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BRISBANE, QUEENSLAND

18 November 2026

BCC DS
RECEIVED
25/11/2026
APPLICATION REF
A007157122

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

SENT VIA EMAIL

Dear Sir/Madam,

RE: MINOR CHANGE (S81) APPLICATION TO DEVELOPMENT APPROVAL FOR MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MULTIPLE DWELLING DEVELOPMENT (16 UNITS) AT 59 & 61 THISTLE STREET, LUTWYCHE – LOTS 4 & 5 ON RP19359

we act for *MJZ Thistle St Pty Ltd* ('the Applicant') in relation to the site at 59 & 61 Thistle Street, Lutwyche, described as Lots 4 & 5 on RP19359 ('the site').

The site is subject to an existing development approval (Council Reference: A006443188) for a Material Change of Use for a Multiple Dwelling (16 units), approved by Brisbane City Council on 28 November 2024.

Please accept this correspondence on behalf of the Applicant as a properly made change application in accordance with Section 78 of the Planning Act 2016 ('Planning Act') for a proposed minor change to the existing approval.

Details of the request, including relevant background information and justification of the proposed changes assessed against the relevant legislation are included below. Supporting information to be read in conjunction with the application is:

Attachment A – DA Form 5;
Attachment B – Owners Consent Form;
Attachment C – Proposed Minor Change Plans and Comparison Plans, prepared by Esat Design;
Attachment D – Traffic Engineering Technical Note prepared by ITE Consulting (5 November 2026); and
Attachment E – Detailed Landscape Plan, prepared by Laud Ink (Revision G, 16 November 2026).

SITE AND SURROUNDS

The site is located at 59 & 61 Thistle Street, Lutwyche and is described as Lots 4 & 5 on RP19359. It comprises two adjoining freehold allotments of 405m^2 each, with a combined area of 810m^2. The site

is rectangular in shape, with a frontage of 21.138m to Thistle Street and a depth of 40.234m, and has a north–south orientation from Thistle Street.

The site has a single road frontage to Thistle Street on its southern boundary. To the north, the rear boundary adjoins a narrow strip of parkland within the Open space zone, which runs parallel to Bradshaw Street. The adjoining property to the west contains a three-storey multiple dwelling of eight units and the adjoining property to the east contains a boarding house. A small easement (Easement A on SP301215) runs along the eastern boundary of the site to accommodate the eaves and window hoods of the neighbouring boarding house.

The site is relatively flat, with a minor fall of approximately 400mm from Thistle Street to the rear boundary. At the time of the original application, each allotment contained a single storey highset dwelling house.

The site is located less than six kilometres from the Brisbane CBD and is well serviced by public transport, parks and services, including:

- Lutwyche Busway Station (200m walking distance);
- Bradshaw Park and Prentice Park (each 40m walking distance);
- Kedron Brook bikeway (70m walking distance); and
- Market Central Lutwyche shopping centre (200m walking distance).

Surrounding development consists predominantly of three to eight storey multiple dwelling and mixed-use developments, interspersed with dwelling houses that have not yet been redeveloped.

Under the Brisbane City Plan 2014, the site is located within the High density residential (up to 8 storeys) zone and the Lutwyche Road Corridor neighbourhood plan (Lutwyche centre residential corridor sub-precinct – NPP-001b).

APPROVAL HISTORY

The original development application over the site (Council Reference: A006443188) was made to Brisbane City Council on 1 February 2024 and approved on 28 November 2024. The approval is a Development Permit for a Material Change of Use for a Multiple Dwelling (16 units). No referral agencies were identified for the application.

As lodged, the application sought approval for 19 apartments over a seven-storey built form. The application was subject to impact assessment, as the proposal exceeded the five-storey building height prescribed by the neighbourhood plan, and submissions were received during public notification. Council approved a six-storey development of 16 apartments.

The approved plans, prepared by Esat Design and stamped as approved by Council on 28 November 2024, provide for a six-storey residential building over two split-level basement car parking levels. Specifically, the approved development provides for:

- 16 three-bedroom apartments, comprising two apartments on the ground level, three apartments on each of Levels 1 to 4 and two apartments on Level 5;

- Apartment sizes ranging from 111m^2 to 192m^2, each with a private terrace or balcony of between 11m^2 and 28m^2;
- A total of 36 car parking spaces, comprising 32 resident spaces (2 spaces per apartment) and 4 visitor spaces (0.25 spaces per apartment), including one PWD space;
- A total of 20 bicycle parking spaces, comprising 16 resident spaces and 4 visitor spaces;
- 88m^2 of deep planting (10.9% of the 810m^2 site area), comprising a 72m^2 area adjoining the park at the rear of the site and a 16m^2 area at the Thistle Street frontage;
- A 43m^2 communal open space area with BBQ facilities at ground level;
- Vehicle access from Thistle Street via a Type B2 crossover, with on-site refuse collection by RCV and an 18.5m^2 bin room;
- A roof height of RL 34.0m AHD; and
- A material palette of travertine tile, white and dark grey smooth render, glass balustrades, bronze aluminium framed glazing and bronze aluminium privacy blade screens, with aluminium sun hoods and elevated planters to the façades.

Council amended the approved plans in red on 27 November 2024 to require a 1.8m high acoustic fence for the full length of the communal open space area and basement exit points at 13.60m AHD. The Basement 2 plan was also amended in red to require height clearance signage, with retro-reflective hazard stickers, above two parking bays.

PROPOSED CHANGES

Following the approval, the Applicant has progressed the development through detailed design in preparation for building approval and construction. A number of refinements to the approved development have been made through that process and are the subject of this minor change application. The proposed changes are shown on the amended plans prepared by Esat Design (Attachment C) and are supported by a traffic engineering technical note prepared by ITE Consulting (Attachment D) and a detailed landscape plan prepared by Laud Ink (Attachment E).

