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APPLICATION REF  
A007027221



**OLEARIA**  
TOWN PLANNING

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13 May 2026

The Chief Executive Officer  
Brisbane City Council  
GPO Box 1434  
Brisbane Qld 4001  
ATTN: Development Services

**Council Reference: A005833983**

**RE: Request for a minor change to Development Permit for making a material change of use for an extension to a multiple dwelling**

Dear Sir/Madam,

We write to you on behalf of Ms Hsui-Mei M Hsu, Ms Jane Poole, Mr Lyndon Garbutt & Mr Hsiwith with regard to a development permit approved by Brisbane City Council (Council) on 04 March 2022 and amended via change representations on 12 May 2022. The approved development is for a development permit for making a material change of use for extensions to a multiple dwelling and carrying out building works for assessable demolition to the building to facilitate these changes on land described as Unit 1, Unit 2 and Unit 4 Evesham, located at 7 Quarry Street, Hamilton QLD 4007 (Council Ref: A005833983) (original approval).

Since the original approval was given, it has been decided that the upper level terraces belonging to Units 2 and 3 are to be reduced in size. Subsequent amendments to the plans are proposed. In addition, small other changes including the introduction of louvres to part of the reduced terrace area for privacy, and an increase to the size of the lobby opposite the lift are also proposed to better accommodate accessibility for all users.

**Proposed Minor Change**

The proposed change seeks an alteration to the approved drawings and documents. These changes are summarised as a reduction in the size of the terraces and increase the size of the lobby area opposite the lift core. A detailed review of all changes as they relate to their specific plans is outlined below. The use remains as a multiple dwelling. In accordance with section 78 of the *Planning Act 2016*, this letter forms our request for a minor change to the development approval.

**Changes to plans (note – plan references refer to minor change plan references):**

**Existing Site Plan DWG No. 001**

- No change other than to revision number.

**Site Plan DWG No. 002, Issue B**

- Alterations to
- Reduction of setback to planter from 466mm to 200mm.

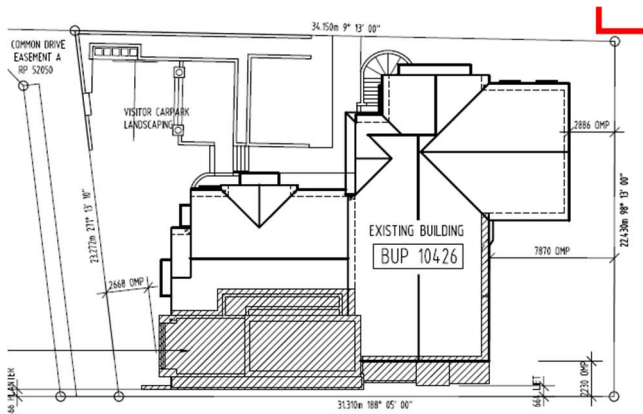


Figure 1: Approved Plan

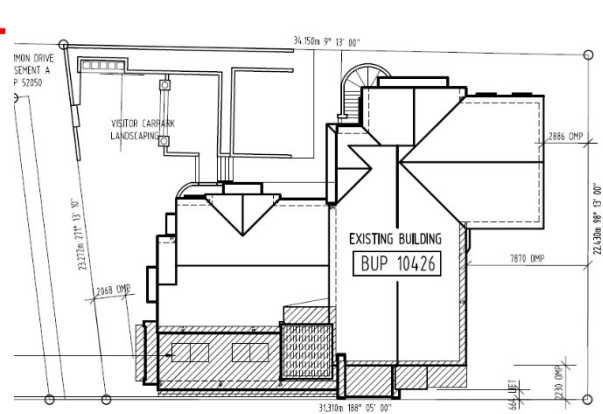


Figure 2: Proposed Change Plan

### Existing Sub Floor Plan DWG No. 003, Issue C

- Brickwork to rear of garage originally shown to be removed, now to be retained.

