

Our Ref: 26-325
Council Ref: DRS/USE/H02-840591

21 September 2026

The Manager
Brisbane City Council
GPO Box 1434
BRISBANE QLD 4001

**BCC DS
LODGED**

23/09/2026

APPLICATION REF

A007117133

Dear Sir / Madam,

**REQUEST FOR A MINOR CHANGE TO A DEVELOPMENT APPROVAL IN ACCORDANCE
WITH SECTION 81 OF THE PLANNING ACT 2016 – DRS/USE/H02-840591**

**MATERIAL CHANGE OF USE – DEVELOPMENT PERMIT AND BUILDING WORK –
PRELIMINARY APPROVAL FOR MULTI UNIT DWELLING AT 20 NEWSTEAD TERRACE,
NEWSTEAD DESCRIBED AS LOT 1 ON SP117789 (NOW DESCRIBED AS LOTS 1-61 ON
SP158904 & COMMON PROPERTY)**

We act on behalf of the Applicant, The Body Corporate for Newstead Terraces CTS 33392, 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 26 May 2003 for Material Change of Use – Development Permit) and Building Work – Preliminary Approval for the purposes of a Multi Unit Dwelling.

This Minor Change seeks to amend the conditions of the approval in order to enable the installation of permanent shutters, louvres, blinds or similar structures for the balconies of each unit, as required and endorsed by the Body Corporate.

As such, this application seeks to remove the following condition:

“Treatment of balconies and terraces.

- (a) All balconies and terraces shown on the approved drawings and documents, are to remain unenclosed with no shutters, glazing, louvres or similar permanent structures.*
- (b) Any Community Management Statement is to contain a by-law which reflects the requirements of the previous part of this condition.*

GUIDELINE

This condition is imposed to minimise bulk and protect the appearance of the development within the area. For any enquiries about this condition, please contact the Assessment Manager, Development Assessment.”

The proposal does not seek any modification to the approved plans as part of this application, with the exception of any conflicting mark-ups associated with the above condition.

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 –

(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.*

Our assessment of the above is as follows:

In relation to item (b) (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 uses of the site will remain as originally approved for the purpose of a Multi Unit Dwelling.
- The proposal does not apply to a new parcel of land and continues to apply to Lot 1 on SP117789 (Now described as Lots 1-61 on SP158904 & Common Property).
- The proposed change does not dramatically change scale, bulk and appearance of the existing, approved built form.
- 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 Multi Unit 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 (b) (ii) (a), the proposal does not include prohibited development.

In relation to point (b) (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.

The proposed changes do not trigger Impact Assessment.

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 amended conditions only.

The application fees would be \$4,800 for a change application under Section 81 of the Planning Act (Multiple Dwellings).

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



Luke Jones
Town Planner