



Our ref: 12902
Council ref: A003896404 / A006938209

21 July 2026

Development Services
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Via Development Application Lodgement Form (smart form)

Dear Council,

RE: **CHANGE APPLICATION (MINOR CHANGE) *SECTION 81* OF THE PLANNING ACT 2016 DEVELOPMENT APPROVAL FOR A MATERIAL CHANGE OF USE – MULTIPLE DWELLING (42 UNITS) & PRELIMINARY APPROVAL UNDER S241 OF SPA FOR CARRYING OUT BUILDING WORK OVER 49-52 HENRY STREET, CHERMSIDE QUEENSLAND 4032 FORMALLY KNOWN AS LOT 9 & 10 ON RP89816**

We act on behalf of Karam Construct Pty Ltd, (*the Applicant*), in relation to this Change Application made in accordance with sections 78 & 81 of the *Planning Act 2016* (*the Planning Act*). We have carried out an assessment of the proposed changes and believe they constitute a 'minor change' in accordance with schedule 2 of the Planning Act.

This letter includes the following sections:

- Background;
- Proposed Minor Change;
- Amendments to Approval;
- Legislative Assessment; and
- Summary.

In support of our change application, the following documentation has been provided as attachments:

Attachment A	Amended Proposal Plans
Attachment B	Amended Landscape Concept Plan
Attachment C	DA Form 5
Attachment D	Owner's Consent



1. Background

The subject site has been subject to the following development applications and development approvals.

Subject Site Development Approvals:

- **A003896404** – Development Permit for a Material Change of Use – Multiple Dwelling (42 Units) & Preliminary Approval for Carrying out Building Work under s241 of SPA. This application was decided on 11 March 2016.
- **A005404762** – Extension to Currency Period for A003896404 Development Permit for a Material Change of Use – Multiple Dwelling (42 Units) & Preliminary Approval for Carrying out Building Work under s241 of SPA. This extension application was decided on 17 June 2020 and extended the currency period until 18 May 2022.
- **A005978572** – Extension to Currency Period for A003896404 Development Permit for a Material Change of Use – Multiple Dwelling (42 Units) & Preliminary Approval for Carrying out Building Work under s241 of SPA. This extension application was decided on 17 June 2022 and extended the currency period until 18 May 2024.
- **A006504351** – Extension to Currency Period for A003896404 Development Permit for a Material Change of Use – Multiple Dwelling (42 Units) & Preliminary Approval for Carrying out Building Work under s241 of SPA. This extension application was decided on 23 May 2024 and extended the currency period until 18 May 2026.
- **A006529274** – Request to Change Approval under s81 (Minor Change) for Development Permit for a Material Change of Use – Multiple Dwelling (42 Units) & Preliminary Approval for Carrying out Building Work under s241 of SPA. This application was decided on 27 November 2024.
- **A006909339** – Request for Compliance Assessment – Development Permit for Operational Works – Filling and/or Excavation. This application was decided on 19 January 2026.
- **A006938209** – Extension to Currency Period for A003896404 Development Permit for a Material Change of Use – Multiple Dwelling (42 Units) & Preliminary Approval for Carrying out Building Work under s241 of SPA. This extension application was decided on 19 February 2026 and extended the currency period until **18 May 2028**.

The applicant is currently undertaking piling onsite and subsequently commenced detail design process of the building and landscaping design. As a result of this detailed information, a Minor Change to the permit is required.



2. Proposed Minor Change

On behalf of *Karam Construct Pty Ltd*, this Minor Change seeks to amend the previous Minor Change Approval for Material Change of Use – Multiple Dwelling (42 Units) & Preliminary Approval for Carrying out Building Work under s241 of SPA (Ref: A006529274) at 49-52 Henry Street, Chermside, formally described as Lot 9 and 10 on RP89816. This request is made under section 8 of the Planning Act 2016 and is to be administered, assessed and decided as a 'minor change' in accordance with section 81 of the *Planning Act 2016*. Please see below an outline of the proposed changes from the previously approved built form.

