



# 'TPA.

30 June 2026

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

Submitted via: Online Portal

Dear Sir / Madam

**RE: MINOR CHANGE IN ACCORDANCE WITH S81 OF THE PLANNING ACT 2016 – MATERIAL CHANGE OF USE (DEVELOPMENT PERMIT) FOR RESIDENTIAL CARE FACILITY UPON LAND AT 80 ARALUEN STREET, KEDRON QLD 4031 (LOT 10 ON SP316109)**

We write on behalf of the applicant, *Rockpool RAC Kedron Pty Ltd* with respect to the development approval given by Council over the abovementioned land on 24 January 2025 for Material Change of Use (Development permit) for a Residential Care Facility (Council ref: A006429094).

In accordance with Sections 78 and 81 of the *Planning Act 2016*, we hereby request a Minor Change to the development approval to make minor design refinements as set out below. In this letter, we provide an overview and assessment of the application against the relevant provisions under the *Planning Act 2016*.

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

- Planning Act Form 5;
- Signed Owners Consent; and
- Amended Architectural Plans prepared by *GJG Architects*.

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**

**Jessica Robson**  
**DIRECTOR**

Enc Minor Change Application

## MINOR CHANGE APPLICATION

### 1. Site Details

Site Address	80 Araluen Street, Kedron QLD 4031
Real property description	Lot 10 on SP316109
Area of site	8,643m <sup>2</sup>
Zone	Low density residential zone Low impact industry zone
Neighbourhood Plan	Chermside centre neighbourhood plan
Overlays	<ul style="list-style-type: none"> <li>▪ Airport environs overlay</li> <li>▪ Bicycle network overlay</li> <li>▪ Community purposes network overlay</li> <li>▪ Critical infrastructure and movement network overlay</li> <li>▪ Dwelling house character overlay</li> <li>▪ Road hierarchy overlay</li> <li>▪ Streetscape hierarchy overlay</li> </ul>



Figure 1: Aerial Image of Subject Site (Source: Landchecker, 2026)

The site is located at 80 Araluen Street, Kedron, formally described as Lot 10 on SP316109. The site comprises a singular allotment with a total site area of 8,643m<sup>2</sup>. The site has two frontages, being approximately 126m to Kitchener Road, and 37m to Araluen Street (Refer to Figure 1).

Under the *Brisbane City Plan 2014*, the site has dual zoning with the eastern portion being in the Low density residential zone, and the western portion being in the Low impact industry zone (see Figure 2). The dual zoning aligns with historical uses over the site. The surrounding locality consists of General industry zone to the north and Low density residential zones to the east, west and south.



Figure 2: Zoning Map (Source: Landchecker)

## 2. Site History

By way of history, the site was historically made up of three (3) separate land parcels that have since been amalgamated to create a single land parcel. The site previously contained a Dwelling house (previously 78 Araluen Street), an Industry use (previously 80 Araluen Street) and a Residential care facility (previously 171-175 Kitchener Road). The structures associated with these previous uses have since been removed to facilitate the development approval.

An overview of the relevant application history applicable to this proposal is summarised below:

- **A005329248 – 20 June 2020 – Material Change of Use for Residential Care Facility**

On 20 June 2020, Council approved a development application for Material Change of Use (Development permit) for Residential Care Facility (122 rooms) over a 3-storey built form. The currency period for this development approval at the time was 15 September 2026.

- **A006429094 – 24 January 2025 – Other Change to Approval A005329248**

On 24 January 2025, Council approved an Other Change to Approval (A005329248). The proposed changes include the following:

- An increase in yield from 122 beds to 145 beds;
- Increase of building height from three (3) storeys to four (4) storeys;
- A reduction in car parking spaces from 59 to 48 spaces;
- Changes to vehicular access arrangements; and
- Amendments to overall building layout.

- **A006856592 – 24 October 2025 – Operational Works for Filling and / or Excavation**

On 24 October 2025, Council issued an Operational Works relating to detailed earthworks associated with the abovementioned approval (Council ref: A006429094).