A summary of the proposed changes is provided below:

- An increase in yield from 16 to 17 three-bedroom apartments, through the reconfiguration of Level 5 from two apartments to three apartments within the approved building envelope;
- Minor amendments to internal apartment layouts and areas on the ground level and Levels 1 to 4;
- Minor façade amendments, primarily to Level 5, the ground level side elevations and the Thistle Street frontage;
- Refinements to the Basement 1 and ground level car parking layout, including an enclosed private garage (Bay 3), a security roller door, a new Basement 1 egress door, a 200mm reduction in the internal ramp width and an increase in bicycle parking from 20 to 22 spaces, with no change to the 36 approved car parking spaces;
- Minor amendments to ground level building services (including the main switchboard and meter panel), egress and communal open space; and

- An updated landscape design.

It should be noted that the proposed changes do not alter the approved building height, which remains at six storeys with a roof height of RL 34.0m AHD, or the approved building envelope, vehicle access arrangements and number of car parking spaces. Brisbane City Council is the responsible entity for the change application.

YIELD & LAYOUT

The approved development provides two larger apartments on Level 5 (176m^2 and 192m^2). In response to market demand and falling property prices, it is proposed to reconfigure Level 5 to provide three three-bedroom apartments (125m^2, 119m^2 and 111m^2), consistent with the layout of Levels 1 to 4 below. This increases the yield from 16 to 17 apartments, all of which contain three bedrooms.

The additional apartment is accommodated wholly within the approved Level 5 floor plate. The approved rear balcony (28m^2) and front balcony (19m^2) on Level 5 are replaced with three balconies (17m^2, 14m^2 and 13m^2) that match the levels below.

Minor changes to apartment areas are also proposed on the lower levels as a result of detailed design. A comparison of the approved and proposed yield is provided below.

TABLE 1 – APPROVED AND PROPOSED YIELD

LEVEL	APPROVED	PROPOSED
Ground	2 apartments (119m^2 and 116m^2)	2 apartments (115m^2 and 120m^2)
Levels 1 to 4	3 apartments per level (127m^2, 123m^2 and 111m^2)	3 apartments per level (125m^2, 119m^2 and 111m^2)
Level 5	2 apartments (176m^2 and 192m^2)	3 apartments (125m^2, 119m^2 and 111m^2)
Total	**16 apartments**	**17 apartments**

Whilst the number of apartments increases by one, the total internal apartment area reduces slightly, from approximately 2,047m^2 to approximately 2,010m^2, as the two larger Level 5 apartments are replaced with three apartments of the same size as those below.

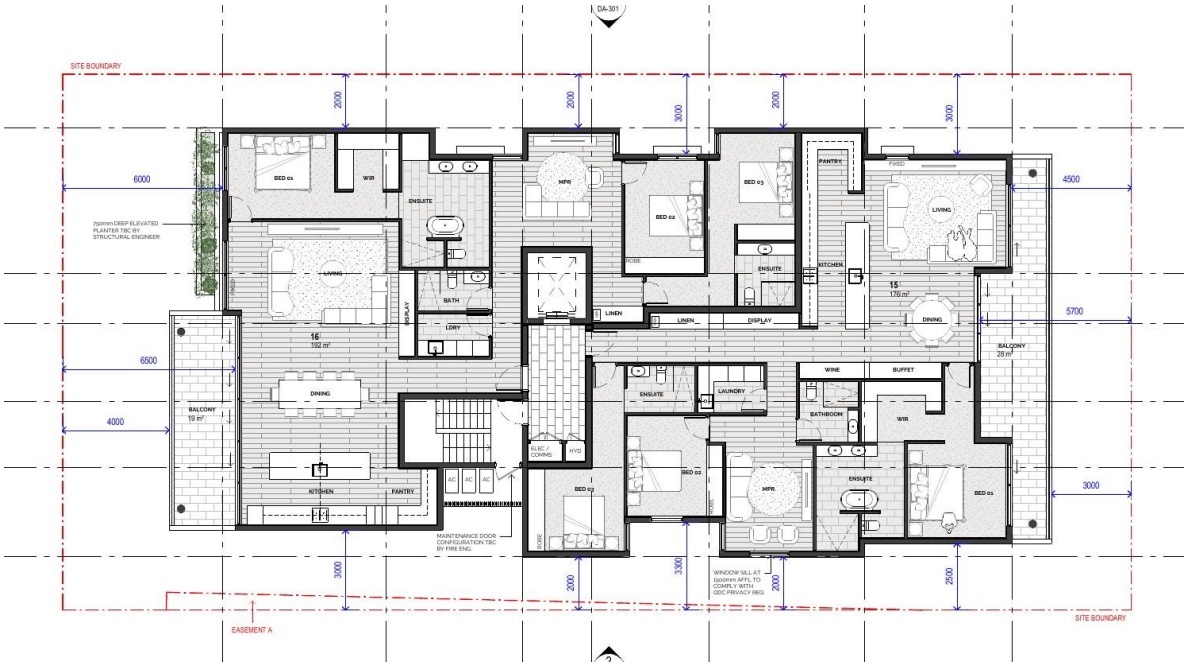


Figure 1 – Approved Level 5 floor plan (A006443188)

