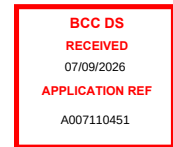


Our ref: 11129
Council ref: A006807199

7 September 2026

Brisbane City Council
GPO Box 1434
Brisbane QLD 4000



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

Dear Council,

RE: CHANGE APPLICATION (MINOR CHANGE) - *SECTION 81 OF THE PLANNING ACT 2016* - 9 OVEREND STREET, EAST BRISBANE, 31 WELLINGTON ROAD, EAST BRISBANE AND 33 WELLINGTON ROAD, EAST BRISBANE (A006807199)

We act on behalf of *9 Overend Pty Ltd*, the Applicant, in relation to this Change Application made in accordance with sections 78 and 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.

The current approval (ref: A006807199) was issued by Brisbane City Council on 9 October 2025. This existing approval is for the following aspects:

- **Development permit for Material Change of Use** - Short-Term Accommodation, Community Use, Food and Drink Outlet, Office, Research and Technology Industry, Service Industry, Shop and Multiple Dwelling
- **Development permit for Building Work** - Short-Term Accommodation, Community Use, Food and Drink Outlet, Office, Research and Technology Industry, Service Industry, Shop and Multiple Dwelling

The application seeks to amend the approved development to incorporate a range of changes arising from the detailed design process. The amendments include refinements to the building form, internal layouts, servicing, landscaping and façade treatments, while maintaining the overall intent and character of the approved development. The application also seeks to remove the approved Short-term Accommodation use from the development approval and amend the public art contribution requirement. Overall, the proposed changes reflect a combination of detailed design refinements and amendments to approved land use



and development requirements, while retaining the fundamental planning and urban design outcomes of the approved development.

This letter includes the following sections:

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

We have carried out an assessment of these changes in the preceding sections of this report and believe that they constitute a 'minor change' in accordance with the sections 78 and 81 and Schedule 2 of the *Planning Act 2016*, and Schedule 1 of the *Development Assessment Rules* (DA Rules).

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

Attachment A	Amended Architectural Plans
Attachment B	Amended Landscape Plans
Attachment C	EDQ Approval



Background

The site is comprised of three allotments at 31 and 33 Wellington Road and 9 Overend Street, East Brisbane, formally described as Lots 3 & 15 on RP11578 and Lot 1 on RP 108176. The site has frontage to both Overend Street and Wellington Road and is currently subject to construction activity for the approved 'Murcia' development.

The 'Murcia' development was originally approved on 11 May 2022 (ref. A005828787) and subsequently superseded by a new development approval issued on 5 July 2024 (ref. A006365843). Since then, two minor change applications have been approved. The first (ref. A006724409), approved on 18 June 2025, related primarily to amendments to the conditions of approval. The second (ref. A006807199), approved on 9 October 2025, amended various aspects of the approved development, including the number and mix of units, building height, upper-level floor plates, parking provision and driveway width.

In addition to the above, the subject site was recently granted Development Approval DEV-2026-WGB-4405 on 13 April 2026 for fuel burning activities associated with the operation of the development during emergency flood events. Specifically, the approval authorises the operation of fuel pumps and associated equipment within the basement which could not be approved under the existing mixed-use approval due to the limitations imposed by Condition 40. As a consequence, a separate development approval was required to facilitate these activities.

The following development approval history is relevant to the Murcia development:

DA Ref No.	Description	Approval date
A005828787	- Development Permit – Building Work (Building work in the Flood overlay) (Brisbane River FPA 5) - Development Permit - Material Change of Use (Community Use, Food and drink outlet, Office, Research and Technology industry, Service industry and Shop. Multiple dwelling and/or Short term accommodation - 181 units)	11 May 2022
A006365843	Development Permit – Building Work (Building work in the Flood overlay)	5 July 2024



- Development Permit - Material Change of Use (Short-Term Accommodation, Community Use, Food and Drink Outlet, Office, Research and Technology Industry, Service Industry, Shop and Multiple Dwelling (210 dwellings)

A006724409	▪ Minor change application to A006365843 (proposed condition changes)	18 June 2025
A006807199	▪ Minor Change Application to A006724409 – Amendments to Approved Development	9 October 2025
DEV-2026-WGB-4405	▪ Development Permit for MCU for High impact Industry (Fuel Burning)	13 April 2026

A number of Compliance Assessment applications have been either submitted or approved as part of the development process. It is also noted that the building is presently under construction.



Proposed Changes

The requested minor change application relates to the existing development permit: A006807199, which is an approval for a Material Change of Use for Community Use, Food and Drink Outlet, Office, Research and Technology Industry, Service Industry, Shop, Short Term Accommodation and Multiple Dwelling (235 units) and Building Work and was most recently approved by Council on 9 October 2025.

As the approved development has progressed through detailed design, the Applicant has undertaken a review of the approved plans and identified several amendments to improve the functionality, constructability and delivery of the development. These proposed amendments are outlined in the sections below.

The proposed changes include the removal of the short-term accommodation component, reflecting the Applicant's preferred operational model for the development. The removal of this use will also reduce the potential for individual dwellings to be used for transient or short-term stays, which can result in a higher turnover of occupants and increased activity within the building.

The Applicant seeks to amend the public art condition to reduce the required contribution to a level that is more proportionate to the scale and circumstances of the development. While public art will still be incorporated as part of the project, the current condition imposes a significant financial burden that adversely affects project viability. The current approved requirement is also considered disproportionate when compared with surrounding developments that are not subject to equivalent obligations and when considered against the Woolloongabba Priority Development Area (PDA) Development Scheme planning requirements that do not require a public art contribution.

By way of summary, the proposed changes comprise:

- Removal of Short-term Accommodation use;
- Increase in the number of residential units from 235 to 236, specifically at Level 28;
- Amendment of the public art contribution requirement;
- Removal of Wellington Road awning above deep planting areas;
- Addition of screened plant areas at Levels 17 and 22;
- Refinement of the Level 31 rooftop recreation area, resulting in the rooftop level being captured by the definition of a storey;
- Addition of the plant deck and equipment at Level 32;



- Adjustments to floor-to-floor heights at various levels, resulting in a reduction to the overall building height; and
- Amendment to the southern elevation to provide trellis planters at every level rather than every second level.

While the application includes a number of amendments, the changes predominantly arise from the detailed design and construction documentation process and must be considered in the context of the approved development as a whole. The proposal retains the approved mixed-use and multiple dwelling character, remains within the approved development footprint and height envelope, and does not introduce a new use or extend the development onto additional land. The changes are principally confined to internal layouts, resident amenity areas, building services, landscaping and façade detailing. Importantly, the overall building height is reduced, and the additional dwelling is accommodated within the existing approved built form. When considered individually and cumulatively, the proposed amendments do not materially alter the scale, bulk, appearance, function or impacts of the approved development.

To assist Council's assessment of the changes, the proposal plans (**Attachment A**) include a red outline on the elevations and sections, denoting the existing approved building mass/bulk.

Building Height

As part of this minor change, the Applicant proposes a reduction in the overall building height from RL109.5m to RL106.8m. Notably, the approved and proposed reduced levels remain unchanged from Ground Level through to Level 19, with changes to the vertical levels commencing above Level 19.

Given the minor nature of the height reduction and the location of the changes, the development will appear substantially the same from surrounding public vantage points. As such, the proposed amendment does not result in any material change to the visual character or built form outcome of the approved development.

The table below compares the approved and proposed reduced levels for each building level.