- **A006866608 – 21 November 2025 – Operational Works for Stormwater Drainage**

On 21 November 2025, Council issued an Operational Works relating to detailed stormwater drainage plans associated with the abovementioned development approval (Council ref: A006429094).

### 3. Currency Period

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The development approval was originally given on 20 June 2020 under the *Planning Act 2016*. In accordance with Section 85 of the *Planning Act 2016*, a part of a development approval lapses at the end of the period stated for a material change of use, if the first change of use does not happen within the stated period. In this instance, the original approval incorporated a currency period up to 15 September 2026.

In response to COVID-19, amendments to the *Planning Act 2016* were made relating to an 'applicable event'. A range of provisions were introduced surrounding an 'applicable event'. However, under Section 275R the Minister may by notice extend a period under the Act for the doing of a thing because of an 'applicable event'.

Pursuant to Section 275R of the Act, the Minister issued the following notices:

- On 8 July 2020, the Minister issued a notice to extend development approvals for a period of six (6) months with an effective date of 8 July 2020 to 31 October 2020.
- On 1 September 2021, the Minister issued a notice to extend development approvals for a period of six (6) months with an effective date of 1 September 2021 to 30 September 2021.
- On 29 April 2022, the Minister issued a notice to extend development approvals for a period of twelve (12) months with an effective date of 29 April 2022 to 24 June 2022.

To this end, the above notices given by the Minister under Section 275R of the Act has the effect of extending the currency period by a total of two (2) years, or until 15 September 2028.

### 4. Responsible Entity

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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.

## 5. Summary of Proposed Changes

As the development has progressed into the construction phase, a number of minor amendments are proposed in response to design changes, including in response to recent operational works approvals.

A high-level summary of the changes is provided below:

- Relocation of the pad mounted transformer;
- Addition of a retaining wall along the eastern boundary;
- Roof and building form refinements;
- Façade amendments to communal area balcony; and
- Minor adjustments to pump room floor levels and layout.

Details of the proposed changes are discussed in the following sections.

### 5.1 Relocation of Transformer

The pad mounted transformer (PMT) was originally approved on the western side of the Araluen Street driveway. It is proposed to relocate the PMT to the eastern side of the site access due to constraints with providing the electricity connection to the PMT from the road reserve, with an improved outcome able to be achieved with the revised design, which retains the existing street trees on Araluen Street. The relocation facilitates improved coordination and connection of underground services associated with the development, whilst maintaining the transformer's functional role in servicing the development.

The new location of the transformer will continue to front Araluen Street. The PMT is located within an area of the site providing limited landscaping opportunities, with the approval incorporating predominantly groundcover planting directly adjoining the driveway and in ground planting offering tree planting along the balance of the frontage to Araluen Street. As a result, the relocation of the PMT does not significantly impact on the landscape design and amenity of the site noting this area provided predominantly groundcovers, and does not restrict the ability to continue to provide landscape trees along the balance of the Araluen Street frontage consistent with the approval.

As illustrated in Figure 3 and Figure 4, the change results in the same operational outcome with the proposed amendment limited to the repositioning of the transformer within the frontage area.

