

Ref: 21-0141P/04

25/06/2026

Chief Executive Officer  
Brisbane City Council  
GPO Box 1424  
Brisbane QLD 4001

Via: Council's Online Lodgement Portal

RE: Request to Change a Development Approval (s78 of the Planning Act 2016)  
Material Change of Use and Building Work for Multiple Dwelling (A006643329)  
23, 25 & 27 Maud Street, Newstead QLD 4006 (Lots 71 – 73 on RP9348)

To Whom it May Concern,

#### Introduction

On behalf of HG SCIM Newstead Pty Ltd (**Applicant**), Therefor Group hereby requests to make a Change application (Minor) to change a Development Approval (Council reference: A006643329) in accordance with Section 78 of the *Planning Act 2016* (**Planning Act**), over the land at 23, 25 & 27 Maud Street, Newstead and formally described as Lot 71 – 73 on RP9348.

In accordance with Section 79 of the Planning Act, we confirm the application:

- is made in the approved form, having been accompanied by Planning Act Form 5 – Change application form;
- will be accompanied by the required fee, once the respective invoice has been issued by Brisbane City Council (**Council**);
- is not subject to any pre-request response notice; and
- is accompanied by the written consent of the owner.

On the basis of the above, we request that Council confirm their acceptance of the application in accordance with Section 79 (2) of the Planning Act.

#### Application Fees

In accordance with Council's Schedule of Fees and Changes 2025-26, the application fee is \$4,576. We request that Council issue the application fee quote to allow payment to occur.

#### Conclusion

We would appreciate if Council would now proceed with its assessment of this proposed development. Should you have any further queries regarding this application, please do not hesitate to contact the undersigned on (07) 3666 5200.

Yours sincerely,



Emily Richards  
ASSOCIATE - PLANNING

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# Minor Change Application

## 1. Introduction

This minor change application seeks to amend the development approval issued by Council on 29 November 2024 (A006643329) for a Development Permit for Material Change of Use and Building Works for a Multiple dwelling. The proposed amendments arise from the detailed design process and include refinements to the approved built form, façade treatment, landscaping and storage and parking provisions.

### 1.1. Report Structure

To guide a reader to the report’s structure, please note that:

- **Section 2** provides an overview of the current development approval.
- **Section 3** provides details of the proposed changes
- **Section 4** provides an assessment of the proposed changes against the minor change criteria.
- **Section 5** provides an evaluation against the relevant assessment criteria contained in section 81 of the Planning Act.
- **Section 6** provides an assessment of the proposed changes against the relevant assessment benchmarks of the Planning Scheme.

### 1.2. Supporting Material

To assist with Council’s assessment of the change application, the following supporting material is provided which form part of the application.

Table A – Supporting Material

Document Title	Prepared By	Date
Signed Landowners Consent	-	-
Planning Act Form 5 – Change application	-	-
Architectural Plans	Bureau Proberts	08.06.2026

## 2. Development Approval

### 2.1. Overview

The site at 23, 25 & 27 Maud Street, Newstead, formally described as Lots 71 – 73 on RP9348, is subject to four (4) previous development approvals relating to the establishment of a Multiple dwelling development.

The original development permit was granted on 7 September 2022 by way of negotiated decision notice for Multiple dwellings (30 dwelling units) across eight (8) storeys including a rooftop recreation area, with resident and visitor car parking at ground and basement levels (Council reference: A005883474).

On 3 December 2022, Council issued a subsequent development approval to incorporate two (2) additional dwelling (revised total of 32 units) across two (2) storeys, which resulted in an increase in overall building height 10 storeys (Council reference: A006073622).

On 24 February 2024, Council granted approval for an ‘other change’ to the previous development approval (Council reference A006355850). This approval consolidated the abovementioned development approvals while adding two (2) storeys with eight (8) units to the proposed development. In effect, the site is approved for forty (40) dwellings within a 12 storey building.

On 29 November 2024, Council granted approval for a ‘minor change’ to the previous development approval (Council reference: A006643329). This approval allowed for changes to the design, built form and articulation, landscaping, and parking and manoeuvring. Notably, there were no changes to the approved use or dwelling mix.

The abovementioned development applications were not subject to referral agency assessment.

## 2.2. Currency of development approval

As outlined in the Decision Notice of the most recent Change approval, the currency period for this approval (inclusive of all its parts) will end on 3 May 2030 (Council reference: A006643329). Therefore, this application is well within the currency period of its related development approval.

## 3. Proposed Changes

### 3.1. Overview

The proposed amendments to the approved design are in response to matters identified during the detailed design phase and feedback received from the project team. Further detail is provided in the sections below; however, the amendments generally comprise:

- Change to the façade treatment, particularly along the eastern elevation to refine the extent of screening;
- Detailed design refinements within the basement and ground levels, including changes to the bicycle parking facilities and the internal layout; and
- Associated amendments to the landscape design arising from the proposed built form changes.

