

Our Ref: 25-0340PD/01

Council Ref: A005712667

13 April 2026

Brisbane City Council

GPO Box 1434

BRISBANE QLD 4001

Via Council's Online Lodgement System

RE: Request to Change a Development Approval

17 Harrier St, Rochedale Qld 4123, also referred to as Lot 801 on SP315940

Dear Sir/Madam,

### Introduction

On behalf of the applicant, Travel 2016 Pty Ltd, Therefor Group hereby lodges the above change application in accordance with section 78 of the *Planning Act 2016 (PA)*.

In accordance with section 79 of the PA, we confirm the application:

- is made in the approved form, having been accompanied by the relevant Queensland Government form, being the Planning Act Form 5;
- will be accompanied by the required fee, once the respective invoice has been issued by Brisbane City Council (**Council**);
- is not subject to any pre-request response notice; and
- is accompanied by the written consent of the owner.

On the basis of the above, we request that Council confirm their acceptance of the application in accordance with section 79(4) of the PA.

### Application Fees

In accordance with Council's Development Assessment and Compliance Fees 2025/26, it is noted that the application fees are in the order of **\$4,576**. We request that Council provide their fee quote such that we can arrange payment by our client.

### Conclusion

We would appreciate if Council would now proceed with its assessment of this proposed development. Should you have any further queries regarding this application, please do not hesitate to contact the undersigned on (07) 3666 5200.

Yours sincerely,



Nicholas Hall

Project Coordinator

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# Minor Change Application

## 1. Introduction

This minor change application seeks Council approval for minor alterations to the approved site levels, which result in revisions to the retaining wall and stair arrangement and minor changes to the finished building heights. The application also includes further refinements to the fencing outcome and the location of the letterboxes, visitor bicycle parking and bulk refuse storage area.

Further details of the proposed changes are set out below. No significant changes are proposed to the design or layout of the units or to the infrastructure required to service the development.

### 1.1. Report Structure

To guide a reader to the report's structure, please note that:

- **Section 2** provides an overview of the current development approval.
- **Section 3** provides details of the proposed changes
- **Section 4** provides an assessment of the proposed changes against the minor change criteria.
- **Section 5** provides an evaluation against the relevant assessment criteria contained in section 81 of the Planning Act.

### 1.2. Supporting Material

To assist with Council's assessment of the change application, the following supporting material is provided which form part of the application.

Table A – Supporting Material

Document Title	Prepared By	Date
Signed owner's consent	-	31 March 2026
Planning Act Form 5	Therefor Group	13 April 2026
Revised Architectural Plans	Design Vibe	
Civil Engineering Drawings	HCE	
Civil Engineering Tech Memo	HCE	

## 2. Development Approval

### 2.1. Overview

The site at 17 Harrier Street, Rochedale Qld, previously described as 509 Miles Platting Road, is subject to three previous development approvals relating to a reconfiguration of lot (**ROL**) to create the subject land parcel and access easements, followed by a material change of use (**MCU**) to establish the approved multiple dwelling development. Subsequent to these approvals, a number of operational works permits and plan sealing applications have also been assessed and approved by Council.

On 21 August 2019, Council issued a development permit for a ROL to create 29 residential lots, new roads, a park lot and a balance lot to be delivered over two stages (Council Ref: A004897067). A subsequent ROL approval was granted on 18 May 2021 for the creation of three access easements over the new road corridors established by the earlier ROL approval. These easements were required to provide access to the adjoining land parcel until such time as the roads were constructed and dedicated to Council (Council Ref: A005733621).

Following this, Council issued a development permit for a material change of use for multiple dwellings (15 units) on 15 December 2021 (Council Ref: A005712667). Change representations were subsequently submitted on 11 January 2022, following which Council issued a Negotiated Decision Notice (**NDN**) on 15 February 2022. The negotiated decision

amended three conditions of approval relating to the timing for commencement of the use (Condition 1) and requirements associated with the protection of vegetation and fauna during site works (Conditions 13 & 14).

The MCU approval for multiple dwellings is the subject of this change application. As outlined in the NDN applying to this approval, the application was not subject to referral. While the development was impact assessable and underwent a period of public notification, no properly made submissions were received.