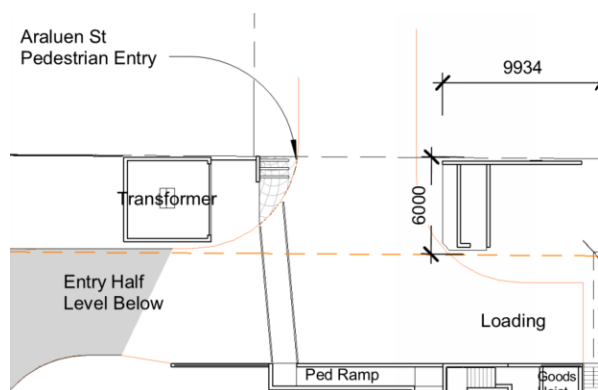


Figure 3: Approved Location of Transformer

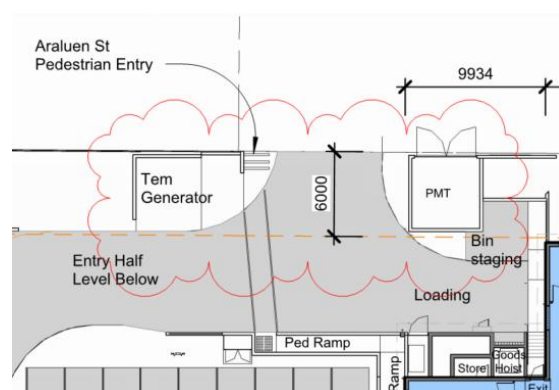


Figure 4: Proposed Location of Transformer

## 5.2 Façade Treatment Changes

The proposed amended elevations are shown in Figure 6 and Figure 8 compared with the approved facades in Figure 5 and Figure 7 respectively. This comparison demonstrates the limited nature of the changes, converting seven (7) selected windows along the southern and western elevations to sliding glass doors, minor slab extensions and associated façade treatments. Additionally, changes to the glazed balustrade on the Level 3 communal area balcony have been updated to rendered blockwork parapet to ensure water tightness to this area (as shown in Figure 6). The overall building form and presentation remain substantially consistent with the approved development.

In addition, the detailed design process has confirmed the material palette for this section of the southern elevation, with weatherboards proposed along the frontage. These amendments are minor in nature and do not materially alter the appearance, scale or overall architectural presentation of the approved development.



Figure 5: Approved Southern Elevation Plan

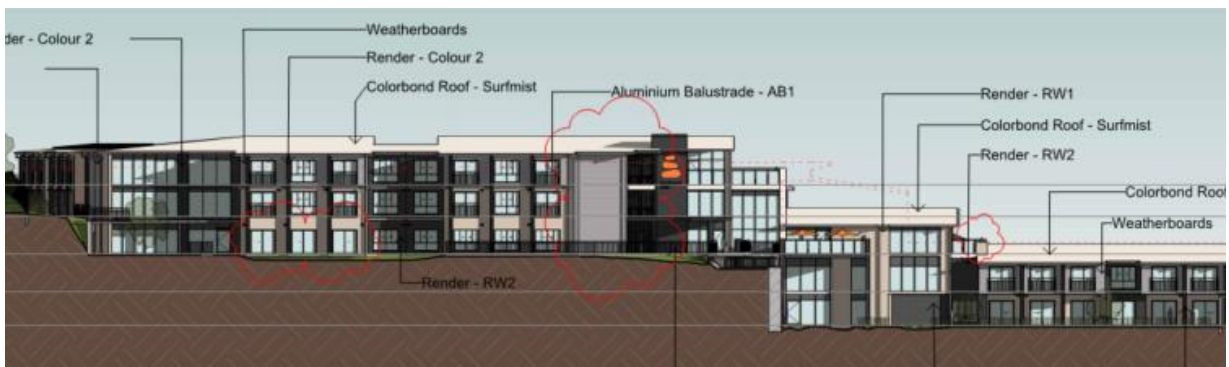


Figure 6: Proposed Southern Elevation Plan



Figure 7: Approved Western Elevation



Figure 8: Proposed Changes to Western Elevation

### 5.3 Roof Changes

The roof above the Level 4 staff room and wellness area is proposed to change from a hip roof to a gable roof (refer to Figure 9 and Figure 12). Additionally, the roof above Level 5 is proposed to have a 200mm increase in height to improve constructability and accommodate detailed building design requirements (refer to Figure 10).

The proposed roof form changes are as a result of input from the builder and structural design team to improve buildability for the development, resulting in minor roof changes. The amendments to the roof and do not alter the approved building footprint, overall building height, or the architectural character of the development. As a result, the overall appearance of the development with the proposed changes remains substantially consistent with the approved plans.