Notwithstanding these amendments, the development continues to exhibit a high-quality architectural outcome that responds positively to Brisbane’s subtropical climate and reflects the intent of the Subtropical Building Design Planning Scheme Policy. The revised design will continue to contribute positively to the evolving character of the Newstead north precinct and deliver a high level of residential amenity for future tenants.

### 3.2. Architecture and Built Form

Amendments are proposed to the approved building design, primarily relating to the screening treatment of the eastern façade and internal layout refinements. The proposed amendments are reflected in the accompanying Architectural Plans prepared by Bureau Proberts and are detailed below.

#### Façade Detail

The approved screening treatment along the eastern façade has been refined across each level of the building. Specifically, the extent of screening has been refined in locations corresponding with kitchen areas within the residential units, refer to **Table B**. The refined screening has been considered to improve access to natural light and outlook for residents; therefore, enhancing the internal amenity of the residential units.

The most recent change approved in November 2024 introduced considerable additional screening to both the western and eastern facing side boundary elevations of the building. This minor change seeks to retain the amended western screening as an appropriate climatic response at this elevation and revise the screening at the eastern elevation to approximate that approved in the original development approval. The proposed changes achieve an appropriate balance between retention of residential privacy and amenity including access to air / breezes and natural daylight. Ultimately it has been determined that the screening outcome is appropriate with consideration of the following:

- The areas where screening has been refined are associated with kitchen and dining areas, as opposed to bedrooms or bathrooms. This ensures maximum access to natural light and breezes in core living areas, whilst maintaining privacy in areas where it is required.
- The change is limited to the eastern side of the development where the adjoining site contains a 4 storey Multiple Dwelling, generally oriented away from the subject site. Windows and openings facing toward the subject site are associated with secondary bedrooms and small balconies off bedrooms and feature fixed screens. A review of internal layouts associated with the adjoining building have confirmed primary bedrooms and living areas are orientated toward the eastern building façade.

The proposed changes do not alter the overall built form, scale or design of the development. Rather the amendments represent a refinement of the approved façade treatment that improves residential amenity whilst maintaining privacy and amenity.

Table B – Comparison of East Elevation

Perspectives Maud Street North-East	
Other change application 2023 (Council reference: A006355850)	Minor change application 2024 (Council reference: A006643329)



**Proposed minor change application (current)**



Basement Level 3 Layout Changes

Basement Level 3 has been amended to refine storage provision; including the division of one storage room located within the western portion of the basement into two separate rooms, and the division of two storage rooms adjacent to the building core (stairs and lifts) into five separate rooms. Bicycle parking has also been repositioned to accommodate the additional storage areas and is now located external to the storage rooms. These changes are internal and do not result in any changes to the approved build form, scale or overall design of the development and do not alter the functionality of the approved car parking layout.

#### Sub-penthouse Level Layout Changes

The proposed amendments to the Sub-penthouse level include the removal of the column adjacent to the outdoor dining area, modifications to the mechanical plant area and access to the fire stairs, and revisions to the balustrade along the eastern façade to incorporate a greater extent of semi-frameless glass. These changes are intended to improve tenant amenity by enhancing useability of the private open space and maximising natural light. The amendments are minor in nature and do not result in any changes to the overall built form, scale or design of the approved development.

#### Penthouse Level Layout Changes

The proposed amendments to the Penthouse level include the enlargement of the bathroom located in the south-west corner of the residential unit, modifications to the fire stair access, refinements to the pool area including revised containerised planting arrangements, and changes to the outdoor kitchen and dining space. Screening has been introduced along the eastern elevation adjacent to the multi-purpose room and adjoining hall. These changes are intended to improve the functional layout, enhance privacy, and increase the amenity of private open space and internal spaces. The amendments are minor in nature and do not result in any change to the approved built form, scale, or overall design of the approved development.

