

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

Submitted: Online Form

Dear Sir / Madam,

RE: MINOR CHANGE IN ACCORDANCE WITH s81 OF THE PLANNING ACT 2016 – MATERIAL CHANGE OF USE (DEVELOPMENT PERMIT) AND BUILDING WORK (DEVELOPMENT PERMIT) FOR AN EXTENSION TO A RESIDENTIAL CARE FACILITY UPON LAND AT 330 JACKSON ROAD, SUNNYBANK HILLS (A004569814).

We write on behalf of *TriCare (Sunnybrae) Pty Ltd* to make a request for a change (Minor change) with respect to the approval given over the abovementioned land granted by the Brisbane City Council on 12 December 2017 (A004569814). The original approval was for a Material change of Use (Development Permit) and Building work (Preliminary Approval) for an extension to a Residential care facility.

In accordance with Section 78 and 81 of the Planning Act 2016, we hereby request a Minor change to the development approval as set out below.

We provide below an overview and assessment of the Minor change against relevant provisions under the Planning Act 2016.

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

- DA Form 5; and
- Signed owner's consent.

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



Tara Nunn
SENIOR PLANNER

Enc Minor Change Application

MINOR CHANGE APPLICATION

1. Site Details

Site Address	330 Jackson Road Sunnybank Hills QLD 4109
Real property description	Lot 1 on SP278674
Area of site	11,920m ²
Local Government Area	Brisbane City Council
Zone	Emerging community zone
Neighbourhood Plan	Acacia Ridge-Archerfield neighbourhood plan Hellowell Road residential precinct - NPP-005
Overlays	<ul style="list-style-type: none"> ▪ Airport environs overlay ▪ Bicycle networks overlay ▪ Community purposes network overlay ▪ Critical infrastructure and movement network overlay ▪ Industrial amenity overlay ▪ Road hierarchy overlay ▪ Streetscape hierarchy overlay

The subject site is identified as being comprised of a single allotment with a total area of 11,920m². The site contains a frontage of approximately 60.4m to Jackson Road (Suburban Route) and a frontage of 44.8m to Jayef Street (Neighbourhood Road).