Figure 9: Approved Roof Form Level 5

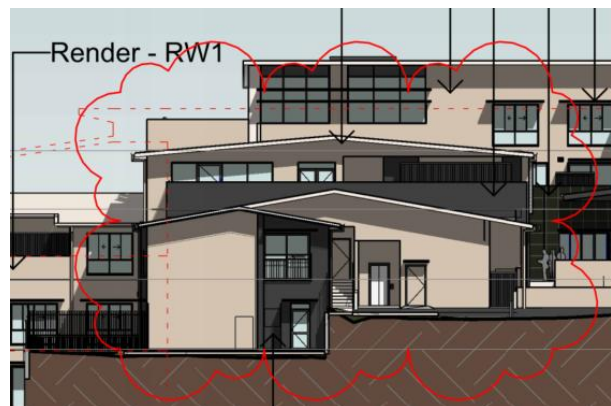


Figure 10: Proposed Roof Form Level 5



Figure 11: Approved Roof Form Level 4



Figure 12: Proposed Roof Form Level 4

#### 5.4 Retaining Wall on Eastern Boundary and Fire Pump Room Levels

The site exhibits significant topographical variance, with levels ranging from approximately 56m AHD along the western boundary to 41m AHD along the eastern boundary. Since the development approval was granted, the project has progressed through detailed design and construction documentation. As outlined in Section 2 of this report, a Development Permit for Operational Works (Council Ref: A006856592) was issued on 22 October 2025, which included detailed civil engineering plans for retaining wall structures along the eastern boundary. The approved retaining wall varies in height from approximately 0.538m to 0.995m. An extract of the approved Operational Works drawings is provided in Figure 13.

The proposed amendment seeks to update the approved architectural plans to ensure consistency with the subsequently approved Operational Works drawings (refer to Figure 14). The amendment does not alter the approved development outcome and merely reflects the retaining wall arrangement already endorsed through the Operational Works approval process.

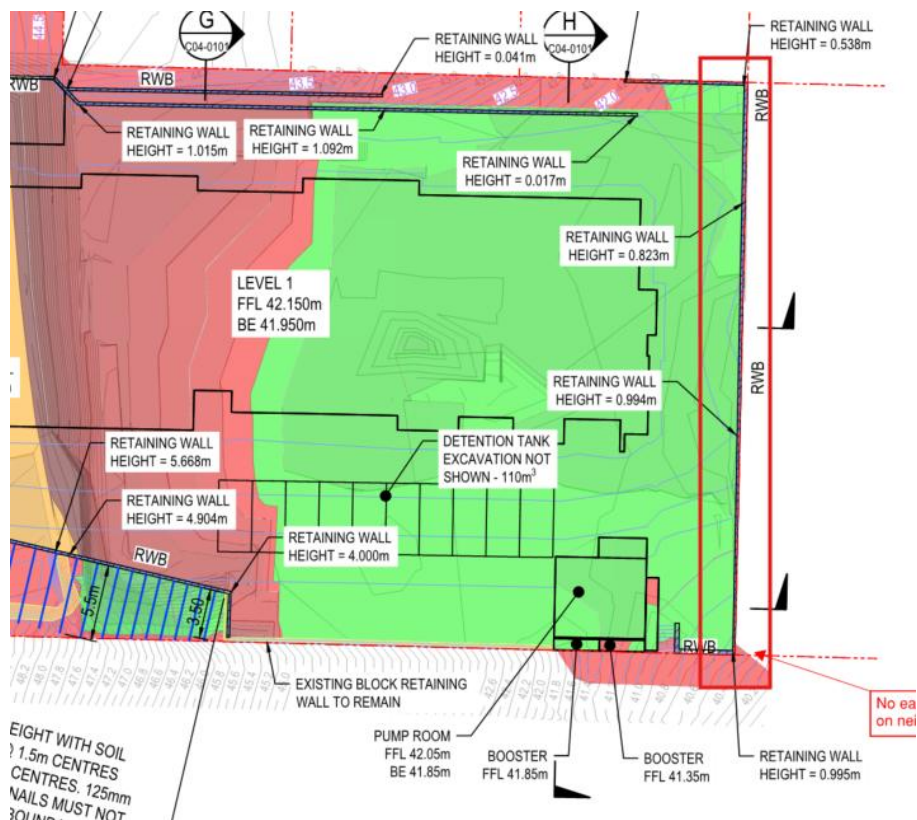


Figure 13: Approved Detailed Civil Plans (A006856592)

