

2 December 2025

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To whom this may concern,

We hereby submit a Minor Change Application for the approved Material Change of Use for Multiple Dwellings at 15 Tannah Court, Broadbeach Waters. A copy of the decision notice and the stamped, approved plans are included in the attachments.

The **Minor Change** makes minimal changes to the development approved by Council. This proposal seeks to amend the approved Stormwater Management Plan to remove Bio Retention Basins.

The **minor change** sought is to the following conditions:

- **Condition 3 – Approved Plans – Amend to reflect new stormwater management plan.**
- **Condition 16 and 23 – Bioretention basin maintenance management plan – Delete Condition.**

The proposal is a small-scale development involving three (3) multiple dwellings, on a site that is 803m<sup>2</sup> in area. A revised stormwater management plan has been submitted in support of this minor change application detailing to proposal aligns with the SPP water quality objectives.

It is considered that the above conditions be amended for the following reasons:

- The development is for urban purposes, located on a lot less than 2,500m<sup>2</sup> and is for less than 6 dwellings.
- The use of dedicated bio-basin treatment areas are considered inefficient and ineffective for the scale of the proposed development.
- The use of best practice for water quality treatment has been adopted with in the revised stormwater management plan.

Our assessment concludes that the proposed changes sought are a 'minor change', as defined by the PA and having regard to the 'substantially different development' considerations set out at Schedule 1 of the DAR, with the findings set out within this application, including the accompanying revised plans concluding that the proposed change warrants approval by the Council.

After careful consideration, we have formed the view that the amendments:

- Maintain all the desirable attributes of the "approved" development.
- Does not result in a "substantially different development".
- Does not generate any new or additional "adverse" or "significant" impacts to adjoining residents or the surrounding area.
- The changes are not "dramatic" in terms of scale, bulk and appearance.
- Is a "Minor Change".

As such, it recommended the minor changes sought be supported and approved by Council.



## Justification

### Justification for Removal of Bio-Retention Basins

The removal of the proposed bio-retention basins is requested on the basis that alternative stormwater management measures can adequately achieve the required water quality and quantity outcomes, while delivering a superior built form and long-term maintenance outcome for future occupants.

From an urban design, amenity and whole-of-life perspective, the removal of the basins provides several key benefits outlined below.

#### 1. Improved Visual Amenity and Streetscape Presentation

Bio-retention basins typically require depressed, fenced, or heavily vegetated areas that can appear utilitarian in small developments. Their required form and planting palettes often result in visually bulky, cluttered or inconsistent landscape.

Removing the basins allows the site to be designed with more cohesive, higher-quality soft landscaping that enhances the overall aesthetic, improves outlook for residents, and delivers a more attractive interface to the public realm.

#### 2. More Usable and Functional Open Space

In compact developments, bio-basins occupy a disproportionate amount of area relative to their benefit. Their removal frees up critical space that can instead support functional planting zones, improved private and communal open space, and a more efficient site layout. This contributes positively to residential amenity and reinforces the intended character of the locality.

#### 3. Reduced Long-Term Maintenance Burden for Owners

Bio-retention systems require ongoing specialist maintenance, including sediment removal, periodic media replacement, inspection of under-drains, and rectification of vegetation die-off. For a small development, these requirements impose a disproportionate cost and operational complexity on future owners or body corporate managers. By contrast, conventional landscaping are significantly easier and more cost-effective to maintain, ensuring long-term compliance without undue financial burden.

#### 5. Consistency With Good Planning Outcomes

The proposed change delivers:

- higher-quality landscaping consistent with the intended neighbourhood character
- improved amenity and legibility within the development
- reduced long-term operational risks for owners
- maintenance of all stormwater performance requirements

On this basis, the removal of the bio-retention basins is considered a minor design refinement that enhances the development's functionality and visual appeal while continuing to meet the underlying performance criteria of the planning scheme.

Having regard to the retained land use and extent of variation of key development parameters approved, it is concluded that the proposed amendments are minor and do not result in substantially different development. Accordingly, it is considered that the above changes warrant the favorable consideration of Council.



