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APPLICATION REF
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2 November 2026

The Assessment Manager
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Dear Sir/Madam,

Minor Change to Development Approval: 18 Park Avenue, East Brisbane (Council Reference: A006831206)

In accordance with Sections 79 and 81 of the *Planning Act 2016* ('Planning Act') and on behalf of *Parkview Holdings Pty Ltd* ('the Applicant'), please accept this correspondence as a properly-made application to make a Minor Change to the Development Approval (Council reference A006831206) granted by Brisbane City Council for the site at 18 Park Avenue, East Brisbane, formally described as Lot 1 on SP320642.

This minor change application is accompanied by the following material:

- Attachment A: DA Form 5
- Attachment B: Signed Owner Consent
- Attachment C: Current Development Approval
- Attachment D: Architectural Plans prepared by *Idea Architecture*

1 Approval History

1.1 Original Approval – Council Ref: A005332720 | P&E Court Reference: 805/2020

On 14 February 2020, the Brisbane City Council initially refused a code assessable development application seeking a Development Permit for a Material Change of Use for a 10 storey Multiple Dwelling use on the site (Council reference: A005332720).

On 12 March 2020, a Notice of Appeal under Section 230 of the Planning Act 2016 was filed with the Planning and Environment Court ('P&E Court') of Queensland on behalf of the Applicant (P&E Court reference: 805/2020). The Notice of Appeal sought that the development application be approved, subject to lawful conditions.

During this appeal, a selection of Minor Changes to the development application were made (and accepted by the P&E Court). On 8 September 2020, Her Honour Judge Kefford provided a Judgment that the appeal be allowed and directed the Brisbane City Council to approve the development application, subject to conditions.

1.2 Change Approval (s82 Other Change) – Council Ref: A005904037

A change to the approval was granted by Brisbane City Council on 9 May 2022, permitting a s82 Other Change to a Development Permit for Material Change of Use for Multiple Dwelling (29 Units). Changes to the package included:

- Increasing building height by 2 storeys to a maximum of 12 storeys and RL 53.6m (measured to lift overrun);
- Increase in 1 basement level resulting in a total of 4 basements and increase in resident parking supply from 57 spaces to 71 spaces (whilst retaining 5 visitor spaces);
- Increase in bicycle parking to reflect the increase in unit numbers to 29 resident spaces and 8 visitor spaces;
- Increase of 3 units to a total of 29 units and change to unit mix;
- Minor changes to the floor plates to levels 6, 7, 8 (south-eastern corner) including increased setback to wall on upper levels to allow for continuity of building façade design due to the increase in height;
- Changes to the sun shading devices;
- Minor changes to the internal layout and to façades and materials / finishes; and
- Refinement of the structure, fire egress paths/stairs and services zones.

1.3 Change Approval (s81 Minor Change) – Council Ref: A006533999

A change to the approval was granted by Brisbane City Council on 2 October 2024. Changes to the package included:

- Increase in height to RL53.9m AHD and to a height of 13 storeys.
- Alterations to carparking layout.
- Modification of screening elements and glazing on the façade.
- Shifting of the location of window openings.
- Removal of the slab extension of the south façade.
- Increased slab extensions on all other facades.
- Reduction in front wall setback along Thorn Street from adjustments to basement exterior.
- Updated plans and documents which reflect the changes.

1.4 Change Approval (s81 Minor Change) – Council Ref: A006831206

A change to the approval was granted by Brisbane City Council on 15 September 2025, which reflects the most recent iteration of the approval. Changes to the package included:

- Minor changes to the size and orientation of storage spaces, refuse storage and stair pressurisation in the basement levels, with no change to the number of basement levels or the total number of car parking spaces (76 spaces).
- Addition of an open pergola structure to the western terrace on Level 1 and a reduction in the size of the cold-water pump room.
- Removal of a window to the master bedroom on the southern façade of Level 9.
- Reconfiguration of Level 11 from 1 unit to 2 units, including a split lobby, slab extension to the southern side of the level and changes to balconies and planters, resulting in a total of 30 units.
- Changes to the roof terrace, including an extended planter, a relocated sauna and new pool pump room, and removal of seat screen backing in the cabana spaces.
- Relocation of AC plant to the roof, appropriately screened and contained within the approved building height.
- Alterations to the screening design on the upper sections of the facades.

