

BCC DS
RECEIVED
28-SEP-2026
APPLICATION REF
A007121709

28 September 2026

The Chief Executive Officer
Brisbane City Council
GPO Box 1434
BRISBANE Q 4001

Attention: Planning Services

Dear Sir / Madam,

Re: Request to Make a Change to a Development Approval over land located at 55, 59, 61 & 63 Tingal Road, Wynnum also described as Lots 99, 100, 120 & 121 on SP301032
Council Reference: A006831135

1. Introduction

On behalf of Groove Developments No 1 Pty Ltd, we hereby request to make a change to the abovementioned development approval under s78 of the Planning Act 2016 ('the Act').

In support of this request, please find attached the following:

- Attachment 1 – Planning Act Form 5
- Attachment 2 – Property Searches
- Attachment 3 – Relevant Approval;
- Attachment 4 – Revised Architectural Plans prepared by Invilla Architecture; and
- Attachment 5 – Revised Landscape Concept Plans prepared by The Landscape Group.

2. Site Details

The subject site comprises four (4) existing allotments and is located at 55, 59, 61 & 63 Tingal Road, Wynnum also described as Lots 99, 100, 120 & 121 on SP301032. The site is generally rectangular in shape, has a total area of 2,021m² and enjoys dual road frontage of approximately 49m to Tingal Road and 39m to Chestnut Street.

As **Figure 1** shows, the site is currently improved by a single storey commercial building which is supported by a 19 space carpark.

Under the *Brisbane City Plan 2014* the site is:

- located in the Character and Low-medium density residential zone;
- located within the bounds of the Wynnum-Manly neighbourhood plan area (no specific precinct); and
- affected by the following overlays:
 - Airport environs overlay (OLS – Horizontal limitation surface boundary; Procedures for air navigation surfaces (PANS); BBS zone – Distance from airport 3-8km)
 - Community purposes network overlay
 - Critical infrastructure and movement network overlay (Critical infrastructure and movement planning area sub-category)
 - Dwelling house character overlay
 - Potential and actual acid sulfate soils overlay (Potential and actual acid sulfate soils sub-category; Land above 5m AHD and below 20m AHD sub-category)

- Road hierarchy overlay (Tingal Road – District Road; Chestnut Street - Neighbourhood road)
- Streetscape hierarchy overlay (Neighbourhood street minor)
- Transport building character overlay (Neighbourhood character sub-category); and
- Transport noise corridor overlay (Designated State Noise corridor – rail network: Category 1: Noise level 70 dB(A) – 75 dB(A); Designated State Noise corridor – rail network: Category 2: Noise level 75 dB(A) – 80 dB(A); Designated State Noise corridor – rail network: Category 3: Noise level 80 dB(A) – 85 dB(A); Designated State Noise corridor – rail network: Category 4: Noise level > 85 dB(A)).

At a State level, the site is wholly located within the Urban footprint and the Water resource planning area (refer Figure 4).