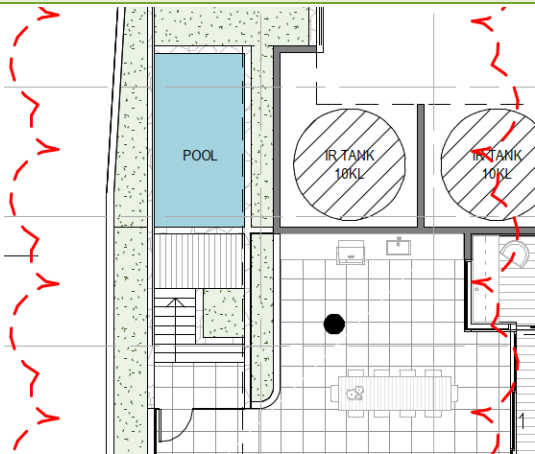

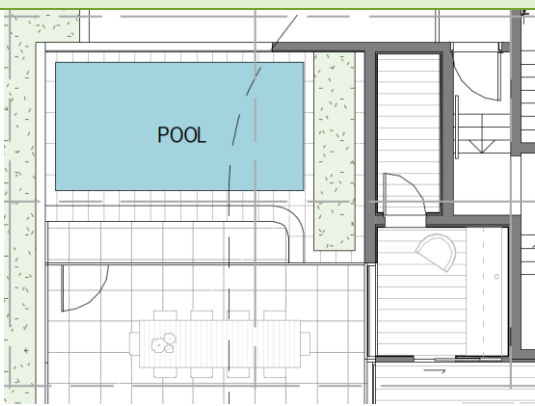
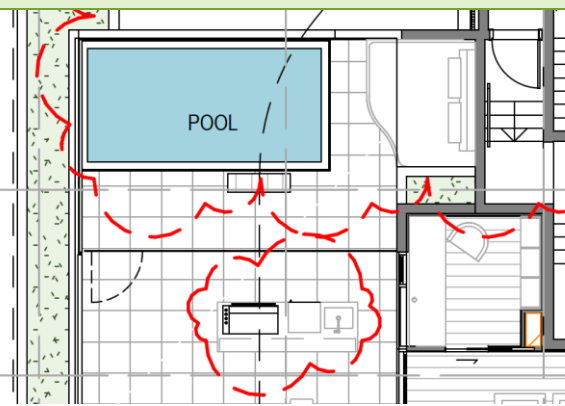
### 3.3. Changes to landscaping

Minor changes are proposed to landscaping located on the Sub-penthouse and Penthouse levels, shown in **Table C** below. The proposed changes are as follows:

- **Sub-penthouse level:** Additional planting has been included next to the external stairs which lead to the pool. The additional planting increases the total landscaped area by approximately 1.5m<sup>2</sup>.
- **Penthouse level:** The containerised planting which adjoins the pool has been removed and relocated to abut an apartment wall. The relocated containerised planting has an area which is approximately 2m<sup>2</sup> less than the approved Landscape Concept Plan.
- The landscaping located on Ground level – Level 9 is as per the approved Landscape Concept Plan and no changes are proposed.

The proposed changes to landscaping located on the Sub-penthouse and Penthouse level are considered both minor in nature and generally in accordance with the approved Landscape Concept Plan and as such it has been determined unnecessary to update the approved Landscape Concept Plan.

**Table C – Comparison of Landscaping**

Approved Plans	Proposed Plans
<b>Sub – penthouse level</b>	
	
<b>Penthouse level</b>	
	

### 3.4. Changes to Bicycle and Motorbike Parking

- The motorbike parking located within the north-west corner of the site has now been removed and offset with two (2) additional bicycle parking spaces.

The Car park schedule has also been updated to reflect this change. The removal of the motorbike parking space does not alter the development's compliance with parking rates outlined within the Transport, access, parking and servicing code (**TAPS code**); noting that since the time of the original approval, the site has now been included within the City Core (rather than the City Frame) as per the TAPS code, where a maximum rate now applies to the site.

### 3.5. Summary of Changes to Architectural Plans

A summary of all changes by plan are included in **Table D** below. This is provided for information purposes only, with the view that most of these changes are generally in accordance with the approved development and do not require specific discussion.

**Table D: Summary of changes to each level**

Plan	Description of changes
Cover Sheet	<ul style="list-style-type: none"> <li>▪ Updated render.</li> <li>▪ Removal of motorbike parking note from schedule.</li> <li>▪ Additional visitor bicycle parking space noted in schedule.</li> </ul>
Locality Plan	<ul style="list-style-type: none"> <li>▪ No change</li> </ul>
Site Proposed Plan	<ul style="list-style-type: none"> <li>▪ Roof plan clouded to acknowledge changes to roof and levels below.</li> </ul>
Basement 3	<ul style="list-style-type: none"> <li>▪ Carpark schedule updated.</li> <li>▪ One (1) storage room located within the western portion of the basement has been divided into two (2) separate uses.</li> <li>▪ Two (2) storage rooms located near the core (stairs and lifts) have been divided into five (5) separate rooms.</li> <li>▪ Bike racks have been moved to accommodate for the additional storage space and are external to storage rooms.</li> </ul>
Basement 2	<ul style="list-style-type: none"> <li>▪ Carpark schedule updated.</li> </ul>
Basement 1	<ul style="list-style-type: none"> <li>▪ Carpark schedule updated.</li> </ul>
Ground level	<ul style="list-style-type: none"> <li>▪ Visitor bike parking, located next to the bin storeroom, has changed from three (3) spaces to two (2) spaces.</li> <li>▪ Visitor motorbike parking beside driveway has been replaced with two (2) x visitor bicycle parking spaces.</li> <li>▪ Screening of services beside pedestrian entry has been slightly altered, with column locations in this area also revised.</li> <li>▪ Screening provided besides driveway in lieu of solid wall.</li> </ul>
Level 1 – Level 9	<ul style="list-style-type: none"> <li>▪ Addition of solid wall separating balconies at the rear of the building where batten screening was previously proposed.</li> <li>▪ Changes to screening on the eastern side of the building in the location of the kitchens.</li> <li>▪ Alteration to glazing detail on eastern side of front units, beside the kitchen and dining rooms.</li> </ul>
Sub Penthouse	<ul style="list-style-type: none"> <li>▪ Increase in landscaping which adjoins the pool area.</li> <li>▪ Removal of column near bbq area.</li> <li>▪ Change to mechanical plant area and access to fire stairs.</li> </ul>