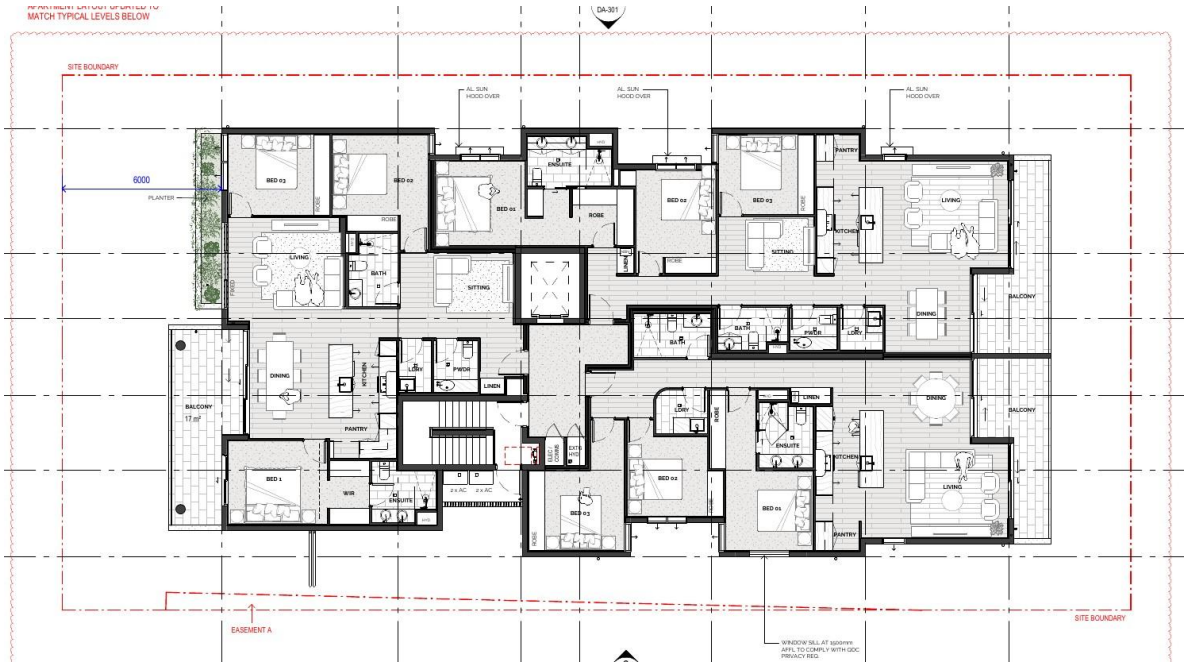


Figure 2 – Proposed Level 5 floor plan (comparison plans, Esat Design)

FAÇADE AMENDMENTS

The façade amendments are minor and the building remains materially the same in appearance as that approved. Specifically, the façade alterations include:

- Windows, doors and balconies on Level 5 amended on all elevations to match the levels below, reflecting the three-apartment layout;
- Aluminium privacy screens added to the ground level bedroom windows on the eastern and western elevations;

- Aluminium balustrade fencing provided to the ground level terraces for enhanced privay;
- Minor changes to the size and proportion of some side elevation windows, with 1.5m sill heights retained where required for privacy;
- Refinement of the Thistle Street frontage at ground level to accommodate the hydrant booster cabinet, fire pump room, main switchboard and meter panel, bicycle store and entry forecourt, with planters provided over the booster cabinet and bicycle store;
- The lower ground level at the Thistle Street entry amended from RL 13.39m AHD to RL 13.95m AHD, with no change to the upper ground level (RL 14.95m AHD) or the levels above; and

The pitched roof form and roof height (RL 34.0m AHD) are unchanged. The façade amendments will continue to provide a high-quality finish with landscaping at ground level and within the elevated planters on each level.

Refer to the comparison images below in Figures 3 and 4 for further details.



Figure 3 – Approved Thistle Street (south) elevation (A006443188)



Figure 4 – Proposed Thistle Street (south) elevation (comparison plans, Esat Design)

Refer to the proposed architectural plans in Attachment C, which illustrate the extent of changes to the façade.

TRAFFIC AND CAR PARKING

The application proposes minor changes to the car parking layout and bicycle parking to reflect the change in yield and to improve security and internal efficiency. No change is proposed to the total number of car parking spaces (36), the vehicle access location and crossover, the ramp gradients, the one-way signal control system, the RCV standing area or the bin store. The proposed amendments are:

- Parking Bay 3 in Basement 1 converted into an enclosed single private garage with a roller door, including a relocated column;
- The two Basement 1 visitor bays re-allocated from Bays 3 and 4 to Bays 4 and 5;
- A security roller door (4.65m opening) across the Upper Basement 01 aisle, separating the visitor bays from the resident parking area, operated by remote control for residents and guest intercom for visitors;
- Increased clearance (0.65m) between Bay 5 and the adjacent wall and door structure;
- The internal driveway ramp reduced in width from 5.8m to 5.6m at the ground level and Basement 1, which continues to operate as a single-lane ramp under the approved one-way signal control system. ITE Consulting's swept path analysis (Attachment D, Appendix B, Drawing 01) demonstrates B99 vehicle movements at the site access, hold bay and ramp;
- A new egress door at the Upper Basement 01 level;
- Minor refinements at ground level, including the visitor bay arrangement (Bay 1 marked "reverse in only" and Bay 2 PWD with an adjacent shared area) and line marking of the 5.4m x 2.4m hold bay at the signal hold point; and
- An increase in bicycle parking from 20 spaces (16 resident and 4 visitor) to 22 spaces (17 resident and 5 visitor), with the resident bicycle racks relocated within the ground level bicycle store and Basements 1 and 2, and one resident space provided within the Bay 3 enclosed garage.

The approved and proposed ground level and Basement 1 layouts are compared in Figures 5 to 8 below.