Basement 02

- Reduced resident car parking from 39 to 38 parks
- Small car parking increased from 1 to 3 spaces
- Ramp gradient increased from 1:15 to 1:20.
- Added mechanical riser
- Aisle width reduced from 6.1m to 5.8m to allow for structural external wall
- Added stormwater wet well
- Wall locations adjusted for structural external wall column thickens increases

Basement 01

- Resident car park spaces increased from 27 to 28
- Reconfiguring visitor car park, comprising:
 - 7 visitor car parks (including 1x PWD) to 7 visitor car parks (including 1x PWD + 1x small car)
- Updated core layout
- Ramp gradient increase from 1:15 to 1:20.

Under Croft

- Two (2) Mechanical risers updated
- Ramp / carpark exhaust plant wall adjusted
- Updated Mechanical fan room
- Adjustments to stairs to allow enough risers to undercroft
- Relocated column for engineering requirements
- 2x columns for engineering requirements



Ground Level Layout

- Units removed and replaced by Energex indoor substation, fire tank, fire pump room
- Stair access adjusted from B1-Undercroft to B1-Ground Level.
- Outdoor stairwell adjusted from 8 steps to 9 steps.
- Changed lobby layout
- Bin room layout changed

Levels 1-5

- Four-bedroom apartment (APT *01) converted into two (2) two-bedroom apartments (APT *01 & APT *06)
- Wall system adjustments / allowances
- All curves removed (balcony slabs, walls, windows)
- Amended entry to APT*102 and added electric room
- Updated internal apartment layout

Design Changes

The following overall design changes are proposed:

- All curves removed (balcony slabs, walls, windows).
- Material changes:
 - Feature brick face changed to render
 - Feature vertical battens at Level 1-5 removed from East and West elevations.
- Increased height to Levels 00-07 by 0.100m.
- Adjustment to Basement 02 from +17.800m to +17.350m
- Adjustment to Basement 01 from +20.800m to +20.300m.



3. Amendments to Approval

This minor change application requires a number of amendments to the minor change approval (ref: A006529274).

3.1. Changes to Approved Plans

The applicant requests that Council update the approved drawings and documents listed in the approval to reflect the proposed changes. Amended Plans are provided in Attachment A.

The table below provides an overview of the requested changes to approved drawings and documents.

Drawing or Document	Number	Plan Date
Site Plan Site Plan	Project No: H4719HEN, Drawing No: TP101, Issue: D Project No: 025-105 Drawing No: M-01-01	07-Nov-2024 (Received) 06-JUL-2026
Level B02 Level B02	Project No: H4719HEN, Drawing No: TP201, Issue: D Project No: 025-105 Drawing No: M-02-01	07-Nov-2024 (Received) 06-JUL-2026
Level B01 Level B01	Project No: Project No: H4719HEN, Drawing No: TP202, Issue: D Project No: 025-105 Drawing No: M-02-02	07-NOV-2024 (Received) 06-JUL-2026
Overland Flow	Project No: 025-105 Drawing No: M-02-03	06-JUL-2026
Undercroft Undercroft	Project No: H4719HEN, Drawing No: TP203, Issue: D Project No: 025-105 Drawing No: M-02-04	07-NOV-2024 (Received) 06-JUL-2026
Level 00 Level 00	Project No: H4719HEN, Drawing No: TP204, Issue: E (Amended In Red 20-NOV- 2024) Project No: 025-105 Drawing No: M-02-05	20-NOV-2024 (Received) 06-JUL-2026



