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APPLICATION REF

A007097911

21 August 2026

Brisbane City Council
Chief Executive Officer
GPO Box 1434
BRISBANE QLD 4001

Submitted Online

Dear Sir / Madam,

RE: REQUEST FOR MINOR CHANGE IN ACCORDANCE WITH S81 OF THE *PLANNING ACT 2016* – DEVELOPMENT APPROVAL UPON LAND AT 28 SUMNERS ROAD, DARRA QLD 4076 (COUNCIL REF: A004272398)

We write on behalf of *DEC Properties Pty Ltd* with respect to the approval granted by the Brisbane City Council over the abovementioned land on 4 April 2016 for a Shop over the subject site (Council Ref: A004272398).

In accordance with section 78 and 81 of the *Planning Act 2016*, we hereby request a Minor Change to the development approval. The current tenant that obtained the subject development approval is vacating the premises and the applicant is in the process of finding a new tenant to continue contributing valuable goods and services to the local Centenary Suburbs and broader south-west catchment.

We provide enclosed an overview and assessment of the Minor Change with respect to relevant provisions under the *Planning Act 2016* below.

To facilitate Council's assessment of the proposal, please find enclosed the following:

- DA Form 5;
- Signed Landowners Consent;

We trust that the information provided is to your satisfaction.

Should you wish to discuss the matter further, please do not hesitate to contact our office on (07) 3361 9999.

Yours faithfully

TOWN PLANNING ALLIANCE PTY LTD



Brendan Andrews
TOWN PLANNER

Enc Minor Change Application

MINOR CHANGE APPLICATION

1. Site Details

Site Address	28 Sumners Road, Darra QLD 4076
Real Property Description	Lot 2 on RP218648
Area of Site	13,082m ² (1.31ha)
Zone	Industry zone (General industry B precinct)
Neighbourhood Plan	Darra-Oxley district neighbourhood plan (Darra centre precinct – Darra industrial sub-precinct)
Overlays	▪ Airport environs overlay ▪ Bicycle network overlay ▪ Community purposes network overlay ▪ Critical infrastructure and movement network overlay ▪ Industrial amenity overlay ▪ Regional infrastructure corridors and substations overlay ▪ Road hierarchy overlay ▪ Streetscape hierarchy overlay ▪ Transport air quality corridor overlay ▪ Transport noise corridor overlay



Figure 1: Aerial View of Subject Site & Existing Surrounds (Landchecker, October 2026)

The subject site comprises a generally triangular shaped allotment, with a total site area of 1.31ha. The land has frontage to Sumners Road of approximately 99.064m, whilst the western boundary is a frontage to the Centenary Highway. The land generally slopes in a south-westerly direction, ranging from approximately 48m AHD in the north-east, down to 38m-39m AHD in the south. The subject site and surrounding area are identified in Figure 1 above.

At the front of the site are two large format retail buildings comprising five tenancies, with vacant cleared land behind, where the approved warehouse is currently under construction. Existing development surrounding the site comprises a mix of industrial yards, warehouses and showrooms, the Centenary Ambulance Station and Atthows Park.

Under the *Brisbane City Plan 2014*, the site is in the General industry B precinct of the Industry zone. Land immediately adjoining to the east and across the Centenary Highway is also located in the General industry B zone precinct. There are pockets of Low impact industry, Community facilities and Sport and recreation zoning in the surrounding locality. Refer to Figure 2 below.