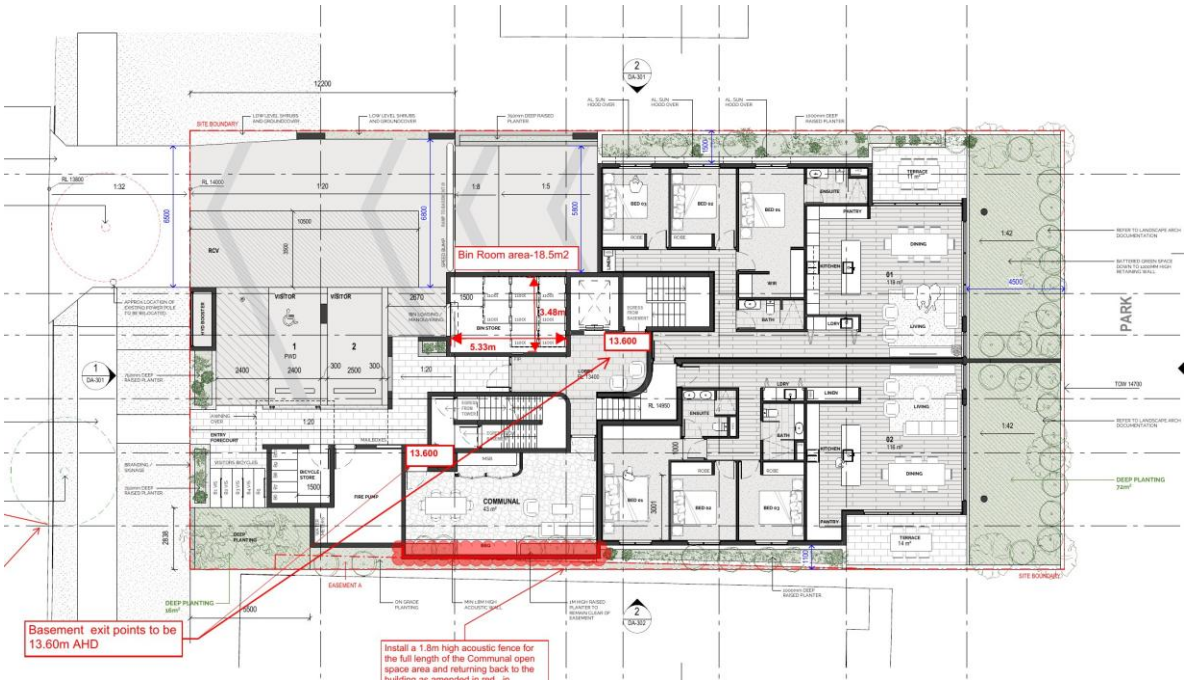


Figure 5 – Approved ground level plan (A006443188)

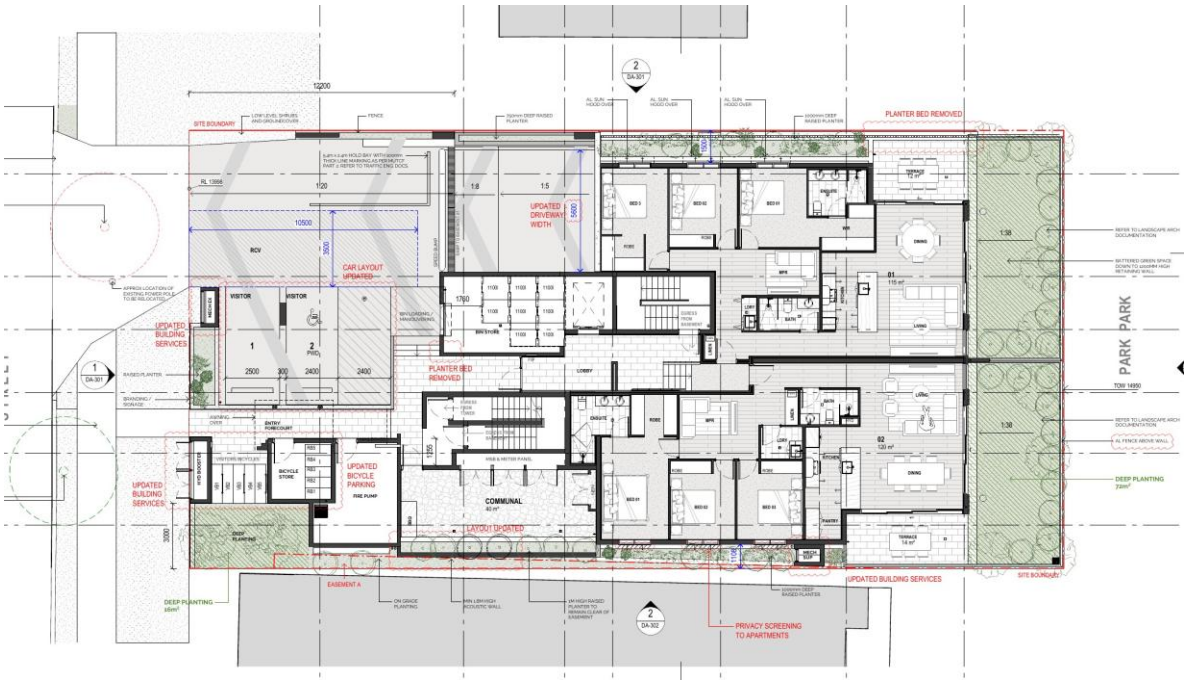


Figure 6 – Proposed ground level plan (comparison plans, Esat Design)

