



27 May 2026

The Assessment Manager  
Brisbane City Council  
Lodged Online



Dear Sir/Madam,

## Minor Change to Existing Preliminary (Variation) Approval over land at 221 Gooderham Road, Willawong (Council Ref: A004755172)

In accordance with Sections 78 and 81 of the *Planning Act 2016* ('the Planning Act') and on behalf of *The Trust Company Ltd* ('the Applicant'), we hereby request that Brisbane City Council ('Council') consider a change (minor) to the preliminary approval in effect over land located at 221 Gooderham Rd, Willawong.

Further details of this request, including relevant background information and justification for the proposed changes assessed against the applicable legislative framework, are provided below.

The following has been provided in support of this application:

- Attachment A – DA Form 5
- Attachment B – Land Title Search
- Attachment C – Current Development Approval – A004755172 (Version 2, issued 16 March 2018)

### Site and Background

The site is located at 221 Gooderham Road, Willawong. The site is bound by Burman Road to the north, Gooderham Road to the west and Pallara Avenue to the south. A residential estate is located south and south-east of the site, resulting in a 25m wide landscape buffer being provided to the entire southern/eastern site boundary.

The originating Preliminary (Variation) Approval was granted by Council on 6 June 2017 for:

*Preliminary Approval for a Material Change of Use under s242 Sustainable Planning Act 2009 for Low impact industry, Medium impact industry, High impact industry, Service Industry and Warehouse.*

The approval was subsequently amended on 16 March 2018. The changes to the approval included:

- Provision for future ROL applications to be included under the preliminary approval to be assessed against the industry zone code.
- The addition of Condition 17 – Limitation of Reconfiguration of Lot in the General industry A and General industry B precincts
- Changes to the ROL aspect of the Permit
- Changes to Condition 1, 6, 43, 45, 47, 51 and subsequent renumbering.

The site has since been developed through a Logistics Hub over four stages. This is shown in the aerial image below.



Source: Nearmaps, 2026

## Proposed Changes

The Variation Approval was granted, subject to Conditions, by Council, including a prescribed period Condition at **Condition 3**. Condition 3 of the Preliminary Approval relevantly states:

<p><b>3) Prescribed Period</b></p> <p>The prescribed period for this preliminary approval is 96 months (eight years) from when the preliminary approval takes effect.</p> <p>Note: Send an acknowledgement email to <a href="mailto:edasouth@brisbane.qld.gov.au">edasouth@brisbane.qld.gov.au</a> with the application reference number A004420706 in the subject line to confirm the date of when the preliminary approval took effect.</p> <p>Note: If the development or an aspect of development relating to this preliminary approval is not completed within the prescribed period, the preliminary approval lapses.</p>	<p>As indicated</p>
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Condition 3 of the approval necessarily prescribes a period to **complete** the development within 8-years, or the approval lapses. Whilst the Logistics Hub has been fully realised, tenancies within the building remain vacant. Should this approval lapse, pursuant to Condition 3, future tenants would then be subject to a more onerous development approval process for a Material Change of Use should they comprise a land use that has not been approved within the development already. Specifically, any future tenants would be subject to a Material Change of Use (Impact Assessment) development application within the Rural Zone.

To remove this administrative burden, the Applicant proposes to amend Condition 3 to facilitate additional time to 'complete' the development. Importantly, the Applicant intends to engage with Council to seek an amendment to the Brisbane City Plan to change the site's underlying Zoning from Rural to Industrial, as prescribed, under the Variation Approval.

Having regard to the above, the Applicant seeks an extension to Condition 3 by a further **8-years**. This would be reflected in an Amended Condition 3, as follows:

**Amended Condition 3 – Prescribed Period**

*The prescribed period for this preliminary approval is 192 months (16 years) from when the preliminary approval takes effect.*

The Applicant attended a pre-lodgement meeting with Council to discuss the above-mentioned amendments, at which time, Council offered in principal support though confirmed a Minor Change would be required.

**Ministerial Extension – Covid-19**

It's noted that the State Government issued a number of automatic *currency period and completion condition* notices under Section 275 of the Planning Act 2016, in response to the COVID-19 pandemic. The intent of these extensions notices was to assist local governments, businesses, industry and the State Government to manage the impacts of disruption.

These extension notices and the relevant associated periods are outlined in the table below.

No.	Effect Date	Extension Period	Application
1	8 July 2020 to 31 October 2020	6 months	Relevant development approvals in effect as at 8 July 2020 or that came into effect before 31 October 2020
2	1 September 2021 to 30 September 2021	6 months	Relevant development approvals in effect as at 1 September 2021 or that came into effect before 30 September 2021
3	29 April 2022 to 24 June 2022	12 months	Relevant development approvals in effect as at 29 April 2022 or that came into effect before 24 June 2022

As the originating Development Approval came into effect **before** 31 October 2020 (i.e. extension notice 1 above), Condition 3 benefits from an automatic 24-month extension relying on the extension notices.

Taking a conservative approach that the Preliminary Approval took effect on 16 March 2018 (**note** – this is unlikely. The Preliminary Approval would more than likely have commenced following relevant Appeal Periods and/or the commencement of the first Material Change of Use over the site), the preliminary approval lapses on **16 March 2028**.

