

15 October 2025

Chief Executive Officer  
Development Assessment  
Brisbane City Council

Minor Change Application to An Existing Development Approval  
Application Reference: A005307616  
Addresses of Site: 121 BILL WATSON WAY PALLARA 4110  
Property Description: Lot 49 on SP317370

Proposal: The change sought is to Amend Condition 34(b) to erect a shed within the bushfire covenant area & Retrospective approval to support as-constructed retaining walls along the property boundaries within the Waterway corridors overlay

**Dear Sir/Madam,**

RE: Minor Change Application to An Existing Development Approval A005307616

On behalf of the property owner, we make this application to change the development approval to you as the responsible entity. The proposed change is a minor change in accordance with Section 81 of the *Planning Act 2016*.

After assessment of the proposed changes, Oasis Town Planning forms the view that the proposed change would NOT result in 'substantially different' development.

Section 4 of the Schedule 1 of the DA Rules states:

A change may be considered to result in a substantially different development if any of the following apply to the proposed change:

| <i>Criteria</i>   | <b>Applicant's Response</b>  |
|---|--|
| <i>(a) involves a new use; or</i>   | <b>The proposal remains the same as a reconfiguration of a Lot.</b>  |
| <i>(b) results in the application applying to a new parcel of land; or</i>                | <b>The proposal remains the same as a reconfiguration of a Lot.</b>  |
| <i>(c) dramatically changes the built form in terms of scale, bulk and appearance; or</i> | <b>The proposed minor change application will not dramatically change the built form in terms of scale, bulk and appearance as the proposal only seeks approval to erect a garden shed closer to the existing dwelling house for domestic storage use. The</b> |

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|---|---|
|   | <p>proposed location is considered appropriate and logical despite it's within the bushfire covenant area. The proposal also involves as-constructed retaining walls to be approved within the waterway corridors overlay area. The retaining walls were partially constructed by the developer and are considered minor in nature.</p> |
| <p><i>(d) changes the ability of the proposed development to operate as intended; or</i></p>                                  | <p><b>The proposal remains the same as a reconfiguration of a Lot.</b></p>  |
| <p><i>(e) removes a component that is integral to the operation of the development; or</i></p>                                | <p><b>The proposed development will not remove any component that is integral to the operation of the intended use.</b></p>   |
| <p><i>(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or</i></p> | <p><b>The proposed development will not impact on the traffic flow. The nature of the proposed use remains as a 1 into 3 lots subdivision. The change will not impact on or increase traffic flow to the site.</b></p>  |
| <p><i>(g) introduces new impacts or increase the severity of known impacts; or</i></p>  | <p><b>The proposal remains the same as a reconfiguration of a Lot, therefore it will not introduce new impacts or increase the severity of known impacts.</b></p>   |
| <p><i>(h) removes an incentive or offset component that would have balanced a negative impact of the development; or</i></p>  | <p><b>The proposed changes will not remove any incentive or offset component that would have balanced a negative impact of the development.</b></p>   |
| <p><i>(i) impacts on infrastructure provisions.</i></p>   | <p><b>The proposed changes will not impact on infrastructure provisions. Refer to Engineering Advice.</b></p>   |

