

1 APPLICATION SUMMARY

Application information	
Minor change to development approval	
Address	15 Tannah Court, Broadbeach Waters
Lot and plan	Lot 33 RP216472
Site area	803m ²
Properly made date	5 December 2025
City Plan Originating development: Version 9 Proposed development: Version 12 <i>*no change has occurred between relevant benchmarks*</i>	Low density residential zone Acid sulfate soils Airport environs Flood Regional infrastructure
Originating approved development and most recent development approval	MCU/2019/155 - Development permit for a Material change of use (Code assessment) to establish a Dual occupancy OTH/2024/19 - Other change to a Development permit for a Material change of use for Multiple dwelling (3 units)
Date of originating development approval and most recent development approval	MCU/2019/155 – 2 August 2019 OTH/2024/19 – 15 August 2024
Originating approval authority	Delegated Authority
Applicant and Applicant's consultancy team	Scott Andrew Barrett and Natalie Paula Sergi – Applicant Elevate Development Solutions – Planning Consultant Friends Civil Engineering – Hydraulic Engineer
Owner details	Scott Andrew Barrett and Natalie Paula Sergi
Referral agencies	Not applicable
Decision due date	12 January 2025
Officer's recommendation	Approval, with conditions.

2 PROPOSAL

The purpose of this report is to assess an application for a Change (Minor) to the development approval under Section 78 of the *Planning Act 2016* for an approved Material change of use (Impact assessment) for a Multiple dwelling (3 units) at 15 Tannah Court, Broadbeach Waters.

The applicant has proposed to amend the Stormwater management plan to remove bioretention basins from the development due to them not being best practise for small-scale development.

2.1 Background

Details of approvals over the subject site are provided below:

MCU/2019/155 – On 2 August 2019, under Delegated Authority Council resolved to approve a Development permit for a Material change of use (Code assessment) to establish a Dual occupancy.

OTH/2024/19 – On 15 August 2024 the applicant lodged an Other change to the approved development seeking what was considered substantial change by converting the approved land use from Dual occupancy to Multiple dwelling. The additional unit resulted in the development becoming impact assessable due to an increase in density above RD1.

3 PLANNING ASSESSMENT

Reference is made to Attachment No.1 – “*Assessment criteria for minor change to development approval*”, attached to this report. Assessment has been undertaken against these provisions and the proposed change(s) are considered to be a minor change.

3.1 Summary of approved development and request

In order to facilitate the proposed minor change, the applicant has requested the following amendments to conditions:

Cond No.	Applicant request	Officer discussion / recommendation
3	Approved plans – The applicant requests to amend this condition to reflect the amended drawings submitted.	The request to amend these conditions has been assessed by: <ul style="list-style-type: none"> • Civil Engineering
4	Private infrastructure – The applicant requests to delete this condition to reflect the amended SWMP.	The revised Stormwater Management Plan confirms that the proposed design achieves a no-worsening outcome for stormwater runoff quality compared to pre-development conditions. This is primarily due to a reduction in impervious surfaces and the integration of landscaped infiltration areas and passive filtering, which are considered sufficient for a low-risk, small-scale development.
16	Bioretention basin maintenance management plan (specific condition) – The applicant requests to delete this condition to reflect the amended SWMP.	Hydrologic modelling demonstrates that post-development peak flows do not exceed pre-development flows for critical storm events, meaning no detention storage is required. The approach ensures direct conveyance to the lawful point of discharge without adverse downstream impacts.
23	Certification of works - Hydraulics and Water Quality - The applicant requests to delete this condition to reflect the amended SWMP.	Unlike the original approval, which relied on a deemed-to-comply solution, the revised plan removes bioretention basins and adopts a lot-scale strategy using landscaped areas, grassed buffers, pervious surfaces and soil infiltration. Rational Method calculations confirm that peak flows remain equal to or less than pre-development levels, maintaining compliance with Council’s small-scale stormwater quality

		<p>framework. By integrating stormwater management within landscaped areas rather than discrete engineered structures, the design improves site functionality and amenity while meeting performance requirements.</p> <p>On balance, officers support the amended SWMP and changes to conditions</p>
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4 CONCLUSION

This report assessed a request for a Minor change to a Development permit for a Material change of use (Impact assessment) for a Multiple dwelling (3 units) at 15 Tannah Court, Broadbeach Waters.

The assessment of this request determined the minor change is acceptable and recommended for approval. The changes to the SWMP achieve Council’s approach to small-scale development and ensure that stormwater drainage can occur through landscaped areas.