	<ul style="list-style-type: none"> <li>Changes to balustrade along eastern façade to include a greater extent of semi-frameless glass to maximise outlook and access to natural light.</li> </ul>
Penthouse	<ul style="list-style-type: none"> <li>Enlargement of bathroom in southwest corner.</li> <li>Change to fire stair access including extension of wall and associated screening external to the building.</li> <li>Change to pool area and containerised planting outcomes beside pool.</li> <li>Change to outdoor kitchen and dining area.</li> <li>Addition of screening on eastern elevation beside multi-purpose room and adjoining hall.</li> </ul>
Roof Plan	<ul style="list-style-type: none"> <li>Acknowledgement of changes to lower levels through clouding.</li> </ul>
North Elevation	<ul style="list-style-type: none"> <li>Change to screening around services at ground level entry.</li> </ul>
East Elevation	<ul style="list-style-type: none"> <li>Refinement of screening on Levels 1 – 9 inclusive and provision of additional glazing detail.</li> <li>Wall and screening changes at Level 11 to reflect changes near fire stairs outdoor areas near pool.</li> <li>Changes to balustrade at sub-penthouse level along eastern façade to include a greater extent of semi-frameless glass to maximise outlook and access to natural light.</li> </ul>
South Elevation	<ul style="list-style-type: none"> <li>Changes to walls, screening and landscape outcomes on Levels 10 and 11.</li> <li>Change to slab protrusion detailing at Level 11 near bathroom and fire stairs.</li> </ul>
West Elevation	<ul style="list-style-type: none"> <li>Provision of solid wall around plant area at Level 10 instead of lightweight screening.</li> <li>Changes to wall at Level 11 to reflect slight increase in bathroom size and fire stair access.</li> <li>Change to slab protrusion detailing at Level 11 near bathroom and fire stairs.</li> </ul>
Section 1	<ul style="list-style-type: none"> <li>Inclusion of solid wall between rear facing balconies in place of previously proposed lightweight screening at Levels 1-9.</li> <li>Change to walls and outdoor areas at the rear of Level 11 near the pool deck, fire stairs and bathroom.</li> </ul>
Section 2	<ul style="list-style-type: none"> <li>Change to slab protrusion detailing at Level 11 near bathroom and fire stairs.</li> </ul>
Section 3	No change
Interface Section (dwg. 501)	<ul style="list-style-type: none"> <li>Solid walls provided between balconies in place of screens.</li> </ul>
Interface Section (dwg.08)	<ul style="list-style-type: none"> <li>Screening provided at ground level beside driveway.</li> </ul>
Interface Sections (others not referenced above)	No change
Perspectives	<ul style="list-style-type: none"> <li>Updated to reflect updated external screening outcomes</li> </ul>

### 3.6. Changes to Approved Drawings and Documents

To facilitate the proposed changes, we request that the approved drawings and documents are updated as outlined in **Table E** below.

Table E: Changes to approved drawings and documents		
Drawing or Document	Number	Plan Date
Cover Sheet	0.00 Rev <del>18</del> 19	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Locality Plan	1.01 Rev <del>10</del> 11	<del>28-OCT-2024</del> 08-JUNE-2026
Site Plan Proposed	1.03 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Basement 3 Plan	2.00 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Basement 2 Plan	2.01 Rev <del>21</del> 22	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Basement 1 Plan	2.02 Rev <del>21</del> 22	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Ground Plan	2.03 Rev <del>23</del> 24	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 1 Plan	2.04 Rev <del>14 (Amended In Red 21-NOV-2024)</del> 15	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 2 Plan	2.05 Rev <del>11 (Amended In Red 21-NOV-2024)</del> 12	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 3 Plan	2.06 Rev <del>18 (Amended In Red 21-NOV-2024)</del> 19	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 4 Plan	2.07 Rev <del>11 (Amended In Red 21-NOV-2024)</del> 12	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 5 Plan	2.08 Rev <del>11 (Amended In Red 21-NOV-2024)</del> 12	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 6 Plan	2.09 Rev <del>11 (Amended In Red 21-NOV-2024)</del> 12	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 7 Plan	2.10 Rev <del>13 (Amended In Red 21-NOV-2024)</del> 14	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 8 Plan	2.11 Rev <del>15 (Amended In Red 21-NOV-2024)</del> 16	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Level 9 Plan	2.12 Rev <del>9 (Amended In Red 21-NOV-2024)</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Sub Penthouse Plan	2.13 Rev <del>3 (Amended In Red 21-NOV-2024)</del> 4	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Penthouse Plan	2.14 Rev <del>3 (Amended In Red 21-NOV-2024)</del> 4	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Roof Plan	22.15 Rev <del>3</del> 4	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
North Elevation	3.01 Rev <del>15</del> 16	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
East Elevation	3.02 Rev <del>15</del> 16	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
South Elevation	3.03 Rev <del>15</del> 16	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
West Elevation	3.04 Rev <del>15</del> 16	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Section 1	4.01 Rev <del>14</del> 15	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Section 2	4.02 Rev <del>12</del> 13	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Section 3	4.03 Rev <del>11</del> 12	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026