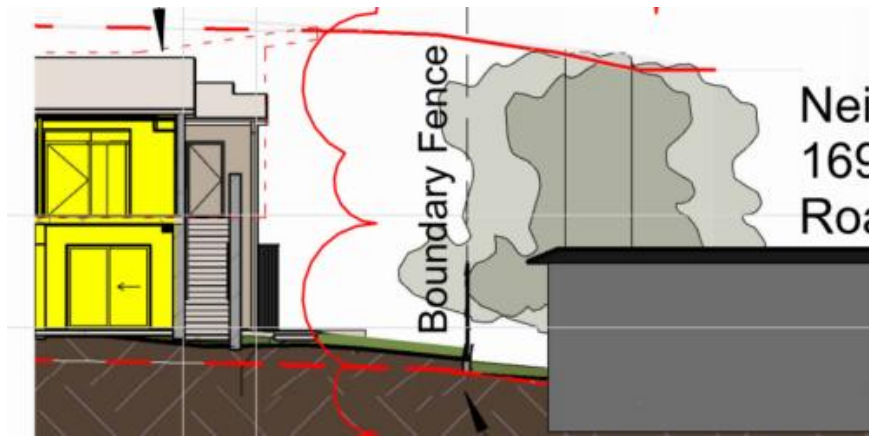


Figure 14: Proposed Boundary Section 9 - Showing Retaining Wall

Additionally, as part of the above Operational Works approval, the pump room floor levels and layout have been adjusted slightly to take into consideration the proposed earthworks in this portion of the site (Refer to Figure 16). Further detailing regarding the pump room and related services are subsequently also shown within the revised plan. Notwithstanding, the location of the pump room, with regard to setback to the side boundary and scale of the infrastructure remains in accordance with the approval.

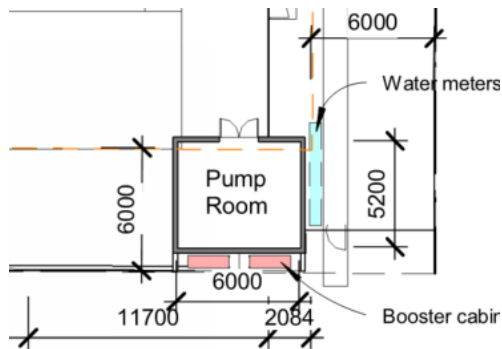


Figure 15: Approved Pump Room Layout

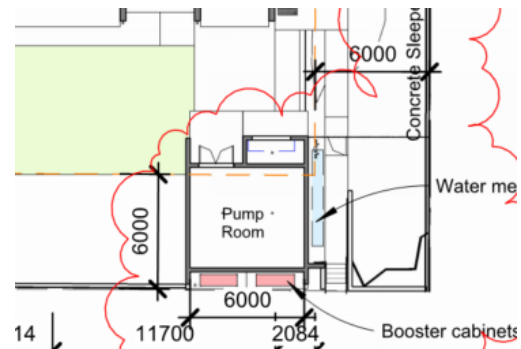


Figure 16: Proposed Pump Room Layout

### 5.5 Changes to Internal Layout

Minor internal layout changes are proposed due to the redesign of the internal staircase along the Kitchener Road facade. This has resulted in minor changes to the floor layouts across each level. Other minor changes to services and floor layouts are proposed across the floors which are generally inconsequential to the overall scale of the development. Notwithstanding, the proposed changes do not alter the approved land use, building height or gross floor area. Please refer to the enclosed Architectural Plans by GJG Architects for the amended layouts for each floor and Figure 17 and Figure 18 below for a comparison of the approved and proposed staircase layout.



Figure 17: Approved Front Staircase Layout



Figure 18: Proposed Front Staircase Layout

## 6. Changes to Approved Documents

Consequential changes are proposed to the list of approved drawings to reflect the amended architectural plans. A detailed list of the changes to the approved drawings and documents is provided below. Items to be removed are captured with a ~~strike through~~ and proposed additions are shown **bolded in red**.