Level 01 Level 01	Project No: H4719HEN, Drawing No: TP205, Issue: D Project No: 025-105 Drawing No: M-02-06	07-NOV-2024 (Received) 06-JUL-2026
Level 02, 04 Level 02	Project No: H4719HEN, Drawing No: TP206, Issue: D Project No: 025-105 Drawing No: M-02-07	07-NOV-2024 (Received) 06-JUL-2026
Level 03	Project No: 025-105 Drawing No: M-02-08	06-JUL-2026
Level 03, 05 Level 04	Project No: H4719HEN, Drawing No: TP207, Issue: D Project No: 025-105 Drawing No: M-02-09	07-NOV-2024 (Received) 06-JUL-2026
Level 05	Project No: 025-105 Drawing No: M-02-10	06-JUL-2026
Level 06 Level 06	Project No: H4719HEN, Drawing No: TP208, Issue: D Project No: 025-105 Drawing No: M-02-11	07-NOV-2024 (Received) 06-JUL-2026
Level 07 — Roof Terrace Level 07	Project No: H4719HEN, Drawing No: TP209, Issue: D Project No: 025-105 Drawing No: M-02-12	07-NOV-2024 (Received) 06-JUL-2026
Roof Plan Roof	Project No: H4719HEN, Drawing No: TP210, Issue: D Project No: 025-105 Drawing No: M-02-13	07-NOV-2024 (Received) 06-JUL-2026
North Elevation North Elevation	Project No: H4719HEN, Drawing No: TP401, Issue: D Project No: 025-105 Drawing No: M-03-01	07-NOV-2024 (Received) 06-JUL-2026
East Elevation East Elevation	Project No: H4719HEN, Project No: TP402, Issue: D Project No: 025-105 Drawing No: M-03-02	07-NOV-2024 (Received) 06-JUL-2026



West Elevation West Elevation	Project No: H4719HEN, Drawing No: TP403, Issue: D Project No: 025-105 Drawing No: M-03-04	07-NOV-2024 (Received) 06-JUL-2026
South Elevation South Elevation	Project No: H4719HEN, Project No: TP404, Issue: D Project No: 025-105 Drawing No: M-03-03	07-NOV-2024 (Received) 06-JUL-2026
Section A Section A	Project No: H4719HEN, Drawing No: TP501, Issue: D Project No: 025-105 Drawing No: M-04-01	07-NOV-2024 (Received) 06-JUL-2026
Section B Section B	Project No: H4719HEN, Drawing No: TP502, Issue: D Project No: 025-105 Drawing No: M-04-02	07-NOV-2024 (Received) 06-JUL-2026
Landscape Concept Plan	Project Number: 12902 Issue A Prepared by Saunders Havill	16-JUL-2026
Landscape Concept Plan - Ground	Project No: 2305, Drawing No: Sht-1, Revision No: B	23-SEP-2024 (Received)
Landscape Concept Plan - Level 1, 7	Project No: 2305, Drawing No: Sht-2, Revision No: B	23-SEP-2024 (Received)
Plant List, Basic Specification	Project No: 2305, Drawing No: Sht-3, Revision No: B	23-SEP-2024 (Received)
Landscape Concept Plan - Ground	Project No: 2305, Drawing No: Sht-1, Revision No: B	23-SEP-2024
Landscape Concept Plan - Level 1, 7	Project No: 2305, Drawing No: Sht-2, Revision No: B	23-SEP-2024
Plant List, Basic Specification	Project No: 2305, Drawing No: Sht-3, Revision No: B	23-SEP-2024



3.2.Changes to Conditions

The Applicant seeks changes to the following conditions:

Condition 19

(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, Project No: 12902 Issue A.** ~~Landscape Concept Plan—Ground, Project No: 2305, Drawing No: Sht 1, Revision No: B and Plant List, Basic Speciiifcation, Project No:2305, Drawing No: Sht 3, Revision No: B, received 23-SEP-2024,~~ the relevant Brisbane Planning Scheme Codes/Policies and the following conditions:

4. Legislative Assessment

Schedule 2 of the *Planning Act 2016* establishes the criteria of a minor change to a development approval by way of its definition. To support this application, we have undertaken an assessment against each element of this criteria below:

Minor Change	Response
<i>(b) for a development approval –</i>	
<i>(i) Would not result in substantially different development; and</i>	The proposed changes align with the original approval, enhancing the functionality and design without altering the intended use or character of the site. These adjustments remain within the scope of the initial approval and do not significantly impact the overall outcomes.
<i>(ii) If a development application for the development, including the change, were made when the change application is made would not cause--</i>	
<i>(A) the inclusion of prohibited development in the application; or</i>	The proposed changes comply with the relevant planning scheme and legislation, ensuring no prohibited development is introduced as part of this application.
<i>(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or</i>	An assessment of proposed development has been undertaken against the Planning Regulation 2017. The change does not cause referral to extra referral agencies.
<i>(C) referral to extra referral agencies, other than to the chief executive; or</i>	No additional aspects are required to be assessed. The application seeks to amend existing outcomes.