Interface Section	5.01 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Interface Section	5.02 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Interface Section	5.03 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Interface Section	5.04 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Interface Section	5.05 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Interface Section	5.06 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Interface Section	5.07 Rev <del>10</del> 11	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Interface Section	5.08 Rev 6 7	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Perspectives - Maud St NW	9.01 Rev 8 9	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Perspectives - Maud St NE	9.02 Rev 8 9	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026
Perspectives - Maud West Approach	9.03 Rev 8 9	<del>28-OCT-2024 (Received)</del> 08-JUNE-2026

### 3.7. Changes to Conditions of Approval

We request that the existing conditions are generally maintained, with amendments identified in **Table F** below required to reflect the updated plans and account for the proposed changes described elsewhere in this letter.

Table F: Changes to conditions of approval

Condition	Rationale / Comments
<p><b>29) Screening</b></p> <p>Provide suitable privacy screening to windows of habitable rooms, balconies, landings, terraces and decks of the proposed dwelling(s) in accordance with the approved DRAWINGS AND DOCUMENTS.</p> <p><del>Suitable screening options must be:</del></p> <p><del>For windows:</del></p> <ul style="list-style-type: none"> <li><del>* Sill heights of 1.5m above floor level; or</del></li> <li><del>* Fixed obscure glazing in any part of the window below 1.5m above floor level; or</del></li> <li><del>* Fixed external screens to any part of the window below 1.5m above floor level;</del></li> </ul> <p><del>or</del></p> <ul style="list-style-type: none"> <li><del>* Fencing to a minimum 1.8m above ground floor level (only applies to overlooking from windows at ground floor level);</del></li> </ul> <p><del>For balconies, landings, terraces and decks:</del></p> <ul style="list-style-type: none"> <li><del>* Fixed screening from floor level to a height of 1.5m above floor level as shown on the approved DRAWINGS AND DOCUMENTS.</del></li> </ul> <p>Note: Screening devices must be either solid translucent screens, perforated or slatted panels, or fixed louvres that are permanent, be durable and fixed. Screening devices must have a maximum of 25% openings, with a maximum opening of 50mm.</p>	<p>The <i>suitable screening options</i> currently outlined in Condition 29 are in conflict with the approved Drawings and documents and do not consider the site context or purpose of allowing screening to be approved in accordance with approved drawings and documents.</p> <p>It is requested that the condition be amended to reflect that screening is provided in accordance with the approved Drawings and Documents only.</p>
<p><b>43) Access, Grades, Manoeuvring, Carparks, Signs and Line Marking</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>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.</li> <li>ii. Manoeuvring on site for a Large Rigid Vehicle and for the loading and unloading of vehicle(s).</li> </ol>	<p>It is requested that this condition is amended to reflect the removal of the previously proposed motorcycle bay. As discussed in section 3.4 above, the removal of this bay does not alter the development's compliance with parking rate provision.</p>

- iii. Parking on the site for 101 resident/tenant cars, six (6) visitor cars including one (1) parking space for people with disabilities ~~and one (1) visitor motorcycle~~ and for the loading and unloading of vehicle(s) within the site. Parking spaces for on-site resident cars may be used for resident storage purposes in the following circumstances only:
  - o A minimum of 1 car parking space per 2 bedroom dwelling and a minimum of 2 car parking spaces per 3 bedroom dwelling are maintained at all times.
  - o Where a parking space is used for storage, a storage cage or shed must be constructed to contain stored items.
  - o A storage cage or shed must be located to not impede clearances for any adjacent car parking space in accordance with Figure m of the Transport, access, parking and servicing planning scheme policy.
- iv. Provide and maintain a **minimum of 40** secure bicycle parking spaces for the resident/tenant and ten (10) secure bicycle parking spaces for the visitor.
- v. Unless otherwise indicated on the Approved Plans and Drawing a minimum of 2.3 metres height clearance is to be maintained to all undercover parking 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).
- vi. 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.
- vii. 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.

Bicycle parking has been increased as part of the current amendment, however, is in excess of the minimum required. As such, we are simply seeking that the development is conditioned to provide the minimum required to comply with the rates specified under the Transport, Access, Parking and Servicing Planning Scheme Policy as opposed to any potential additional spaces.

**PROOF OF FULFILMENT**

*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.*

**3.8. Changes to Infrastructure Charges Notice**

No changes are proposed to the number of approved bedrooms and units. As such, it is not anticipated there would be any changes required to the previous Infrastructure Charges Notice.