Figure 1: Current Aerial Photo
Source: MetroMaps

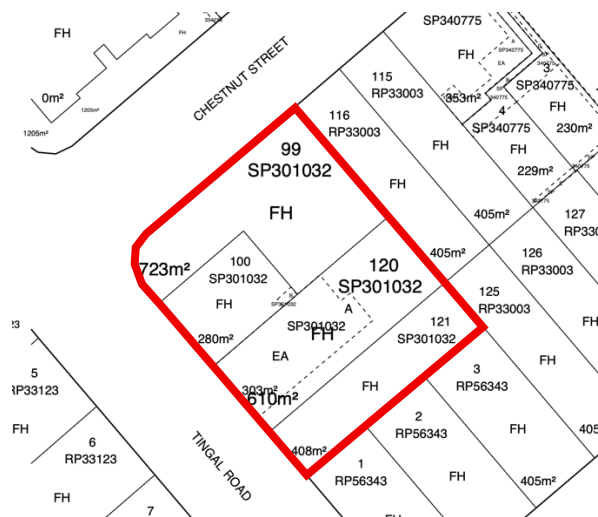


Figure 2: SmartMap
Source: Queensland Government

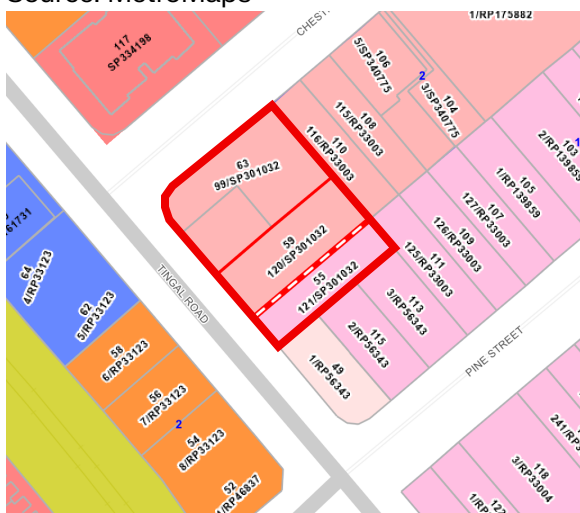


Figure 3: Zoning Map
Source: Brisbane City Plan 2014

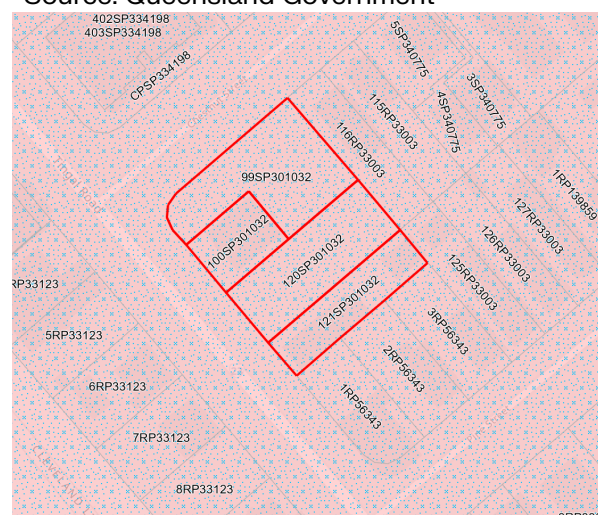


Figure 4: State DA Mapping
Source: Queensland Government

3. Site Approval History

On 9 April 2026, Council granted the following development permits over the site:

- A Material Change of Use for Multiple dwellings (25 Dwellings); Food and drink outlet/s and Shop/s; and
- To Carry Out Building Work associated with the construction of 25 x Multiple dwellings in the Traditional building character overlay (Council Ref: A006831135).

