

8 June 2026

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

Via Email: dalodgement@brisbane.qld.gov.au

Council Reference: A004547289

Dear Sir/Madam,

RE: Request to make a ‘Minor Change’ under Section 81 of the Planning Act 2016 to a Development Approval – Development Permit for a Material Change of Use for a Multiple Dwelling (55 Units) at 117 and 119 Mt Gravatt-Capalaba Road, Upper Mt Gravatt

We write to the Council (the responsible entity) on behalf of our client, UMG1179 Pty Ltd, with respect to the abovementioned Development Approval issued over 117 and 119 Mt Gravatt-Capalaba Road, Upper Mt Gravatt. The original approval was granted on 10 August 2017 and granted approval for a Development Permit for a Material Change of Use for a Multiple Dwelling (55 Units) (vide: A004547289).

The project is now under construction. As part of this detailed design process, specialist consultant feedback has led to changes to the approved development. The applicant now seeks to regularise the changes by requesting a ‘Minor Change’ to the approval pursuant to Section 81 of the Planning Act 2016 (“The Act”). The changed proposal complies with the relevant assessment benchmarks having regard to the existing approval. We therefore request the approved plans and conditions are altered in accordance with Section 83 of the Act.

This request for a Minor Change to a Development Approval is accompanied by:

- Revised Architectural Plan prepared by RC+ Design;
- Revised Landscape Concept Plan prepared by Mark Baldock Landscape Architect;
- RPEQ Traffic Engineering Certification prepared by BMC Traffic; and
- Planning Act Form 5 – Change Application Form.

Upon receipt of Council’s fee quote, payment of the relevant application fee shall be made.

This letter now sets out the changes proposed.

Site Details

The subject site, formally described as Lot 14 on RP70000 and Lot 4 on RP111565, has a combined site area of 1,487m² with an approximate combined frontage of 33m to Mt Gravatt-Capalaba Rd and is rectangular in shape. The lots historically contained dwelling houses, however the site has been cleared and earthworks associated with enacting the approved development are now well under way.

It is noted that the original Development Application applied, in addition to the subject site, over the adjacent property at 36 and 40 Mascar Street. The adjoining land was applied over for the purpose of an access easement, which has now been enacted. The adjoining land is considered an excluded premise for the purpose of the Change application at hand.

The site is located in the southern suburb of Upper Mount Gravatt, located approximately 11.5km southeast of the Brisbane CBD and 520m northeast of the Westfield Mt Gravatt Shopping Centre. The site surrounds a mix of residential typologies and land uses, though is positioned within the High Density Residential Zone and the Upper Mt Gravatt High Density Residential Sub-precinct (NPP-001c) of the Upper Mt Gravatt Precinct (NPP-001) of the Mt Gravatt Corridor Neighbourhood Plan. The site is mapped within several Planning Scheme overlays, none of which substantially burden the proposal and site.



Figure 1: Subject Site Aerial (Source: NearMap, image dated 3 December 2025)

Application History

Approval for a Material Change of Use for a Development Permit for a Material Change of Use for a Multiple Dwelling (55 Units) was granted on 10 August 2017 (vide: A004547289). The application was assessed and approved under Version 4.00/2016 of the Brisbane City Plan 2014 and the Planning Act 2016.

Proposed Changes

This section sets out the key changes to the approved plans which can be summarised as the following:

- A range of minor layout changes throughout the development as a result of on design changes driven by the structural engineering and architectural detailed design; and
- Landscape changes to align with architectural and structural engineering changes and to provide clarity with respect to planting above stormwater detention tanks.

Overview

Basement level changes primarily reflect structural rationalisation, including relocation, addition, and removal of columns, alongside changes to wall positions and core elements to improve constructability and parking layout efficiency.

At ground level changes include revised internal layouts, structural adjustments, and services coordination, including modifications to the booster room, PMT area, and external open space configuration. Changes to Levels 1 through 7 predominantly involve refinements to apartment layouts, with adjustments to internal walls and room configurations, as well as minor updates to building core elements and façade interfaces.

At Level 8 and the roof, the changes are mainly architectural, including layout refinements, façade treatments, and roof design updates, such as sun hood modifications and rooftop arrangement adjustments.

Changes are identified in the following table.