	APPROVED	PROPOSED
Level	Approved Level RL	Proposed Level RL
Ground	5.750	5.750
2	9.950	9.950
3	14.300	14.300

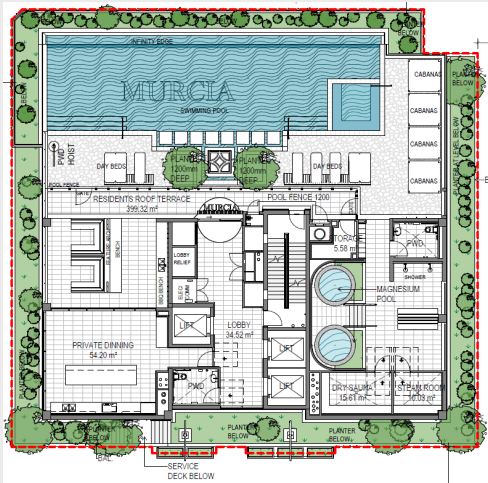
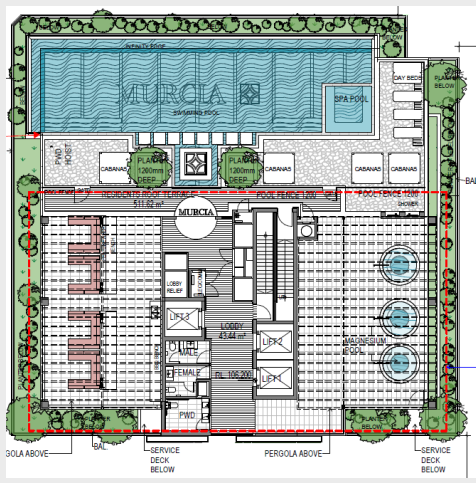


4	17.300	17.300
5	20.300	20.300
6	23.300	23.300
7	26.300	26.300
8	29.300	29.300
9	32.300	32.300
10	35.300	35.300
11	38.300	38.300
12	41.300	41.300
13	44.300	44.300
14	47.300	47.300
15	50.300	50.300
16	53.700	53.700
17	57.100	57.100
18	60.400	60.400
19	63.700	63.700
20	67.100	67.000
21	70.500	70.400
22	74.100	73.700
23	77.700	77.000
24	81.300	80.300
25	84.900	83.600
26	88.500	86.900
27	92.100	90.200
28	95.700	93.500
29	99.600	96.800
30	103.500	100.200
31	106.200	103.200
32	109.500	106.800

Additional Storeys

As part of the detailed design process, the rooftop recreation facilities have been refined to improve functionality, usability and resident amenity. The approved design incorporated predominantly open-air rooftop facilities, including pergola structures and associated communal recreation areas. The proposed design introduces additional roofed communal facilities, including a private dining area and enclosed wellness amenities, resulting in a more functional and weather-protected rooftop recreation space.



Aspect	Proposed	Approved
Layout		

Layout Comparison

- Refinements to the layout, including the relocation of cabanas, sun lounges and magnesium plunge pools.
- Reduction of one magnesium plunge pool.
- Introduction of a private dining area.

As a consequence of these changes, the rooftop level is now captured by the definition of a storey due to the introduction of roofed communal facilities.

In addition, the level below the rooftop was previously shown as containing only plant/equipment and stairway. This level, as outlined in more detail below, has been updated to provide additional resident storage. We believe this also constitutes a storey in accordance with the definition of a storey in City Plan.

Notwithstanding this technical increase in storey count, both levels already formed part of the approved built form and was included within the calculation of the approved overall building height. The proposal does not introduce an additional physical level above the approved building envelope. Rather, the altered treatment and enclosure of facilities within the existing rooftop level changes how that level is classified under the planning framework. Importantly, the overall building height is *reduced* from RL109.5m to RL106.8m.

Accordingly, the change in storey count does not result in a corresponding increase in the height, scale, bulk or visual prominence of the development.



Remove Short-Term Accommodation Use

The application proposes the removal of the approved short-term accommodation use from the development. This amendment will provide greater certainty that the development is utilised for its intended residential purpose and will support a more consistent and permanent residential environment for occupants.

The removal of short-term accommodation use will also reduce the potential for individual dwellings to be used for short-term stays, which can result in a higher turnover of occupants and activity within the building. By removing this use from the approval, the development will be more clearly aligned with a permanent residential model and the associated expectations of residents and the surrounding community.

The amendment does not result in any adverse changes to the built form or physical operation of the development. The Short-term Accommodation use is not integral to the operation of the approved development and merely provides an alternative accommodation option within the building. The development will continue to function as a mixed-use development comprising Multiple Dwellings and the approved non-residential uses.

Art Contributions

The proposed minor change seeks to amend Condition 18 (Artworks) of the approval. Under the current condition, the required artwork contribution is calculated using a tiered approach, comprising a contribution equivalent to 0.25% of the total building and construction cost up to the 18th storey and 1.00% of the total building and construction cost for all residential levels above the 18th storey. The Applicant seeks to amend the condition to remove this split contribution methodology and instead require an artwork contribution equivalent to *0.25% of the total building construction cost* of the development.

Importantly, the proposed amendment will continue to secure a substantial artwork contribution as part of the development. The Applicant remains committed to incorporating artwork and artistic elements within the development, with the proposed amendment seeking only to replace the existing tiered contribution framework with a uniform contribution rate of 0.25% of the total building and construction cost. The revised methodology will still support the delivery of high-quality artwork while ensuring the contribution requirement remains proportionate to the nature and scale of the approved development.

The proposed amendment does not result in any physical change to the approved development and will not impact the manner in which the development functions or is



experienced by residents, visitors or the broader community. The development will continue to deliver the approved public realm improvements, landscaping, building activation and architectural outcomes identified within the development approval.

The proposed amendment is also consistent with surrounding Approval A006351184, which requires the provision of artwork at a rate equivalent to 0.25% of the total building and construction cost. Aligning Condition 18 with this approach would provide a more consistent outcome having regard to comparable development approvals within the locality.

In addition, the current Woolloongabba PDA Development Scheme contemplates development of up to 30 storeys on the subject site. As such, if a new development application were lodged today under the current PDA planning framework, the approved development outcome could be achieved without being subject to the public art contribution and public realm requirements currently imposed by Condition 18. While the Applicant remains committed to delivering artwork as part of the development, it is considered unreasonable for the development to remain subject to the increased 1.00% contribution rate applying above the 18th storey. The proposed amendment to apply a uniform artwork contribution rate of 0.25% across the entire building continues to facilitate the delivery of a meaningful artwork outcome while providing a more proportionate and contemporary response having regard to the current planning framework.

Having regard to the comparable approval and the current PDA planning framework, the Applicant considers the proposed amendment to Condition 18 to be appropriate. The amended condition would continue to facilitate the delivery of artwork as part of the development, whilst applying a consistent artwork contribution methodology across the entire building. In doing so, the amendment maintains the intent of the condition and provides a more proportionate outcome.

Removal of Wellington Road Awning

The proposed change seeks to remove the street awning located above the deep planting zone along the development frontage. An extract of the proposed deep planting area is provided in **Figure 1**, which demonstrates that the deep planting zone extends beneath the entire length of the awning. As such, the awning is positioned directly over the proposed tree planting and does not provide meaningful shade to the adjoining pedestrian footpath.



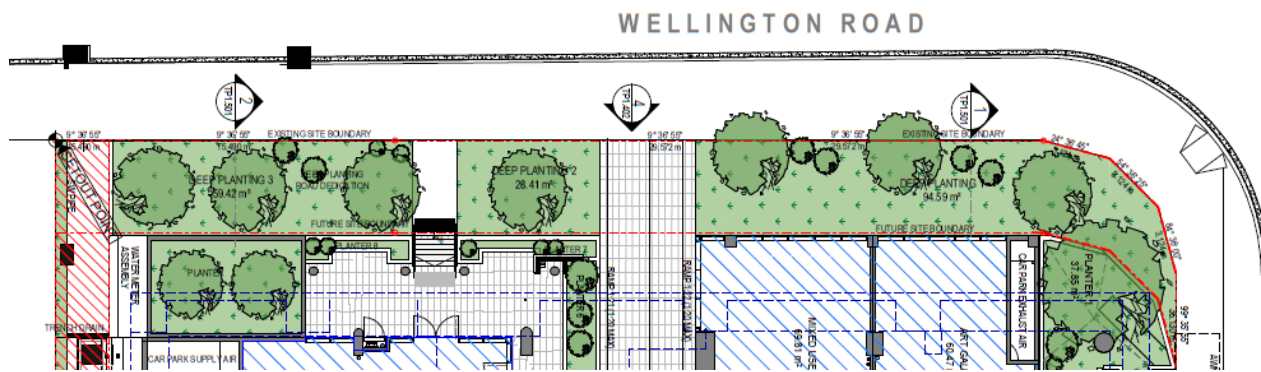


Figure 1: Extract of deep planting area along Wellington Road

Importantly, the deep planting zone has been deliberately incorporated as a key element of the approved landscape design to support the establishment of large subtropical canopy trees and create a high-quality landscape outcome along the street frontage. Retaining the awning above this area would unnecessarily restrict the vertical growth and long-term development of the proposed trees, limiting their ability to reach mature canopy size and deliver the landscape character intended by the development.

