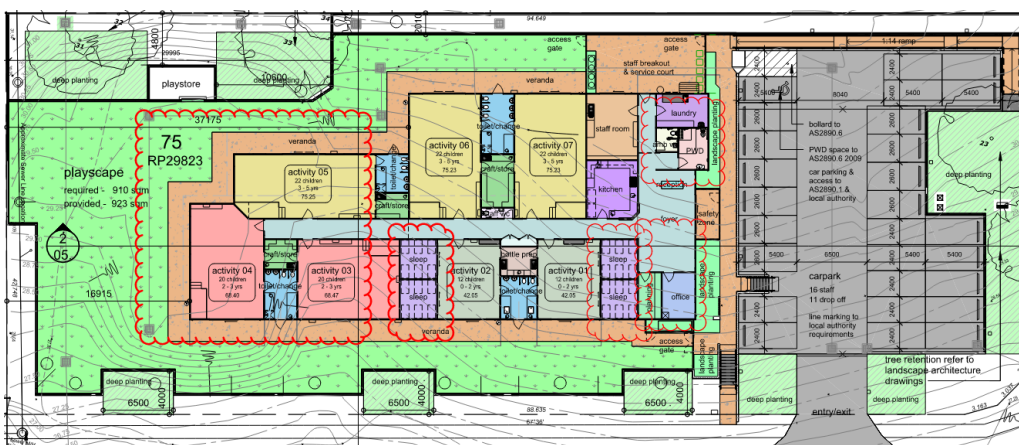


Figure 4: Proposed revised childcare centre Site / Floor Plan.

The amended design will ultimately provide seven activity rooms with space to care for up to 130 children. To accommodate the minor extension proposed for activity rooms 4 & 5, updated development statistics are as follows:

	APPROVED (A006130253)	PROPOSED	CHANGE
Maximum No. of Children	120	130	+10
GFA	817m ²	846m ²	+25m ²
Site Cover	27.8%	30%	+2.2%
Western Setback	20.7m	16.9m	-3.8m
Outdoor Play Area	943m ²	923m ²	-85m ²
Impervious Area	1,866m ²	1,891m ²	+25m ²

Access & Servicing Provisions

The amended design does not necessitate or propose any changes to the currently approved car parking, access or servicing arrangement.

As discussed with Council's prelodgement team, the site is currently approved with sufficient car spaces and manoeuvring area to support a centre with 130 children. As detailed in the table below, the centre was approved with an oversupply of car spaces and as such, will remain in accordance with the TAPS PSP.

	APPROVED (A006130253)	PROPOSED
Required Parking Spaces	24 total (15 staff)	26 (16 staff)
Provided Parking Spaces	27 total (16 staff)	27 total (16 staff)

Similarly, for vehicle access and refuse storage / collection, the existing approval includes appropriate provisions to support a centre with 130 children. As the car parking, access and servicing arrangement will remain as currently approved and compliant with the relevant Council standards, this minor change request is not accompanied by an updated traffic engineering report.

Sewer & Water Connection

The proposed layout change does not impact the previously approved sewer and water servicing strategy or demand. Therefore, the connection locations and sizing remain unchanged. Further detailing of the water and sewer connections will be undertaken at the detailed design stage in coordination with Urban Utilities (UU).

Stormwater Quantity

The fraction impervious under the proposed architectural changes is generally consistent with the previous approval. Stormwater detention will continue to be required for the subject lot, with detention volumes maintained at 62kL as per the previous design. Please refer to the Conceptual Stormwater Layout outlining proposed stormwater quantity management prepared by *Inertia Engineering*.

Stormwater Quality

While the fraction impervious is generally unchanged, minor variations in catchments necessitate the inclusion of two (2) additional stormwater quality filters to a total of eight (8) within the 62kL detention tank. For further detail, please see the attached Conceptual Stormwater Layout contained within the Civil Servicing & Stormwater Management Technical Memorandum prepared by *Inertia Engineering*.

4. Responsible Entity for Change Application

Section 78A of the *Planning Act 2016* outlines the responsible entity for a change application, as follows:

- (1) The **responsible entity** for a change application is—
 - (a) if the change application is for a minor change to a development condition of a development approval stated in a referral agency’s response for the development application or another change application for the approval—the referral agency; or
 - (b) otherwise—the assessment manager.

- (2) However, the P&E Court is the responsible entity for the change application instead of the person under subsection (1) if—
 - (a) the change application is for a minor change to a development approval; and
 - (b) the development approval was given or changed by the P&E Court; and
 - (c) a properly made submission was made about—
 - (i) the development application for the development approval; or
 - (ii) another change application for the development approval.

- (3) Also, the Minister is the responsible entity for the change application instead of the person under subsection (1) if—
 - (a) the change application is for a change to—
 - (i) a condition of a development approval that the Minister directed be imposed or amended under section 95; or
 - (ii) a condition of a development approval that the Minister directed be imposed under the old Act, section 419 or the repealed *Integrated Planning Act 1997*, section 3.6.1; or
 - (iii) a development approval given or changed by the Minister for an application that was called in under a call in provision; and
 - (b) the P&E Court is not the responsible entity for the change application.

