



**City Planning & Sustainability
Development Services**

Brisbane Square, 266 George Street, Brisbane Qld 4000
GPO Box 1434 Brisbane QLD 4001
T 07 3403 8888
www.brisbane.qld.gov.au

Dedicated to a better Brisbane

27 July 2023

JDC BROTHERS PTY LTD
C/- Jeff Nicholls Town Planning Pty Ltd
PO Box 830
COORPAROO QLD 4151

ATTENTION: Jeff Nicholls

Application Reference: A006197149
Address of Site: 36 MOWBRAY TCE EAST BRISBANE QLD 4169

Dear Jeff

RE: Decision notice pursuant to section 83 of the *Planning Act 2016*

I am pleased to inform you that your change application has been approved as indicated in the attached decision notice. This approval must be carried out in accordance with the attached development approval package and the previously issued package should now be disregarded.

In addition to this approval you may also be required to obtain a water approval from the Central SEQ Distributor Retailer trading as Queensland Urban Utilities.

You are advised that Brisbane City Council has amended the infrastructure charges notice for transport, public parks and land for community facilities and stormwater trunk infrastructure networks. The amended infrastructure charges notice has been attached to the decision notice.

The Central SEQ Distributor Retailer Authority trading as Queensland Urban Utilities may amend the infrastructure charges notice for sewerage and water supply. An amended infrastructure charges notice for the sewerage and water supply trunk infrastructure networks is not attached to this decision notice. Queensland Urban Utilities may issue this infrastructure charges notice following this decision notice.

Included is a table of appeal rights under the *Planning Act 2016* advising you of appeal rights to the Planning and Environment Court or a tribunal.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Travis Crane
Urban Planner
Planning Services East
Phone: (07) 3178 7792
Email: Travis.Crane@brisbane.qld.gov.au
Development Services
Brisbane City Council

Decision Notice – Change Application

(Section 83 (Notice of decision) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given for a decision for a change application pursuant to section 83 of the *Planning Act 2016*. The decision to approve the application on **27 July 2023** was made by the Urban Planner as the delegate appointed by the Council to determine the application.

NATURE OF CHANGE

Council's Delegate has amended the original approval as follows:

- Incorporating a lift over run into the design;
- Redesigning floor levels and external egress to meet current DDA requirements;
- Addressing internal circulation and equitable access which has altered the internal layout;
- Modifying the location and slightly extending the small deck on Level 1 on the Latrobe Street frontage;
- Changes to the façade treatments to incorporate various materials;
- Amendments to some of the windows to reflect the changes to the internal layout;
- Removal of the restaurant and office uses so the whole building will be utilised as a Health Case Service;
- Reducing the gross floor area from 225.4m² to 209m²; and
- Reducing the commercial character awning by 600mm.

APPLICATION DETAILS

Application Reference Number: A006197149
Application Made Date: 02 February 2023
Properly Made Date: 02 February 2023

DESCRIPTION OF THE DEVELOPMENT

Aspect of Development: DA - SPA - Carry out Building Work (ref DABW292427914)
Nature Application: Preliminary Approval under s241
Activity: Commercial Character Building - Partial Demolition
Description of Proposal: Request to change the Development approval under s81 of The Planning Act 2016

Aspect of Development: DA - SPA - Carry out Building Work (ref DABW292626614)
Nature Application: Preliminary Approval under s241
Activity: Commercial Character Building - Extension, Medical Centre
Description of Proposal: Request to change the Development approval under s81 of The Planning Act 2016

Aspect of Development: DA - SPA - Material Change of Use (ref DAMC292428014)
Nature Application: Development Permit

Activity: Commercial Character Building Activity, Medical Centre, Extension
Description of Proposal: Request to change the Development approval under s81 of The Planning Act 2016

APPLICANT DETAILS

Name of Applicant: JDC BROTHERS PTY LTD
Applicant Address: JDC BROTHERS PTY LTD
C/- Jeff Nicholls Town Planning Pty Ltd
PO Box 830
COORPAROO QLD 4151

SITE DETAILS

Address of Site: 36 MOWBRAY TCE EAST BRISBANE QLD 4169
Real Property Description: L134 RP.11228
City Plan Area Classification: CP-LMR, QPP-LMR2
Owner: Jdc Brothers Investment Trust
Ward: Coorparoo

TYPE OF APPROVAL

Carry Out Building Work – Preliminary Approval under s241 (ref DABW292427914)
Carry Out Building Work – Preliminary Approval under s241 (ref DABW292626614)
Material Change of Use – Development Permit (ref DAMC292428014)
Please note that this Preliminary Approval for Carrying Out Building Work (ref DABW292427914) does not include assessment against the Building Code of Australia.
Please note that this Preliminary Approval for Carrying Out Building Work (ref DABW292626614) does not include assessment against the Building Code of Australia.

CURRENCY PERIOD FOR THE DEVELOPMENT APPROVAL

The currency period for this development approval is taken to be the period set by the original development approval granting the development to occur. This period may be changed from time to time by subsequent activities including a negotiated decision notice, or further extension period as issued under the Act.

FURTHER DEVELOPMENT PERMITS

The following development permit/s are required to carry out the development:
- Carry Out Building Work – Development Permit

ASSESSMENT OF CONDITION COMPLIANCE

Assessment of compliance with conditions that require a document and/or works to be approved by Council must be actioned by the submission of form CC11018: Request for Assessment of Compliance with Conditions (available on Council's website).

The form should be submitted by electronic lodgement to dalodgement@brisbane.qld.gov.au. A fee quote will be generated upon receipt of the request and forwarded for payment prior to

assessment of the request. A separate request must be made for each condition or part condition as appropriate.

REFERRAL AGENCIES

No referral agencies were identified for this application.

CONDITIONS

This approval is subject to conditions included in the attached development approval package which includes conditions imposed by Council as assessment manager.

SUBMISSIONS

No properly made submissions were received for this application.

APPEAL RIGHTS

In accordance with the *Planning Act 2016*, the rights of appeal must be stated for the applicant and any submitters. Attached is a table of appeal rights under the *Planning Act 2016* that details your appeal rights and the appeal rights of any submitters.

Decision Notice – Infrastructure Charges

(Section 121(3) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given pursuant to section 121(3) of the *Planning Act 2016*. The decision to give an amended infrastructure charges notice on **27 July 2023** was made by the Principal Urban Planner as the delegate appointed by Council to determine the application.

APPLICATION DETAILS

Application Reference Number: A006197149
Application Made Date: 02 February 2023
Properly Made Date: 02 February 2023

APPLICANT DETAILS

Name of Applicant: JDC BROTHERS PTY LTD
Applicant Address: JDC BROTHERS PTY LTD
C/- Jeff Nicholls Town Planning Pty Ltd
PO Box 830
COORPAROO QLD 4151

SITE DETAILS

Address of Site: 36 MOWBRAY TCE EAST BRISBANE QLD 4169
Real Property Description: L134 RP.11228
City Plan Area Classification: CP-LMR, QPP-LMR2
Owner: Jdc Brothers Investment Trust
Ward: Coorparoo

APPEAL RIGHTS

In accordance with the *Planning Act 2016*, the rights of appeal must be stated for the applicant and any submitters. Attached is a table of appeal rights under the *Planning Act 2016* that details your appeal rights and the appeal rights of any submitters.