## 2.2. Currency of development approval

As outlined in the decision notice of the most recent Minor Change Approval (Council ref: A005712667), the currency period for this approval (inclusive of all of its parts) will end on 10 May 2028. However, because this approval was in effect on 29 April 2022 during the COVID-19 applicable event, the currency period is extended by an addition one year. Therefore, the currency period of the approval will end on **10 May 2029**. As such, this application is well within the currency period of its related development approval.

## 3. Proposed Changes

### 3.1. Introduction and rationale

Following the recent change approval granted earlier this year, our client and their project team have been undertaking detailed design and review of the approved concept. Several changes are proposed to the approved design in response to matters identified during the detailed design process, and to accommodate feedback provided by agents and the project team.

Further detail is set out in the following sections; however, the changes generally seek to:

- The unit layout and buildability issues necessitate that all units are constructed with similar floor levels. The consequence of this is that filling and retaining to the western boundary (primarily) is required.
- Carry out revisions to the site levels to ensure the hydraulic solution achieves a suitable outcome to avoid pooling with the internal driveway and ensure all surface run-off is appropriately channelled to the lawful point of discharge.
- Redesign the retaining walls and pedestrian entries to introduce staircases in response to the changes made to site levels.
- Relocate the letterboxes to the pedestrian entry of each unit rather than a single consolidated location.
- Redesign the materiality of the external fencing to create a more attractive interface with the street.
- Rearrange the siting and positioning of the refuse collection area and visitor bike storage to provide more security for the bikes.
- Incorporate design adjustments regarding the sliding glass doors provided within the townhouses.

The proposed changes reflect a logical and necessary design revision which positively contributes to the ongoing urban renewal of Rochedale and will provide a high quality of amenity for future residents.

Notably, there are no changes to the approved use (i.e., Multiple dwelling) or dwelling unit mix. As such, the changes do not introduce any further requirements for carparking, communal or private open space (**POS**), or infrastructure charges.

### 3.2. Site levels and retaining walls

As a consequence of the approved ROL which created the subject site, it was initially assumed that only limited earthworks would be required to facilitate a functional multiple dwelling development, including the appropriate conveyance of stormwater to the lawful point of discharge to the street in the south-western corner of the site.

However, through the detailed design process, it became apparent that a significant volume of fill is required to establish level building pads and achieve a suitable drainage outcome. In response, a number of design amendments have been necessary, including the introduction of retaining walls (with a maximum height of 1.5m), revisions to landscaped and POS areas for each unit, and the incorporation of stairs. The extent of these changes, particularly in relation to earthworks, retaining, and site levels, is detailed within the Civil Engineering Drawings.

From a planning perspective, these changes have resulted in an increase in the overall height of the built form when viewed from the street, due to the elevation of the building pads above finished ground level. Units 1 and 8 are most affected, with building pads raised by up to 1.4m above existing ground level.

Notwithstanding the above, Table 7.2.18.4.3.B of the City Plan 2014 states that development within the Mixed Use Precinct of the Rochedale Urban Community Neighbourhood Plan is required to achieve a building height between 9.5m and 15m. As demonstrated on both the approved and revised Architectural Plans, each proposed unit maintains a building height of 7.4m. Accordingly, the proposed changes to site levels do not result in any exceedance of the maximum building height prescribed by the planning scheme.

### 3.3. Unit design

The proposed increase in site levels has resulted in a corresponding adjustment to the overall building height. Notwithstanding this, the development has been designed to ensure that the maximum building height, when measured above ground level, remains within the limits prescribed by the planning scheme. As such, the intent and outcomes sought by the relevant height provisions continue to be achieved, with no material change to the building's scale or perceived bulk when viewed from the street or surrounding properties.

In addition to the above, minor architectural refinements have been made to improve the structural integrity of the built form. Specifically, the previously approved three-panel sliding doors providing access between the living areas and POS have been revised to a configuration comprising two sliding doors and a fixed wall section. This change does not alter the functionality or accessibility of the POS.

Any other minor adjustments made to the configuration of the POS areas resulting from the Revised Architectural Plans continues to demonstrate that compliance is achieved with the relevant planning scheme requirements as documented within the revised drawings.

### 3.4. Open space areas and landscaping

The proposed level changes associated with the additional fill have resulted in an increased extent of retaining and minor increases to the batters within the deep planting areas. Notwithstanding these changes, the private and communal open space areas have been largely unaffected. The level transitions within the POS areas have been managed through retaining within the landscaped areas, maintaining the grading and functionality of these spaces. Importantly, the communal open space remains unchanged, as it is located within the north-east corner of the site and will continue to be provided at the existing street level.