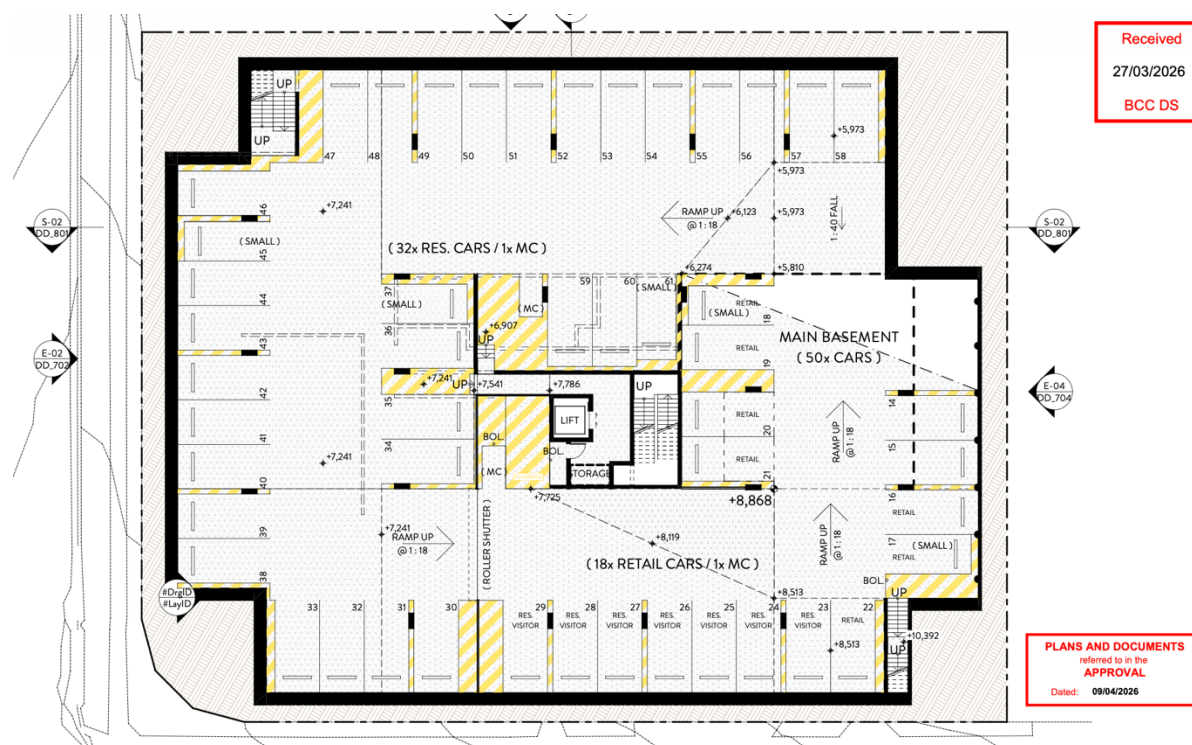


Figure 5: Extract of A006831135 Approved Basement Plan



Figure 6: Extract of A006831135 Approved South Western Elevation

4. Proposed Changes

4.1 Changes to Built Form

Since the development was approved, our client has been advancing the detailed design process which has identified a number of items which require amendment. These include:

- Increasing the height of Levels 2 to 5 by 200mm each to accommodate fire sprinkler requirements. While the height per level is 3.2m, the additional 200mm is required to achieve a 2.7m floor-to-ceiling height throughout the apartments and comply with AO26.1 of the *Multiple dwelling code*. The remaining 0.5m is required for the slab and services. While it is acknowledged that this increases the building's overall height by 800mm, Level 5's ceiling and

the lift's overrun remain lower than the adjacent 5 storey building's roof terrace and lift overrun. For details, please refer to Dwg DD_700 in Attachment 4.

- Relocating the fire hydrant booster assembly services within the north-eastern corner of the site to face the street rather than the internal driveway.
- Reducing the area of deep planting in the north-eastern corner of the site to provide the food and drink outlet with a grease trap. This location was identified as the best option to minimise any impacts on the basement car parks below. While the area will no longer count as deep planting, soft landscaping over the top is still proposed except for over the access lid.
- Reallocating six (6) residential car parks as retail car parks, resulting in an overall allocation of 51 residential car parks and 29 retail spaces.
- Reconfiguring the basement level design to relocate the roller shutter door so all visitor and retail spaces are unimpeded 24 hours a day, 7 days a week.
- Reconfiguring the layout of units 501 – 503 to improve internal functionality.
- Raising the Level 1 arches fronting Tingal Road and Chestnut Street 400mm to increase the soil depth of Level 2's planters to 1.0m;
- Extending the extent of brickwork on Levels 2 and 3 of the south-western elevation (fronting Tingal Road) to balance the built form
- Introducing inverted arch forms to the Level 5 balconies, which mirror the arches on the ground level and the curved ends of the decorative brickwork on the levels between. This is considered to create a consistent architectural language from ground to top, visually tying the upper level to the lower levels when the building is read from the street.
- Rationalising the Level 5 balcony edges to create a regular, continuous outline around the building, achieved by:
 - pulling the balconies back to align with the building line fronting Tingal Road; and
 - extending the balconies out to the minimum setback fronting Chestnut Street.
- Redesigning the communal open space and extending the roof to cover the BBQs to improve its usability. Despite this, more than 50% of the area remains open to the sky and the roofline is setback slightly from units 501 & 503's rooves so not to create a continuous line.