The removal of the awning will provide the proposed trees with unrestricted growing conditions, allowing for the establishment of larger, healthier and more resilient canopies over time. This will result in a superior long-term outcome, including increased shade provision, improved pedestrian comfort, enhanced visual amenity and a more substantial green frontage. In this regard, the proposed amendment prioritises the long-term success of the deep planting and landscape strategy, rather than relying on a built structure that is located directly above the planting area and provides limited benefit to pedestrians.

While the planning framework encourages awnings and similar structures to provide weather protection, it also places significant emphasis on deep planting, landscaping and subtropical design outcomes. In this instance, the removal of the awning better supports these objectives by allowing the deep planting zone to function as intended and maximising the long-term canopy cover achievable along the frontage. Accordingly, the proposed change will not materially diminish pedestrian amenity and is expected to deliver a stronger landscape and public realm outcome over the life of the development.

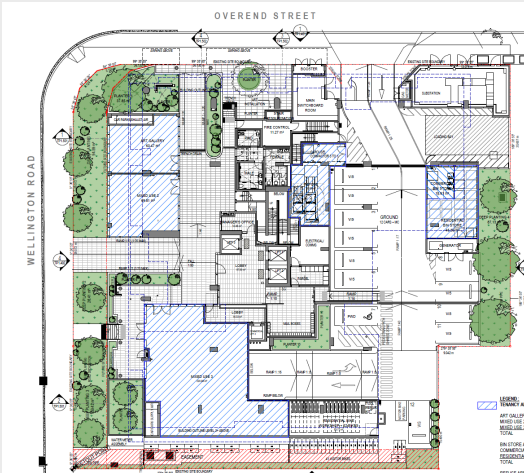
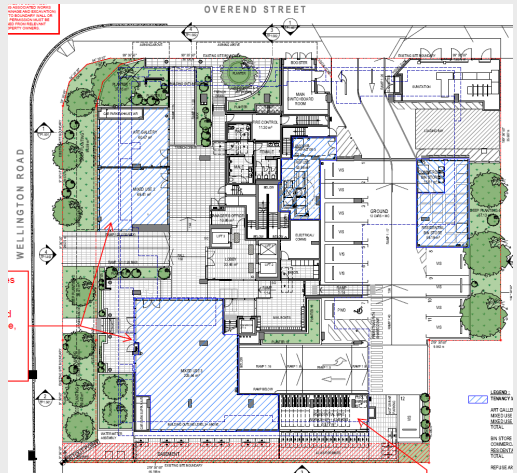
Ground

The minor change to the Ground Level includes a number of minor amendments to the internal layout, allocation of floor area and landscaping. The internal changes generally relate to refinements to the lobby, mixed use and service areas, with some areas increasing and others reducing in size.



The landscaping changes are also minor in nature and include adjustments to seating, tactile indicators, turf, boulders, gravel and bin locations along the Overend Street and Wellington Road frontages.

Overall, the changes to the ground level are limited to minor refinements to the internal layout while maintaining the broader approved development. A detailed comparison of the approved and proposed development is provided in the table below.

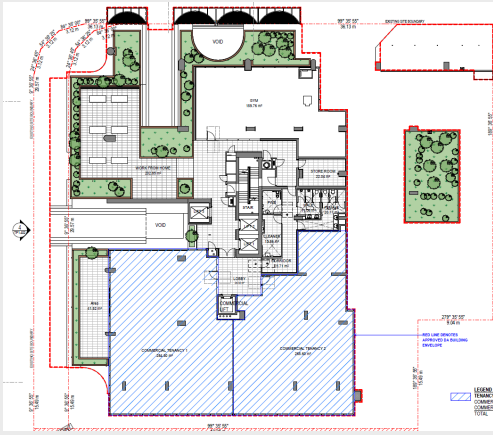
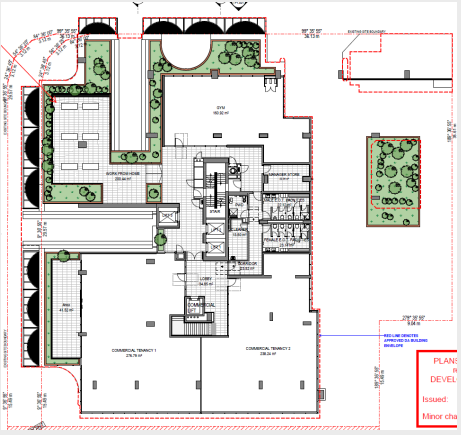
Aspect	Proposed	Approved
Layout		
Layout Comparison	▪ Lobby – 106m² ▪ Mixed Use 3 – 220.98m² ▪ Residential Bin Storage – 46.36m² ▪ Fire Control – 11.27m² ▪ Visitor Bike Spaces – 41 ▪ Tactile indicators along access driveway	▪ Lobby – 33.46m² ▪ Mixed Use 3 – 225.44m² ▪ Residential Bin Storage – 59.19m² ▪ Fire Control – 11.20m² ▪ Visitor Bike Spaces – 42 ▪ Seating near Overend street entrance ▪ Seating near mixed use tenant

Level 2

The minor change to Level 2 includes a number of amendments to the internal layout and allocation of floor area, together with changes to the interface along Wellington Road. The changes include refinements to the commercial, communal and service areas, the identification of a manager's store, the introduction of planters and boulders along Wellington Road, and the removal of the Wellington Road street awning over the planting zone. The removal of the awning provides greater opportunity for the proposed trees to establish and develop larger canopies.



The changes are limited to minor refinements to the internal layout and landscaping interface, while maintaining the broader approved arrangement. A detailed comparison of the approved and proposed development is provided in the table below.

Aspect	Proposed	Approved
Layout		
Layout Comparison	- Com Tenancy 1 – 284.50m² - Com Tenancy 2 – 265.60m² - Gym – 159.76m² - WFH – 202.85m² - Cleaner – 13.96m² - Male Facilities – 11.06m² - Female Facilities – 20.77m² - Lobby – 24.32m² - Corridor – 23.71m²	- Com Tenancy 1 - 276.79m² - Com Tenancy 2 – 238.24m² - Gym – 160.92m² - WFH – 200.44m² - Cleaner – 13.50m² - Male Facilities – 22.12m² - Female Facilities – 23.14m² - Lobby – 34.85m² - Corridor – 23.52m² - Planters along Wellington Road

Level 16

The minor change to Level 16 includes a number of refinements to the communal and residential outdoor areas, together with minor landscaping amendments. The changes include the removal of the fire pit and associated built-in seating, replacement of the hot tub with a spa and pool, removal of the pergola over the north-eastern apartment's outdoor area, and minor adjustments to the landscaping, including one fewer canopy tree and an additional climber to the southern trellis. There are no changes to the number of units or the size of the units on this level. Overall, the changes are minor in nature and maintain the broader approved arrangement of the level.



A detailed comparison of the approved and proposed development is provided in the table below.

Aspect	Proposed	Approved
<i>Layout</i>		
<i>Layout Comparison</i>	▪ Removal of the fire pit and associated built-in seating. ▪ Replacement of the hot tub with a combined spa and pool. ▪ Removal of the pergola over the north-eastern apartment's outdoor area. ▪ Minor landscaping refinements, including the removal of one canopy tree. ▪ Addition of a climber to the trellis along the southern portion of the site.	