The development continues to comply with the relevant acceptable outcomes of the Multiple dwelling code. In accordance with AO30.1, a minimum of 5% of the site area or 40m<sup>2</sup> (whichever is greater) is required to be provided as communal open space. Based on a site area of 3,143m<sup>2</sup>, a total of 159.4m<sup>2</sup> of communal open space is provided, exceeding the minimum requirement. In addition, all POS areas achieve AO31.1, with each dwelling provided with a minimum of 35m<sup>2</sup>, ensuring a high level of amenity for future residents.

Similarly, AO29.2 requires a minimum of 10% of the site area to be allocated to deep planting. The development seeks to deliver five deep planting areas, each with minimum dimensions of 4m by 4m, resulting in a total area of 334.2m<sup>2</sup> or approximately 10.63% of the site, thereby satisfying the relevant planning scheme provisions.

### 3.5. Siting of refuse areas and visitor bicycle parking

In order to enhance security for visitors using the dedicated bicycle parking facilities, the location of the bulk bin storage area has been swapped with the bicycle rack. This repositioning ensures the bicycle parking is obscured from street view, thereby reducing the risk of theft and improving user confidence. The revised layout also results in a more appropriate separation of the refuse storage area from Unit 7, improving the amenity for residents of this unit.

Importantly, the relocated bulk bin storage area remains conveniently accessible to residents, with a travel distance of no more than 50 metres. This is consistent with the maximum distance a person is expected to move a mobile garbage bin for kerbside collection, in accordance with Section 4.1(8)(a) of the Refuse Planning Scheme Policy.

### 3.6. Pergola and mailboxes

The proposed external pergolas have been amended to not distinguish a specific building material. Currently under the approved set of Architectural Plans, the Pergolas are listed as 'aluminium' whereby in the amended set of Architectural Plans, no specific building material is listed. This change is to allow flexibility for the developer to choose between metal and wood, pending on current market trends and costing analysis.

The amended set of Architectural Plans have also relocated the proposed mailboxes to be individualised within the frontage of each specific town house (pedestrian entry), opposed to a communal mailbox area.

### 3.7. Changes to Approved Drawings and Documents

To facilitate the proposed changes, we request that the approved drawings and documents are updated, with the amended set of Architectural Plans, prepared by Design Vibe.

Further to this, we request that the Technical Memo and Civil Plans, prepared by HCE Engineers supersede the previous Tech Memo from 2021.

### 3.8. Changes to Conditions of Approval

We request that the existing conditions are generally maintained and updated to be reflective of the proposed changes and supporting information.

Notably, the amendments identified in **Table B** below will be required to be made to the conditions of approval to reflect the updated plans and account for the proposed changes.

Table B: Changes to conditions of approval	
Condition	Rationale / Comments
<p><b>22) Filling and / or Excavation (Minor)</b> Filling and/or excavation works on the site must be in accordance with the relevant Brisbane Planning Scheme Codes.</p> <p><b>22(a) Prepare Earthworks Drawings</b> Earthworks drawings must be prepared and certified by a Registered Professional Engineer Queensland in accordance with the relevant Brisbane Planning Scheme Codes. The drawings must include the following:</p> <ul style="list-style-type: none"> <li>- The location of any cut and/or fill;</li> <li>- The quantity of fill to be deposited and finished fill levels;</li> <li>- The existing and future finished levels in reference to the Australian Height Datum (including cross-sections or long sections into the adjacent properties);</li> <li>- maintenance of access roads to and from the site such that they remain free of all fill material and are cleaned as necessary</li> <li>- preservation of all drainage structures from the effects of structural loading generated by the earthworks</li> <li>- protection of adjoining properties and roads from adverse impacts as a result of proposed works.</li> <li>- That all vehicles exiting from the site will be cleaned and treated so as to prevent material being tracked or deposited on public roads.</li> </ul> <p>Timing: Prior to site/operational/building work commencing.</p> <p>Note: The Earthworks drawings are not required to be submitted for Council approval.</p> <p><b>22(b) Implement and Maintain the Earthworks</b> Carry out and maintain the earthworks in accordance with the certified drawings. Note: A copy of the certified Earthworks Drawings must be available on-site for inspection by Council Officers during these works. Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.</p>	<p>It is requested that this condition is amended to reflect the Civil Plans (Earthworks and Retaining), prepared by HCE Engineers. There is a minor non-compliance with the Acceptable Outcome for retaining walls, however, as detailed within the Technical Memo, prepared by HCE Engineers, it is evident that the Performance Outcome is achieved.</p> <p>It is also requested that the <b>Implement and Maintain the Earthworks</b> condition (22b) is retained as part of the Minor Change approval.</p>