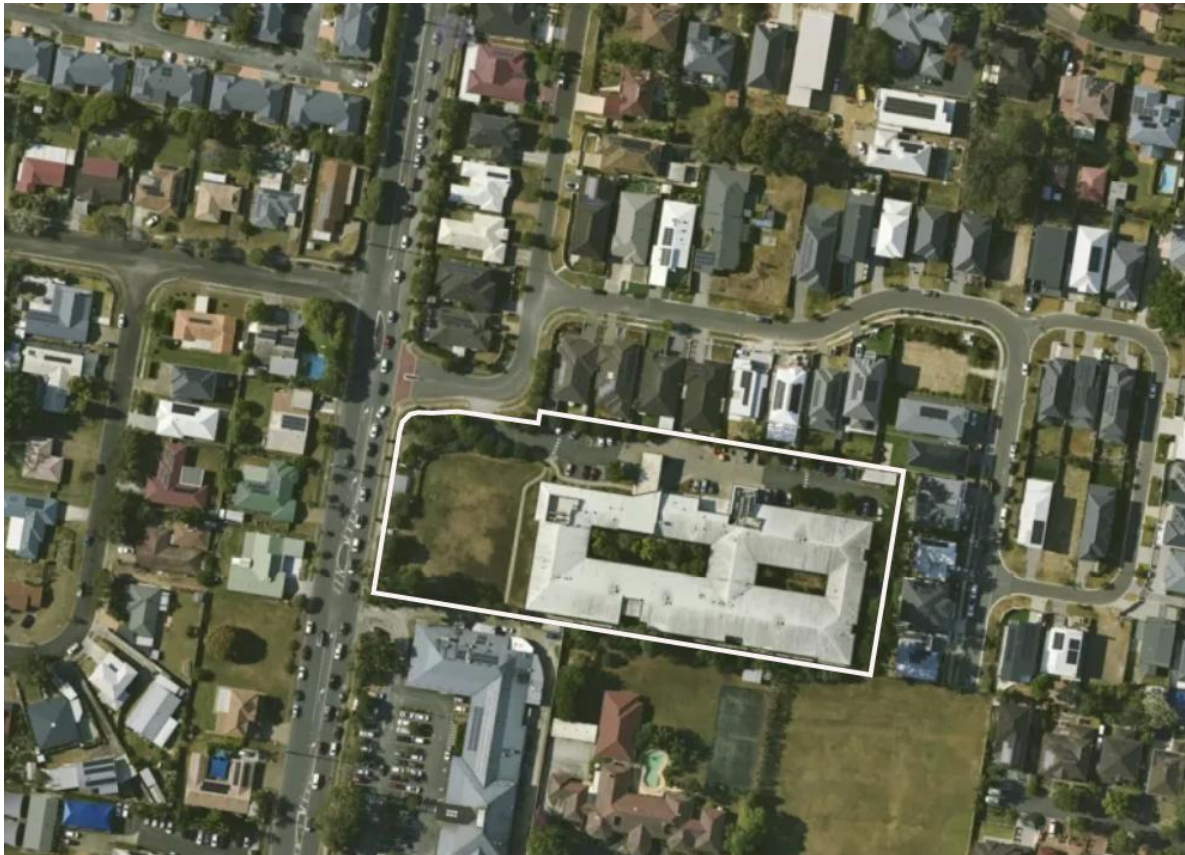


Figure 1: Aerial overview of subject site (dated October 2025)

Under the *Brisbane City Plan 2014*, the site is contained within the Emerging community zone and subject to the Acacia Ridge-Archerfield neighbourhood plan (Hellowell Road residential precinct). As demonstrated in Figure 2, the site is surrounded by land identified primarily within the Low density residential zone,

Neighbourhood centre zone, and Emerging community zone, with a pocket of Community facilities zoned land located to the south-west.



Figure 2: Brisbane City Council - Zoning Map

2. Application History

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

- **A004569814**
On 12 December 2017, Brisbane City Council approved a Development Permit for Material change of use and Preliminary Approval for Building works for extension to a Residential care facility (90 Beds) by Negotiated Decision Notice.
- **A006051710**
On 30 September 2022, Brisbane City Council granted a Section 81 (Minor change) to the abovementioned development approval, including an extension to the currency period of two (2) years to 12 December 2025.
- **A006806896**
On 29 August 2025, Brisbane City Council approved an extension to the currency period for the abovementioned development approval, with the currency period being extended until 12 December 2029.

- **A006935184**

On 10 March 2026, Brisbane City Council granted a minor change application to make the following changes:

- Amended basement parking arrangements due to services relocations.
- An additional pedestrian exit added to Jackson Road on the west side of the basement, and the northern pedestrian pathway realigned.
- Levels 1 and 2 internal changes, including removing the second internal fire stair and the communal balcony to improve overall functionality.
- Minor updates made to both the interior and exterior layouts of the sky lounge and sky garden.
- A notation error on the approved plan set about the maximum roof level fixed, alongside adjustments to the roof's design.
- Replacement plans representing the above changes.

3. Responsible Entity

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 responsible entity for this change request is Brisbane City Council.

4. Nature of Proposed Changes

Review of the recently issued conditions package under A006935184 necessitated this further minor change application to amend the conditions of approval and associated amendments in red on the plans. Specifically, Condition 14 of the approval states the following:

14) Western Elevation

Provide for assessment and issue of a compliance certificate by development services architect, solar control glass specifications to certify the glass used is certified to a maximum solar heat gain (SHGC) coefficient of .30 AND provide elevations with 50% opacity, vertical sun shading devices to shade 30% of the overall window height, as measured from the window head.

The development approval has included this condition as part of the approval since it was originally given in August 2017 (previously Condition 15). It is noted that the extent of the amendments in red at the time were very prescriptive with regards to the location and extent of screening as illustrated in Figure 3 below.