*Table 1: Proposed Changes to Approved Documents*

Drawing or Document	Number	Plan Date
Landscape Architectural RFI	Submission 1	22-AUG-2024 (Received)
Stormwater Management Strategy Stormwater Discharge	SKC01-0001 Issue A	22-AUG-2024 (Received)
Stormwater Management Strategy Stormwater Quality	SKC01-0002 Issue A	22-AUG-2024 (Received)
Site Based Stormwater Management Plan	NA231190 Rev 02	22-AUG-2024 (Received)
Site Plan	<del>2331-D-1.10</del>	<del>28-SEP-2024 (Received)</del>
<b>Site Plan</b>	<b>2331-D-1.10 Rev 6</b>	<b>09-MAR-2026</b>
<del>L1</del>	<del>2331-D-2.11</del>	<del>28-SEP-2024 (Received)</del>
<b>L1</b>	<b>2331-D-2.11 Rev 07</b>	<b>09-MAR-2026</b>
<del>L2</del>	<del>2331-D-2.12</del>	<del>28-SEP-2024 (Received)</del>
<b>L2</b>	<b>2331-D-2.12 Rev 08</b>	<b>09-MAR-2026</b>
<del>L3</del>	<del>2331-D-2.13 (Amended In Red 04-OCT-2024)</del>	<del>28-SEP-2024 (Received)</del>
<b>L3</b>	<b>2331-D-2.13 Rev 08</b>	<b>09-MAR-2026</b>
<del>L4</del>	<del>2331-D-2.14 (Amended In Red 28-NOV-2024)</del>	<del>28-SEP-2024 (Received)</del>
<b>L4</b>	<b>2331-D-2.14 Rev 08</b>	<b>09-MAR-2026</b>
<del>L5</del>	<del>2331-D-2.15</del>	<del>28-SEP-2024 (Received)</del>

Drawing or Document	Number	Plan Date
L5	2331-D-2.15 Rev 08	09-MAR-2026
General Elevations - Sh 1	2331-D-3.10	28-SEP-2024 (Received)
General Elevations - Sh 1	2331-D-3.10 Rev 07	09-MAR-2026
General Elevations - Sh 2	2331-D-3.11	28-SEP-2024 (Received)
General Elevations - Sh 2	2331-D-3.11 Rev 06	09-MAR-2026
General Elevations - Sh 3	2331-D-3.12	28-SEP-2024 (Received)
General Elevations - Sh 3	2331-D-3.12 Rev 06	09-MAR-2026
General Elevations - Sh 4	2331-D-3.13	28-SEP-2024 (Received)
General Elevations - Sh 4	2331-D-3.13 Rev 06	09-MAR-2026
Sections - Sh1	2331-D-4.10	28-SEP-2024 (Received)
Sections - Sh1	2331-D-4.10 Rev 07	09-MAR-2026
Sections - Sh2	2331-D-4.11	28-SEP-2024 (Received)
Sections - Sh2	2331-D-4.11 Rev 06	09-MAR-2026
Boundary Sections 1	2331-D-4.20	28-SEP-2024 (Received)
Boundary Sections 1	2331-D-4.20 Rev 07	09-MAR-2026
Boundary Sections 2	2331-D-4.21	28-SEP-2024 (Received)
Boundary Sections 2	2331-D-4.21 Rev 06	09-MAR-2026
Section - Typical Room Heights	2331-D-4.30	28-SEP-2024 (Received)

Drawing or Document	Number	Plan Date
Section - Typical Room Heights	2331-D-4.30 Rev 03	09-MAR-2026
External Design Elements - NE Overview	2331-D-8.01	28-SEP-2024 (Received)
External Design Elements - NE Overview	2331-D-8.01 Rev 06	09-MAR-2026
External Design Elements - S Overview	2331-D-8.02	28-SEP-2024 (Received)
External Design Elements - S Overview	2331-D-8.02 Rev 06	09-MAR-2026
Detail Blowups NE	2331-D-8.03	28-SEP-2024 (Received)
Detail Blowups NE	2331-D-8.03 Rev 05	09-MAR-2026
Detail Blowups - South	2331-D-8.04	28-SEP-2024 (Received)
Detail Blowups - South	2331-D-8.04 Rev 05	09-MAR-2026
Environmental Noise Impact Report	19070 Rev 4	20-DEC-2023 (Received)

## 7. Amendment to Conditions

In addition to the changes to the plans, a detailed review of the conditions have been undertaken to ensure the development can comply with the conditions of the approval. To this end, the following conditions require amendment as described below.