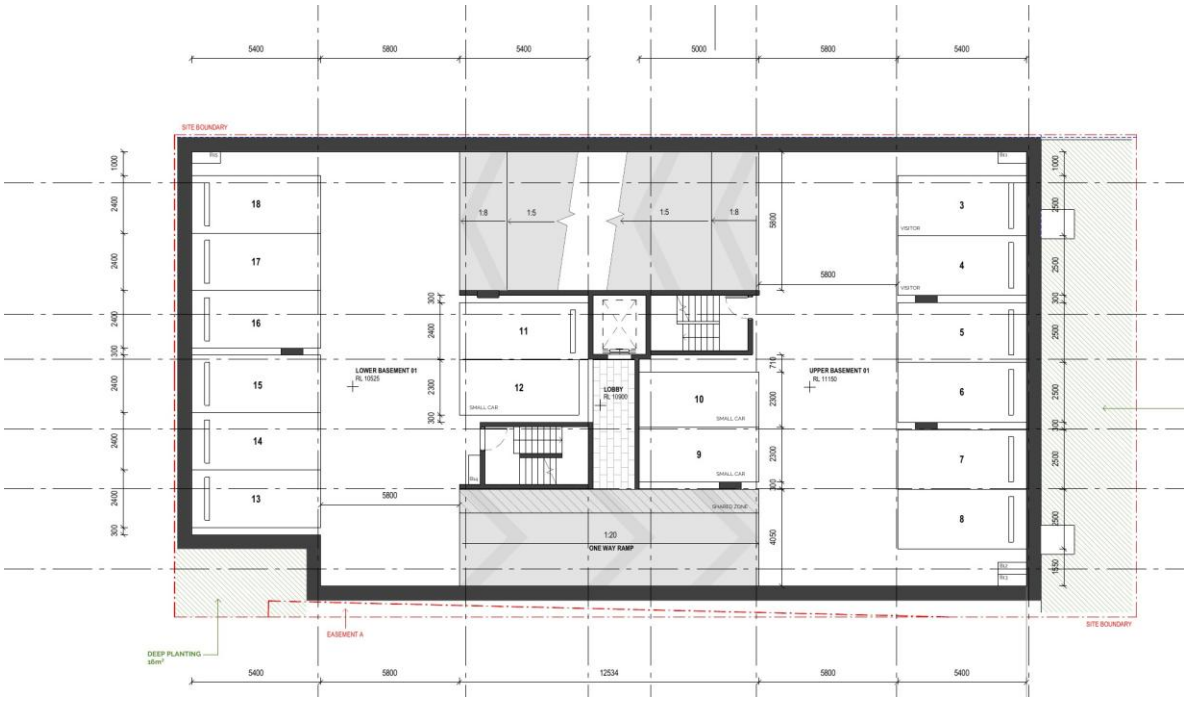


Figure 7 – Approved Basement 1 plan (A006443188)

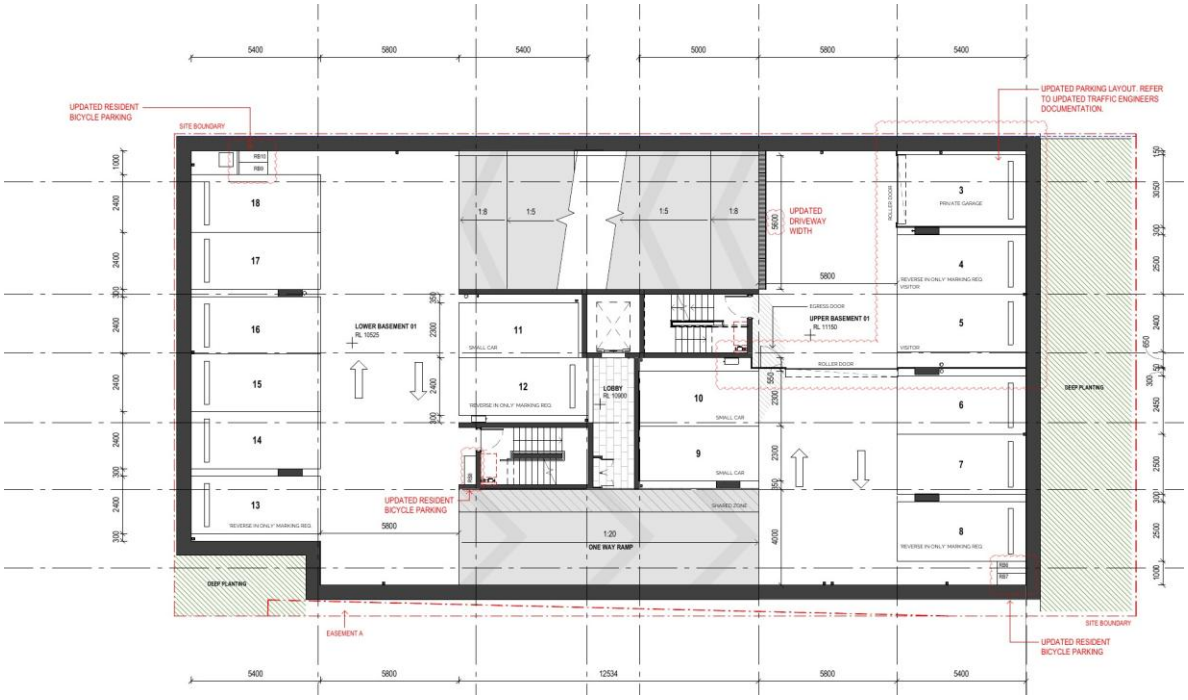


Figure 8 – Proposed Basement 1 plan (comparison plans, Esat Design)

A comparison of the car parking is provided below.

APPROVED PARKING			
Use	**Rate**	**Qty**	**Sum**
Resident	2 per apartment	16	32
Visitor	0.25 per apartment	16	4
Total required			**36**
Total provided			**36**

PROPOSED PARKING			
Use	**Rate**	**Qty**	**Sum**
Resident	1.6 per 3-bedroom apartment	17	27
Visitor	0.25 per apartment	17	4
Total required			**31**
Total provided			**36**

The approved car parking was provided at the TAPS Planning Scheme Policy rates in place at the time of approval. Since the approval, Council has adopted the More Homes, Sooner car parking amendment to the TAPS Planning Scheme Policy (City Plan v36.00, effective 12 June 2026), which introduced minimum car parking rates for multiple dwellings in a key location. ITE Consulting has confirmed that the site is within a key location, being approximately 140m walking distance from bus stops on Bradshaw Street and Lutwyche Road. The 36 spaces provided exceed the minimum requirement of 31 spaces for 17 apartments under these rates, with the 32 resident spaces exceeding the minimum resident requirement by 5 spaces.

In terms of traffic engineering aspects, the revised development is not considered to be substantially different from the approved scheme. ITE Consulting has confirmed that:

- The additional apartment generates less than one additional vehicle trip in each peak hour (an increase of 0.65 vehicles per hour) and approximately 7 additional daily trips, which is negligible and would have no noticeable impact on Thistle Street or the surrounding road network;
- The 95th percentile queue at the site access is one vehicle (6m), which is accommodated within the approximately 11m of on-site queue storage between the property boundary and the ground level hold point (including the 5.4m x 2.4m hold bay), clear of the Thistle Street carriageway and footpath;
- The enclosed garage, security roller door and Bay 5 comply with AS2890.1:2004, and swept path analysis demonstrates that a functional layout is provided;
- The 22 bicycle parking spaces satisfy the TAPS code requirement for 17 apartments, comprising 5 visitor spaces at ground level, 16 resident spaces within the ground level bicycle store and Basement 1 and 2 storage areas, and 1 resident space within the Bay 3 enclosed garage;
- The security roller door is located downstream of the Basement 1 visitor bays and does not restrict visitor access, with any waiting for the door occurring within the basement aisle rather than on

Thistle Street. ITE Consulting recommends that the door opening time is accounted for in the signal clearance times at detailed design stage; and

- The eight 1100L bulk bins within the approved 18.5m^2 bin store are sufficient for 17 apartments, with no change to the approved on-site RCV collection arrangements.