Of importance, there are no new land uses proposed, no new parcel of land, no dramatic change to the scale, bulk or appearance of the built form, no change in the ability of the proposal to operate as intended, no removal of a component of the proposal that is integral to the operation of the development, no significant impact on traffic flow and the transport network, no introduction of new impacts or increase in the severity of known impacts, no removal of incentive or offset component that would have balanced a negative impact of the development and no impact on infrastructure provisions.

Therefore, it is concluded that the above changes warrant the favorable consideration of Council.

## Planning Act 2016

The proposed changes to the development application are consistent with the requirements for a Minor Change Application under the *Planning Act 2016*. The key consideration as to whether the proposal can be dealt with as Minor Change is the test as to whether the changed proposal is 'substantially the same'. This section addresses the Planning Act 2016 requirements that relate to changing development approvals.

Section 81 of the PA sets out what Council, in their roles as the Responsible Entity, needs to consider during the assessment and to decide a Minor Change to a Development Approval.

Schedule No.2- defines a 'Minor Change' for a development approval as:

"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"*

From a review of the relevant criteria, it is evident the change is consistent with the test for a minor change. Furthermore, the following assessment in accordance with Schedule 1(4) of the Development Assessment

Rules made under the Planning Act 2016, section 68(1), confirms the proposed change is a minor change in that it does not result in a substantially different development as a required by (b)(i).

As demonstrated above, the Change Application meets all the prescribed requirements for a Minor Change and accordingly section 81 applies.

Other assessment aspects under Schedule 2 of Planning Act 2016

- 1(b)(ii)(A) – The proposed change does not cause the development to include any prohibited development.



- 1(b)(ii)(B) – The original application did not require a referral to a referral agency.
- 1(b)(ii)(C) – The proposal does not require referral to any new referral agencies.
- 1(b)(ii)(D) – This is not relevant to the proposal.
- 1(b)(ii)(E) – The original application did require public notification.

## Substantially Different Development Test

The below table identifies all the components of the substantially different development and provides comment where necessary.

**DA Rules Schedule 1 Table**

Substantially Different Development Test	Assessment of Proposal
A change may result in a substantially different development if the proposed change:	
<ul style="list-style-type: none"> <li>• Involves a new use</li> </ul>	No new uses are proposed.
<ul style="list-style-type: none"> <li>• Results in the application to a new parcel of land</li> </ul>	No new land is being included in the amended proposal. The original approval was over the same legal lot and description.
<ul style="list-style-type: none"> <li>• Dramatically changes the built form in terms of scale, bulk and appearance</li> </ul>	Not Applicable.
<ul style="list-style-type: none"> <li>• Changes the ability of the proposal to operate as intended</li> </ul>	The proposal will be able to operate as intended.
<ul style="list-style-type: none"> <li>• Removes a component that is integral to the operation of the development</li> </ul>	The proposal retains all integral components to the operation of the development.
<ul style="list-style-type: none"> <li>• Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site</li> </ul>	The proposed changes will not significantly impact on traffic flow and the transport network.
<ul style="list-style-type: none"> <li>• Introduces new impacts or increases the severity of known impacts</li> </ul>	The proposal does not introduce any new impacts or increase the severity of known impacts.
<ul style="list-style-type: none"> <li>• Removes an incentive or offset component that would have balanced a negative impact of the development; or</li> </ul>	The change does not remove an incentive or offset component that would have balanced a negative impact of the development.
<ul style="list-style-type: none"> <li>• Impacts on infrastructure provision.</li> </ul>	The amendments will result in no increase to infrastructure demand of the development.



## Conclusion

Based on the findings above, and after careful consideration, we have formed the view that the amendments:

- Maintain all the desirable attributes of the *"approved"* development.
- Does not result in a *"substantially different development"*.
- Does not generate any new or additional *"adverse"* or *"significant"* impacts to adjoining residents or the surrounding area.
- The changes are not *"dramatic"* in terms of scale, bulk, and appearance.
- Is a *"Minor Change"*.

As such, it recommended the minor changes sought be supported and approved by Council.

**Yours Faithfully**

**Scott Barrett**  
Director and Principal Planner