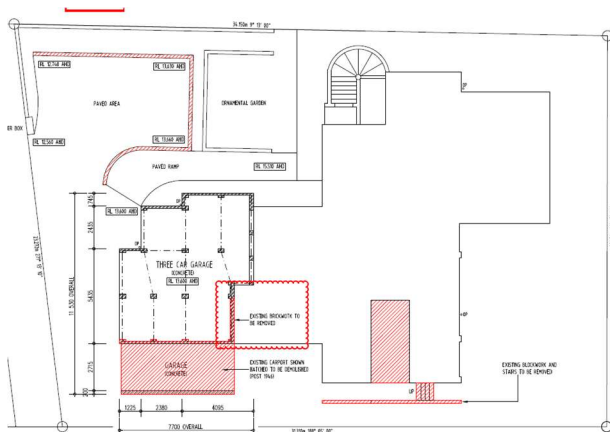


Figure 3: Approved Plan

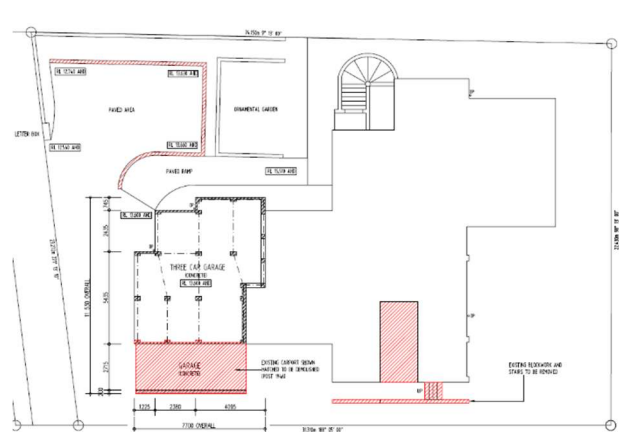


Figure 4: Proposed Change Plan

### Existing Lower Floor Plan DWG No. 004, Issue C

- No change other than plan issue no.

### Existing Mid Floor Plan DWG No. 005, Issue B

- No change other than plan issue no.

### Existing Upper Floor Plan DWG No. 006, Issue B

- No change other than plan issue no.

### Existing Roof Plan DWG No. 007, Issue B

- No change other than plan issue no.

**Existing South Elevation DWG No. 008, Issue B**

- No change other than plan issue no.

**Existing West Elevation DWG No. 009, Issue B**

- No change other than plan issue no.

**Existing East and North Elevations DWG No. 010, Issue B**

- No change other than plan issue no.

**Proposed Sub Floor Plan DWG No. 011, Issue F**

- Minor extension of footprint to garage no longer proposed.

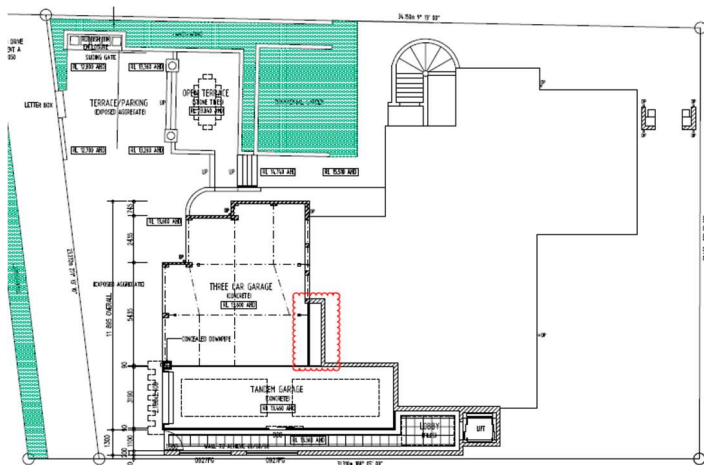


Figure 5: Approved Plan

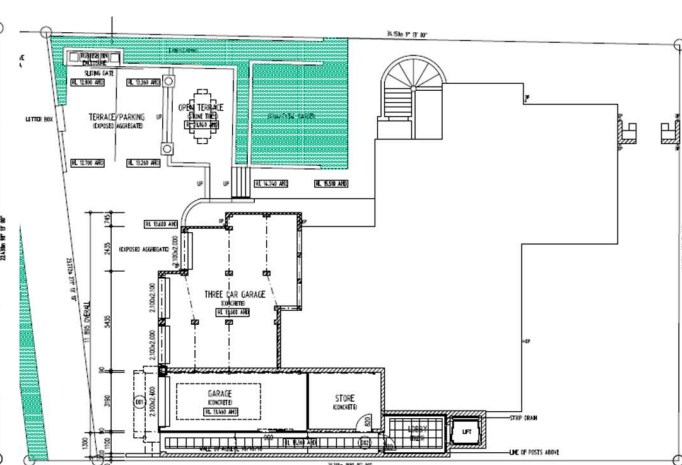


Figure 6: Proposed Change Plan

**Proposed Lower Floor Plan DWG No. 012, Issue G**

- "Terrace" outside lift, more appropriately renamed to "Lobby".
- Removal of planter box to side setback, and removal of bifold doors.