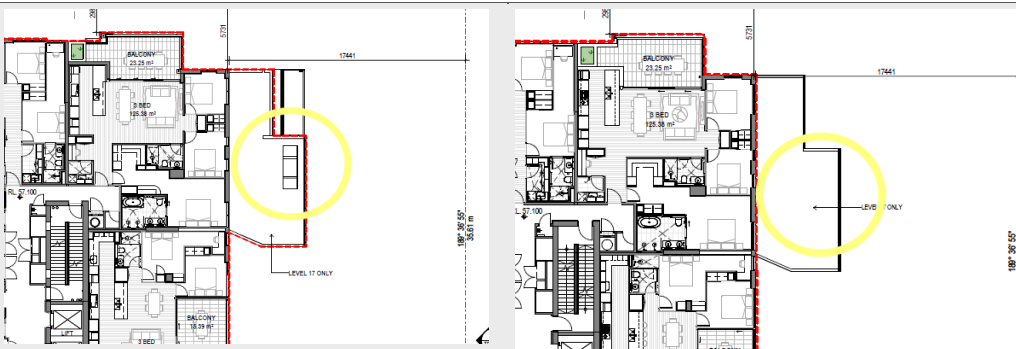
Level 17

The minor change to the roof includes the addition of a small, screened plant zone to accommodate building services and associated equipment. The amendment represents a minor refinement to the approved roof layout, with the screening intended to integrate the plant equipment within the overall roof form and minimise its visual prominence.

These changes are limited in nature and do not materially alter the approved building form or overall presentation. The remainder of the levels remain consistent with the approved development, with no changes proposed to the approved layouts.

A detailed comparison of the approved and proposed development is provided in the table below.



Aspect	Proposed	Approved
Layout		
Layout Comparison	Small screened plant zone added to the roof	

Level 21

The minor change to Level 21 includes a number of refinements to the balcony arrangements, together with adjustments to the size and internal layout of the apartments and lobby area. The changes have been made as part of the detailed design process and generally relate to minor refinements to the internal and external configuration of the level. The changes also include the removal of the pergola, with the area now provided as a roofed structure, the introduction of a sauna and pool, associated turf and gravel landscaping, and the identification of stairs on the plans.

The changes to Level 21 are limited in nature and do not materially alter the overall character or function of the approved development. The remainder of the level remains generally consistent with the approved arrangement, with the proposed amendments focused on the apartment layouts, lobby, balcony areas and associated outdoor amenity. A detailed comparison of the approved and proposed development is provided in the table below.



Aspect

Proposed

Approved

Layout



Layout Comparison

No.	Proposed		Existing	
	Unit	Balcony	Unit	Balcony
1	141.00m ²	18.01m ²	137.73m ²	18.01m ²
2	125.87m ²	24.04m ²	123.24m ²	24.04m ²
3	90.29m ²	17.23m ²	90.25m ²	17.23m ²
4	164.27m ²	75.11m ² + 7.59m ²	164.27m ²	75.11m ² + 7.59m ²
5	198.26m ²	124.80m ²	198.26m ²	124.80m ²
Lobby	52.35m ²		49.08m ²	

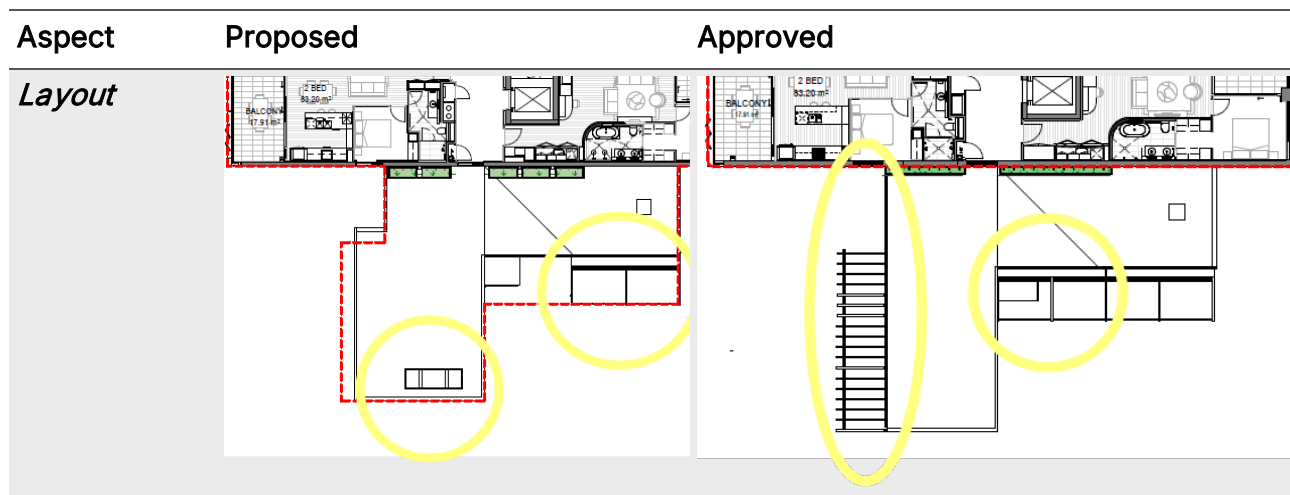
- Removal of the pergola, with the area now provided as a roofed structure.
- Minor refinements to the internal layout.
- Introduction of a sauna and pool, together with associated turf and gravel landscaping.
- Stairs now identified on the plans for clarity.

Level 22

At Level 22, the proposed amendments primarily relate to minor refinements to the apartment layouts, lobby area and roof structures. As demonstrated in the comparison table below, the changes to the apartments are minor and generally relate to small adjustments to unit and balcony areas. The lobby area has also been slightly reduced.



The roof amendments include the conversion of previously proposed pergola structures to roofed structures, together with the incorporation of a small screened plant zone. Overall, the changes to Level 22 are minor in nature and do not materially alter the approved arrangement or overall built form. A detailed comparison of the approved and proposed layout is provided in the table below.



Layout Comparison

No.	Proposed		Existing	
	Unit	Balcony	Unit	Balcony
1	141.01m ²	18.08m ²	137.84m ²	18.01m ²
2	125.87m ²	23.25m ²	122.77m ²	23.24m ²
3	90.29m ²	17.23m ²	90.35m ²	17.23m ²
4	83.20m ²	17.91m ²	83.20m ²	17.91m ²
5	126.66m ²	15.19m ²	126.66m ²	15.19m ²
Lobby	50.58m ²		54.62m ²	

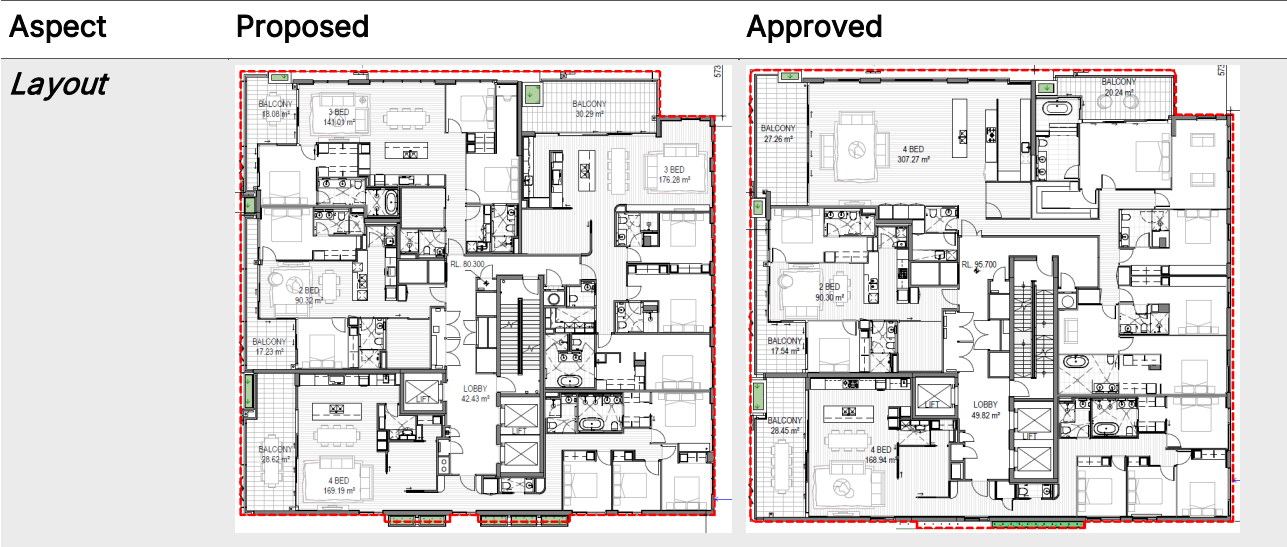
- Minor refinements to the apartment layouts, including small changes to unit, balcony areas and lobby
- Previously proposed pergola structures amended to roofed structures.
- Small screened plant area added at roof level.

