

Our ref: STP4846
Contact: Alex Steffan | alex@steffanharries.au
Website: www.steffanharries.au
Phone: 07 3317 0042



Tuesday, 5 May 2026

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

Attention: Development Assessment Branch | Brisbane City Council
Via: Online form

RE: CHANGE APPLICATION (S81)

High Impact Industry, Hotel, Shop
COUNCIL REF: A005871329
43 Dunhill Crescent, Morningside QLD 4170
Lot 15 on SP393654

To whom it may concern,

This written representation is for a change to the existing approval at 43 Dunhill Crescent, Morningside QLD 4170 (Council reference: A005871329 - decision date 23rd of September 2022). As per s81 of the *Planning Act 2016* we wish to change the existing development approval to remove the Shop and Hotel land uses from the development permit inclusive of all conditions and plans relating to them.

Please find the following letter and subsequent attachments that form part of this request:

- Planning Act Form 5 – Change Application Form;
- Land Owners Consent; and
- Amended proposed plans.

Proposed change

We seek to the Hotel and Shop land uses removed from the approval to leave the High Impact Industry land use remaining to align the approval with the existing and anticipated future uses. This amendment will require the following changes to the approval documentation:

Amendment to conditions:

Overall amendment: Remove all reference to the Hotel & Shop.

Justification: To ensure consistency, we recommend removing all reference to the Hotel and Shop land uses throughout the conditions (e.g. within the stages, MCU and the BW permit headers).

Condition 5: Amend as per below:

5) ~~Hotel, Shop and Administration area~~

~~i. The combined size of the Hotel and Shop component is not to exceed 250m² in Gross Floor Area (GFA), comprising a maximum 5m² GFA for Shop and maximum 245m² GFA for Hotel; and~~

~~ii. The ancillary administration and storage area of the High impact industry use on the mezzanine is to be a maximum of 234m² and is not associated with either the Hotel or Shop use of the site.~~

Justification: We seek the amendment of Condition 5 to remove reference to the Hotel & Shop land use.

Condition 6: Remove

~~6) Outdoor Dining~~

~~The proposed development is to be conducted entirely inside the building with no outdoor dining associated with the Hotel use along the eastern boundary as shown on Approved Site Plan AB1.2 Rev 1, received 20 JUL 2022, amended in red 31 AUG 2022, with the exception of the staff recreation area.~~

Justification: We seek to have Condition 6 removed entirely as it is no longer relevant to the remaining permit when the Hotel use is removed.

Condition 8: Remove

~~8) Mezzanine Stairs~~

~~Access to the mezzanine is to be via stairs from the High impact industry use area and is not to rely on access through the hotel use area, as shown on Ground Floor Plan AB1.3 Rev 1, received 20 JUL 2022, Amended in Red 31 AUG 2022 and Mezzanine Floor Plan AB1.4 Rev 1, received 20 JUL 2022, Amended in Red 31 AUG 2022.~~

~~The construction of the stairs is not required when the use of the site for the hotel and shop uses is abandoned.~~

Justification: We seek to have Condition 8 removed as it is no longer relevant to the operation of the remaining High impact industry permit.

Condition 14: Amend as per the below:

14) Hours of Operation

~~Hours of operation for the service of the Hotel and Shop is limited to 07:00 to 00:00 (midnight), daily.~~

High Impact Industry operations are able to operate 24 hours, daily.

Justification: We seek to have Condition 14 amended to remove the elements relevant to the Shop and Hotel use.

Amendment to approved plans:

We have provided a clean set of approved plans attached to replace the existing. The following amendments have been made:

- Removed all references to the Hotel & Shop land use
- Removed redundant car parking provided within the existing building
- Updated plans to incorporate some previous Council mark ups.

Drawing or Document	Number	Plan Date
Site Plan	AB1.2 Rev 1 (Amended In Red 31-AUG-2022)	20-JUL-2022 (Received)
Ground Floor Plan	AB1.3 Rev 1 (Amended In Red 31-AUG-2022)	20-JUL-2022 (Received)
Mezzanine Floor Plan	AB1.4 Rev 1 (Amended In Red 31-AUG-2022)	20-JUL-2022 (Received)
Elevations	AB1.5 Rev 1	20-JUL-2022 (Received)
Hydraulic Services Stormwater Services Site & Ground Floor Plan	18188-H1SW Issue P1 (Amended In Red 31-AUG-2022)	13-DEC-2018 (Received)
Site Plan	AB1.2 Rev 2 (19.03.2026)	19.03.2026
Ground Floor Plan	AB1.3 Rev 2 (19.03.2026)	19.03.2026
Mezzanine Floor Plan	AB1.4 Rev 2 (19.03.2026)	19.03.2026
Elevations	AB1.5 Rev 2 (19.03.2026)	19.03.2026

New infrastructure charges notice:

A new infrastructure charges notice will be required to be issued.

Assessment of proposed changes

The proposed changes are considered to minor in nature as it does not result in a substantially different development. The representations provided are an improvement on the current conditions imposed under the approval.

The proposed development is compliant with the definition of a Minor Change as outlined within Schedule 2 of the *Planning Act 2016*, as outlined below.

Definition	Response
(i) would not result in substantially different development;	The proposed development won't result in substantially different development. Please refer to the below for further justification.
(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 (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 (E) public notification if public notification was not required for the development application.	(A) The proposed development won't result in prohibited development. (B) The proposed development will not require referral to a referral agency. (C) No additional referral agencies have been identified. (D) This change does not require a referral. (E) The proposed development remains the same level of assessment and does not require additional public notification.

Pursuant to the definition of a Minor change under Schedule 2 of the *Planning Act 2016*, the proposed must not result in a substantially different development. As a result, please find a response to the substantially different 'test' taken from Schedule 1 of the DA Rules [s68(1) – *Planning Act 2016*].

Involves a new use	The proposed changes do not involve a new use.
Results in the application applying to a new parcel of land.	The proposed changes will only apply to site subject to the approved development.
Dramatically changes the built form in terms of scale, bulk and appearance.	This application will not change the built form in terms of scale, bulk and appearance.
Changes the ability of the proposal to operate as intended. For example, reducing the size of a retail complex may reduce the capacity of the complex to service the intended catchment.	This change will not alter the ability for the approved development to operate as intended.
Removes a component that is integral to the operation of the development.	This change does not remove any integral components of the development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	The proposed changes do not have any impacts on the immediate traffic network.

Introduces new impacts or increases the severity of known impacts.	No new impacts or increase in the severity of any known impacts will be created as part of this change.
Removes an incentive or offset component that would have balanced the negative impact of the development.	This change will not remove an incentive or offset a component that would have balanced any negative impacts of the development.
Impacts on infrastructure provision from a location or demand.	The proposed changes do not impact on any infrastructure servicing the subject site and surrounding lots.

Based on the insignificant changes to the existing approval, Steffan Harries respectfully requests a favourable decision from Brisbane City Council with regards to this s81 Minor Change application.

If additional information is required, please contact our office via the contact details below.

Kind regards,

A handwritten signature in black ink, appearing to read "A Steffan".

Alexander Steffan | Director

Steffan Harries

Email: alex@steffanharries.au