Level	Walls / Structure	Columns	Core (Lift & Stairs)	Layout Units	Services External / Other	Summary of Change
Basement 2	Existing walls moved; new walls added	Columns moved, removed, and added; locations updated	Lift & stair walls updated	N/A	N/A	Structural coordination and rationalisation of basement layout
Basement 1	Walls moved; new walls added	Columns moved, removed, and added; locations updated	Lift & stair walls updated	N/A	N/A	Structural and layout coordination consistent with Basement 2
Ground Floor	New walls added; walls relocated	Column locations updated; new columns introduced	Lift & stair walls updated	Room and unit layouts revised	Booster room updated; PMT area updated; slab/open space extended; external adjustments	Architectural, structural, and services changes
Level 1	New walls added; walls moved	Minor updates	Lift & stair walls updated	Unit layouts and room configurations revised	Planter boxes updated; minor external adjustments	Architectural layout refinement

Level	Walls / Structure	Columns	Core (Lift & Stairs)	Layout / Units	Services / External / Other	Summary of Change
Levels 2–7	New walls added; walls moved	Minor coordination updates	Lift & stair walls updated	Typical apartment layouts revised	Minor façade/Interface adjustments	Repeated typical floor refinements
Level 8 (Roof Terrace)	Walls adjusted in select areas	Minor updates	Lift & stair walls updated	Unit layouts updated	Sun hoods updated/added; terrace refinements	Architectural and façade refinement
Roof Plan	No significant wall changes	N/A	N/A	N/A	N/A	N/A

Table 1: Overview of Proposed Changes

Stormwater and Landscape

No change is sought with respect to the approved stormwater management outcome. Stormwater detention is to continue to be provided as approved, under the rear portion of the site.

We however flag this outcome for completeness as the detention tanks are, as they were when the original approval was granted, to be located underground with landscape above. The accompanying landscape plans identify planting to occur above and near to the tanks. The identified planting areas above the tanks range in depth from 1.8m to 0.4m.

The accompanying *Landscape Concept Plans* prepared by Mark Buldock Landscape Architect demonstrates a landscaping solution with respect to these altered soil depths within an approved deep planting area. The proposed planting methods and species within the changed deep planting area are seen to achieve the expected outcome for the site, whilst responding to constraints presented through achieving an appropriate stormwater solution.

The below section extract from the architectural plans shows the tanks in the context of the rear boundary setback.

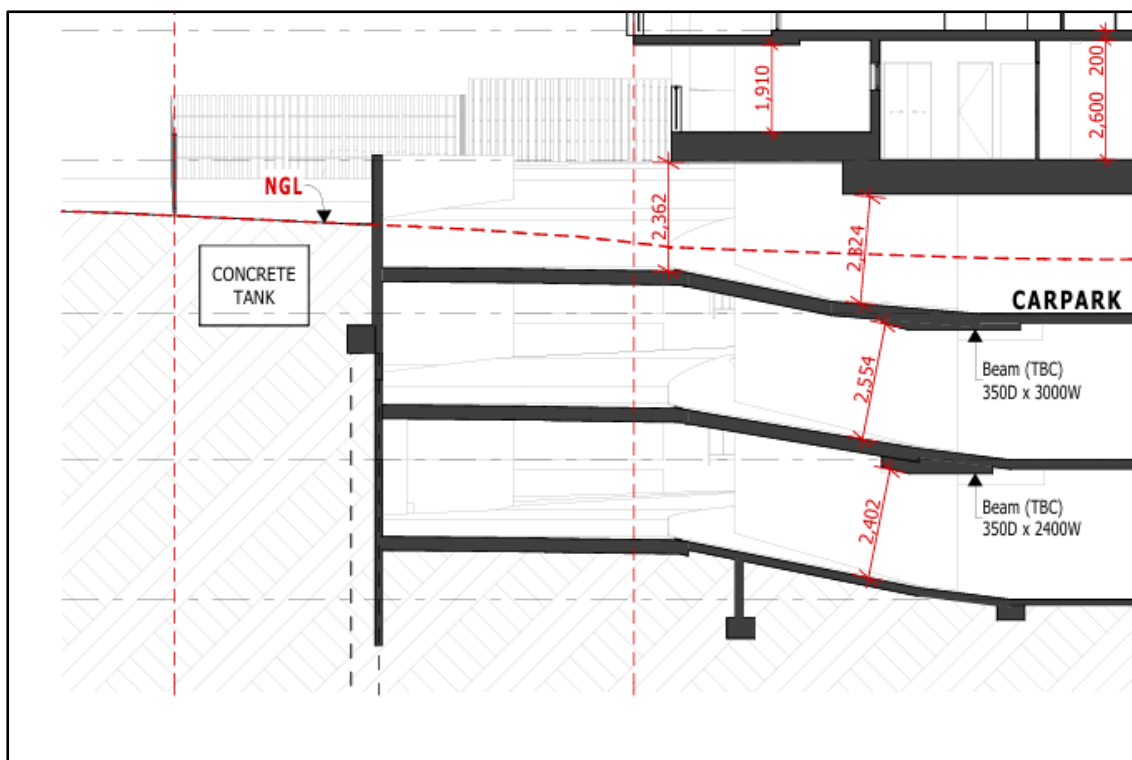


Figure 2: Concrete Stormwater Tank Section – Extract (Source: RC+ Design)

Traffic

The proposed changes to the basement ramps and internal carparking layout have occurred as a result of detailed design.