Level 24-28

Levels 24 to 27 remain generally consistent with the approved development, with the existing apartment configuration and overall layout retained. The primary amendment across these levels occurs at Level 28, where the number of apartments is increased from three to four. The existing approved plans identify three apartments at Level 28, which generally reflect the floor plan arrangement of Level 29. The proposed layout has instead been amended to reflect the configuration established across Levels 24 to 27.



The revised Level 28 arrangement comprises two three-bedroom apartments, one two-bedroom apartment and one four-bedroom apartment. This provides a more consistent apartment layout across the upper levels and makes more efficient use of the available floor plate, while retaining the established residential function and overall built form of the approved development. The amendment is therefore primarily a refinement to the internal apartment configuration, with no change to the overall number of storeys. A detailed comparison of the approved and proposed layouts is provided in the table below.



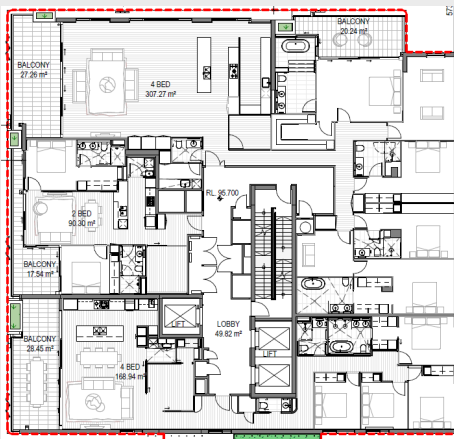
Layout Comparison	No	Proposed		Existing	
		Unit	Balcony	Unit	Balcony
	1	141.01m ²	18.08m ²	137.79m ²	17.90m ²
	2	176.28m ²	30.29m ²	173.93m ²	30.29m ²
	3	90.32m ²	17.23m ²	90.31m ²	17.23m ²
	4	169.19m ²	28.62m ²	168.91m ²	28.45m ²
	Lobby	42.43m ²		46.05m ²	

The existing approved plans show Level 28 with 3 units instead of 4. However, the new layout mirrors levels 24-27, providing two 3-bedroom, one 2-bedroom and one 4-bedroom apartments.

Level 29

At Level 29, the proposed changes are limited to minor refinements to the internal apartment configuration, including adjustments to the size of the apartments and lobby area. These amendments reflect the progression of the detailed design while maintaining the overall layout, residential function and character of the approved level. No substantive changes are proposed to the broader arrangement at this level.



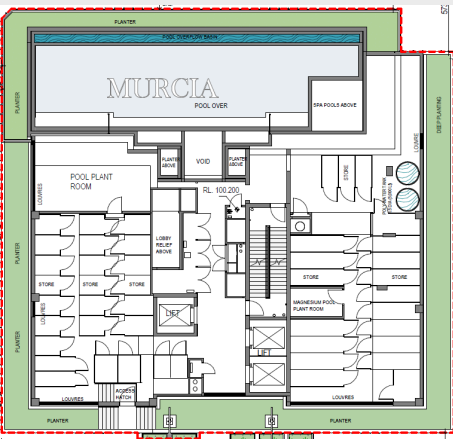
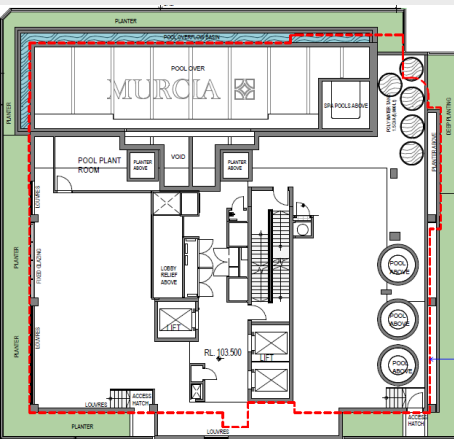
Aspect	Proposed	Approved
Layout		

Layout Comparison

No.	Proposed		Existing	
	Unit	Balcony	Unit	Balcony
1	317.75m ²	27.26m ² + 20.24m ²	307.27m ²	27.26m ² + 20.24m ²
2	90.30m ²	17.54m ²	90.30m ²	17.54m ²
3	168.94m ²	28.45m ²	168.94m ²	28.45m ²
Lobby	42.66m ²		49.82m ²	

Level 30 – Services

The changes to the Level 30 services area include the addition of storage cages, together with minor adjustments to the internal layout to accommodate the additional storage provision. These refinements make more efficient use of the existing service and storage areas while maintaining the overall function of the level. No other substantive changes are proposed to the Level 30 services arrangement, which remains generally consistent with the approved development.

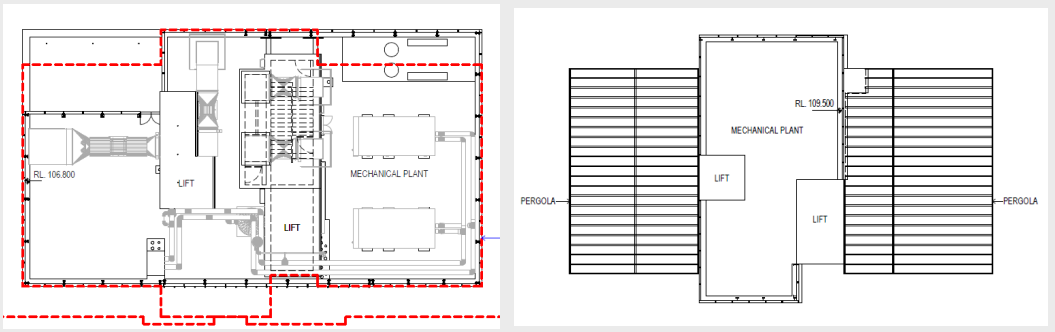
Aspect	Proposed	Approved
Layout		



Aspect	Proposed	Approved
<i>Layout Comparison</i>	Introduction of storage cages.	

Rooftop Structure

The rooftop structure level has been amended to incorporate a plant deck and associated equipment. The additional plant infrastructure provides for the servicing requirements of the development and has been integrated into the rooftop arrangement. These changes represent a refinement of the approved rooftop structure, with the remainder of the building and overall roof form remaining generally consistent with the approved development.

Aspect	Proposed	Approved
<i>Layout</i>		
<i>Layout Comparison</i>	▪ Addition of plant deck and associated equipment	

Southern Elevation Trellis Planter

The southern elevation has been refined through the increased provision of trellis planters across the majority of the residential levels. While the approved design incorporated trellis planters at every second level, the proposed arrangement provides additional planting at more frequent intervals along the façade.

This increased provision will create a more consistent and cohesive landscape treatment, providing greater greenery and plant coverage across the southern wall. The change is considered an improved outcome, assisting in softening the building façade and strengthening the integration of landscaping into the overall architectural presentation.