A copy of the current approval documentation, including the Decision Notice and Conditions, is included in **Attachment C**.

2 Proposed Minor Changes

As construction of the development progresses, the Applicant has continued detailed design and construction documentation to realise the approved development. As part of this process, a number of minor refinements to the layout of the two apartments on Level 11 are now required.

The changes are confined to Level 11 and are shown on the amended Level 11 General Arrangement Plan (WD216 Rev 13, dated 14 July 2026) in comparison to the approved Level 11 General Arrangement Plan (TP317 Rev J, dated 30 July 2025). A summary of the proposed changes is outlined below:

- Level 11
  - The change to Unit 1101 is appropriate given it is simply a reversion to how the layout of this apartment and balcony was previously approved (refer to approved Level 11 Plan on BCC ref: A006533999).
  - The change to Unit 1102 is largely inconsequential and seeks to improve the functionality and layout of the master bedroom and balcony. The internal side of the planter is pulled back to allow for a more generous space in the northern section of the balcony which allows for an outdoor kitchen to be installed in an area which most protection from the weather. The southern section of the balcony has been reduced to allow for the master bedroom to be regular in shape.

The external building outline, building height, number of dwellings, car parking, bicycle parking and access arrangements are unchanged. No changes are proposed to any other level of the building, the roof terrace or the roof.

The proposed minor changes are illustrated in the Development Plans in **Attachment D**.

Table 1 – Development Summary

Development Metric	Current Approval (2025 Minor Change)	Proposed Development	Change
Max Building Height	13 storeys	13 storeys	No change
Dwelling Mix	30 units (2 units on Level 11)	30 units (2 units on Level 11)	No change
Level 11 Apartment (as annotated on the plans)	Unit 1101 (3 bed): balcony spans the entire north-eastern corner of the apartment. Unit 1102 (4 bed + MPR): Master bedroom and southern end of balcony comprises an oblique shape.	Unit 1101 (3 bed): The internal lounge areas has been increased in size whilst resulting in a corresponding reduction to the size of the balcony. Unit 1102 (4 bed + MPR): Planter bed realigned, noting that the changes is a reduction to the internal side of the planter and no change is proposed to the externally facing planter. The wall of the Master bedroom has been pushed out into the balcony area to create a more regular shaped bedroom (and balcony.	The change to Unit 1101 is appropriate given it is simply a reversion to how the layout of this apartment and balcony was previously approved (refer to approved Level 11 Plan on BCC ref: A006533999). The change to Unit 1102 is largely inconsequential and seeks to improve the functionality and layout of the master bedroom and balcony. The internal side of the planter is pulled back to allow for a more generous space in the northern section of the balcony which allows for an outdoor kitchen to be installed in an area which most protection from the weather. The southern section of the balcony has been reduced to allow for the master bedroom to be regular in shape.
Site Cover	545.81m^2 (54.5%)	545.81m^2 (54.5%)	No change
Deep planting	130.30m^2 (13.5%)	130.30m^2 (13.5%)	No change
Communal Open Space	562.11m^2	562.11m^2	No change

Development Metric	Current Approval (2025 Minor Change)	Proposed Development	Change
Bicycle Parking	30 resident spaces 8 visitor spaces	30 resident spaces 8 visitor spaces	No change
Total Car Parking	76 spaces	76 spaces	No change

3 Approval Package Amendments

The following section outlines the proposed changes to the approved drawings and documents, with changes highlighted in blue, and with removed text struck through.

3.1 Changes to Approved Plans and documents

The following amendment to the list of approved drawings and documents is requested to ensure that any resultant approval correctly acknowledges the updated drawing, as shown in the table below.

The following table only outlines the plan reference needing amendment. All other approved plans may remain.

Plan/Document Name	Reference Number	Plan Date
Architectural Plans		
GA Plan – L11	WD216 Rev 13 ~~TP317 Rev J~~	14.07.26 ~~30.07.25~~

3.2 Changes to Approval Conditions

The proposed changes to the design do not necessitate any changes to the current conditions of approval.