The accompanying RPEQ certified proposal, certified by Beth Meehan of BMC Traffic Engineers, details that the proposed changes to the ramp grades, height levels and carparking layout continues to achieve a practical and appropriate outcome for the site to operate as a Multiple Dwelling. The proposed changes ensure that access is not inhibited and height levels for the basement levels are achieved to comply with development standards.

Changes to Approved Drawings and Documents List

It is requested that the Drawings and Documents table and relevant conditions be updated as follows. For ease of reference the original relevant portion of conditions and Drawings and Documents table to be altered are 'struck through' with the replacement table provided beneath it.

Approved drawings:

Drawing or Document	Drawing/Plan No.	Date
Landscape Concept Plan	L-CD-1.01	16-MAR-2017 (Received)
Landscape Concept Plan	L-CD.1.02	16-MAR-2017 (Received)
Acoustic Report	2016078 R01A	15-DEC-2017

Drawing or Document	Drawing/Plan No.	Date
Access/Refuse Plan	DA-03.03 SK – Rev B (Amended in Red 03-AUG-2017)	04-MAY-2017 (Received)
Site Plan – Ground Floor Level	DA-03.04 SK – Rev B	04 MAY 2017 (Received)
Level 1 Floor Plan	DA-03.05 SK – Rev B	04 MAY 2017 (Received)
Level 2-7 Floor Plan	DA-03.06 SK – Rev B	04 MAY 2017 (Received)
Basement 1 Floor Plan	DA-03.07 SK – Rev B	04 MAY 2017 (Received)
Basement 2 Floor Plan	DA-03.08 SK – Rev B	04 MAY 2017 (Received)
Level 8 Terrace Plan	DA-04.01 SK – Rev B	04 MAY 2017 (Received)
Roof Plan	DA-04.02 SK – Rev B	04 MAY 2017 (Received)
NWest Elevation (Mt Gravatt Cap Rd)	DA-05.01 SK – Rev B	04 MAY 2017 (Received)
North East Elevation	DA-05.02 SK – Rev B	04 MAY 2017 (Received)
South East Elevation	DA-05.03 SK – Rev B	04 MAY 2017 (Received)
South West Elevation	DA-05.04 SK – Rev B	04 MAY 2017 (Received)
Section A	DA-05.05 SK – Rev B	04 MAY 2017 (Received)
Section B	DA-05.06 SK – Rev B	04 MAY 2017 (Received)
Section C	DA-05.07 SK – Rev B	04 MAY 2017 (Received)
Section D	DA-05.08 SK – Rev B	04 MAY 2017 (Received)

As amended by:

Drawing or Document	Drawing/Plan No.	Date
Acoustic Report	2016078 R01A	15-DEC-2017
Access/Refuse Plan	DA-03.03 SK – Rev B (Amended in Red 03-AUG-2017)	04-MAY-2017 (Received)
Landscape Concept Plan – Level 1	LCP-1	24 March 2026
Landscape Concept Plan – Level 8	LCP-2	24 March 2026
Landscape Specification Notes	LCP-3	24 March 2026
Site Plan	1.02 Issue D8	15 May 2026
Grid Setout Plan	1.02 Issue D8	15 May 2026
Slab Plan 1:400	2.01 Issue D8	15 May 2026
Slab Plan 1:400	2.02 Issue D8	15 May 2026
Basement 2 Slab Plan	2.03 Issue D8	15 May 2026
Basement 1 Slab Plan	2.04 Issue D8	15 May 2026
Ground Floor Slab Plan	2.05 Issue D8	15 May 2026
First Floor Slab Pan	2.06 Issue D8	15 May 2026
Second Floor Slab Pan	2.07 Issue D8	15 May 2026
Eighth Floor Slab Pan	2.08 Issue D8	15 May 2026
Detail Typical Section Balcony	2.09 Issue D8	15 May 2026
Basement 2	3.01 Issue D8	15 May 2026
Basement 1	3.02 Issue D8	15 May 2026
Ground Floor	3.03 Issue D8	15 May 2026
First Floor	3.04 Issue D8	15 May 2026
Second Floor (Typical)	3.05 Issue D8	15 May 2026
Eighth Floor	3.06 Issue D8	15 May 2026
Roof Plan	3.07 Issue D8	15 May 2026
Site Cover	3.08 Issue D8	15 May 2026
Elevation (North-West)	4.01 Issue D8	15 May 2026
Elevation (North-East)	4.02 Issue D8	15 May 2026

Drawing or Document	Drawing/Plan No.	Date
Elevation (South-East)	4.03 Issue D8	15 May 2026
Elevation (South-West)	4.04 Issue D8	15 May 2026
Section 1	4.05 Issue D8	15 May 2026
Section 2	4.06 Issue D8	15 May 2026
Section 3	4.07 Issue D8	15 May 2026
Section 4	4.08 Issue D8	15 May 2026
Section 5	4.09 Issue D8	15 May 2026

Conditions to be Altered

Changes to conditions are not sought, however references to approved plans and documents are to be read to reflect the accompanying documents.