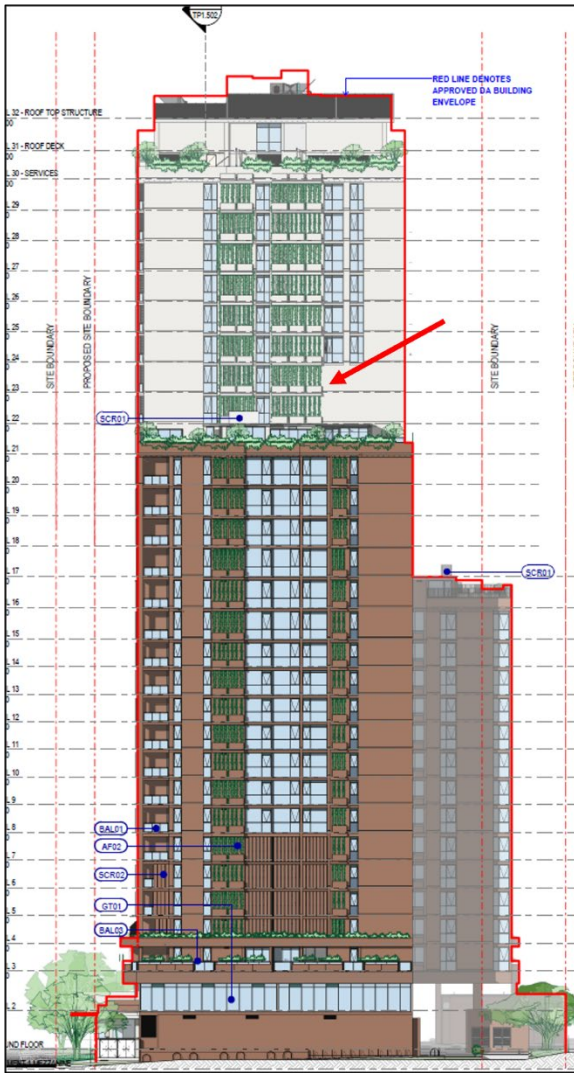
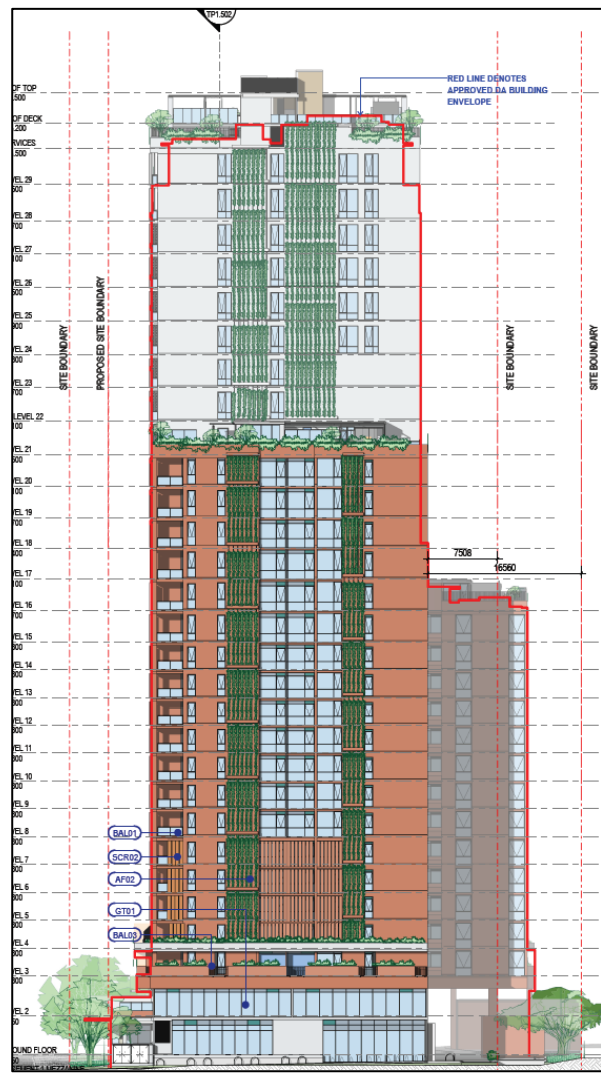


Figure 2: Proposed Plant Trellis



Existing Building Facade

Car Parking

As part of this Change Application, the Applicant seeks to amend the parking condition (condition 59) to correct an inconsistency between the condition and the approved/proposed plans.

The current condition references the provision of 318 parking spaces. However, a review of the approved plans confirms that the approved plans show 317 parking spaces, and the proposed amended plans similarly provide 317 parking spaces. Accordingly, no reduction in parking is proposed as part of this application.



The requested amendment is therefore administrative in nature and seeks only to align the wording of the condition with the proposed plans. The amendment will ensure consistency between the development approval and the approved plan set. As no change is proposed to the approved parking supply, the amendment does not result in any change to the operation of the development, parking demand, traffic impacts, or the assessment previously undertaken by Council.

The application also seeks to amend Condition 59(v) to increase the required secure bicycle parking provision from 235 to 236 spaces, corresponding with the proposed increase in the residential yield from 235 to 236 dwellings.



Amendments to Approval

To facilitate the requested changes, a review of the current approval A006807199 has been undertaken. The application proposes to make the following changes to the approval package:

Approved Plans and Documents

Plan no.	Rev.	Plan Name	Date
TP1.101	Rev Q	Site Plan	2 July 2026
TP1.201	Rev N	Floor Plan – Basement 05	2 July 2026
TP1.202	Rev P	Floor Plan – Basement 04	2 July 2026
TP1.203	Rev P	Floor Plan – Basement 03	2 July 2026
TP1.204	Rev P	Floor Plan – Basement 02	2 July 2026
TP1.205	Rev R	Floor Plan – Basement 01	2 July 2026
TP1.206	Rev M	Floor Plan – Basement 01 Mezzanine	2 July 2026
TP1.207	Rev S	Floor Plan – Level 01 Ground	2 July 2026
TP1.208	Rev L	Level 2	2 July 2026
TP1.209	Rev M	Level 3	2 July 2026
TP1.210	Rev J	Level 4	2 July 2026
TP1.211	Rev J	Level 5-12	2 July 2026
TP1.212	Rev J	Level 13-15	2 July 2026
TP1.213	Rev J	Level 16	2 July 2026
TP1.214	Rev K	Level 17-20	2 July 2026
TP1.215	Rev Q	Level 21	2 July 2026
TP1.216	Rev M	Level 22	2 July 2026
TP1.217	Rev K	Level 23	2 July 2026
TP1.218	Rev L	Level 24-28	2 July 2026
TP1.219	Rev M	Level 29	2 July 2026
TP1.220	Rev G	Level 30 - Services	2 July 2026
TP1.221	Rev J	Level 31 - Roof Deck	2 July 2026
TP1.222	Rev H	Roof Top Structure	2 July 2026
ARC-TP1.401	Rev M	North & East Elevations	2 July 2026
ARC-TP1.402	Rev M	South & West Elevations	2 July 2026
ARC-TP1.501	Rev K	Sections 01 & 02	2 July 2026
ARC-TP1.502	Rev K	Sections 03 & 04	2 July 2026
TP1.701	Rev G	Sun Studies – Summer Solstice	2 July 2026



TP1.702	Rev G	Sun Studies – Winter Solstice	2 July 2026
ARC-TP1.801	Rev D	Carpark Exhaust – 3D View	2 July 2026
237401.0185.R02V01_Air (Amended In Red 10-JUNE-2024)		Air Quality Assessment	15 February 2024
RC16089	Issue 1	Road Widening Plan 31-33 Wellington Road 9 Overend Street	15 September 2021
R001-G21014		Civil Engineering Report	15 February 2024
WG661-03F02	Rev 1	Pedestrian Wind Environment Statement	12 February 2024
22134 LC-01 Page 13	Rev J	Ground Level – North	26 August 2026
22134 LC-01 Page 14	Rev J	Ground Level – South	26 August 2026
22134 LC-01 Page 15	Rev J	Level 2	26 August 2026
22134 LC-01 Page 16	Rev J	Level 3	26 August 2026
22134 LC-01 Page 17	Rev J	Level 4	26 August 2026
22134 LC-01 Page 18	Rev J	Level 5-12	26 August 2026
22134 LC-01 Page 19	Rev J	Level 13-15	26 August 2026
22134 LC-01 Page 20	Rev J	Level 16	26 August 2026
22134 LC-01 Page 21	Rev J	Level 17-20	26 August 2026
22134 LC-01 Page 22	Rev J	Level 21	26 August 2026
22134 LC-01 Page 23	Rev J	Level 22-23	26 August 2026
22134 LC-01 Page 24	Rev J	Level 24-28	26 August 2026
22134 LC-01 Page 25	Rev J	Level 29	26 August 2026
22134 LC-01 Page 26	Rev L	Service Level	15 May 2025
22134 LC-01 Page 27	Rev J	Roof Terrace	26 August 2026

Conditions of Approval

As discussed above, the list of approved plans is being amended. We therefore request all conditions that reference superseded plans are updated to reflect the updated plans.