- **Condition 22 – Fuel Burning – Power Generators and Pumps**

The project builders have identified an inconsistency between the development approval conditions and the Australian Standard AS2419.1-2021. Specifically, the Australian Standards requires a minimum of one compression-ignition engine (fuel burning) to operate the fire sprinklers to ensure a backup system in the instance the primary pump fails.

To this end, Condition 22 has been revisited and suggested amended wording is illustrated below. The change is condition is sought to enable a back-up generator to operate on site during emergencies where the main power supply is not available. The proposed amended are as follows:

Condition	Timing
<p><b>22) Fuel Burning – Power Generators and Pumps</b></p> <p>Fuel burning (ie fuel operated plant/equipment ie Diesel operated generators, fire or flood pumps) for the operational phase <del>is not permitted.</del> <b>are to be designed, constructed and operated in accordance with the following:</b></p>	<p>Prior to commencement of Use and then to be maintained</p>

Condition	Timing
<ul style="list-style-type: none"> <li>- Operating for no more than 60 minutes per month per equipment piece for maintenance / testing purposes;</li> <li>- Any maintenance / testing to occur between the hours of 7am and 6pm;</li> <li>- Any associated Diesel storage amount is not to exceed the Minor Storage quantities as per Australian Standard AS1940 – The Storage and handling of flammable and combustible liquids</li> <li>- All the above plant/equipment are to be located in an enclosed &amp; bunded room/area/structure; and</li> <li>- Vented in accordance with Australian Standard AS 1668.2 The use of ventilation and air conditioning in buildings.</li> </ul> <p>(NOTE: It is again reiterated that all the above fuel burning and/or backup plant/equipment is only to be used in the event of an emergency/fire/flood event or loss / disturbance to electricity supply).</p> <p>22(a) Submit Certification to Development Services Submit Certification to Development Services, by a suitably qualified RPEQ Engineer that demonstrates the fuel burning equipment is in accordance with the above requirements.</p>	

## 8. 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 proposed development will continue to operate as a Residential Care Facility.
  - 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*** – The proposed changes do not dramatically change the built form in terms of scale, bulk or appearance when compared to the approved development. The amendments are predominantly associated with detailed design refinement and comprise the relocation of the transformer, incorporation of a retaining wall already approved under a subsequent Operational Works approval, minor roof form refinements, limited façade amendments, adjustments to the pump room layout and internal floor plan changes. The proposed changes are all in keeping with the approved development footprint and generally consistent with the approval. Accordingly, the overall scale and intensity of the approved development has not dramatically changed.
  - 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 traffic flow or the surrounding transport network. The amendments are limited to detailed design refinements and do not alter the approved land use, room yield, access arrangements or parking provision. Accordingly, the changes do not increase traffic generation, parking demand or servicing requirements and are therefore not expected to adversely impact the surrounding transport network.
  - g) **Introduces new impacts or increase the severity of known impacts** – The proposed changes do not result in 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 negatively 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** – Not applicable. There was a referral agency for the development application.
  - (C) **Referral to extra referral agencies, other than to the chief executive** – The change would not cause referral to extra referral agencies if a development application for the development including the change was made.
  - (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** – Not applicable. The original development application included public notification.

#### Affected Entities under Section 80 of the Planning Act 2016

No referral agencies are considered affected entities pursuant to Section 80 of the *Planning Act 2016*. While the State Assessment Referral Agency (SARA) was a referral agency for the development application, SARA is not an affected entity as part of this application.

## 9. Conclusion

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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*.

In accordance with Section 80 of the *Planning Act 2016*, there are no affected entities for this request. While SARA was a referral agency for the development application, SARA (the Chief Executive) is not an affected entity.