## 4. Assessment Of Minor Change

### 4.1. Overview

The Planning Act establishes two types of changes to a development approval:

- A ‘minor change’ to a development approval: or
- An ‘other change’ to a development approval.

For a change application to be considered as a minor change, the change to the development approval must meet the definition of a ‘minor change’ as set out in Schedule 2 of the Planning Act. See below.

‘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 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’.

With respect to item (b)(i), Schedule 1 of the Development Assessment Rules provides guidance on the determination of whether a proposed change does or does not constitute ‘substantially different development’. These provisions are for guidance only and must be considered in the context of the proposed change. A proposal that does not meet these guidelines may still potentially be determined as ‘not substantially different development’.

A full assessment of the proposed changes against the relevant criteria has been completed and outlined in **Table G** and **Table H** below. As shown, our assessment concludes that the proposed changes do not constitute ‘substantially different development’ and comply with the criteria specified under the definition of a ‘minor change’ within Schedule 2 of the Planning Act.

### 4.2. Schedule 2: Minor Change Criteria

Table G: Assessment against minor change criteria (Planning Act)

Would a new development application, including the changes cause:	Y/N	Comments
The inclusion of prohibited development?	N	The proposal does not involve prohibited development. The site is in the Urban footprint, and the proposal involves a Multiple dwelling which constitutes as urban development.
Referral to a referral agency, other than to the Chief Executive, if there were no referral agencies for the development application?	N	The original development application was not required to be referred; the proposed changes will not trigger referral to any referral agencies.
Referral to extra referral agencies, other than the Chief Executive?	N	The proposed changes will not trigger referral to any extra referral agencies under Schedule 10 of the Planning Regulation.

A referral agency to assess the application against or have regard to new matters?	N	The proposed changes, under Schedule 10 of the Planning Regulation, will not require a referral agency to assess the application against or have regard to new matters.
Public notification if public notification was not required for the development application?	N	The development application was impact assessable and publicly notified; no further notification is required.

#### 4.3. Substantially Different Development Test

Table H: Assessment against substantially different development test (DA Rules)

Do the changes:	Y/N	Comments
Involve a new use?	N	The proposed change will not introduce a new land use.
Result in the application applying to a new parcel of land?	N	The proposed change to the approval will not result in the application applying to a new parcel of land.
Dramatically change the built form in terms of scale, bulk and appearance?	N	As discussed in <b>Sections</b> Error! Reference source not found. and <b>6</b> of this letter, the proposed changes will not dramatically change the approved built form in terms of bulk, scale, or appearance.
Change the ability for the approved use to operate as intended?	N	The proposed changes will not change the ability for the use to operate as intended.
Remove a component that is integral to the operation of the development?	N	The proposed change will not impact on a component that is integral to the operation of the development.
Significantly impacts on traffic flow or the transport network?	N	The proposed changes will not significantly impact on traffic flow or the transport network.
Introduce new impacts on increase the severity of known impacts?	N	The proposed change will not introduce new impacts or increase the severity of known impacts.
Remove an incentive or offset component that would have balanced a negative impact of the development?	N	The proposed change will not require the removal of an incentive or offset component that would have balanced a negative impact of the development.
Impact on infrastructure provisions?	N	The proposed change will not impact on the infrastructure provision.

## 5. Evaluation Against Relevant Assessment Criteria

Section 81(2) of the Planning Act sets forth criteria responsible entity assessing a minor change application must consider. A response to the relevant assessment criteria is provided below to assist with Council's assessment.

2. *In assessing the change application, the responsible entity must consider—*
  - a. *the information the applicant included with the application; and*

### Response to Subsection 2(a)

This correspondence and the supporting documentation provide a brief background of the approval history along with a detailed overview of the proposed change to the development approval. It is considered that this correspondence, supporting plans and documents provide all information required to assess the Change Application (minor).

- b. *if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*

### Response to Subsection 2(b)

The original development application was subject to Impact Assessment and public notification. It is noted that no submissions were made to Council during the public notification period of the original development application.

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

### Response to Subsection 2(c)

A pre-request response was not requested and / or provided.

- d. *if the responsible entity is, under section 78A(3), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and*

### Response to Subsection 2(d)

The responsible entity of this Change application is the assessment manager, being Council, not the Minister.

- e. *if the responsible entity is, under section 78A(4), 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 section 106D; and*

### Response to Subsection 2(e)

The responsible entity of this Change application is the assessment manager, being Council and not the Chief Executive.

- 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;*

### Response to Subsection 2(f)

Further to the original assessment of the development application, consideration has been given to the proposed change against the relevant assessment benchmarks in the City Plan.

- g. *another matter that the responsible entity considers relevant.*

### Response to Subsection 2(g)

As above.