In addition to the above, the requested changes involve minor amendments to the approved conditions as noted in the table below.

Current Approval Condition	Proposed Change
Condition 11 - Limitation of use The communal areas labelled residents workshop and work from home, as well as the	Condition 11 - Limitation of use The communal areas labelled residents workshop and work from home, as well as



Current Approval Condition	Proposed Change
roof top communal facilities are to remain as ancillary to the approved Multiple dwelling and Short term accommodation land uses. These facilities may only be used by bona fide residents/tenants of the Multiple dwelling/Short term accommodation or guests of these residents. The facilities are not to be made available to the general public or made available for external hire.	the rooftop communal facilities are to remain as ancillary to the approved Multiple dwelling and Short term accommodation land uses. These facilities may only be used by bona fide residents/tenants of the Multiple dwelling/Short term accommodation or guests of these residents. The facilities are not to be made available to the general public or made available for external hire.

Response: As this minor change application seeks to remove the Short-term accommodation use, it is requested that all references to that use be removed from Condition 11.

Condition 18 – Artworks	Condition 18 – Artworks
Provide and maintain artworks in accordance with this condition.	Provide and maintain artworks in accordance with this condition.
(a) Budget and Art Opportunities Report Submit to, and obtain approval from the Principal Architect, Design Brisbane, via Development Services email dalodgement@brisbane.qld.gov.au (i) A Quantity Surveyor's letter stating the artwork budget allocation of no less than 0.25% of the total cost of building and construction work up to the 18th storey of the building. (ii) A Quantity Surveyor's letter stating the artwork budget allocation of no less than 1.00% of the total cost of the building and construction work for all residential levels above the 18th storey.	(a) Budget and Art Opportunities Report Submit to, and obtain approval from the Principal Architect, Design Brisbane, via Development Services email dalodgement@brisbane.qld.gov.au (i) A Quantity Surveyor's letter stating the artwork budget allocation of no less than 0.25% of the total cost of building and construction work up to the 18th storey of the building. (ii) A Quantity Surveyor's letter stating the artwork budget allocation of no less than 1.00% of the total cost of the building and construction work for all residential levels above the 18th storey.



Current Approval Condition	Proposed Change
(iii) <i>An Art Opportunities Report, prepared by a suitably qualified art consultant or curator that provides:</i> ▪ <i>The site's context, history and description</i> ▪ <i>Curational rationale for the artwork program</i> ▪ <i>Proposed artwork locations within an area determined by the Principal Architect, Design Brisbane that meet the criteria of being readily viewable within the public domain.</i> ▪ <i>Any artwork should not be delivered to fulfil compliance for any other condition contained within this development approval and the approved drawings and documents.</i> <i>Note: Artworks for podium screening shall not achieve compliance with this condition.</i> ▪ <i>A long-list of recognised artists of craftspeople which includes descriptions of each artist's practice, and relevant examples of their artwork that indicates the potential artforms and mediums under consideration for each location</i>	(iii) <i>An Art Opportunities Report, prepared by a suitably qualified art consultant or curator that provides:</i> ▪ <i>The site's context, history and description</i> ▪ <i>Curational rationale for the artwork program</i> ▪ <i>Proposed artwork locations within an area determined by the Principal Architect, Design Brisbane that meet the criteria of being readily viewable within the public domain.</i> ▪ <i>Any artwork should not be delivered to fulfil compliance for any other condition contained within this development approval and the approved drawings and documents.</i> <i>Note: Artworks for podium screening shall not achieve compliance with this condition.</i> ▪ <i>A long-list of recognised artists of craftspeople which includes descriptions of each artist's practice, and relevant examples of their artwork that indicates the potential artforms and mediums under consideration for each location</i>



Current Approval Condition	Proposed Change
▪ Indicative budget breakdown ▪ Indicative program ▪ Contract details of the art consultant or curator For further guidance on the Art Opportunity Report content contact the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au	▪ Indicative budget breakdown ▪ Indicative program ▪ Contract details of the art consultant or curator For further guidance on the Art Opportunity Report content contact the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au

Response: Amend Condition 18 (Artworks) to retain the requirement for public artwork while revising the minimum artwork expenditure requirement to 0.25% of the total building and construction cost. The proposed amendment maintains the intent of the condition, facilitates the continued provision of artwork within the development, and provides a more proportionate and consistent outcome having regard to comparable development approvals and the nature and scale of the approved development, as discussed above.

40) Fuel Burning

Fuel burning (e.g. for the backup power generator, fire pumps, etc) is to be in accordance with the following:

- Total maximum installed capacity of 0.1MW or less;
- Operating 100 hours per year or less; and
- Not involving coal combustion.

OR

In accordance with any associated development approval relating to this development.

40) Fuel Burning

Fuel burning associated with the development (e.g. backup power generators, fire pumps and similar ancillary equipment) must be undertaken in accordance with the requirements of Development Approval DEV-2026-WGB-4405, as amended from time to time.

Response: The Applicant seeks to amend Condition 40 (Fuel Burning) to ensure consistency with the fuel burning requirements approved under Development Approval DEV-2026-WGB-4405. The proposed amendment provides a coordinated and consistent approach to regulating fuel burning activities associated with the development and avoids the duplication of requirements across separate approvals. The amendment does not alter



Current Approval Condition	Proposed Change
the approved built form, land use, operational characteristics or environmental impacts of the development and is administrative in nature.	
41) Hours of Operation Hours of operation for the approved uses are to be in accordance with the following: ▪ Multiple Dwellings & Short Term Accommodation 24/7 ▪ Community Use, Food & Drink Outlet, Shop, Office & nbsp; 6am to 8pm ▪ Research & Technology Industry and Service Industry ; 7am to 6pm Commercial Loading/Unloading & nbsp; & nbsp; & nb sp; 7am to 6pm	41) Hours of Operation Hours of operation for the approved uses are to be in accordance with the following: ▪ Multiple Dwellings & Short Term Accommodation 24/7 ▪ Community Use, Food & Drink Outlet, Shop, Office & nbsp; 6am to 8pm ▪ Research & Technology Industry and Service Industry ; 7am to 6pm Commercial Loading/Unloading & nbsp; & nbsp; & nb sp; 7am to 6pm
Response: As this Change Application seeks to remove the Short-term Accommodation use, it is requested that all references to that use be removed from Condition 41.	
Condition 59 - Access, Grades, Manoeuvring, Carparks, Signs and Line Marking Construct and maintain access, parking and manoeuvring for vehicles on site in accordance with the relevant Brisbane Planning Scheme Codes, as indicated on the approved DRAWINGS AND DOCUMENTS, including the following: i. A pavement of minimum Local road standard or equivalent surface material (including associated drainage) to the area on which motor vehicles will be driven and/or parked. ii. Suspended concrete parking areas, aisles and driveways are to be designed and certified by an RPEQ to accommodate the	iv. Parking on the site for a minimum 293 resident/tenant cars, a minimum 15 visitor cars including 1 parking spaces for people with disabilities, a maximum of 8 commercial use cars, 1 car wash bay, 1 motorcycle space and for the loading and unloading of vehicle(s) within the site. There must a minimum number of 317 total number of car spaces provided on site. v. Provide and maintain 236 secure bicycle parking spaces and 59 visitor spaces.