It is noted that the site is located approximately 200m walking distance from the Lutwyche Busway Station. As such, ample public transport opportunities are available for future residents of the site.

For further detail please refer to the traffic engineering technical note prepared by ITE Consulting included herewith as Attachment D to this correspondence.

LANDSCAPE DESIGN

An updated detailed landscape plan has been prepared by Laud Ink (Attachment E) to reflect the amended ground level layout. The landscape design provides for:

- Deep planting of 89m^2 (11% of the site area), comprising a turfed and planted area along the rear boundary adjoining the park and a deep planting area at the Thistle Street frontage. This compares with 88m^2 on the approved plans;
- Retention and protection of the existing Poinciana trees and gum tree adjoining the rear boundary, in accordance with AS 4970;
- Removal of the existing street tree to accommodate the driveway crossover and its replacement with a new street tree within the Thistle Street verge, together with a 1.8m wide footpath;
- Screening shrub and groundcover planting within raised planters along the side boundaries, including climbers trained to walls and columns;
- Planters over the hydrant booster cabinet and bicycle store at the Thistle Street frontage; and
- Cascading planting within the elevated planters on Levels 1 to 5.

The amended ground floor plan removes two planter beds, being the planter adjacent to the bin store and a planter adjacent to the Unit 1 terrace. The overall deep planting provision is maintained and the landscape outcome remains consistent with that approved.

COMMUNAL OPEN SPACE

The communal open space remains in its approved location at ground level, adjacent to the lobby, and continues to provide BBQ facilities. Its area is amended from 43m^2 to 40m^2 as a result of the refinement of the adjoining fire pump room, egress stairs and services. The 1.8m high acoustic wall required by Council's red amendment to the approved plans is shown on the amended plans. The basement egress point is shown at RL 13.998m AHD, above the minimum 13.60m AHD required by Council's red amendment, and the height clearance signage to the two Basement 2 bays will continue to be provided in accordance with the approval.

SITE COVER

The building footprint and envelope are materially unchanged from the approved plans. The amended plans identify a site cover of 531m^2 (65.5%), a gross floor area of 2,298m^2 and deep planting of 89m^2 (11%) across the 810m^2 site.

Refer to the amended architectural drawings included in Attachment C for further details.

REQUESTED CHANGES TO CONDITIONS

As a result of the proposed changes, a number of conditions and the list of approved Drawings and Documents in the Development Approval Package require amendment. The requested changes are set out in the table below, together with the approved wording, the reason for each change and suggested wording, with changed text shown in bold.

CONDITION	APPROVED WORDING	CHANGE REQUIRED	SUGGESTED WORDING
Stage (Approval Conditions header)	Stage: Multiple dwelling (16 units)	The yield increases from 16 to 17 units.	Stage: Multiple dwelling (**17** units)
Drawings and Documents – Architectural	Proposed Site Plan DA-020 Rev B; Basement 02 DA-208 Rev B (Amended in Red 27-NOV-2024); Basement 01 DA-209 Rev B; Ground Floor DA-210 Rev C (Amended in Red 27-NOV-2024); Level 01–04 DA-211 to DA-214 Rev D; Level 05 DA-215 Rev B; Roof DA-216 Rev B; Elevations DA-301 Rev C and DA-302 Rev D; Section A DA-401 Rev C (Amended in Red 27-NOV-2024); Section B DA-402 Rev C. All received 13-NOV-2024.	The approved architectural drawings are superseded by the minor change plans prepared by Esat Design. The new set uses a different sheet numbering, and the red amendments of 27 November 2024 are now shown on the drawings. A new sheet (D-005) shows the Bay 3 private garage.	Replace the architectural drawings with: Site Plan **A-007 Rev B**; Basement 2 Plan **B-008 Rev B**; Basement 1 Plan **B-009 Rev D**; Ground Floor Plan **B-010 Rev D**; Level 1 to Level 5 Plans **B-011 to B-015 Rev B**; Roof Plan **B-016 Rev B**; South Elevation **C-001 Rev C**; West Elevation **C-002 Rev C**; North Elevation **C-003 Rev C**; East Elevation **C-004 Rev D**; Sections A to D **D-001 to D-004 Rev C**; Carpark Bay 3 Private Garage Elevation **D-005 Rev B**. Prepared by Esat Design, dated **29-OCT-2026**.
Drawings and Documents – Landscape	Landscape Schedules L003 Rev D; Landscape Specification Notes L002 Rev D; Planting Plan – Ground Floor L100 Rev D; Planting Plan – Level 1 L101 Rev D; Planting Plan – Level 2 to 5 L102 Rev D; Details L200 Rev D. All received 13-SEP-2024.	The landscape plans have been updated to suit the amended ground level layout. Deep planting increases from 88m^2 to 89m^2, and the set now includes a Landscape Plan sheet (L001).	Replace the landscape drawings with the Detailed Landscape Plan prepared by Laud Ink, **Revision G, dated 16-NOV-2026**: **Landscape Plan L001**; Landscape Specification Notes **L002**; Landscape Schedules **L003**; Planting Plan – Ground Floor **L100**; Planting Plan – Level 1 **L101**; Planting Plan – Levels 2 to 5 **L102**; Details **L200**.