3. *Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d), (e) or (f) consider –*
  - a. *A statutory instrument; or*
  - b. *Another document applied, adopted or incorporated (with or without changes) in a statutory instrument.*
4. *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.*
5. *However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to –*
  - a. *The statutory instrument or other document as in effect when the change application was made; or*
  - b. *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*
  - c. *Another statutory instrument –*
    - i. *That comes into effect after the change application is made but before it is decided; and*
    - 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.*

#### **Response to Subsections 3, 4 and 5**

The Applicant has not identified any further statutory instruments or documents which would impact on Council's assessment of the application. The Applicant welcomes Council's feedback in this regard and will provide any further information reasonably required and requested by Council to undertake its assessment.

## 6. Planning Scheme Assessment

### 6.1. Introduction

As outlined in Section 81(2)(f) of the Planning Act, Council may consider the Brisbane City Plan 2014 (**Planning Scheme**), when assessing the proposed changes.

In respect to Section 81 (4), the Planning Scheme version in effect at the time the other change application, outlined in **Section 2.1** of this letter, was properly made was version 30 effective 13 September 2024. This has since been superseded and the current version is version 36 effective 12 June 2026.

Assessment benchmarks are largely unchanged between the two versions. Notably, there have been no changes to the zone code, neighbourhood plan code, Multiple dwelling code, Centre or mixed use code, nor have there been any changes to the overlays mapped over the site.

To assist Council in its assessment, the applicant has reviewed the proposed changes against the assessment benchmarks identified in the relevant tables of assessment. A summary of our assessment is included in **Table I** below. Only matters which are relevant to the changes have been considered.

Table I: Overview of assessment benchmarks	
Code	Response
<b>Zone code</b>	
	Pursuant to Table 5.2.22 of the Planning Scheme, the proposed development is assessable against the Mixed use zone code. The original application provided a detailed assessment against the overall outcomes of the Mixed use zone code.
Mixed use zone code	No changes are proposed that are considered to alter the outcomes approved in relation to the Mixed use zone code. Notwithstanding, an overview of the proposed changes against the purpose and overall outcomes of the Mixed use zone code is provided in <b>Section 6.2</b> below.
<b>Neighbourhood Plan Code</b>	
	Pursuant to Table 5.9.79.A of the Planning Scheme, the proposed development is assessable against the Newstead north neighbourhood plan code. The original application provided a detailed assessment against the neighbourhood plan code.
Newstead north neighbourhood plan code	No changes are proposed that are considered to alter the outcomes approved in relation to the Newstead north neighbourhood plan code. Notwithstanding, an overview of the proposed changes against the purpose and overall outcomes of the Newstead north neighbourhood plan code is provided in <b>Section 6.3</b> below.
<b>Use codes</b>	
	Pursuant to Table 5.2.22 of the Planning Scheme, the proposed development is assessable against the Centre or mixed use code. The original application provided a detailed assessment against the Centre or mixed use code.
Centre or mixed use code	No changes are proposed that are considered to alter the outcomes approved in relation to the Centre or mixed use code. Compliance with screening provisions is achieved. An overview of the proposed changes against the purpose and overall outcomes of the Centre or mixed use code is provided in <b>Section 6.4</b> below.
	Pursuant to Table 5.2.22 of the Planning Scheme, the proposed development is assessable against the Multiple dwelling code. The original application provided a detailed assessment against the Multiple dwelling code.
Multiple dwelling code	No changes are proposed that are considered to alter the outcomes approved in relation to the Multiple dwelling code. Similar to the above, screening changes have been considered in the context of the relevant Acceptable Outcomes and Performance Outcomes. An, an overview of the proposed changes against the

purpose and overall outcomes of the Multiple dwelling code is provided in **Section 6.4** below.

Prescribed secondary codes	
Infrastructure design code	The proposed changes to not alter the approved infrastructure and servicing arrangements over the site. As such, assessment against this code is not warranted.
Landscape work code	This application seeks minor changes to the landscaping located on the Sub-penthouse level and Penthouse level. As above-mentioned, the proposed changes are considered to be generally in accordance with the approved Landscape Concept Plan. As such, assessment against this code is not considered necessary.
Outdoor lighting code	The proposed changes do not alter the approved outdoor lighting arrangements. As such, assessment against this code is not considered necessary.
Stormwater code	The proposed changes do not later the approved stormwater arrangements. As such, assessment against this code is not considered necessary.
Transport, access, parking and servicing code	The proposed changes result in the removal of a motorbike space, however, does not alter the development's compliance with overall parking provision. The City Core and City Frame Map was amended in 14 March 2025; including the site in the City Core (rather than the City Frame) and reducing the rates in which parking is required to be provided. As such, further assessment against this code is not considered necessary.
Overlay codes	
Airport environs overlay code	Pursuant to Table 5.10.2 of the Planning Scheme, the proposed development is assessable against the Airport environs overlay code. The original application provided a detailed assessment against this overlay code. No changes are proposed to the approved development footprint or building height. As such, no further assessment against the overlay code is considered necessary.
Coastal hazard overlay code	Pursuant to Table 5.10.6 of the Planning Scheme, the proposed development is assessable against the Coastal hazard overlay code. The original application provided a detailed assessment against this overlay code. No changes are proposed to the approved development footprint. As such, no further assessment against the overlay code is considered necessary.
Flood overlay code	Pursuant to Table 5.10.11 of the Planning Scheme, the proposed development is assessable against the Flood overlay code. The original application provided a detailed assessment against this overlay code. No changes are proposed to the approved minimum flood planning levels. As such, no further assessment against the overlay code is considered necessary.
Potential and actual acid sulfate soils overlay code	Pursuant to Table 5.10.15 of the Planning Scheme, the proposed development is assessable against the Potential and actual acid sulfate soil overlay code. The original application provided a detailed assessment against this overlay code. No changes are proposed to the approved development footprint or basement depth or extent. As such, no further assessment against the overlay code is considered necessary.
Road hierarchy overlay code	Pursuant to Table 5.10.18 of the Planning Scheme, the proposed development is assessable against the Road hierarchy overlay code. The original application provided a detailed assessment against this overlay code. No changes are proposed to the approved development footprint, car parking provision, access or road hierarchy. As such, no further assessment against the overlay code is considered necessary.
Streetscape hierarchy overlay code	Pursuant to Table 5.10.25 of the Planning Scheme, the proposed development is assessable against the Streetscape hierarchy overlay code. The original application provided a detailed assessment against this overlay code. No changes are proposed