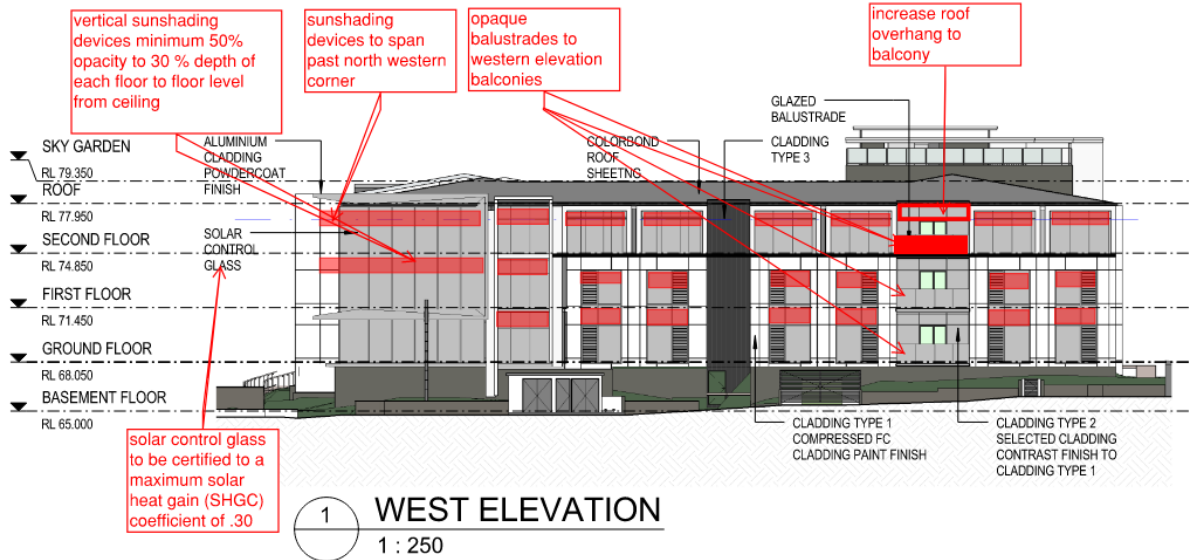


Figure 3: Approved West Elevation under A004569814 prior to NDN

Representations were put to Council as part of a negotiated decision notice request to remove the requirement to “provide elevations with 50% opacity, vertical sun shading devices to shade 30% of the overall window height, as measured from the window head”. It was demonstrated as part of the representations that the screening predominantly acted as a visual barrier to residents rather than assisting in reducing heat gain due to the already proposed double glazing and high performance glass. In response to the representations, Council removed the sun shading amended in red on the plans, as illustrated in Figure 4 below, however the condition was not amended to reflect the changes to the amendment in red on the plans.



Figure 4: Approved West Elevation as per NDN Approval A004569814

Specifically, it is requested to remove reference to the sun shading devices from Condition 14 of the approval for the following reasons:

- Being a Residential care facility, providing a clear, uninterrupted connection to the outdoors is critical to maintaining the wellbeing of residents as many residents are incapable of going outdoors and / or in end of life care.

- The building is designed to ensure a high level of internal comfort through the use of double glazing and high performance glass to all the north and west facing windows.
- While the use of screening would reduce the rating or remove the need for high performance glazing (and subsequently reduce development costs), this outcome is detrimental to the amenity of residents as it limits their view to the outdoors, limits natural light internally and would still be subject to high heat from the area of the glass not screened.
- Screening to the exterior of the building will significantly alter the appearance of the building, resulting in a character not consistent with the existing portion of the residential care facility to the east, the approved plans, or the TriCare high quality brand.
- Council accepted the removal of screening as an amendment in red, as such it is assumed that Council also supported the amendment of Condition 14 to remove reference to screening however has not been picked up until this stage of the development where TriCare are looking to carry out the approval.

It is for these reasons listed above that Council should amend the wording of Condition 14 to remove reference to the external vertical sun shading devices. Amendments to the condition wording is outlined in the following Section.

5. Changes to Conditions

As mentioned above, Condition 14 is sought to be amended to reflect the outcome achieved by the approved plans, and the changes made to the amendments in red during representations on the original approval. Thus, the following wording is proposed to be removed from Condition 14 to align with the balance of the approval. Items to be removed are ~~crossed out and in red~~.

<p>14) Western Elevation Provide for assessment and issue of a compliance certificate by development services architect, solar control glass specifications to certify the glass used is certified to a maximum solar heat gain (SHGC) coefficient of .30 AND provide elevations with 50% opacity, vertical sun shading devices to shade 30% of the overall window height, as measured from the window head.</p>	<p>Prior to site works commencing</p>
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6. Changes to Approved Drawings

No changes are proposed to the approved drawings as the amendment in red on the drawings current align with the proposed amended condition wording.

7. Planning Act 2016 Provisions

The 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 change is limited to an amendment of one condition.
 - 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.

- c) *Dramatically changes the built form in terms of scale, bulk and appearance* – The proposed change does not dramatically change the built form appearance. In particular, the amendment of the condition ensure that the development has an appearance consistent with the approved drawings.
 - 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 change will not result in any impacts on traffic flow or the transport network.
 - 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.
 - 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 changes would not cause referral to a referral agency if the development application was made for the development including the change.
 - (C) *Referral to extra referral agencies, other than to the chief executive* – Not applicable. The original application did not require referral to a referral agency.
 - (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* – Not applicable. The original application did not require referral to a referral agency.
 - (E) *Public notification if public notification was not required for the development application* – Not applicable. The original application underwent 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*.