3.3 Changes to Infrastructure Charges Notice

The proposed changes do not alter the number of dwellings in the development (30 units) and are not anticipated to necessitate a change to the Infrastructure Charges Notice associated with the existing approval.

4 Assessment of Minor Change Against the Planning Act 2016

4.1 Minor Change Criteria

The *Planning Act 2016* ('the Act') sets out the relevant assessment requirements for a Minor Change to a development approval.

Schedule 2 of the Act sets out the definition for a Minor Change as follows,

> ***"Minor change** means a change that—*
>
> *...*
>
> *(b) for a development approval—*
>
> *(i) would not resul t in substantially different development; and*
> *(ii) if a development application for the development, including the change, were made when the change application is made would not cause—*
>
> *(A) the inclusion of prohibited development in the application; or*
> *(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or*
> *(C) referral to extra referral agencies, other than to the chief executive; or*
> *(D) a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or*
> *(E) public notification if public notification was not required for the development application."*

The proposed change meets each of the criteria stated in this definition. This is demonstrated in the following sections of this correspondence.

4.2 Substantially Different Development

In respect to (b)(i) of the above definition regarding substantially different development, it is appropriate to have regard to the Development Assessment Rules, Schedule 1. An assessment of the proposed changes against the substantially different development criteria is included in **Table 2** below.

Table 2 – Substantially Different Development Assessment Criteria

Guideline Criteria	Comment
Involves a new use.	The proposal does not involve the introduction of a new land use. The changes relate to the internal layout of two apartments on Level 11 and do not change the approved use of the building as a multiple dwelling.
Results in the application applying to a new parcel of land.	The proposal does not involve the application applying to any new parcels of land.

Guideline Criteria	Comment
Dramatically changes the built form in terms of scale, bulk and appearance.	The built form remains unchanged. The external building outline, height and floor plate dimensions are unchanged, and the modifications are confined to the layout of Level 11. The development continues to provide a residential development form that is contextually appropriate and of a very high architectural quality. The changes will not be discernible from the public realm.
Changes the ability of the proposed development to operate as intended.	The changes do not alter the ability of the development to operate as intended. The site retains the ability to be serviced appropriately and access infrastructure of adequate capacity.
Removes a component that is integral to the operation of the development.	The proposal does not remove any components of the approved development that are integral to the operation of the development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	The proposed changes will not significantly impact on traffic flow or the transport network. The number of dwellings, bedrooms, car parking supply and access arrangements are unchanged.
Introduces new impacts or increases the severity of known impacts.	The proposed minor changes are not anticipated to introduce any new, or increase the severity of any known impacts, which are adverse and unacceptable.
Removes an incentive or offset component that would have balanced a negative impact of the development.	No incentives or offsets are removed.
Impacts on infrastructure provision.	The proposal will not impact the provision of infrastructure required by the development.

The above assessment demonstrates that the proposed changes will not result in substantially different development.

4.3 Assessment of Brisbane City Plan 2014

According to Section 81(3) of the Planning Act 2016:

"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."

Section 81(3) of the Planning Act stipulates that an assessment of a request for a Minor Change is to be undertaken against the relevant planning scheme in force at the time the original application was made. It also provides that a responsible entity (BCC in this instance) may have regard to the current town planning framework in its assessment.

The development application, which resulted in the current development approval, was assessed against the current Brisbane City Plan 2014. We have undertaken an assessment of the proposed changes against the relevant provisions of Brisbane City Plan 2014, being the current town planning framework. This framework and key provisions relevant to this development are effectively unchanged from the planning scheme in force at the time of the original application.

The proposed changes do not alter the proposal's compliance with the current planning framework or hinder the achievement of Council's intentions for future development on the site.