Table A below provides a comparison of the approved versus proposed development outcome.

Table A – Comparison of Approved & Proposed Development		
Key Parameter	Approved Outcome	Proposed Outcome
Residential yield mix	2 x 2 bedroom dwellings 20 x 3 bedroom dwellings 3 x 4 bedroom dwellings Total = 25 dwellings	2 x 2 bedroom dwellings 20 x 3 bedroom dwellings 3 x 4 bedroom dwellings Total = 25 dwellings
Building height	5 storeys 16.52m	5 storeys 17.12m
Site cover	78%	78.48%
Minimum primary front setback (Tingal Road)	• Level 1 – 4m to wall • Level 2 – 3m to wall • Level 3 – 3.0m to wall • Level 4 – 6.21m to wall • Level 5 – 6.23m to wall	• Level 1 – 4m to wall • Level 2 – 3m to wall • Level 3 – 3.0m to wall • Level 4 – 6.19m to wall • Level 5 – 6.23m to wall
Minimum secondary front setback (Chestnut Street)	• Level 1 – 1.38m to outdoor dining / 4m to wall • Level 2 – 5.82m to wall • Level 3 – 5.82m to wall • Level 4 – 5.82m to wall • Level 5 – 8.01m to wall	• Level 1 – 1.40m to outdoor dining / 4m to wall • Level 2 – 5.82m to wall • Level 3 – 5.82m to wall • Level 4 – 5.82m to wall • Level 5 – 8.06m to wall
Minimum side (northern) setback	• Level 1 – 2.0m • Level 2 – 4.0m to wall	• Level 1 – 2.0m • Level 2 – 4.0m to wall

Table A – Comparison of Approved & Proposed Development		
Key Parameter	Approved Outcome	Proposed Outcome
	- Level 3 – 4.0m to wall - Level 4 – 6.11m to wall - Level 5 – 12.5m to wall	- Level 3 – 4.0m to wall - Level 4 – 6.05m to wall - Level 5 – 12.5m to wall
Minimum side (eastern) setback	- Level 1 – 1.5m - Level 2 – 4.0m to wall - Level 3 – 4.0m to wall - Level 4 – 6.21m to wall - Level 5 – 8.97m to wall	- Level 1 – 1.5m - Level 2 – 4.0m to wall - Level 3 – 4.0m to wall - Level 4 – 6.15m to wall - Level 5 – 8.97m to wall
Landscaping	- Deep planting = 255m² (12.62% of site's area) - Soft landscaping = 479m² (23.70% of site's area)	- Deep planting = 262m² (12.97% of site's area) - Soft landscaping = 368m² (18.22% of site's area)
Private open space	Each unit is provided with its own private balcony off its living area with areas ranging between 9m ² – 147m ²	Each unit is provided with its own private balcony off its living area with areas ranging between 9m ² – 139m ²
Communal open space	113m ²	109m ²
Access	10.0m wide Type B crossover to Chestnut Street	10.0m wide Type B crossover to Chestnut Street
Car parking	58 resident spaces 7 visitor spaces 22 retail spaces 2 motorcycle spaces - Total = 89 spaces	51 resident spaces 7 visitor spaces 29 retail spaces 2 motorcycle spaces - Total = 89 spaces
Bicycle parking	26 resident spaces 7 retail spaces - Total = 33 spaces	26 resident spaces 7 retail spaces - Total = 33 spaces

In addition to the above, through the detailed design phase, it has been identified that the proposed driveway flare is located approximately 1.29m from the existing street tree proposed to be retained fronting Chestnut Street, rather than the 2.0+m previously indicated. This error has been rectified on the Revised Plans in **Attachments 4 and 5**. Despite being located within 2.0m of the flare, the tree is still proposed to be retained and we do not believe any changes to condition 19 are required to reflect this.