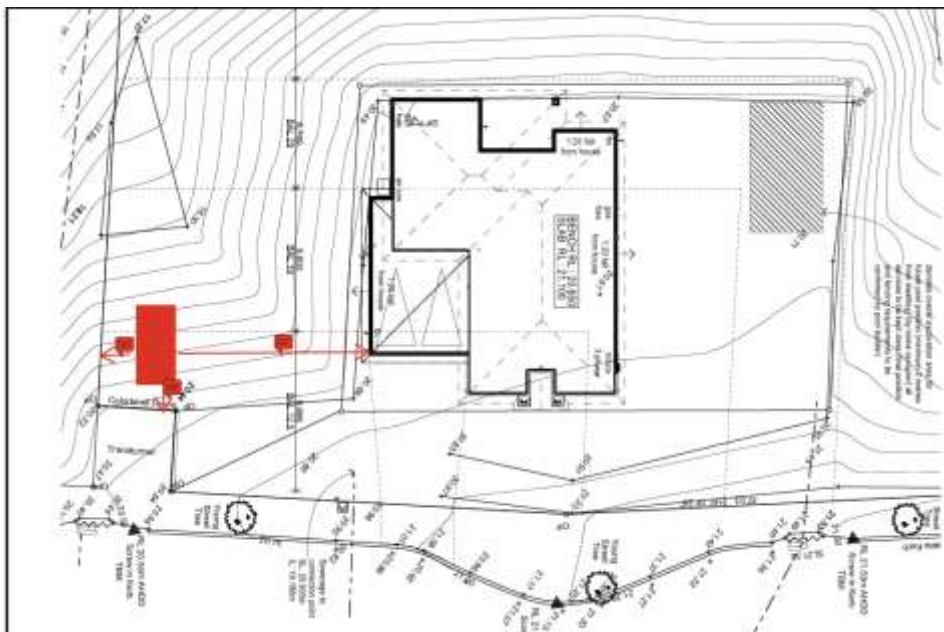
- **Amendment to Condition 34(b) to allow the erection of a garden shed over the subject site located at 121 Bill Watson Way, Pallara.**

**34(b) Request Preparation of Covenant**

Submit a request for Council to prepare the necessary covenant documentation to demonstrate compliance with the requirements of this condition. The covenant must detail the responsibilities, liabilities, measures, remedies and intents as necessary to ensure the appropriate management of the use of land subject to bushfire risk.

The Bushfire Covenant area is provided and is managed in accordance with the following requirements:

- ~~Exclusion of all buildings and structures except fencing (in accordance with this condition), swimming pools or metal/concrete water tanks.~~
  - Any boundary fences to be constructed of non-combustible material (e.g. steel panel fencing, masonry)
  - Grass must be short cropped (100mm) and maintained.
  - All leaves and vegetation debris must be removed at regular intervals.
  - Flammable objects must not be located within 6m of any building or combustible structure.
  - Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
  - Shrubs must not be located under the canopy of trees or within 3 metres of dwelling.
  - Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
  - Trees and shrubs must not overhang or touch any elements of the building.
  - The mature canopy of trees must be separated by at least 5 metres.
  - There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- **Exclusion of all buildings and structures except fencing (in accordance with this condition), swimming pools or metal/concrete water tanks or a garden shed at the proposed location at 121 Bill Watson Way, Pallara ( Lot 49 on SP317370).**



(Proposed shed location)

**Planning Justification:**

The proposed Class 10 shed will be located behind the existing electrical padmount transformer and will not be visible from the street. The shed is situated more than 6 metres from the existing Class 1 dwelling house; therefore, compliance with Australian Standard AS3959 (Construction of buildings in bushfire-prone areas) is not required. The proposed structure will not introduce any bushfire risk to existing or future dwelling houses.

Given the minor nature of the proposal, it is considered that the change can be supported without impacting the development conditions of the approved subdivision. The shed will provide additional storage space for existing residents and is appropriately located so as not to diminish the existing building character or undermine the streetscape. Furthermore, the existing timber paling fence along the street frontage will effectively screen the proposed shed from public view.

- **Change to the approved plans to seek retrospective development approval for as-constructed retaining walls**



(As-constructed retaining walls location)

Assessment of the Waterway corridors overlay code has been provided. The as-constructed retaining walls did not involve any vegetation removal and they are engineered to comply with the waterway corridors overlay code. As such, the as-constructed retaining walls will not have any negative impact to the waterway health, bank stabilisation, ecological values as well as natural aesthetic values of the corridors. Please refer to engineering design, form 12 and 15.

In Summary, we form the view that the proposed change is minor in nature and it will not adversely impact on the existing subdivision development in terms of bushfire hazard and waterway ecological system as well as natural aesthetic values of the corridors.

Please do not hesitate to contact me if you wish to discuss the application.

Yours faithfully



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