CONDITION	APPROVED WORDING	CHANGE REQUIRED	SUGGESTED WORDING
Drawings and Documents – Traffic	Concept Basement 1 Signal Layout Plan 01; Concept Basement 2 Signal Layout Plan 02; Ground Level Concept Signal Layout and Hold Bay 03; AS2890.1:2004 B99 Vertical Clearance (Bay 27 and 28) 04; AS2890.1:2004 B99 Vehicles Passing 05. All received 03-JUL-2024.	The one-way ramp signal system is unchanged, so the approved ITE drawings are retained. ITE has prepared swept path drawings for the amended Basement 1 layout: the Bay 3 enclosed garage, the security roller door and visitor Bays 4 and 5. These should be added.	Retain approved ITE drawings 01 to 05. **Add: ITE Consulting Swept Path Analysis, Drawings 01 to 05, dated 12-OCT-2026 (Appendix B of the ITE Technical Note dated 5-NOV-2026).**
12(a) Prepare a detailed Landscape Plan for Self Certification	Prepare a detailed Landscape Plan for areas nominated on the approved drawings, in accordance with the approved Landscape Concept Plan, the relevant Brisbane Planning Scheme Codes/Policies and the following conditions: [planting, additional requirements and specifications as listed]	The approval does not include a Landscape Concept Plan. A detailed Landscape Plan (Laud Ink, Rev G) has now been prepared and is proposed as an approved document, so the condition should refer to it.	Prepare a detailed Landscape Plan for areas nominated on the approved drawings, in accordance with the **approved Detailed Landscape Plan prepared by Laud Ink (Revision G, dated 16 November 2026)**, the relevant Brisbane Planning Scheme Codes/Policies and the following conditions, **except where otherwise shown on the approved Detailed Landscape Plan**: [planting, additional requirements and specifications unchanged]
17) Acoustic Fence – General	Erect a 1.8m high acoustic fence, (relative to the finished RL of the building pad) along the length of the Communal open space area, as shown on the Ground Floor Plan and amended in red by Council on 27 November 2024. The acoustic fence must: [requirements as listed]	The Ground Floor Plan amended in red (DA-210 Rev C) is superseded by B-010 Rev D, and the communal open space has been adjusted. The condition should refer to the new plan.	Erect a 1.8m high acoustic fence, (relative to the finished RL of the building pad) along the length of the Communal open space area, as shown on the **Ground Floor Plan B-010, Revision D, prepared by Esat Design**. The acoustic fence must: [requirements unchanged]
28(iv) Access, Grades, Manoeuvring, Carparks, Signs and Line Marking – bicycle parking	Provide and maintain 16 secure bicycle parking spaces for residents / tenants and 4 spaces for visitors. There must be a minimum number of 20 bicycle total number of spaces provided on site.	17 units require 17 resident and 5 visitor spaces under the TAPS PSP. The plans provide 22 spaces: 16 in secure storage, 1 in the Bay 3 enclosed garage, and 5 visitor spaces on the Ground floor.	Provide and maintain **17** secure bicycle parking spaces for residents / tenants **(including 1 space within the Bay 3 enclosed garage)** and **5** spaces for visitors. There must be a minimum number of **22** bicycle total number of spaces provided on site.

CONDITION	APPROVED WORDING	CHANGE REQUIRED	SUGGESTED WORDING
28(v) – height clearance	…except for bays 27 and 28 within Basement 02 (with reduce clearance providing a 2.2 metres clearance over bonnet intrusion, generally as per drawing number 04 dated 22/04/2024 and prepared by ITE traffic Consultants)…	The approval gives two dates for this drawing: 22/04/2024 in the condition and 03-JUL-2024 (received) in the Drawings and Documents list. The condition should refer to the listed drawing so it stays current.	…except for bays 27 and 28 within Basement 02 (with reduce clearance providing a 2.2 metres clearance over bonnet intrusion, generally as per **ITE Consulting Drawing 04 (AS2890.1:2004 B99 Vertical Clearance (Bay 27 and 28)) listed in the approved DRAWINGS AND DOCUMENTS**)… [remainder unchanged]
28(viii) – signs and line marking	Prepare and implement signs and line markings drawings that show the internal paved areas and the internal ramp arrangement signed controlled system, generally in accordance with Plans (01; 02; 03 Signal layouts and 05 B99 Vehicles Passing plan dated 22.04.2024 and prepared by ITE traffic consultants) and delineated in accordance with the approved drawings and documents. [certification requirements as listed]	The date reference is updated for the same reason as 28(v). The drawings should also show the new security roller door, Bay 3 enclosed garage and line-marked Ground level hold bay.	Prepare and implement signs and line markings drawings that show the internal paved areas, the internal ramp arrangement signed controlled system, **the Basement 01 security roller door, the Bay 3 enclosed garage and the 5.4m x 2.4m Ground level hold bay**, generally in accordance with **ITE Consulting Drawings 01, 02, 03 and 05 listed in the approved DRAWINGS AND DOCUMENTS** and delineated in accordance with the approved drawings and documents. [certification requirements unchanged]

All other conditions of the existing approval are proposed to remain unchanged, including the car parking rate in Condition 28(iii) (32 resident and 4 visitor spaces, 36 in total) and the minimum flood planning levels in Condition 30. The amended lower ground entry level of RL 13.95m AHD remains above the 13.60m AHD minimum basement opening.

ASSESSMENT OF MINOR CHANGE

Schedule 2 of the Planning Act 2016 outlines the definition of a minor change for a development approval (see below). Each of the proposed changes as outlined above have been assessed against these criteria, as follows:

Schedule 2 - minor change means a change that—

(a) *for a development application—*

(i) *does not result in substantially different development; and*

(ii) *if the application, including the change, were made when the change is made— would not cause—*

(A) *the inclusion of prohibited development in the application; or*

(B) *referral to a referral agency if there were no referral agencies for the development application; or*

(C) *referral to extra referral agencies; 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; or*

(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.*

Each of the proposed changes have been assessed against these criteria, as set out in the following sections.

SUBSTANTIALLY DIFFERENT DEVELOPMENT

With respect to part (b)(i) of the definition of Minor Change and what constitutes a substantially different development, it is appropriate to have regard to the Development Assessment Rules, Schedule 1, which sets out the substantially different development 'test'. An assessment of the proposed changes against the substantially different development criteria in the Development Assessment Rules is included in the table below.