to the approved development footprint. As such, no further assessment against the overlay code is considered necessary.

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### 6.2. Mixed Use Zone Code

The purpose of the Mixed use zone is to provide a variety of uses and activities, including business, residential, retail uses or activities.

The proposed changes are considered to be consistent with the intent and purpose of the zone and appropriately advances the purpose and overall outcomes of the zone code as the development:

- Provides a tailored residential development that integrates into the broader mixed-use precinct.
- Provides a high-quality architectural design and distinct building form which addresses the Maud Street frontage.
- Achieves a height, bulk and form that is consistent with local context and aligned with the intent of the neighbourhood plan.
- Maximizes the sites proximity to public and active transport networks, strengthening connectivity to the inner city and key destinations.

### 6.3. Newstead north neighbourhood plan code

The purpose of the Newstead north neighbourhood plan code is to provide finer grained planning at local level.

The proposed changes are consistent with the intent and purpose of the Newstead north neighbourhood plan code and appropriate advances the purpose and overall outcomes of the neighbourhood plan code as the development will:

- Maintains the approved bulk, scale and form that maintains the visual prominence of key natural features and local landmarks within the area.
- Maintains high-quality streetscape treatments which improve pedestrian access within Newstead north and key destinations.

### 6.4. Centre or mixed use code

The proposed changes are consistent with the intent and purpose of the Centre or mixed use code and appropriately advances the purpose and overall outcomes of the code as the development will:

- Maintain approved subtropical design elements, landscaping and open space provision which positively contribute to the streetscape character and local identity.

Specifically, the proposed changes achieve the following outcomes of the Centre or mixed use code:

- **A026/PO26:** The proposed changes do not alter the north and south orientation of the residential units; therefore, no residential units are orientated to the side boundary and privacy and amenity impacts on the adjoining residential uses are minimised. Appropriate screening has been proposed along eastern boundary to allow for privacy and weather protection, noting that the existing interface with the adjoining development reduces the requirements for screening.
- **A027/PO27:** The proposed changes do not alter the eastern boundary setback, and adequate building separation is achieved. To ensure appropriate visual privacy is achieved, screening is maintained in key areas along the eastern façade and has been considered on balance with the interface of the adjoining 4 storey unit and existing screening,
- **A060/PO60:** The proposed development minimises direct overlooking between buildings and to adjoining residential uses. Sufficient privacy mechanisms are in place on the side boundaries, such as screening and planting. The established 4 storey multiple dwelling as also be considered in the context of recent changes the limited impact the proposal has on this existing use.

### 6.5. Multiple dwelling code

The proposed changes are consistent with the intent and purpose of the Multiple dwelling code and appropriately advances the purpose and overall outcomes of the code as the development will:

- Maintain the approved bulk, scale, form and intensity of the development, consistent with the expected outcomes of the local are described in the Newstead north neighbourhood plan.
- Maintain substantial planting as per the approved Landscape Concept Plan to embed green into the city and contribute to a high quality streetscape.
- Provide high-quality and useable community open space, located on the Ground level, that is considerate to Brisbane's subtropical climate.

Specific Acceptable Outcomes and Performance Outcomes within the Multiple Dwelling Code relating to screening have not been specifically referenced as are considered to be suitably addressed in response to the Centre or Mixed Use Code above.

## 7. Conclusion

In conclusion, the applicant advises:

- The proposed change to the current development approval meets the definition of a 'minor change' as set out in Schedule 2 of the Planning Act and Schedule 1 of the DA Rules.
- The proposal has been assessed against the relevant matters in Section 81(2) of the Planning Act, and based on the outcomes of this assessment, the proposed minor change is recommended for approval.