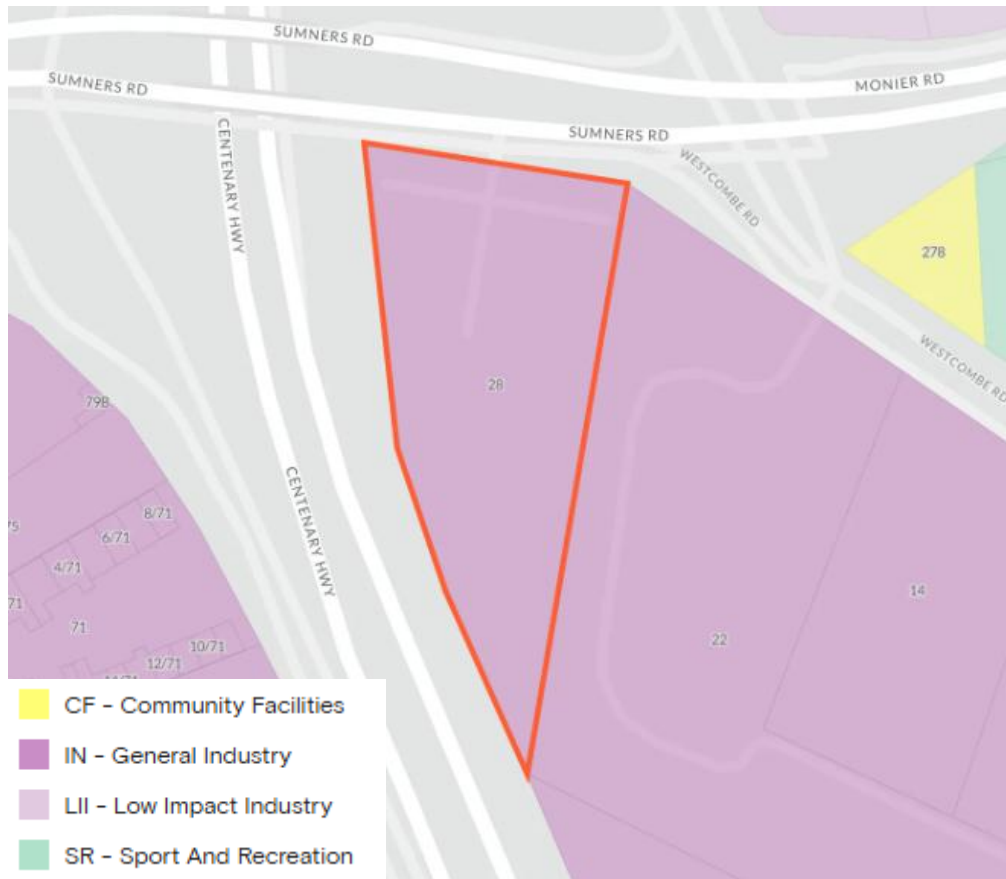


Figure 2: Brisbane City Plan 2014 - Zoning Map

2. Application / Consultation History

To assist Council with this request, the relevant development approval/consultation history over the site is detailed below:

- **A004272398 – Material Change of Use for Shop**
Approved by Council on 4 April 2016, this application was for internal fit out modification to Tenancy 4 at the front of the site. This approval is to be changed by this Minor Change request.
- **A004321017 – Material Change of Use & Building work for Shop and Animal Keeping**
Approved by Council on 18 August 2016, this application was for internal fit out for a dog day care centre and associated ancillary activities within Tenancy 1 at the front of the site.
- **A006543847 – Material Change of Use for Warehouse**
Approved by Council on 25 February 2025, this application was for the construction of new self-storage sheds on the vacant land at the rear of the site.

- **A006856521 – Request for Compliance Assessment for Construction Management Plans**
Construction management plans for the approved warehouse development were approved by Council on 22 October 2025.
- **A006861238 – Request for Compliance Assessment for Stormwater Drainage**
Stormwater drainage plans for the approved warehouse development were submitted on 17 September 2025 and were approved by Council on 12 November 2025.
- **A006976199 – Minor Change to Material Change of Use for Warehouse**
Approved by Council on 8 July 2026, this application was for minor changes to the new self-storage sheds approved on the vacant land at the rear of the site.
- **ASR-14502-P4F – Prelodgement Meeting**
On 4 June 2026, a Prelodgement Meeting was held between Council and the applicant to discuss a future change application to expand the extent of activities that the existing Shop approval for Tenancy 4 comprises. This minor change application has been prepared in response to Council's advice confirming an amendment to the limitation of approval condition is suitable to be considered through a s81 minor change process, where the proposed expansion of acceptable shop activities maintains a nexus with the site/surrounding industrial zoning and does not compromise the long term viability to return to an industrial tenancy.

3. Responsible Entity

Section 78A of the *Planning Act 2016* outlines the responsible entity for a change application, as follows:

- (1) The **responsible entity** for a change application is—
- (a) if the change application is for a minor change to a development condition of a development approval stated in a referral agency's response for the development application or another change application for the approval—the referral agency; or
 - (b) otherwise—the assessment manager.

Note—

For the responsible entity for a change application for a development approval that was a PDA development approval, see also the *Economic Development Act 2012*, section 51AN.

- (2) However, the P&E Court is the responsible entity for the change application instead of the person under subsection (1) if—
- (a) the change application is for a minor change to a development approval; and
 - (b) the development approval was given or changed by the P&E Court; and
 - (c) a properly made submission was made about—
 - (i) the development application for the development approval; or
 - (ii) another change application for the development approval.
- (3) Also, the Minister is the responsible entity for the change application instead of the person under subsection (1) if—
- (a) the change application is for a change to—
 - (i) a condition of a development approval that the Minister directed be imposed or amended under section 95; or
 - (ii) a condition of a development approval that the Minister directed be imposed under the old Act, section 419 or the repealed *Integrated Planning Act 1997*, section 3.6.1; or
 - (iii) a development approval given or changed by the Minister for an application that was called in under a call in provision; and
 - (b) the P&E Court is not the responsible entity for the change application.