Minor Change	Response
<i>(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</i>	No additional aspects are required to be assessed. The application seeks to amend existing outcomes.
<i>(E) public notification if public notification was not required for the development application.</i>	The change does not require public notification.

Guidance as to what constitutes substantially different development is provided within Schedule 1 of the *Development Assessment Rules* (DA Rules). A response to each of these elements is in the criteria below:

Substantially different development:	Response
<i>(a) Involves a new use; or</i>	The change does not involve a new use. The proposal retains the existing land use classification.
<i>(b) Results in the application applying to a new parcel of land; or</i>	The proposal does not introduce new land.
<i>(c) Dramatically changes the built form in terms of scale, bulk and appearance; or</i>	The proposal does not change the built form in terms of scale, bulk and appearance.
<i>(d) Changes the ability of the proposed development to operate as intended; or</i>	The change will not impact the Applicant's ability to deliver the development to operate as intended.
<i>(e) Removes a component that is integral to the operation of the development; or</i>	The change does not remove an integral component to the operation of the development.
<i>(f) Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or</i>	The proposed changes will not significantly impact traffic flow or the transport network. Preliminary engineering changes and overall layout changes are not considered to adversely affect traffic flow or the functionality of the transport network.
<i>(g) Introduces new impacts or increases the severity of known impacts; or</i>	No additional impacts to those considered as part of the original assessment have been introduced as part of this change.



Substantially different development:	Response
(h) <i>For a development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act –</i> ▪ <i>Introduces new social impacts or increase the severity of known social impacts; or</i>	No social impacts are introduced or increased as part of this change.
(i) <i>Removes an incentive or offset component that would have balanced a negative impact of the development; or</i>	The proposed changes do not remove an incentive or offset component that would have balanced a negative impact of the development.
(j) <i>Impacts on infrastructure provisions.</i>	No impacts on infrastructure provisions are introduced as part of this change.

4.1. Decision Matters Assessment

In addition, we have also carried out an assessment against section 81 of the *Planning Act 2016* which outlines the matters an assessment manager must assess against when deciding a minor change application as set out below:

- (1) This section applies to a change application for a minor change to a development approval.***
(2) When assessing the change application, the responsible entity must consider—

(a) the information the applicant included with the application; and

The information supporting this application is included within this letter.

(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

Not applicable.

(c) any pre-request response notice or response notice given in relation to the change application; and

Not applicable. There was no pre-request response notice or response notice, or response notice received as part of this change application.



(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

Not applicable.

(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

Since the original lodgement of the of the previous development approval there have been revisions to the planning scheme. Those changes are of no consequence to this application.

(e) another matter that the responsible entity considers relevant.

We believe the proposed changes are appropriate given the circumstances, as outlined in the assessment of changes in Section 2 above. This section outlines what we consider are matters that are relevant to assessment of this minor change.

(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.

We have carried out an assessment of the existing planning instruments which have not substantially changes from the most recent approval or from when the original development application was made.

In summary, we believe that the proposed changes have adequately considered the matters within section 81 of the *Planning Act 2016*.



5. Summary

In summary we are of the view that the proposed amendment satisfies the minor change criteria and we therefore request Council amend the condition as per the representation set out within this letter; and include reference to the attached proposed plans within the approval document.

Upon receipt of Council's assessment fee, we will coordinate payment at earliest opportunity.

Should you wish to discuss the above matters further, please do not hesitate to contact me on (07) 3251 9475 or email at gracemarchant@saundershavill.com.

Yours sincerely
Saunders Havill

A handwritten signature in black ink that reads "G Marchant". The signature is written in a cursive, flowing style.

Grace Marchant
Town Planner