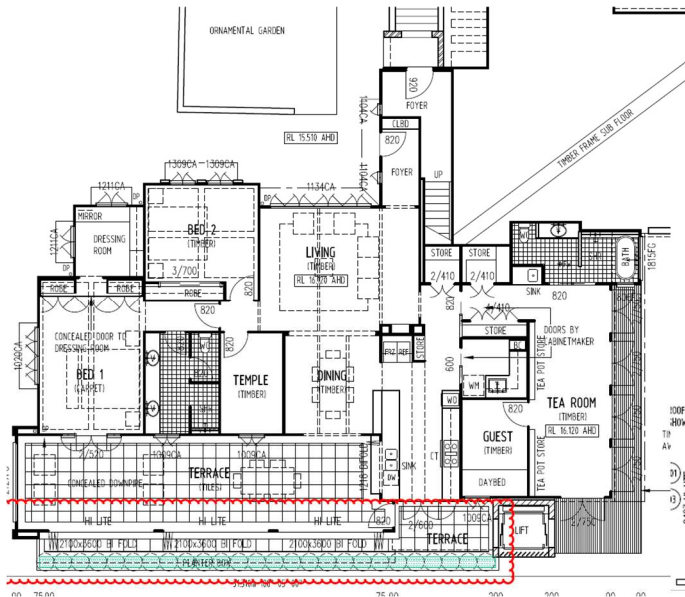


Figure 7: Approved Plan

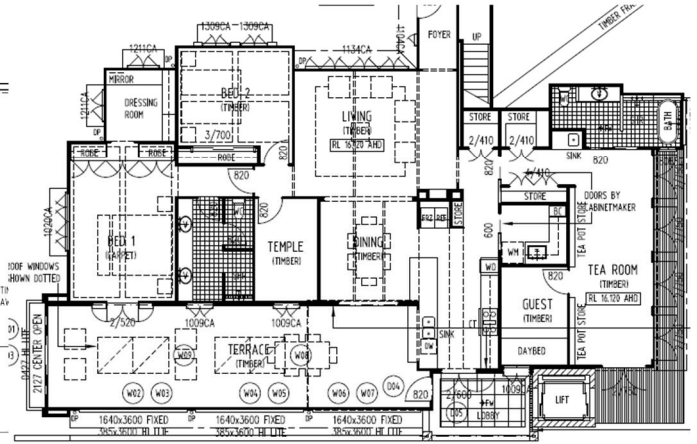


Figure 8: Proposed Change Plan

### Proposed Mid Floor Plan DWG No. 013, Issue H

- "Terrace" outside lift, more appropriately renamed to "Lobby".
- Reduction of terrace area and introduction of roof with windows.
- Removal of planter box.