With reference to the above, we note that the original application received no properly made submission and as such, the responsible entity for this change request is Brisbane City Council.

5. Changes to Approval Documents

We wish to formally change the development approval to allow for an additional 10 places, bringing the centre’s total capacity to 130 children. The proposal differs from the approved plan set in accordance with Section 3 above and are reflected in the attached Architectural Proposal Plans prepared by *Raymond Design*.

To assist Council with their assessment, and for completeness, the amended table of drawings and documents sought to be approved is provided below. The proposed plans submitted as part of this change application will supersede the existing approved plans as follows:

Drawing or Document	Number	Plan Date
Landscape Concept Plan	Sheet 1 Issue A (Amended In Red 17-JUN-2024)	18-JUL-2023 (Received)
Deep Planting Calculations	Sheet 2 Issue A (Amended In Red 17-JUN-2024)	18-JUL-2023 (Received)
Proposed Planting Schedule	Sheet 3 Issue A	18-JUL-2023 (Received)
Proposed Planting Schedule	Sheet 4 Issue A	18-JUL-2023 (Received)
Site/Floor Plan	RD22029 02. Issue P2 A	18-JUL-2023 (Received) 12-NOV-2025

Elevations	RD22029 03. Issue P 1 A	11-SEP-2024 (Received) 12-NOV-2025
Elevations	RD22029 04. Issue P 2 A	11-SEP-2024 (Received) 12-NOV-2025
Site sections	RD22029 05. Issue P 1 A	11-SEP-2024 (Received) 12-NOV-2025
Roof Plan	RD22029 06. Issue P 1 A	11-SEP-2024 (Received) 12-NOV-2025

6. Amendments to Conditions

Further to the above, the proposed changes require amendments to the conditions package. Words removed from the existing conditions have been ~~crossed out~~, while suggested additions are **provided in red**.

Specifically, it is sought to amend **Condition 7** to ensure that the revised approval package is consistent with the extent of changes sought. The proposed conditions are to read as follows, or similar, as per the typical wording from Brisbane City Council for conditions of this nature:

7) Number of Children

The maximum number of children to be cared for at the Childcare centre on-site at any one time is ~~120~~
130.

7. Planning Act 2016 Provisions

Changes to the Development Approval outlined in the above sections are identified as meeting the benchmark for a Minor Change in accordance with Schedule 2 of the *Planning Act 2016*, given that the change:

- (i) **Would not result in a substantially different development** – The proposal as described above does not result in a substantially different development having regard to the matters in Schedule 1 of the Development Assessment rules. In particular, the changes do not result in the following:
 - a) **Involve a new use** – The proposed change does not involve a new use. The proposed development will continue to operate as a Childcare centre per the original development approval.
 - b) **Results in the application applying to a new parcel of land** – The proposed change does not result in the application applying to a new parcel of land. The development remains only on the allotments included in the original approval.
 - c) **Dramatically changes the built form in terms of scale, bulk and appearance** – As detailed above, the proposal is not considered to dramatically change the built form in terms of scale, bulk and appearance. Overall, the proposal improves functionality to ensure the ultimate product is consistent with the expectations of the market. The minor extension of built form remains in line with the existing approval in terms of its scale or bulk.
 - d) **Changes the ability of the proposed development to operate as intended** – The proposed change does not alter the ability of the development to operate as intended.
 - e) **Removes a component that is integral to the operation of the development** – The proposed change does not result in the removal of a component that is integral to the operation of the development.

- f) **Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site** – The proposed changes do not significantly impact on traffic flow or the transport network. The slight changes to the internal layout and increased GFA do not substantially increase traffic flow. The additional capacity does not result in a noncompliant parking arrangement for the site.
 - g) **Introduces new impacts or increase the severity of known impacts** – The proposed change does not introduce new impacts or increase the severity of known impacts. The slight change to the layout is maintained within an acceptable building envelope and therefore does not result in any new or increased impacts.
 - h) **Removes an incentive or offset component that would have balanced a negative impact of the development** – The proposed change does not remove any incentive or offset component.
 - i) **Impacts on infrastructure provisions** – The proposed change does not impact on infrastructure provision.
- (i) **If a development application for the development, including the change, were made when the change application is made would not cause—**
- (A) **The inclusion of Prohibited development in the application** – The proposed change would not cause the inclusion of Prohibited development in the application if a development application for the development including the change was made.
 - (B) **Referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application** – The proposal does not require referral to a referral agency.
 - (C) **Referral to extra referral agencies, other than to the chief executive** – Not applicable. The proposed changes do not result in referral to additional referral agencies.
 - (D) **A referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made** – The change would not cause a referral agency to assess the application against additional matters if a development application for the development including the change was made.
 - (E) **Public notification if public notification was not required for the development application** – The development is not impact assessable, therefore will not require public notification.

8. Conclusion

In view of the above, the proposed changes meet the benchmark for a Minor Change to a development approval as detailed in the *Planning Act 2016*. There were no affected entities for the original application, thus, no affected entities are required to be notified of this request.