Changes to Infrastructure Charges

No change is proposed to the unit breakdown and as such a revised infrastructure charge notice is not required.

Statutory Requirements

Minor Change

In accordance with Section 81(2) of the Planning Act 2016, Council must decide upon a request for a Minor Change to a development approval having regard to:

- (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 78A(3), 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.*

Further in accordance with Section 81(3) of the Planning Act, 2016, Council must in assessing the change application consider:

- (a) *a statutory instrument; or*
- (b) *another document applied, adopted or incorporated (with or without changes) in a statutory instrument.*

In accordance with the definitions in Schedule 2 of the Planning Act 2016, a Minor Change to a Development Approval is a change that:

“(b)

- 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, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, 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.”*

The proposal meets each aspect of the Minor Change definition as described below.

Substantially Different Development

The following is an assessment of the proposed change against the relevant components of Schedule 1 – Substantially Different Development of the Development Assessment Rules.

Element from the Guideline	Changed Proposal
Does not involve a new use.	The proposed minor change does not include a new use.
Does not result in the approval applying to a new parcel of land.	The proposal remains relevant to the same parcel of land as originally approved.
Does not dramatically change the built form in terms of scale, bulk and appearance.	The bulk and scale of the proposal does not substantially differ from what was originally approved.
Does not change the ability of the proposal to operate as intended.	The proposed changes do not compromise the ability for the site to operate as approved.
Does not remove a component that is integral to the operation of the development.	A component integral to the operation of the development is not removed as part of this change, rather the proposal makes changes to ensure the proposal is fit for purpose.
Does not significantly impact traffic flow and the transport network.	The changes relating to traffic shall not impact on traffic flows or the transport network.
Does not introduce new impacts or increase the severity of known impacts.	The proposed changes do not result in any new impacts or increased severity of known impacts.
Does not remove an incentive or offset component that would have balanced a negative impact of the development.	The proposed change to the approved design does not remove an element which would be

Element from the Guideline	Changed Proposal
	considered an offset component or one that balances a negative impact of the development.
Does not impact on the infrastructure provisions.	Infrastructure provisions are not affected as a result of the proposed change.

Prohibited Development

The proposed development is not identified as being prohibited development.

Referral Agencies

The original application required referral to Department of State Development Infrastructure and Planning. A review of the Planning Regulation 2017 confirms that the change proposed would not trigger referral to new referral agencies.

No change is sought to the referral agency response provided by SARA. It is noted that site access, stormwater management and acoustics do not change through the Change Application at hand.

Level of Assessment

When initially approved, the development was subject to Impact Assessment. The proposed changes would not alter the formal level of assessment for this application.

Public Notification

The original development application was subject to Impact Assessment and would continue to be subject to Impact Assessment.

Submissions

Section 81(2)(b) of the Planning Act states that the responsible entity must consider '... any properly made submissions about the development application... that was approved'.

Council's Response Decision Notice confirms submissions were received during the statutory notification period. We are of the opinion that the proposed change does not bring about new issues or impact on issues raised in the original submissions. Changes are minor and technical in nature and do not materially alter the manner in which the development presents.

Changes to Planning Instruments

Pursuant to Section 81(4) of the Planning Act 2016, the Council 'must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.'

The development was approved under Version 4.00/2016 of the Brisbane City Plan 2014 and as demonstrated remains consistent with the relevant planning instruments.

Whilst the planning scheme has changed since the time of the original Development Application, the approved development, which is under construction, is considered to maintain a suitable degree of compliance with the current planning scheme.

Conclusion

We write in relation to proposed alterations to the approved Development Permit for a Material Change of Use for a Multiple Dwelling (55 Units) at 117 and 119 Mt Gravatt-Capalaba Road, Upper Mt Gravatt. We are of the opinion that the proposed alterations meet the criteria to constitute a Minor Change within the meaning of Schedule 2 of the Planning Act 2016. We therefore request that the change is assessed and decided pursuant to Section 83 of the Act.

Thank you for your consideration of this request. Should you require any further clarification or information, please don't hesitate to contact our office on (07) 3360 4200.

Yours faithfully

URBAN STRATEGIES PTY LTD



**Herbert Murphy
TOWN PLANNER**