With reference to the above, we note that the responsible entity for this change request is Brisbane City Council.

4. Proposed Changes

Pursuant to the development approval being granted, Autobarn has continued to operate from Tenancy 4 onsite however, are now planning to vacate their lease. As such, the owners are considering options and initial demand for the vacant tenancy.

The owners have had preliminary discussions with a number of prospective tenants however, the current limitation of use in Condition 6 of the development approval (Council Ref: A004272398) has restricted negotiations. As such, it is proposed to amend Condition 6 to enable greater flexibility of tenants able to use Tenancy 4, responding to the evolving transition of industrial areas across the city, recognised by Council in the *Brisbane: Our Productive City* strategy. Based on initial demand for the tenancy, the amendments to Condition 6 are sought to allow the following types of retailers:

- Safety Wear – e.g. Totally Workwear, RSEA
- Lighting – e.g. Lighting Superstore, Discount Lighting & Fans
- Specialist 4WD – e.g. Kickass Product, ARB, TJM, Road Tech Marine
- Tile shop – e.g. Beaumont Tiles
- Paint shop – e.g. Dulux
- Electrical wholesale – e.g. CNW Electrical Wholesale
- Specialist electrical – e.g. Altronics, Jaycar
- Pool supplies – e.g. Clark Rubber
- Flooring – e.g. Carpet Call, Cyrus Rugs
- Kitchen displays – e.g. Kitchen Connection
- Bike mechanic/workshop and ancillary bike sales – e.g. Trek Bikes, 99 Bikes

The proposed retailer types have been deliberately selected having regard to the site's location within an Industry area and their direct relationship with the established industrial and trade-oriented function of the site and surrounding locality. These retailers are considered to provide goods that provide a direct nexus with the existing industrial uses onsite and in the surrounding area. In this regard, the proposal is not seeking to facilitate unrestricted or general retailing, establish a retail centre or otherwise transition the site toward a commercial function. Rather, the proposed uses are specialist, destination-oriented businesses that are expected to predominantly service tradespeople, contractors, industrial operators and other customers seeking specialist goods associated with automotive, construction, electrical, property maintenance and other industry related activities.

This distinction is considered important having regard to the intent of the Industry zone provisions to protect industrial land from incremental commercialisation. The proposed amendment does not introduce a new Shop use to the site, with Shop already being an approved use within Tenancy 4 and having operated through Autobarn for approximately a decade. The amendment is instead limited to broadening the range of specialist goods that may be sold from the existing approved tenancy following Autobarn's departure.

The use definition of Shop under *Brisbane City Plan 2014* is noted as follows:

- Shop means the use of premises for—
 - displaying, selling or hiring goods; or
 - providing personal services or betting to the public.

The above listed retailers will not provide direct access to the building by members of the public to load and unload goods, ensuring their operation continues to align with the Shop definition, rather than any other land use (eg. Showroom).

It is acknowledged that Acceptable Outcome AO25 of the Industry code limits the gross floor area (GFA) for a shop to 250m². Notwithstanding, the existing approval already establishes Tenancy 4 as a Shop of over 400m² and no building works are proposed as part of this change application, ensuring no increase to this floor area that has served the local industrial and trade oriented catchment over the last decade. The proposal therefore does not increase the amount of Shop floor area or introduce an additional Shop tenancy within the Industry zone.

It is noted that no other Shop land uses are contained onsite, with all other tenancies occupied by wholesalers, tyre fitting and animal keeping, with a self-storage warehouse under construction. The predominant function of the site therefore remains industrial and trade oriented, with the existing Shop use representing a single established component of the approved development. Hence, the purposes of the proposed change are to provide sufficient flexibility for Tenancy 4 to remain productively occupied by a specialist use that complements the industrial function of the site, rather than facilitate a broader retail catchment. This is particularly relevant given the identified market demand for the tenancy and the need to ensure an existing approved premises can continue to respond to changing market conditions without compromising the longer-term industrial use of the site.

All access, parking and servicing would remain operational as per the existing Autobarn tenancy, with peak parking demand anticipated to remain on weekends and outside standard industrial business hours, ensuring the absence of new or increased impacts upon the amenity of existing site users and the broader community.