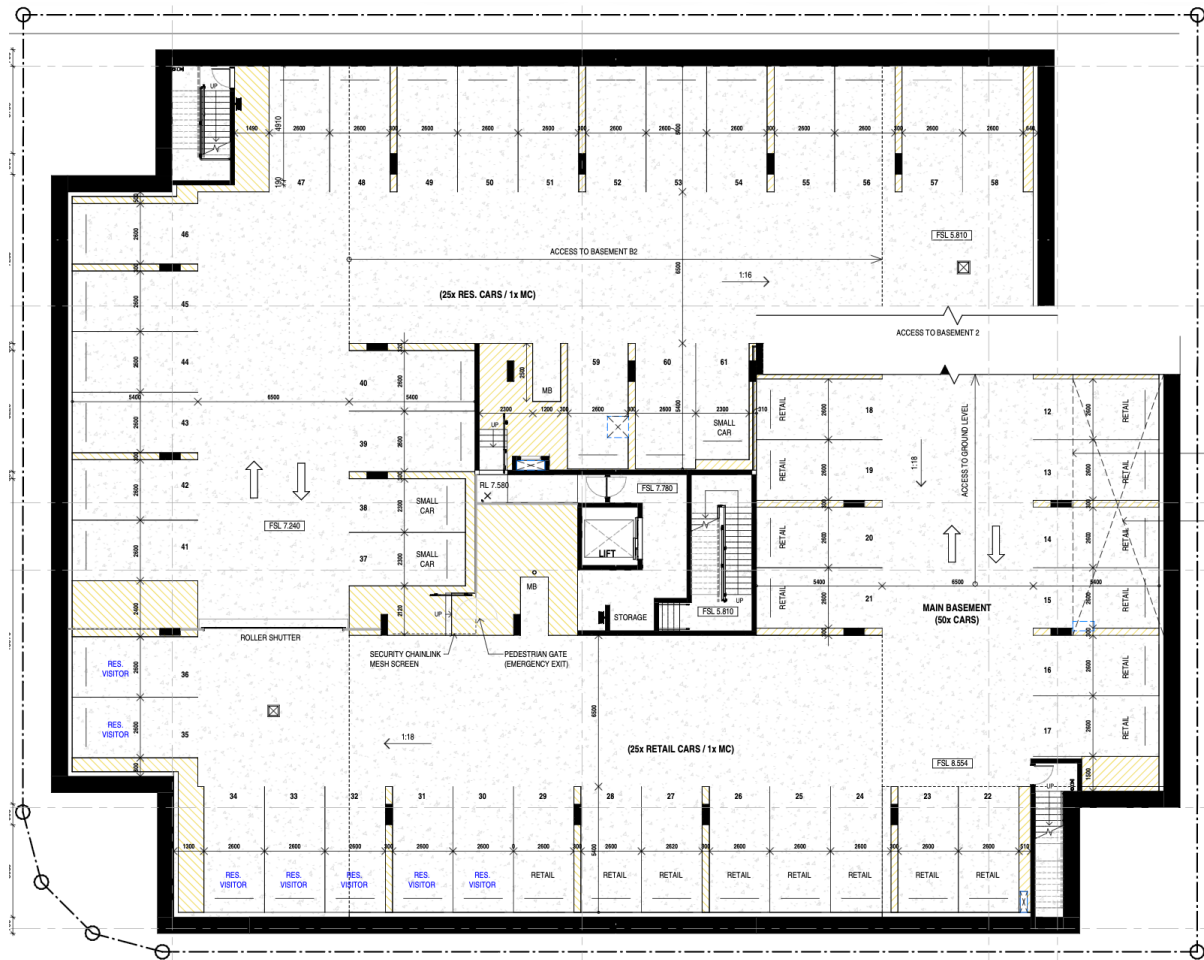


Figure 7: Extract of Proposed Basement Plan



Figure 8: Extract of Proposed South Western Elevation

4.2 Changes to Approval Documentation

In order to facilitate the above, the following changes to the approval package are sought.