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**29) On Site Drainage - Minor**

Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Planning Scheme Codes to a lawful point of discharge and as detailed in **HCE Engineers Drawing No 25341-R01, 25341-R02, 25341-SW01 & HCE Engineers Technical Memo** ~~Technical Memo prepared by HCE Peak Urban – Amended in Red dated 07/10/2021~~ **08/04/2026**.

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Updated plan reference(s)

**3.9. Changes to Infrastructure Charges Notice**

No changes are proposed to the number of approved bedrooms and units. As such, it is not anticipated there would be any changes required to the previous Infrastructure Charges Notice.

**4. Assessment Of Minor Change**

**4.1. Overview**

The Planning Act establishes two types of changes to a development approval:

- A ‘minor change’ to a development approval: or
- An ‘other change’ to a development approval.

For a change application to be considered as a minor change, the change to the development approval must meet the definition of a ‘minor change’ as set out in Schedule 2 of the Planning Act. See below.

*‘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’.*

With respect to item (b)(i), Schedule 1 of the Development Assessment Rules provides guidance on the determination of whether a proposed change does or does not constitute ‘substantially different development’. These provisions are for guidance only and must be considered in the context of the proposed change. A proposal that does not meet these guidelines may still potentially be determined as ‘not substantially different development’.

A full assessment of the proposed changes against the relevant criteria has been completed and outlined in **Table C** and **Table D** below. As shown, our assessment concludes that the proposed changes do not constitute ‘substantially different development’ and comply with the criteria specified under the definition of a ‘minor change’ within Schedule 2 of the Planning Act.

#### 4.2. Schedule 2: Minor Change Criteria

**Table C: Assessment against minor change criteria (Planning Act)**

Would a new development application including the changes cause:	Y/N	Comments
The inclusion of prohibited development?	N	The proposal does not involve prohibited development. The site is in the Urban footprint and the proposal involves a Multiple dwelling which constitutes urban development.
Referral to a referral agency, other than to the Chief Executive, if there were no referral agencies for the development application?	N	The original development application was not required to be referred, and the proposed changes will not trigger referral to any referral agencies.
Referral to extra referral agencies, other than the Chief Executive?	N	The proposed changes will not trigger referral to any extra referral agencies.
A referral agency to assess the application against or have regard to new matters?	N	The proposed changes will not trigger any referral agencies to assess the application against or have regard to any new matters. It is noted the original application was not subject to referral.
Public notification if public notification was not required for the development application?	N	The original application was subject to impact assessment and as such public notification has previously been undertaken and no further notification is required. It is noted that no properly made submissions were received during the assessment of the original development application.

#### 4.3. Substantially Different Development Test

**Table D: Assessment against substantially different development test (Development Assessment Rules)**

Do the changes:	Y/N	Comments
Involve a new use?	N	The proposal does not involve a new use. The use remains in accordance with the approved use, being Multiple dwellings.
Result in the application applying to a new parcel of land?	N	The proposal relates to the same parcel of land, being Lot 801 on SP315940. No new land parcels are proposed to be included.
Dramatically change the built form in terms of scale, bulk and appearance?	N	<p>As discussed in Section 3 of this letter, the proposed changes do not materially alter the approved built form in terms of bulk, scale, or overall appearance. While the increase in site levels will elevate the buildings further above ground level, the height of the units themselves remains consistent with the approved development and continues to fall within the acceptable height range prescribed by the neighbourhood plan.</p> <p>The introduction of retaining walls and stairs will result in some variation in the development's appearance from the street, however, the overall presentation remains generally consistent with the approved design intent.</p>