TABLE 2 – SUBSTANTIALLY DIFFERENT DEVELOPMENT ASSESSMENT

GUIDELINE CRITERIA	RESPONSE
Involves a new use.	The development does not propose a new use. The use remains a multiple dwelling.
Results in the application applying to a new parcel of land.	The changed development does not involve a new parcel of land.
Dramatically changes the built form in terms of scale, bulk and appearance.	The proposed changes do not alter the approved building height (six storeys, with a roof height of RL 34.0m AHD) or the approved building envelope. The additional apartment is accommodated wholly within the approved Level 5 floor plate. The façade amendments are minor and the proposal retains the shape, built form intent, bulk, scale and appearance of the approval.
Changes the ability of the proposed development 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.	The proposed changes do not alter the ability of the proposed development to operate as intended. The development remains a wholly residential multiple dwelling.
Removes a component that is integral to the operation of the development.	The proposed changes do not result in the removal of any component that is integral to the development. Car parking, bicycle parking, refuse storage and collection, communal open space and deep planting are all retained, and the development will operate in the same manner as the approved design.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	The additional apartment generates less than one additional vehicle trip in each peak hour and approximately 7 additional daily trips, which will not significantly impact on the surrounding road network in comparison to the approved development. Furthermore, the site access, ramp gradients, signal control system and servicing arrangements remain as approved and the 36 approved car parking spaces are retained. Please refer to Attachment D for further details.
Introduces new impacts or increases the severity of known impacts.	As outlined above and across the technical supporting documentation, the proposed changes will not introduce new impacts within the site or increase the severity of any known impacts with regards to traffic, noise, privacy or stormwater management. The building envelope, height and orientation are unchanged, while functional components of the approved development, such as basement car parking, site access, private and communal open space provision remain materially unchanged. The proposed changes are limited to the reconfiguration of Level 5, minor internal layout and façade changes, an updated landscape design and amendments to the layout of the car parking.

GUIDELINE CRITERIA	RESPONSE
Removes an incentive or offset component that would have balanced a negative impact of the development.	The proposed changes do not remove any incentive or offset component of the development.
Impacts on infrastructure provision.	Given the type and scale of the proposed change, being one additional apartment, the proposal will have no materially greater impact on infrastructure provision than the currently approved development.

PROHIBITED DEVELOPMENT

In regard to part (b)(ii)(A) of the definition of Minor Change, the proposed Minor Change will not introduce or involve any prohibited development.

REFERRAL

In regard to parts (b)(ii)(B), (C) and (D) of the definition of Minor Change, we note that no referral agencies were identified for the original application, as confirmed in Council's decision notice dated 28 November 2024.

If the application was lodged today, referral of the application would not be required under Schedules 9 or 10 of the Planning Regulation 2017. Accordingly, there will be no new or additional referral agencies as a result of the change and no new matters that a referral agency may, or must, assess the development application against, or have regard to.

CATEGORY OF ASSESSMENT

With respect to parts (b)(ii)(E) of the definition of Minor Change, we note that the original development application was subject to Impact Assessment and the proposed change does not alter the level of assessment. Therefore, no new public notification requirements are relevant for the changed applications.

ASSESSMENT AGAINST THE PLANNING SCHEME

According to Section 81(3) of the Planning Act:

"For subsection (2)(d) and (da), the responsible entity –

(a) *must assess against, or have regard to, the matters that applied when the development application was made; and*

(b) *may assess against, or have regard to, the matters that applied when the change application was made."*

Section 81(3) of the Planning Act stipulates that an assessment of a request for a Minor Change is to be undertaken against the relevant planning scheme in force at the time the original application was made. It also provides that a responsible entity (BCC in this instance) may have regard to the current town planning framework in its assessment.

The original development application (A006443188) was assessed against the Brisbane City Plan 2014 (version 29). City Plan 2014 has been amended since the original application was made, including the More Homes, Sooner car parking amendment to the TAPS Planning Scheme Policy (version 36.00, effective 12 June 2026), which Council may have regard to under section 81(3)(b) of the Planning Act. The zoning and neighbourhood plan designation of the site have not changed. The site is still located within the High density residential (up to 8 storeys) zone and the Lutwyche Road Corridor neighbourhood plan (Lutwyche centre residential corridor sub-precinct – NPP-001b) and is therefore subject to the same assessment codes as it was previously.

RE-REQUEST RESPONSE NOTICES

There are no pre-request response notices associated with this change application.

LAND OWNER'S CONSENT

Land owner's consent from MJZ Thistle St Pty Ltd, the registered owner of the site, is provided in Attachment B.

NOTIFYING AFFECTED ENTITIES

We note that as per Section 80(2)(a) of the Planning Act 2016 (reproduced below), SARA as the chief executive is not required to be notified of this minor change.

(1) *Anyone who proposes to make a change application for a minor change must give notice of the proposal and the details of the change to each affected entity.*

(2) *An **affected entity** is—*

(a) *if the responsible entity would be the assessment manager—a referral agency for the development application other than the chief executive;*

APPLICATION FEE

In accordance with Brisbane City Council's Development Assessment and Compliance Fees for 2026–27, a change application for a minor change to a development approval for multiple dwellings attracts a fee of $4,800.00. The fee will be paid upon receipt of Council's fee quote.

CONCLUSION

The above assessment demonstrates that the proposed changes fulfil the criteria of a Minor Change as defined in Schedule 2 of the Planning Act, and do not result in a substantially different development, as outlined in Schedule 1 of the Development Assessment Rules. Furthermore, the development, including the proposed changes, comply with the outcomes sought by the relevant planning instruments and associated assessment benchmarks.

The assessment also demonstrates that the request to change the approval ought to be approved by Brisbane City Council, as the responsible entity, having regard to the relevant matters prescribed in section 81(3) of the Planning Act. The proposed development, including the changes, result in a design that is consistent with the outcomes sought by both the superseded City Plan 2014 and the current City Plan 2014.

We trust the supplied documentation is sufficient in order for Council to undertake an assessment of this application.

If you have any questions please do not hesitate to contact Mani Antonarakis on +61402 622 182.

Yours sincerely,



Mani Antonarakis
DIRECTOR
PLANNING & DEVELOPMENT SOLUTIONS