5.3.1 Changes To Approved Plans

The table of approved drawings and documents is proposed be updated to include the revised drawings in **Attachment 4 and 5**. All plans to be removed are in ~~strikethrough~~; all replacements are in **bold**.

Table B – Changes to Approved Drawings and Documents		
Plan / Document Name	Reference Number	Date
Landscape Plan Streetscape	D25039-LI-01 Issue G H	20-FEB-2026 (Received) 28-SEP-2026
Landscape Plan Level 1	D25039-LI-02 Issue G (Amended in Red 16-MAR-2026) H	20-FEB-2026 (Received) 28-SEP-2026
Landscape Plan Level 2	D25039-LI-03 Issue G (Amended in Red 16-MAR-2026) H	20-FEB-2026 (Received) 28-SEP-2026
Landscape Plan Level 4	D25039-LI-04 Issue G (Amended in Red 16-MAR-2026) H	20-FEB-2026 (Received) 28-SEP-2026
Landscape Plan Level 5	D25039-LI-05 Issue G (Amended in Red 16-MAR-2026) H	20-FEB-2026 (Received) 28-SEP-2026
Landscape Section	D25039-LI-06 Issue G (Amended in Red 16-MAR-2026) H	20-FEB-2026 (Received) 28-SEP-2026
Landscape Section	D25039-LI-07 Issue G (Amended in Red 16-MAR-2026) H	20-FEB-2026 (Received) 28-SEP-2026
Planting Palette	D25039-LI-08 Issue G H	20-FEB-2026 (Received)
Development Summary	DD_500 Rev. 13	27-MAR-2026 (Received)
Roof/Site Plan	DD_501 Rev. 13	27-MAR-2026 (Received)
Lower Basement Plan	DD_600 Rev. 11	27-MAR-2026 (Received)
Basement Plan	DD_601 Rev. 10	27-MAR-2026 (Received)
Level 01 Plan	DD_602 Rev. 15	27-MAR-2026 (Received)
Level 02 Plan	DD_603 Rev. 11	27-MAR-2026 (Received)
Level 03 Plan	DD_604 Rev. 12	27-MAR-2026 (Received)
Level 04 Plan	DD_605 Rev. 12	27-MAR-2026 (Received)
Level 05 Plan	DD_606 Rev. 13	27-MAR-2026 (Received)
South-West Elevation	DD_701 Rev. 09	27-MAR-2026 (Received)
North-West Elevation	DD_702 Rev. 09	27-MAR-2026 (Received)
North-East Elevation	DD_703 Rev. 09	27-MAR-2026 (Received)
South-East Elevation	DD_704 Rev. 08	27-MAR-2026 (Received)
Section View	DD_800 Rev. 08	27-MAR-2026 (Received)
Section View	DD_801 Rev. 08	27-MAR-2026 (Received)
Site Based Stormwater Management Plan	25052 Rev B	02-AUG-2025 (Received)
Project Information	DD_001 Revision F	24-SEP-2026
Development Summary	DD_500 Revision F	24-SEP-2026
Roof / Site Plan	DD_501 Revision F	24-SEP-2026
Site Context	DD_502 Revision F	24-SEP-2026
Private and Communal Open Space	DD_504 Revision F	24-SEP-2026
Lower Basement Plan	DD_600 Revision F	24-SEP-2026