Furthermore, the proposed retailer types have been purposely selected for inclusion into the approved scope of acceptable Shop activities for their ability to operate within the existing tenancy without requiring additional built form or infrastructure and, importantly, to not compromise Tenancy 4 reverting to an industrial use if market conditions require. The proposed amendment therefore provides flexibility for the continued occupation of an existing tenancy, while retaining its longer-term industrial potential.

Overall, the proposed amendment is considered to achieve the intent of Performance Outcome PO25 of the Industry code, which requires development for a Shop to be low key in scale, nature and employment, of an appropriate size to serve the needs of the local industrial workforce and not detrimentally impact on the primary industrial function of the area.

5. Changes to Approval Conditions

It is sought to formally change the development approval over the site to widen the extent of activities comprising the approved Shop use within Tenancy 4.

5.1 Condition 6

Condition 6 is sought to be amended as follows to expand the extent of activities that the existing Shop approval comprises. Items to be removed have been ~~crossed out~~ and additions have been **bolded in red**.

LIMITATION OF APPROVAL	
6	The approved use of 'shop' is limited to tenancy 4 and to the sale of: the sale of automotive retail goods and associated fitting; safety wear; lighting; specialist 4WD goods; tiles; paint; specialist electrical goods; pool supplies; flooring; kitchen displays; bike mechanic and workshop services and ancillary bike sales.

6. Planning Act 2016 Provisions

The changes to the Development Approval outlined in the above sections are identified as meeting the benchmark for a Minor Change in accordance with Schedule 2 of the *Planning Act 2016*, given that the change:

- (i) **Would not result in a substantially different development** – The proposal as described above does not result in a substantially different development having regard to the matters in Schedule 1 of the Development Assessment rules. In particular, the changes do not result in the following:
- a) **Involve a new use** – The proposed change does not involve a new use. The change is limited to the changes as noted in Section 4 above. No new land uses are proposed over the site.
 - b) **Results in the application applying to a new parcel of land** – The proposed change does not result in the application applying to a new parcel of land. The development remains only over the allotment included in the original approval.
 - c) **Dramatically changes the built form in terms of scale, bulk and appearance** – The proposed changes to the development 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** – The proposed change does not alter the ability of the development to operate as intended. As noted in Section 4 above, no building works are proposed, with the changes sought to merely broaden the extent of acceptable Shop activities beyond the sale of automotive associated goods, to continue servicing the local catchment.
 - e) **Removes a component that is integral to the operation of the development** – The proposed change does not result in the removal of a component that is integral to the operation of the development.
 - f) **Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site** – The proposed minor change will not result in any impacts on traffic flow or the transport network, given the peak parking demand is anticipated to remain on weekends and outside standard industrial business hours. Further, the number of onsite car parking spaces is to be maintained as currently approved.
 - g) **Introduces new impacts or increase the severity of known impacts** – The proposed change does not introduce new impacts or increase the severity of known impacts. The wider extent of activities sought to be approved maintains nexus with the surrounding industrial environment and therefore does not result in any new or increased impacts.
 - h) **Removes an incentive or offset component that would have balanced a negative impact of the development** – The proposed change does not remove any incentive or offset component.
 - i) **Impacts on infrastructure provisions** – The proposed change does not impact on infrastructure provision.
- (i) **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** – The proposed change would not cause the inclusion of Prohibited development in the application if a development application for the development including the change was made.
 - (B) **Referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application** – The original development application required referral to the chief executive (SARA) and Powerlink. Referral to the same referral agencies would be required if a development application was made for the development including the change.
 - (C) **Referral to extra referral agencies, other than to the chief executive** – Not applicable. When initially lodged, the application was required to be referred to Powerlink and referral to Powerlink

would be required if a development application was made for the development including the change. As such, the proposed changes do not result in referral to any extra referral agencies.

- (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* – The proposed change will not introduce any new matters for a referral agency assessment.
- (E) *Public notification if public notification was not required for the development application* – The application was originally subject to Impact Assessable procedures and as such, public notification was undertaken as part of the original assessment. The proposed changes do not alter the level of assessment in this instance.

7. Conclusion

In view of the above, the proposed changes meet the benchmark for a Minor Change to a development approval as detailed in the *Planning Act 2016*.

We request that the Council update the approval package amend Condition 6 as identified in Sections 4 & 5 above. The proposed changes are sought to expand the extent of acceptable Shop activities undertaken within Tenancy 4 to continue contributing valuable goods and services to the local Centenary Suburbs and broader south-west catchment.

In accordance with Section 80 of the *Planning Act 2016*, Powerlink is an affected entity associated with this request, due to the existing easement contained within the boundaries of the subject site.