- HDR2 High Density Residential Zone
  - The changed development is consistent and compatible with the uses, built form and overall outcomes of the High-Density Residential Zone. The bulk, scale and form remain consistent with the current development approval.
- Kangaroo Point Peninsula Neighbourhood Plan (Mowbray Park precinct NPP-005)
  - As part of the original development application, compliance with performance outcomes was demonstrated in relation to boundary setbacks and site cover. The proposed changes do not alter the building footprint, boundary setbacks or site cover (approx. 54.5%), and the development continues to comply with the applicable acceptable outcomes of the Kangaroo Point Peninsular Neighbourhood Plan Code.
- Multiple Dwelling Code
  - The changed development is consistent and compatible with the uses, built form outcomes, and requirements of the Multiple Dwelling Code. The changes are limited to the internal layout of Level 11, and each apartment continues to be provided with private open space.

4.4 Review of Public Notification Submissions

To ensure that the proposed changes do not compromise the key issues assessed as part of the previous development application (Council Ref: A005904037), a review of the public notification submissions has been undertaken.

A total of 17 properly made submissions were received by Brisbane City Council during the public notification period. The key themes addressed in the submissions, and a response to each key matter, are provided in **Table 3** below.

Table 3 – Submission Themes and Applicant Response

Theme	Reason for Objection	Applicant Response
Building Height	▪ Building height is not consistent with the surrounding context. ▪ Concerns about overshadowing, loss of natural light, and privacy impacts for adjoining residents. ▪ The building will block key views to the Brisbane River.	▪ The approved building height (13 storeys, RL 53.9m AHD) is unchanged. ▪ The changes are limited to the layout of Level 11 and do not alter the building envelope or the separation to adjoining premises. Privacy, overshadowing and view outcomes therefore remain consistent with the approved development.
Traffic and servicing	▪ The proposed development does not have adequate resident and visitor parking on-site. ▪ The proposal will cause major traffic issues along Park Avenue, Thorn Street and Wellington Road. ▪ Concerns about traffic impact due to servicing and waste collection. The building does not appear to have sufficient space to locate rubbish bins on site and for collection.	▪ The number of dwellings, overall parking supply, servicing and access arrangements are not changed as part of this proposal.
Site Cover/GFA	▪ Site cover of 55.4% exceeds the maximum site cover provision of 45%. ▪ Concerns about increased bulk and scale. ▪ Disregard for minimum separation between adjoining buildings. ▪ Site cover does not take account of road dedications.	▪ The proposal does not change the site cover (approx. 54.5%), which remains less than the site cover originally approved (55.4%). ▪ The bulk and scale of the proposal remains consistent with the approved development.
Deep Planting	▪ The deep planting measurement includes additional verge dedications which is incorrect. When deducting dedications, deep	▪ The deep planting outcome of 13.5% is unchanged and remains compliant with the requirements of the Multiple Dwelling Code.

Theme	Reason for Objection	Applicant Response
	planting is approximately 5% of the site area. ▪ Deep planting areas are not capable of supporting large canopy trees.	▪ The dedicated deep planting areas are designed to accommodate canopy trees in accordance with Council requirements.
Noise and vibration impacts	▪ Demolition, construction and excavation activities will cause significant noise, dust and vibrations impacts to surrounding residents.	▪ As part of existing approval conditions, the Applicant was required to prepare a Construction Management Plan (Minor) and a CBD/City Frame Construction Management Plan. ▪ Construction has largely been completed.

4.5 Notifying Affected Entities

There are no affected entities associated with the proposed minor change.

4.6 Prohibited Development

In respect to part (b)(ii)(A) of the definition of Minor Change, the proposed Minor Change will not introduce or involve any prohibited development as identified in Schedule 10 of the *Planning Regulation 2017*.

4.7 Referral Matters

If the application was lodged today, no referral of the application would be required under Schedule 10 of the *Planning Regulation 2017*. Accordingly, there will be no new or additional referral agencies as a result of the change.

4.8 Public Notification

The original application was required to be publicly notified, and as such, the proposed change will not introduce any new requirements for public notification. The proposed change is therefore consistent with this element of the Minor Change definition.

5 Conclusion

As outlined in this correspondence, the proposed change satisfies the relevant requirements for a Minor Change as described by the *Planning Act 2016* and *DA Rules*.

We trust that the information contained herein is sufficient for Council to undertake an assessment of this proposed minor change. If you have any questions, please do not hesitate to contact me in accordance with the details below.

Yours sincerely,



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