Table B – Changes to Approved Drawings and Documents		
Plan / Document Name	Reference Number	Date
Basement Plan	DD_601 Revision F	24-SEP-2026
Level 01 Plan	DD_602 Revision F	24-SEP-2026
Level 02 Plan	DD_603 Revision F	24-SEP-2026
Level 03 Plan	DD_604 Revision F	24-SEP-2026
Level 04 Plan	DD_605 Revision F	24-SEP-2026
Level 05 Plan	DD_606 Revision F	24-SEP-2026
Roof Plant	DD_607 Revision F	24-SEP-2026
Context Elevation	DD_700 Revision F	24-SEP-2026
South-West Elevation	DD_701 Revision F	24-SEP-2026
North-West Elevation	DD_702 Revision F	24-SEP-2026
North-East Elevation	DD_703 Revision F	24-SEP-2026
South-East Elevation	DD_704 Revision F	24-SEP-2026
Section 01	DD_800 Revision F	24-SEP-2026
Section 02	DD_801 Revision F	24-SEP-2026

5.3.2 Changes To Conditions Of Approval

The following changes to conditions are sought:

Table C – List of Proposed Changes to Conditions		
Existing Wording	Proposed Wording	Justification for change
42) Access, Grades, Manoeuvring, Carparks, Signs and Line Marking ...	... iv. Parking on the site for 58 51 resident cars, 7 residential visitor cars, 22 29 retail cars including 1 parking spaces for people with disabilities and 2 motorcycles. There must be a minimum number of 89 total number of spaces provided on site.	The changes support the proposed reallocation of car parking. With regard to compliance, the <i>Transport, access, parking and servicing Planning scheme policy</i> prescribes the following residential car parking rates: • 1.5 spaces per 2 bdrm dwelling • 2 spaces per 3 bdrm dwelling • 2.5 spaces per 4 bdrm dwelling; plus • 0.25 visitor spaces per dwelling. The above requires the provision of: • 51 residential car parks (3 for the 2 bdrm dwellings, 40 for the 3 bdrm dwellings and 7.5 for the 4 bdrm dwellings); plus • visitor car parks. As such, the proposal to reallocate 6 residential spaces to retail spaces remains compliant

Table C – List of Proposed Changes to Conditions

Existing Wording	Proposed Wording	Justification for change
		with the requirements for Multiple dwellings under the <i>Transport, access, parking and servicing Planning scheme policy</i> while improving the retail component's compliance.

5.3.3 Changes To Infrastructure Charges

An amended Infrastructure charges notice is not required to be issued given the proposed change does not result in a change to the development's yield or imperious area.

6 Type Of Change Application

The Act establishes two (2) types of change to a development approval:

1. A 'Minor change' to a development approval; or
2. An 'Other change' to a development approval.

For a change to be considered a 'minor change', the change must meet the following criteria set out in Schedule 2 of the Act:

Table D - Assessment of Proposal Against Criteria in Minor Change Definition

Minor Change Criteria	Y / N	Response
For a development approval-		
(i) would not result in substantially different development; and	N	Table D confirms that the proposed change does not result in 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	N	The proposed change does not include or introduce 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	N	The relevant approval in Attachment 3 confirms the original development application did not trigger referral to any concurrence or advice agencies. The Property Searches in Attachment 2 confirm that if a development application for the development, including the change, was made today, it still would not trigger referral to The Chief Executive or any other entity.
C. referral to extra referral agencies, other than to the chief executive; or	N / A	The relevant approval in Attachment 3 confirms that the original application was not referred to any 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	N / A	The proposed change does not require a referral agency (i.e. The Chief Executive) 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

Table D - Assessment of Proposal Against Criteria in Minor Change Definition		
Minor Change Criteria	Y / N	Response
the application against, or have had regard to, when the application was made; or		application against, or have had regard to, when the application was made.
E. public notification if public notification was not required for the development application'.	N / A	The original application was subject to Impact Assessment and therefore, was required to be publicly notified.

Schedule 1 of the Development Assessment Rules sets a guiding criterion for what constitutes 'substantially different development'. An assessment of the proposed change against this criterion is provided in **Table E**.