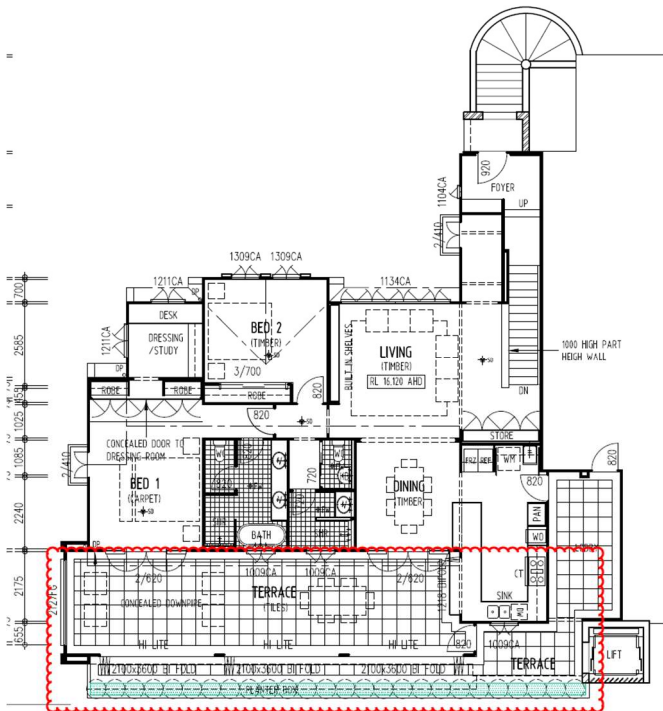


Figure 9: Approved Plan

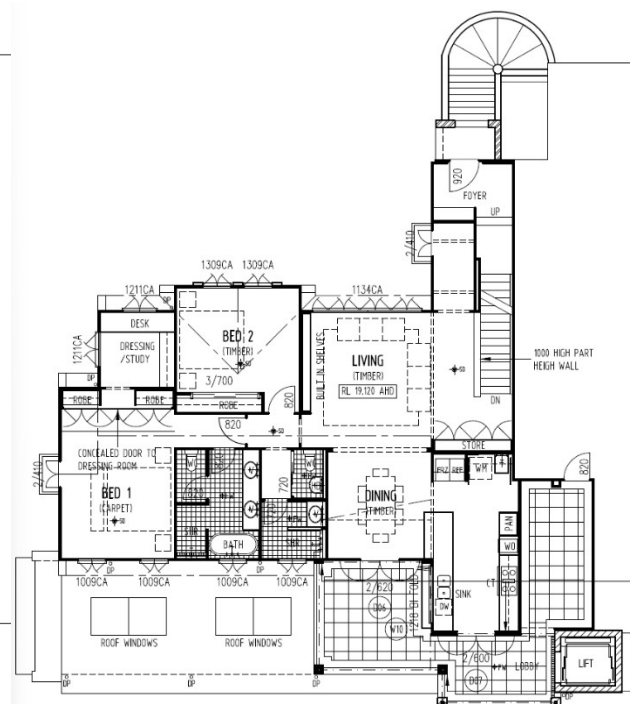


Figure 10: Proposed Change Plan

### Proposed Upper Floor Plan DWG No. 014, Issue K

- "Terrace" outside lift, more appropriately renamed to "Lobby".
- Terrace entry made slightly wider to allow for improved accessibility to lift.
- Reduction of open deck and roof deck.
- Roof shown for terrace below.
- Removal of planter box.