Change the ability for the approved use to operate as intended?	N	The proposed changes will not change the ability for the use to operate as intended. The proposed changes primarily impact the site levels, with all other changes being integrated with the existing approval, with no changes to operational aspects of the development.
Remove a component that is integral to the operation of the development?	N	The proposed changes do not remove any component that is integral to the development. The proposed development will continue to operate as intended.
Significantly impacts on traffic flow or the transport network?	N	The proposed changes will not significantly impact on traffic flow or the transport network. While changes are proposed to the site levels, there are no alterations to access, parking and manoeuvring areas. Furthermore, no changes are proposed to the number of townhouses or unit mix and therefore there will be no change in traffic generation to and from the site.
Introduce new impacts or increase the severity of known impacts?	N	The proposed changes will not introduce new impacts or increase the severity of any known impacts. The proposed changes have been proposed to better manage the drainage impacts that have arisen as a consequence of the original approval. Once these changes have been adopted, the severity of the known impacts will be reduced.
Remove an incentive or offset component that would have balanced a negative impact of the development?	N	The original approval did not include any incentives or offsets which would be impacted by the proposed changes.
Impact on infrastructure provisions?	N	The proposed changes will not notably impact on infrastructure provisions. The proposed changes will not impact on access to, or provision of, any existing and planned infrastructure. No changes are proposed to the number of units or bedrooms and therefore the changes will not require any additional infrastructure to be provided.

## 5. Evaluation Against Relevant Assessment Criteria

Section 81(2) of the PA sets forth criteria the responsible entity (which, in this instance, is Brisbane City Council) assessing a minor change application must consider. A response to the relevant assessment criteria is provided below to assist with Council's assessment.

2. *In assessing the change application, the responsible entity must consider—*
  - a. *the information the applicant included with the application; and*

### Response to Subsection 2(a)

This covering letter and the supporting documentation provides a brief background of the approval history along with a detailed overview of the proposed changes to the development approval.

The proposed changes are supported by revised plans and technical assessment to assist Council in its assessment. It is considered that all information required for Council to assess the application has been provided.

The submitted assessment confirms the proposal meets the definition of a minor change as set out in the PA, and complies with the relevant matters of assessment, consistently with that previously approved.

- b. *if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*

**Response to Subsection 2(b)**

The previous development application was impact assessable and subject to public notification. However, no submissions were received during the public notification period.

- c. *any pre-request response notice or response notice given in relation to the change application; and*

**Response to Subsection 2(c)**

A pre-request response was not provided.

- d. *if the responsible entity is, under section 78A(3), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and*

**Response to Subsection 2(d)**

The responsible entity of this change request is Brisbane City Council and not the Minister.

- e. *if the responsible entity is, under section 78A(4)(a), the chief executive—all matters the chief executive would or may assess against or have regard to, if the change application were a development application declared to be an application for State facilitated development under section 106D; and*

**Response to Subsection 2(e)**

The responsible entity of this change request is Brisbane City Council and not the chief executive.

- f. *if paragraphs (d) and (e) do not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application;*

**Response to Subsection 2(f)**

Further to the original assessment of the development application, where potentially new matters of assessment have been identified, this letter and supporting plans and technical reports provide sufficient supporting information for Council to have regard to.

- g. *another matter that the responsible entity considers relevant.*

**Response to Subsection 2(g)**

As above.

3. *Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d), (e) or (f) consider –*
  - a. *A statutory instrument; or*
  - b. *Another document applied, adopted or incorporated (with or without changes) in a statutory instrument.*
4. *The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.*
5. *However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to –*
  - a. *The statutory instrument or other document as in effect when the change application was made; or*

- b. *If the statutory instrument or other document is amended or replaced after the change application is made but before it is decided – the amended or replacement instrument or document; or*
- c. *Another statutory instrument –*
  - i. *That comes into effect after the change application is made but before it is decided; and*
  - ii. *That the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.*

#### **Response to Subsections 3, 4 and 5**

The applicant has not identified any further statutory instruments or documents which would impact on Council's assessment of the application. The applicant welcomes Council's feedback in this regard and will provide any further information reasonably required and requested by Council to undertake its assessment.

## **6. Conclusion**

In conclusion, the applicant advises:

- The proposed change to the current development approval meets the definition of a 'minor change' as set out in Schedule 2 of the PA and Schedule 1 of the Development Assessment Rules.
- The proposal has been assessed against the relevant matters in Section 81(2) of the PA , and based on the outcomes of this assessment, the proposed minor change is recommended for approval.