Table E – Assessment of Proposed Development Against Substantially Different Development Criteria		
Substantially Different Development Criteria	Y / N	Our Response
a) Involves a new use	N	The proposed change does not involve a new use. The proposal still seeks approval for Multiple dwellings, Food and drink outlet/s and Shop/s.
b) Results in the application applying to a new parcel of land	N	The proposed change does not result in the approval applying to any new parcels of land.
c) Dramatically changes the built form in terms of scale, bulk or appearance.	N	The proposed change is not considered to dramatically change the building's approved built form in terms of scale, bulk or appearance. Table A confirms that no material changes are proposed to the building's key development parameters and the building will continue to be constructed using the same palette of materials with no change to the approved roof form.
d) Changes the ability of the proposal to operate as intended	N	The proposed change does not alter the development's ability to operate as intended. It will continue to be able to operate as a mixed use, 5 storey building.
e) Removes a component that is integral to the operation of the development	N	The proposed change does not remove 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	N	No changes are proposed to the development's internal manoeuvring, access, or servicing arrangements and no changes are proposed to the overall number of onsite car parks to be provided.
		As outlined in Table C, the proposal simply seeks to reallocate 6 residential car parks to retail car parks. The proposed residential allocation remains compliant with Council's TAPS PSP while improving the retail component's compliance.

Table E – Assessment of Proposed Development Against Substantially Different Development Criteria

Substantially Different Development Criteria	Y / N	Our Response
		To support the change and ensure there are no adverse impacts on traffic flow or the external transport network, the proposal also seeks to relocate the roller shutter on the basement level to ensure all visitor and retail spaces are accessible 24 hours a day, 7 days a week.
g) Introduces new impacts or increases the severity of known impacts	N	The proposed change does not introduce new impacts or increase the severity of known impacts.
h) For a development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act – introduces new social impacts or increase the severity of known social impacts; or	N	The proposal is not prescribed by the Planning Regulation as requiring social impact assessment.
i) Removes an incentive or offset component that would have balanced a negative impact of the development.	N	The proposed change does not remove an incentive or offset component.
j) Impacts on infrastructure provisions.	N	The proposed change will not result in any impacts on infrastructure provisions.

Tables D and E demonstrate the proposed change does not result in substantially different development and meets the definition of a minor change. Accordingly, this application seeks a 'minor' change to the development approval under section 81 of the Act.

7 Evaluation Against Relevant Assessment Criteria

Section 81 of the Act prescribes what the responsible entity must consider when assessing and deciding an application for a 'minor' change. This includes:

- 2) When assessing the change application, the responsible entity must consider-
 - a) the information the applicant included with the application; and
 - 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
 - c) any pre-request response notice or response notice given in relation to the change application; and
 - d) if the responsible entity is, under section 78(3)(ba) or (bb), 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
 - 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
 - e) another matter that the responsible entity considers relevant.
- 3) 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.

In response to the aforementioned criteria we note:

- 2(b) The proposal remains generally consistent with what was previously approved by Council and does not, in our opinion, exacerbate the specific concerns raised by one of the four (4) properly made submissions received during the original application's public notification process. The proposal retains a five (5) storey building with ground floor active uses, 25 Multiple dwellings above, and access via Chestnut Street. No changes are proposed to any of the minimum setbacks.
- 2(c) A pre-request response was not required to be obtained.
- 2(d) The original application was not a development application called in by the Minister.

8 Fees and Charges

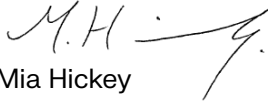
In accordance with Council's *2026 / 2027 Fees and Charges Schedule*, we understand the applicable fee for a (minor) change to a development approval for Centre activities is **\$3,600**. This fee will be promptly paid upon receipt of a fee invoice from Council.

9 Conclusions and Recommendation

Based on the facts and circumstances presented herein, it is recommended that the proposed change be approved. Should you have any queries, or require any further information, please do not hesitate to contact me.

Kind regards,

Hickey Oatley



Mia Hickey
Principal