## Assessment of the Minor Change

Consideration has been given to the relevant matters for assessing a Minor Change in the Planning Act, having regard to the definition of Minor Change in Schedule 2 and the assessment criteria in Section 81. The proposed change as outlined above have been assessed against these criteria, as follows:

*Schedule 2 - minor change means a change that—*

*...(b) for a development approval—*

- (i) would not result in substantially different development; and*
- (ii) 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; or*
  - (B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or*
  - (C) referral to extra referral agencies, other than to the chief executive; or*
  - (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; or*
  - (E) public notification if public notification was not required for the development application.”*

The proposed change meets each of the criteria stated in this definition. This is demonstrated in **Table 1** below.

### Substantially Different Development

In respect to part (b)(i) of the definition of Minor Change, guidance about the term ‘substantially different development’ is provided in Schedule 1 of the Development Assessment Rules. An assessment of the proposed changes against the substantially different development criteria is included in the **Table 1** below:

**Table 1** – Substantially Different Criteria Response

Guideline Criteria	Response
Involves a new use	No new uses are proposed as part of this application.

Results in the application applying to a new parcel of land.	No change is proposed to the land to which the permit applies.
Dramatically changes the built form in terms of scale, bulk and appearance.	The application does not relate to any aspect of the built form and will not have any effect on the built form noting that it is already established.
Changes the ability of the proposed development to operate as intended.	The application seeks to ensure the operation of the development approval can continue as currently approved.
Removes a component that is integral to the operation of the development.	Amendment to the condition ensures the operation of the development can continue, and that new tenancies can establish to ensure commercial viability in line with the intention of the existing approval.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	The proposed change will not result in new or additional impacts on traffic flow or the surrounding transport network.
Introduces new impacts or increases the severity of known impacts.	The proposed change does not introduce new impacts or increase the severity of known impacts.
Removes an incentive or offset component that would have balanced a negative impact of the development.	The existing approval does not involve an incentive or offset.
Impacts on infrastructure provision.	The proposed changes do not result in any changes to the provision of infrastructure.

The above assessment demonstrates that the proposed change will not result in substantially different development.

### Prohibited Development

The proposed change does not involve the introduction of any prohibited development into the development. Accordingly, the changes comply with criterion (b)(ii)(A) of the Minor Change Definition.

### Referral Agencies

The original application triggered referral to the Department of Infrastructure, Local Government and Planning (SARA) under Schedule 7, Table 3, Item 2 of the Sustainable Planning Regulation 2009 – Development impacting on state transport infrastructure.

The department did not impose any requirements relating to the application in their response. As such, it is not considered that SARA is an affected entity for this application.

Moreover, the change does not introduce a new or additional referral agency.

### Public Notification

Public notification was required for the original application, a review of Development.i concludes that no submissions were received.

The application, if remade with the proposed changes, would also be impact assessable. Given the minor scale of the proposed changes and consistency with the development approval, it is not considered that new submissions would be made. Therefore, the change application does not require public notification.

### Assessment Against the Brisbane City Plan

According to Section 81(3) of the Planning Act:

*“For subsection (2)(d) and (da), the responsibly entity-*

- (a) Must assess against, or have regard to, the matters that applied when the development application was made; and*
- (b) May assess against, or have regard to, the matters that applied when the change application was made.”*

Section 81(3) of the Planning Act stipulates that an assessment of a request for a Minor Change is to be undertaken against the relevant planning scheme in force at the time the original application was made.

It also provides that a responsible entity (Council in this instance) may have regard to the current town planning framework in its assessment (v34). The development application, which resulted in the current development approval, was assessed against Brisbane City Plan 2014 (v03.00/2016). An assessment of the proposed changes against the key provisions of the City Plan is included in **Table 2** below.

Relevant Brisbane City Plan 2014 Provisions	Response
Industrial Zone	<p>The underlying Rural Zone is considered to have no bearing on the current development and use of the land, therefore consideration has rather been given to the provisions of the Industrial Zone to which the Preliminary Approval enacted.</p> <p>Amendment to the condition allows for the purpose of the zone to continue to have effect for future approvals over the land, allowing for appropriate uses to be considered against the provisions of this zone given the established development.</p>
Willawong neighbourhood plan code	The proposed development complies with the intent and outcomes anticipated under the Willawong

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neighbourhood plan, as established through the existing development approval.

The proposed change does not alter the ability for the development to provide a mixed industry and business area that supports surrounding industrial area, consistent with the stated purpose of the Paradise wetlands investigation area.

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The above assessment demonstrates that the proposed changes do not alter the proposals compliance with the current planning framework or hinder the achievement of Council's intentions for development on site.

On this basis, the development continues to comply with the planning framework that applied at the time of the original application was made and complies with the current applicable planning framework.

## Conclusion

As outlined in this letter, the proposed changes constitute a Minor Change as described by the *Planning Act 2016*.

The proposed change is considered appropriate in consideration of the approved development and planning controls relevant to the site. Accordingly, we respectfully request that Council approves the proposed change.

We trust the supplied documentation is sufficient for Council to undertake an assessment of this request. If you have any questions, please do not hesitate to contact the undersigned or Jessica Higgins on (07) 3007 3800.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Liam Martin". The signature is fluid and cursive, written over a light grey circular stamp.

Liam Martin  
Associate Director