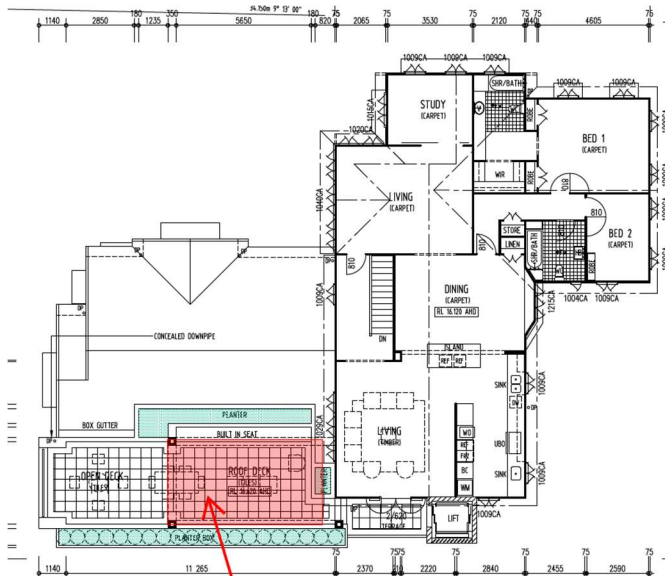


Figure 11: Approved Plan

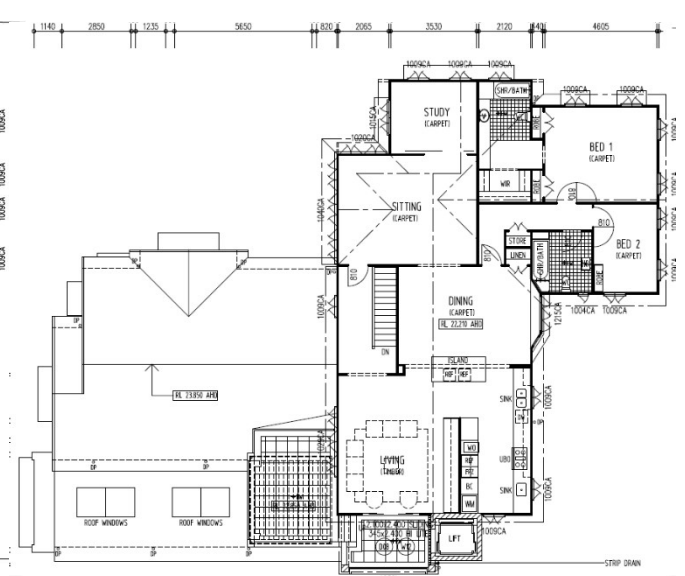


Figure 12: Proposed Change Plan

### Proposed Roof Plan DWG No. 015, Issue H

- Roof altered to reflect reduced terrace areas and increased lift lobby dimensions.

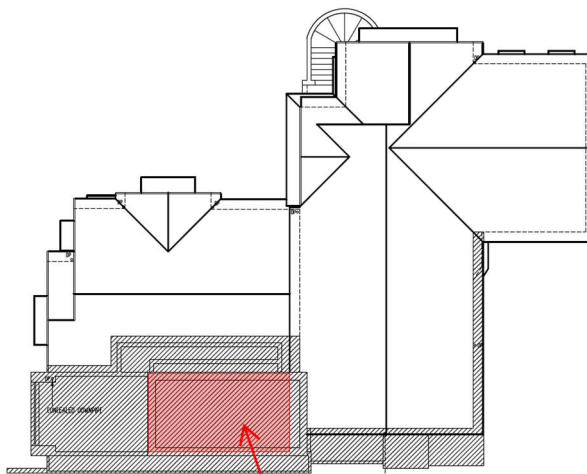


Figure 13: Approved Plan

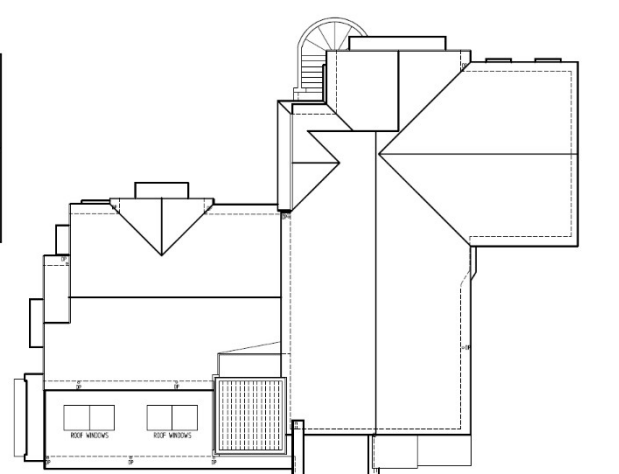


Figure 14: Proposed Change Plan

### Proposed South Elevation DWG No. 016, Issue I

- Alterations to terraces which were previously shown as having solid window ends. These re now more lightweight areas.
- Planter boxes removed.
- Increased lobby areas to facilitate better accessibility to lifts.
- Garage door shown for all parking spaces at basement / lower ground.



Figure 15: Approved Plan



Figure 16: Proposed Change Plan

### Proposed West Elevation DWG No. 017 Issue E

- Reduction in terraces for mid and upper level units.



Figure 17: Approved Plan



Figure 18: Proposed Change Plan

### Proposed East Elevation DWG No. 018, Issue I

- Reduction in terraces for mid and upper level units.
- Removal of planter boxes.
- Introduction of louvres to upper level terrace.
- Render of lift core to meet fire rating requirements.



### Proposed North Elevation DWG No. 019, Issue B

- No change other than revision no.

### Change to approved Plans / Documents:

Explanation of proposed amendments:

- Words with a ~~strikethrough~~ are proposed to be removed.
- Words in **red** indicate proposed additional or new text.