Current Approval Condition	Proposed Change
<i>required design vehicles/s identified in this condition.</i> <i>iii. Manoeuvring on site for a Refuse Collection Vehicle (RCV) and for the loading and unloading of vehicle(s);</i> <i>iv. Parking on the site for a minimum 293 resident/tenant cars, a minimum 15 visitor cars including 1 parking spaces for people with disabilities, a maximum of 8 commercial use cars, 1 car wash bay, 1 motorcycle space and for the loading and unloading of vehicle(s) within the site. There must a minimum number of 318 total number of car spaces provided on site.</i> <i>v. Provide and maintain 235 secure bicycle parking spaces and 59 visitor spaces.</i> <i>vi. A minimum of 2.3 metres height clearance to all undercover parking areas, including the entry and access to these areas, and a minimum of 2.5 metres above parking spaces for people with disabilities. The minimum clear height must be measured to the lowest protrusion from the ceiling (e.g. fire sprinklers, services, lighting fixtures, signs, etc).</i> <i>vii. A height clearance sign located at the entrance(s) to undercover car parking areas and a directional visitor parking sign clearly visible from the vehicle entrance to the site.</i> <i>viii. An appropriate area for the storage and collection of refuse, including recyclables, in</i>	



Current Approval Condition	Proposed Change
<i>a position which is accessible to service vehicles on the site.</i>	<i>ix. Prepare and implement signs and line markings drawings that show the internal paved areas signed and delineated in accordance with the approved drawings and documents. The drawings must be prepared and certified by a Registered Professional Engineer Queensland in accordance with the relevant Brisbane Planning Scheme Codes and the Manual of Uniform Traffic Control Devices.</i> PROOF OF FULFILMENT <i>Certification from a Registered Professional Engineer Queensland, that the above requirements have been implemented in accordance with this condition. Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.</i>
Response: <i>The amendment to Condition 59(iv) corrects an inconsistency between the condition and the approved and proposed plans, both of which show a total of 317 car parking spaces. No reduction in the plan-approved parking supply is proposed. Condition 59(v) is also amended to increase the required secure bicycle parking provision from 235 to 236 spaces, corresponding with the proposed increase in residential yield.</i>	



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 the criteria below:

Minor Change	Response
<i>(b) for a development approval –</i>	
<i>(i) Would not result in substantially different development; and</i>	The application would not result in a substantially different development.
<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 do not introduce prohibited development.
<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>	The original development application required referral to the chief executive.
<i>(C) referral to extra referral agencies, other than to the chief executive; or</i>	The original development application required referral to the chief executive. The proposed change does not trigger referral to any new referral agencies.
<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>	The proposed change does not trigger referral to any new referral agencies.



Minor Change	Response
<i>(E) public notification if public notification was not required for the development application.</i>	The original development application was impact assessable making it subject to public notification and public notification has previously been carried out.

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>	No new use is proposed.
<i>(b) Results in the application applying to a new parcel of land; or</i>	The application will not apply to a new parcel of land.
<i>(c) Dramatically changes the built form in terms of scale, bulk and appearance; or</i>	The proposal does not dramatically change the built form in terms of scale, bulk or appearance. The development retains the approved building footprint, tower form, mixed-use character and general architectural expression. While the rooftop level is now captured by the definition of a storey, that level already formed part of the approved built form and height envelope. Importantly, the overall building height is reduced from RL109.5m to RL106.8m. The remaining amendments principally relate to internal layouts, resident amenity facilities, building services, landscaping and façade detailing.
<i>(d) Changes the ability of the proposed development to operate as intended; or</i>	The proposed changes will not affect the ability of the development to operate as a multiple dwelling, office, shop and food and drink outlet (i.e. a mixed-use development).



Substantially different development:	Response
<i>(e) Removes a component that is integral to the operation of the development; or</i>	The proposed change does not remove a component that is integral to the operation of the development. While the minor change removes the approved short-term accommodation use, the development will continue to function as a residential apartment building. The removal of this use does not affect the operation or functionality 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 change will not have significant impacts on traffic flow, or the transport network.
<i>(g) Introduces new impacts or increases the severity of known impacts; or</i>	The proposed change will not introduce new impacts or increase the severity of known impacts.
<i>(h) 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>	The proposed development does not require a social impact assessment.
<i>(i) Removes an incentive or offset component that would have balanced a negative impact of the development; or</i>	The proposed change does not remove an incentive or offset component that would have balanced a negative impact of the development. Rather, Condition 18 will continue to secure the delivery of artwork as part of the development, with the amendment only seeking to replace the existing tiered contribution methodology with a uniform contribution rate of 0.25% of the total building and construction cost. Accordingly, the intent of the condition is maintained and a meaningful artwork outcome will continue to be delivered.



Substantially different development:	Response
(j) <i>Impacts on infrastructure provisions.</i>	The proposal results in one additional dwelling unit and a minor increase in demand on services and infrastructure; however, this demand can be accommodated by the existing and proposed service connections without the need for further upgrades.

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 below:

Decision Matters Assessment	Response
(1) <i>This section applies to a change application for a minor change to a development approval.</i>	
(2) <i>When assessing the change application, the responsible entity must consider—</i>	The information supporting this application is included within this letter.
(a) <i>the information the applicant included with the application; and</i>	
(b) <i>if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and</i>	The original application was subject to public notification and attracted one properly made submission. While Council will need to consider the matters raised in that submission, the proposed changes are minor in nature and do not alter the overall scope, intent, or scale of the approved development.
(c) <i>any pre-request response notice or response notice given in relation to the change application; and</i>	Not applicable – this minor change application does not require referral to SARA or any other referral agencies and therefore a pre-request response notice has not been obtained.
(d) <i>if the responsible entity is, under <u>section 78A(3)</u>, the Minister—</i>	Not applicable, the responsible entity for the application is not the Minister.



Decision Matters Assessment	Response
<i>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</i> <i>(e) if the responsible entity is, under <u>section 78A(4)(a)</u>, the chief executive—all matters the chief executive would or may assess against or have regard to, if the change application were a development application declared to be an application for State facilitated development under <u>section 106D</u>; and</i>	Not applicable, the responsible entity for the application is not the chief executive and is not a State Facilitated Development application.
<i>(f) if paragraphs (d) and (e) do 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</i>	The proposed changes have been assessed against the relevant planning framework and assessment benchmarks applicable to the original development application. As demonstrated throughout this report, the proposal remains generally consistent with the approved development and does not result in a substantially different development.
<i>(g) another matter that the responsible entity considers relevant.</i>	The Applicant is not aware of any other matters relevant to the assessment of this Change Application. It is noted, however, that the current Woolloongabba Priority Development Area Development Scheme contemplates development outcomes of a similar scale on the subject site, which provides additional context supporting the appropriateness of the proposed changes.
<i>(3) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d), (e) or (f), consider—</i>	The assessment of this Change Application requires consideration of the relevant statutory instruments and documents incorporated or adopted by those



Decision Matters Assessment	Response
(a) a statutory instrument; or (b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.	instruments. Accordingly, subsections (4) and (5) are relevant to Council's assessment.
(4) <i>The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.</i>	The proposed changes have been assessed having regard to the statutory instruments and other relevant documents in effect when the original development application was properly made.
(5) <i>However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to—</i>	
(a) <i>the statutory instrument or other document as in effect when the change application was made; or</i>	It is noted that the current planning framework, including the Woolloongabba Priority Development Area Development Scheme, may also be given weight where considered appropriate by the responsible entity.
(b) <i>if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided—the amended or replacement instrument or document; or</i>	The Applicant acknowledges that any amended or replacement statutory instrument or document in effect prior to determination of the application may be considered by the responsible entity to the extent considered appropriate.
(c) <i>another statutory instrument—</i> <i>i. that comes into effect after the change application is made but before it is decided; and</i> <i>ii. that the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.</i>	The Applicant acknowledges that any relevant statutory instrument that commences before the application is decided may be given weight by the responsible entity in accordance with section 81(5) of the <i>Planning Act 2016</i>.



Summary

In summary, we are of the view that the proposed amendments satisfy the minor change criteria. We therefore request that Council amend the development approval as set out in this letter and incorporate the attached amended plans and the updated landscape package into the approval package.

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 0488 005 620 or email at rachaelcaton@saundershavill.com.

Yours sincerely

Saunders Havill Group



Rachael Caton

Senior Town Planner