5 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority the A/Manager Major Assessment of the City Development Branch approves the Minor change application for the Development permit for a Material change of use for a Multiple dwelling (3 units) at 15 Tannah Court, Broadbeach Waters, in accordance with the Attachment entitled: Decision notice — change application approval including amended suite of development conditions for MIN/2025/674.

Author:

Lily Tiley Sayer

Planner

January 2026

Authorised by:

Branden Holt

A/Manager of Major Assessment

Attachment No. 1 – Assessment criteria for minor change to development approval

Review of the proposed change to the development approval has been undertaken against the:

- Definition of minor change contained within Schedule 2 of the *Planning Act 2016*.
- Schedule 1 of the Development Assessment Rules that identifies criteria for determining if a change would result in a substantially different development; and
- Section 81 of the *Planning Act 2016* that applies to assessing and deciding an application for minor change to a development approval.

Definition of minor change under Schedule 2 of the *Planning Act 2016*:

(b) for a development approval:

Minor change for a development approval	Officer comment
(i) would not result in substantially different development; and	The proposed changes would not result in a substantially different development.
(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	The proposed changes will not result in the inclusion of prohibited development.
(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	The proposed changes will not require referral to a referral agency.
(C) referral to extra referral agencies, other than to the chief executive; or	The proposed changes will not require extra referral to a referral agency.
(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or	The proposed changes will not require referral to a referral agency.
(E) public notification if public notification was not required for the development application.	Public notification was not required for the change or underlying development application.

Development Assessment Rules - Schedule 1: Substantially different development

Substantially different development consideration	Officer comments

A change may be considered to result in a substantially different development if the proposed change:	
(a) involves a new use; or	The proposal maintains the same use and does not involve a new use.
(b) results in the application applying to a new parcel of land; or	No new allotments are included in this application.
(c) dramatically changes the built form in terms of scale, bulk and appearance; or	The proposed changes do not change the built form in terms of scale, bulk and appearance.
(d) changes the ability of the proposed development to operate as intended; or	The proposed changes will not change the ability of the development to operate as intended.
(e) removes a component that is integral to the operation of the development; or	No integral components of the development are being removed.
(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	The proposed changes will not impact traffic flow and the transport network.
(g) introduces new impacts or increase the severity of known impacts; or	The proposed changes do not introduce 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; or	The proposed changes do not remove an incentive or offset component that would have balanced a negative impact of the development.
(i) impacts on infrastructure provisions.	The proposed development does not impact on infrastructure provisions.

Section 81 of the *Planning Act 2016* applies to assessing an application for minor changes, in particular Subsection (2) (3) and (4) – matters the responsible entity must consider when assessing a minor change application.

Section 81 – Assessing change applications for minor changes	Officer comments
(1) In assessing the change application, the responsible entity must consider –	
(a) the information the applicant included with the application; and	The information submitted has been considered as part of the assessment of the minor change application.
(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	Nine submissions were received to the original application, none of which concern the proposed changes.

(c) any pre-request response notice or response notice given in relation to the change application; and	Not applicable
(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	Not applicable
(da) if paragraph (d) does not apply – all matters the responsible entity would or may assess against or have regard to if the change application were a development application; and	Noted and considered.
(e) another matter that the responsible entity considers relevant.	There were no additional matters considered to be relevant to the application.

Section 81 – Assessing change applications for minor changes	Officer comments
(2) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da) consider – (a) a statutory instrument; or (b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.	Noted.
Section 81 – Assessing change applications for minor changes	Officer comments
(3) 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.	Noted and considered.
Section 81 – Assessing change applications for minor changes	Officer comments
(4) 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	Noted.

<p>(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</p>	<p>Noted.</p>
<p>(c) another statutory instrument –</p> <p>(i) That comes into effect after the change application is made but before it is decided; and</p> <p>(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.</p>	<p>Noted.</p>
<p>Section 81 – Assessing change applications for minor changes</p>	<p>Officer comments</p>
<p>Section 81A of the <i>Planning Act 2016</i> applies to deciding an application for minor changes, in particular Subsection (2) – deciding change applications for minor changes.</p>	
<p>(2) After assessing the change application under section 81, the responsible entity must decide to –</p> <p>(a) make the change, with or without imposing development conditions, or amending development conditions, in relation to the change; or</p> <p>(b) refuse to make the change.</p>	<p>Noted and actioned.</p>