



Our Ref: 24-342
Council Ref: A006687124

13 April 2026

The Manager
Brisbane City Council
GPO Box 1434
BRISBANE QLD 4001

Dear Sir / Madam,

REQUEST FOR A MINOR CHANGE TO A DEVELOPMENT APPROVAL IN ACCORDANCE WITH SECTION 81 OF THE PLANNING ACT 2016 – A006687124

MATERIAL CHANGE OF USE – DEVELOPMENT PERMIT FOR A MULTIPLE DWELLING AT 57-61 LUMLEY STREET, UPPER MOUNT GRAVATT DESCRIBED AS LOTS 88, 89 AND 90 ON RP13400.

We act on behalf of the Applicant, Diligent Development Pty Ltd, with respect to the above land.

In accordance with Section 81 of the Planning Act 2016, we request the Assessment Manager responsible for the application make a change to the approval in accordance with the details provided below.

The approval was issued on 22 October 2025 for a Material Change of Use – Development Permit for the purpose of a Multiple Dwelling (Council Reference: A006687124).

Proposed Changes

This Minor Change seeks to amend the approved plans to facilitate changes in the design which have been identified during the pre-construction phase of the development. We provide a summary of the changes as follows:

- Increases to the Level 5 floor footprint and changes to the floor plate mix from 3 units to 8 units;
- As a result of the Level 5 floor plate changes, the unit count will increase from 35 to 38 units consisting of:
 - 9 x one-bedroom units
 - 20 x two-bedroom units
 - 9 x three-bedroom units
- Relocation of the common area from Level 5 to Level 1;
- Adjustments to balcony areas and depths to accommodate the amended layout;
- Adjustments to the carpark layout. The proposal will provide a total of 71 carparking spaces. The 8 visitor parking spaces are to be maintained as per the approval and the number of residential carparking spaces complies with the proposed Key Location rates outlined within Council's *More Homes Sooner: Low-Medium Density Residential Zone Review*;
- Removal of the pad mount transformer and provision of an additional 35m² deep planting area;
- 0.6m increase in building height resulting from changes to basement and 5th level configurations. The proposal will maintain the number of storeys and continue to present as a

predominantly 5-storey building to the street with the 6th storey element a result of the basement protruding more than 1m above nature ground level for a small portion of the site.

The proposal represents a small change in the building footprint and floor plate mix, however will remain as a Multiple Dwelling with a built form generally consistent with the previous approval. The access arrangement remains as previously approved and the proposed design and minimum setbacks remain generally consistent with the previous approval.

The adjustments to the floor plate mix are a result of relocating the communal area from Level 5 to Level 1. It is noted that the proposal is still capable of providing sufficient communal and private open space for residents. Additional landscaping and deep planting areas have also been provided along the site frontage as a result of removing the pad mount transformer. The proposed changes will result in a net increase in deep planting for the site (from the 11% approved to 13% proposed). The additional deep planting will further assist in supporting a high level of amenity and privacy.

The proposal also includes adjustments to the carpark layout. 2 additional resident carparking spaces are proposed to accommodate the change to the unit and floor plate mix. The 8 visitor parking spaces will be maintained as per the previous approval, bringing the total number of carparking spaces provided to 71. It is noted that Council are proposing amendments to City Plan 2014 as part of the *More Homes Sooner: Low-Medium Density Residential Zone Review*. As the subject site is identified as a Proposed Key Location, the following carparking rates would apply:

- 1-bedroom = 1 spaces per dwelling
- 2-bedroom = 1.2 spaces per dwelling
- 3-bedroom = 1.6 spaces per dwelling
- 4-bedroom = 2 spaces per dwelling
- Visitor spaces = 0.25 spaces per dwelling

Based on the proposed carparking rates, the proposal would only be required to provide a total of 58 spaces. Given the proposal provides additional carparking spaces and complies with the *More Homes Sooner* carparking rates, the proposed carparking changes are considered suitable.

Changes to Approved Plans

The proposed Minor Change requires the approved plans to be superseded by the proposal plans included within Attachment A.

Approved Drawing or Document	Number	Plan Date	Proposed Drawing or Document	Proposed Changes
Lower Basement Floor Plan	DA-100, Issue Z	24 September 2025	To be superseded by Attachment A – Basement 2 Floor Plan	<ul style="list-style-type: none"> • Adjustments to basement layout
Basement Floor Plan	DA-101, Issue Z	24 September 2025	To be superseded by Attachment A – Basement 1 Floor Plan	<ul style="list-style-type: none"> • Adjustments to basement layout