Approved Plans and Documents		
Plan / Document Name	Reference No	Plan Date
EXISTING SITE PLAN	001 A-B	21-FEB-2022 (Received)
PROPOSED SITE PLAN	002 B-F	21-FEB-2022 (Received)
EXISTING SUB FLOOR PLAN	003 A-C	21-FEB-2022 (Received)
EXISTING LOWER FLOOR PLAN	004 A B	21-FEB-2022 (Received)
EXISTING MID FLOOR PLAN	005 A-B	21-FEB-2022 (Received)
EXISTING UPPER FLOOR PLAN	006 A B	21-FEB-2022 (Received)
EXISTING ROOF PLAN	007 A B	21-FEB-2022 (Received)
EXISTING SOUTH ELEVATION	008 A-B	21-FEB-2022 (Received)
EXISTING WEST ELEVATION	009 A-B	21-FEB-2022 (Received)
EXISTING EAST AND NORTH ELEVATION	010 A-B	21-FEB-2022 (Received)
PROPOSED SUB FLOOR PLAN	011 A-F	21-FEB-2022 (Received)
PROPOSED LOWER FLOOR PLAN	012 A-G	21-FEB-2022 (Received)
PROPOSED MID FLOOR PLAN	013 A-H	21-FEB-2022 (Received)
PROPOSED UPPER FLOOR PLAN	014 A (Amended In Red 04-MAR-2022) K	21-FEB-2022 (Received)
PROPOSED ROOF PLAN	015 B (Amended In Red 04-MAR-2022) H	21-FEB-2022 (Received)
PROPOSED SOUTH ELEVATION	016 A-I	21-FEB-2022 (Received)
PROPOSED WEST ELEVATION	017 A-E	21-FEB-2022 (Received)
PROPOSED EAST ELEVATION	018 A-I	21-FEB-2022 (Received)
PROPOSED NORTH ELEVATION	020 A B	21-FEB-2022 (Received)
TYPICAL CROSS SECTION	023 A-F	21-FEB-2022 (Received)

### **Change to Conditions:**

Condition 12) Landscape the Site – Self Certification

Explanation of amendment:

- Words with a ~~strike through~~ are proposed to be removed.
- Words in red indicate proposed additional or new text.

### **Condition 12) Landscape the Site – Self Certification**

Landscape the site in accordance with the requirements of this condition.

#### **12 (a) Detailed Landscape Plan for Self-Certification**

Prepare a Detailed Landscape Plan at a scale of 1:100 for all on-site landscape works including planting areas identified on the approved DRAWINGS AND DOCUMENTS. The plan must be prepared by a Qualified Landscape Architect and must comply with the relevant Brisbane Planning Scheme Codes.

The plan must include the following:

- Planting media and mulch in accordance with AS4454 Composts, soil conditioners and mulches and AS 4419-2003 Soils for landscaping and garden use.
- Unless otherwise specified, trees provided as 45 litre stock or larger, staked and tied, and complying with Australian Standards.
- Plant selection and densities to achieve full surface coverage of garden beds within 2 years of planting.
- A reticulated drip irrigation system to all planting areas, with drainage connected to the stormwater system; the irrigation system must be connected to a non-mains water source.
- Trees required to be retained are documented, integrated into landscape design, and protected in accordance with the relevant sections of Australian Standard AS4970 Protection of trees on development sites.
- Details of a 12 week establishment period.

Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate of prior to commencement of use, whichever comes first.

#### *PROOF OF FULFILMENT*

*A detailed landscape plan accompanied by Brisbane City Council Form CC10616 – Landscape Design Certificate. Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate of prior to commencement of use, whichever comes first.*

#### **12(b) Multiple Unit Dwelling**

In addition to the requirements listed above, the plan must include the following:

- Deep planting areas as shown on the approved drawings planted with trees capable of growing to a minimum canopy diameter of 5m and a minimum height of 5m within 5 years of planting noting that this is a minimum requirements and trees are expected to grow beyond these measurements.
- Provide minimum 7 x canopy shade tree species along boundary landscape area as shown on the Proposed Sub Floor Plan, drawing number 011, Issue A, amended in red date 25/11/2021.
- ~~- Provide a minimum 1 x large shade tree species on Proposed Upper Floor Plan, drawing number 014, Issue A, amended in red date 25/11/2021.~~
- Columnar canopy form or screening tree/shrub species planted at suitable spacings alongside and rear boundaries in planting areas shown on the approved drawings.
- Shade and/or round canopy trees planted at suitable spacings along front boundaries in planting areas shown on the approved drawings.
- Shade and/or round canopy trees in car parking areas in planting areas shown on the approved drawings.
- Minimum internal depths and widths sufficient to support healthy plant growth, with the following dimensions or other dimensions if achieving the same soil volume; trees – 1200mm width x depth, large shrubs and palms – 800mm width x depth, small shrubs and ground covers – 600mm width x depth.
- One hose cock within any private landscape and recreation area.

Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate of prior to commencement of use, whichever comes first.

*PROOF OF FULFILMENT*

*A detailed landscape plan accompanied by Brisbane City Council Form CC10616 – Landscape Design Certificate. Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate of prior to commencement of use, whichever comes first.*

**12(c) Certify Detailed Landscape Plan**

On completion of the Detailed Landscape Plan, submit to Development Services:

- Brisbane City Council Form CC10616 – Landscape Design Certificate prepared by a Qualified Landscape Architect to certify that the Detailed Landscape Plan complies with the requirements of this condition.
- A copy of the certified Detailed Landscape Plan.

Timing: Prior to building work commencing.

*PROOF OF FULFILMENT*

*A detailed landscape plan accompanied by Brisbane City Council Form CC10616 – Landscape Design Certificate. Timing: Prior to building work commencing.*

#### **12(d) Implement Certified Detailed Landscape Plan**

Carry out the landscape work in accordance with the above certified detailed Landscape Plan.

Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.

#### **12(e) Certify Work**

On completion of the landscape work, submit to Development Services:

- Brisbane City Council Form CC10613 - Landscape Works Certificate prepared by a Qualified Landscape Architect or licensed Landscape Contractor to certify the completed landscape work complies with the certified Detailed Landscape Plan
- A copy of the as-constructed certified Detailed Landscape Plan.

Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.

#### *PROOF OF FULFILMENT*

*An as constructed landscape plan accompanied by Brisbane City Council Form CC10613 - Landscape Works Certificate. Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.*

#### **12(f) Maintain Landscape Work**

Maintain the landscape work, including deep planting, in accordance with the certified Detailed Landscape Plan.

Timing: To be maintained.

#### **Reason for change:**

The planting boxes have been removed from the terraces, and the upper level terraces have been reduced to the point where planting is not required in these areas.

#### **Planning Considerations**

The *Planning Act 2016* (Planning Act) establishes the legislative framework for a change application, including the assessment process. This change application to make a minor change to a development approval is made under section 78 of the Planning Act.

In accordance with section 78A of the Planning Act, the responsible entity for a change application is the Brisbane City Council (Council) who was the original assessment manager for the development permit.

Schedule 2 of the Planning Act defines a minor change as:

**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, 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

(E) public notification if public notification was not required for the development application.

In accordance with Schedule 1 of the Development Assessment Rules a change may be considered to result in a substantially different development if any of the following apply to 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 change application is a minor change for the following reasons:

1. The change would not result in a substantially different development. The extent of building works is proposed to reduce the extent of terrace areas, however this does not substantially change the bulk or scale of the development. It could not reasonably be considered substantially different.
2. No new land is proposed to be included for the purposes of the change application;

3. The change does not remove a component of the development that is integral to the function of the use;
4. There were no offsets or incentives identified for the original development application;
5. The change does not alter infrastructure provided to the land subject of the application;
6. The change does not include prohibited development;
7. No new referral agencies are triggered as a result of the change; and
8. The change does not alter the category of assessment. The original application required code assessment.

With regard to the assessment benchmarks it is considered that the proposed development is able to comply with the assessment benchmarks both at the time of the assessment of the original approval and now.

### **Recommendation**

The change application meets the requirement for a minor change. In addition, the development is able to comply with the current assessment benchmarks of the Brisbane City Plan 2014, Version 35. It is therefore recommended that Council approves the change application.

Should you require any further information, or wish to discuss the above further, please don't hesitate to contact the undersigned.

Kind Regards,  
Olearia Town Planning

A handwritten signature in black ink, appearing to be "CA", written over a faint circular stamp.

Catherine Andrews  
Director

E: [catherine@oleariatownplanning.com.au](mailto:catherine@oleariatownplanning.com.au)