Ground Floor Plan	DA-102, Issue Z	24 September 2025	To be superseded by Attachment A – Ground Floor Plan	<ul style="list-style-type: none"> • Adjustments to carpark and lobby layout • Removal of PMT • Provision of addition landscaping and deep planting areas
First Floor Plan	DA-103, Issue Z	24 September 2025	To be superseded by Attachment A – Level 1 Floor Plan	<ul style="list-style-type: none"> • Relocation of the common area from Level 5 to Level 1 • Adjustments to balcony areas and depths • Adjustments to floor plate mix and layout to accommodate relocation of common area
Second Floor Plan	DA-104, Issue Z	24 September 2025	To be superseded by Attachment A – Level 2 Floor Plan	<ul style="list-style-type: none"> • Minor adjustments to balcony areas and depths
Third Floor Plan	DA-105, Issue Z	24 September 2025	To be superseded by Attachment A – Level 3 Floor Plan	<ul style="list-style-type: none"> • Minor adjustments to balcony areas and depths
Fourth Floor Plan	DA-106, Issue Z	24 September 2025	To be superseded by Attachment A – Level 4 Floor Plan	<ul style="list-style-type: none"> • Minor adjustments to balcony areas and depths
Fifth Floor Plan	DA-107, Issue Z	24 September 2025	To be superseded by Attachment A – Level 5 Floor Plan	<ul style="list-style-type: none"> • Relocation of the common area from Level 5 to Level 1 • Increases to the Level 5 floor footprint • Amendments to floor plate mix from 3 to 5

				units on Level 5 <ul style="list-style-type: none"> • Adjustments to balcony areas and widths
Roof Plan	DA-108, Issue Z	24 September 2025	To be superseded by Attachment A – Roof Plan	<ul style="list-style-type: none"> • Adjustments to roof form to accommodate changes to Level 5
Elevations	DA-201, Issue Z	24 September 2025	To be superseded by Attachment A - Elevations	<ul style="list-style-type: none"> • Adjustments to roof form • Amendments to building façade as a result of relocation of common area
Elevations	DA-202, Issue Z	24 September 2025	To be superseded by Attachment A - Elevations	<ul style="list-style-type: none"> • Adjustments to roof form • Amendments to building façade as a result of relocation of common area
Section	DA-301	24 September 2025	To be superseded by Attachment A – Section A	<ul style="list-style-type: none"> • Adjustments to roof form • Amendments to building façade as a result of relocation of common area
Section	DA-302	24 September 2025	To be superseded by Attachment A – Section B	<ul style="list-style-type: none"> • Adjustments to roof form • Amendments to building façade as a result of relocation of common area

Changes to Conditions of Approval

We have undertaken a review of the conditions of approval. No changes are required to be made to the conditions of approval.

Minor Change Assessment

We consider the proposed change consists of a “Minor Change” to the original Development Permit and we make this request to change a development approval under Section 81 as the modification constitutes a minor change under the provisions of the Act.

A minor change means a change that 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.*

Our assessment of the above is as follows:

In relation to item (i), the proposal would not constitute substantially different development. Substantially different development is outlined in Schedule 1 of the Development Assessment Rules under the Planning Act 2016 as follows:

- (1) A change may be considered to result in a substantially different development if the proposed change:*
 - a. involves a new use; or*
 - b. results in the application applying to a new parcel of land; or*
 - c. dramatically changes the built form in terms of scale, bulk and appearance; or*
 - d. changes the ability of the proposed development to operate as intended; or*
 - e. removes a component that is integral to the operation of the development; or*
 - f. significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or*
 - g. introduces new impacts or increase the severity of known impacts; or*
 - h. removes an incentive or offset component that would have balanced a negative impact of the development; or*
 - i. impacts on infrastructure provisions.*

The proposal is not substantially different as outlined above on the basis that:

- The proposal does not involve a new use, and the use of the site will remain as originally approved for the purpose of a Multiple Dwelling.
- The proposal does not apply to a new parcel of land and continues to apply to Lots 88, 89 and 90 on RP13400.
- The proposed change does not dramatically change built form in terms of scale, bulk and appearance.
- The proposal does not change the ability of the development to operate as intended. The premises will continue to operate as originally approved for the purpose of a Multiple Dwelling.

- The change does not include removal of any component which would be integral to the operation of the development.
- The proposed changes will not alter traffic flow and the transport network.
- The change will not introduce new impacts or increase the severity of known impacts.
- The changes do not remove an incentive or offset component.
- The changes do not impact on infrastructure provisions.

On the basis of the above, the proposal does not constitute substantially different development.

In relation to item (ii) (a), the proposal does not include prohibited development.

In relation to point (ii) (b), (c) and (d), the original application was not subject to referral and the proposed change would not trigger any additional referral requirement or referral agency assessment.

In relation to point (b) (ii) (e), the original development application was subject to Impact Assessment and public notification was required. The proposed change remains Impact Assessable.

In accordance with the above, we confirm that the change proposed is a *minor change* as outlined in Section 81 of the *Planning Act 2016* and requires amendment approved plans only.

The application fees would be \$4,576 for a change application under Section 81 of the Planning Act. It is requested that Council issue an invoice addressed to our Client such that we can arrange payment of the applicable fee.

Please find attached the completed Planning Act Form for your records.

We trust that the supplied information is sufficient for Council to address this matter.

In the event that you do require clarification, or any further information please do not hesitate to contact the undersigned on (07) 3846 0807.

Yours faithfully,
Plan A Town Planning Pty Ltd



Emily Hutchinson
Principal Town Planner

ATTACHMENTS

Attachment A – Proposal Plans

Attachment B – DA Form 5

Attachments C – F – Owner Consents