



25 March 2026

The Assessment Manager
Brisbane City Council
266 George Street
Brisbane City QLD 4001

Dear Sir/Madam,

Application for Minor Change to Development Approval – 186 Given Terrace, Paddington (BCC ref: A006642907)

In accordance with Section 78 of the Planning Act 2016 ('the Act') and on behalf of *PAD-MAC Pty Ltd* ('the Applicant'), we wish to make a minor change to the development approval for a Development Permit for a Material Change of Use at 183 Given Terrace, Paddington (formally described as Lot 17 on RP166919).

The approval subject to this change application was approved by Brisbane City Council and included a Development Permit for a Material Change of Use (Impact Assessment) on 24 June 2025 (Council Ref: MIN/2023/683). The applicant is now required to adjust the hours of operation which were specified in the conditions of approval, so that they align with the current hours of operation.

This change application is accompanied by the following material:

- **Attachment A** – Existing Approval (Council Ref: A006642907);
- **Attachment B** – DA Form 5.

A description of the proposed Minor Change along with the relevant background information has been detailed in the subsequent sections of this correspondence.

1 Site Details

The site is located at 183 Given Terrace, Paddington and is formally described as Lot 17 on SP166919, is improved by the existing Paddington Tavern.

The site has an area of 4,165m² and is located at the corner of Given Terrace and Campbell and Guthrie Streets. The aerial context of the site is shown through **Figure 1** below.

Figure 1 – Site Aerial



Source: Brisbane City Council 2026

2 Proposed changes

No changes are proposed to the approved physical form of the approved, development which is currently under construction. The development involves an expansion of the existing tavern on the site, through the construction of a new bar lounge and new function facilities, located on the eastern and southern parts of the site respectively. In support of the development application an Environmental Noise Assessment report was completed which demonstrated compliance with the required noise emission levels at different periods across the day.

It is noted that condition 3 was subsequently included within the approval, which included the following hours of operation for the expanded areas within the tavern:

Hours of operation for the approved development must be in accordance with the following:

- Function Rooms are limited to 7:00AM - 12:00 Midnight
- Pre-Function Areas are limited to 7:00AM - 12:00 Midnight
- Bar/Lounge Area are limited to 7:00AM - 12:00 Midnight

It is noted that these hours are inconsistent with the hours of operation for the existing tavern, which are currently specified in the Liquor Licence approval issued by the Office of Liquor and Gaming Regulation. The allowable hours in the Liquor Licence, for all areas within the tavern, are:

- Monday to Saturday – 10am to 3am
- Sunday – 10am to 2am.

The applicant therefore proposes that the hours of operation for the new areas of the tavern are revised to reflect the current approved operating hours for the existing tavern. The applicant is happy to accept reference being made in Condition 3 to refer to the current Liquor Licence if this is required. Related changes

are also required for Condition 14, which specify when the glazed façade should be closed in order to achieve compliance with the nighttime acoustic criteria (i.e. post 10pm).

In terms of justifying the change, the following is highlighted with respect to the assessment which was undertaken:

- It is noted that the hours of operation were noted in the acoustic report as 7am to 12am. However, this was nominated to enable assessment to be undertaken during all of the daytime (7am-6pm), evening (6pm-10pm) and night-time (10pm-7am);
- With the noise amendment measures which are proposed (which include acoustic barrier height and density, capacity restrictions during particular times for the bar lounge and requirements for glazed facades to be closed), the report demonstrates that compliance is achieved with the noise emission requirements at all times.
- During the most sensitive night-time period, all elements of the expanded tavern comply with the required acoustic levels at nearby sensitive receptors. Notably, as outlined in Tables 7 and 8 of the Environmental Noise Impact, the level of noise emissions is substantially lower than the allowed levels for all types of noise during the night-time period.

Therefore, despite the hours nominated in the acoustic report, and subsequently included within the conditions of approval, the existing report demonstrates that the proposed new areas of the tavern can operate well within the night-time noise period. This enables the change to the hours, to be consistent with the liquor licence, to be approved based on the current assessment.

3 Proposed Changes

In order to facilitate the changes discussed above, the applicant has identified a condition of approval that requires amending, along with some minor change to the amendments in red which were made to the Environmental Noise Impact report. A summary of the changes proposed to conditions of approval are detailed below. New additions are highlighted in [blue](#). Text proposed to be removed is ~~struck through in red~~.

Condition

3) Hours of Operation

Hours of operation for the approved development must be in accordance with the following:

- ~~- Function Rooms are limited to 7:00AM – 12:00 Midnight~~
- ~~- Pre-Function Areas are limited to 7:00AM – 12:00 Midnight~~
- ~~- Bar/Lounge Area are limited to 7:00AM – 12:00 Midnight~~
- [Monday to Saturday – 10am to 3am](#)
- [Sunday – 10am to 2am.](#)

14) Closed Facade Areas

The glazed (window) facades at the following areas are to be closed as follows:

Condition

- 1) Function Rooms – completely closed while functions are in operation
- 2) Pre-Function Areas – closed with the south façade being fixed and not openable
- 3) Bar/Lounge Area – closed from 6:00PM to 10:00PM if 75 patrons or more are at this area. Closure is to occur using the operable façade in Figure 8 of the Noise Impact Report prepared by TTM Consulting Reference number 24BRA0149R01_1 Revision 1 dated 6/12/24 as amended in red on 11/6/25.
- 4) Bar/Lounge Area – closed ~~from 10:00PM to 12:00 Midnight~~ from 10pm to 3am (Monday-Saturday) and 10pm to 2am (Sunday). Closure is to occur using the operable façade in Figure 8 of the Noise Impact Report prepared by TTM Consulting Reference number 24BRA0149R01_1 Revision 1 dated 6/12/24 as amended in red on 11/6/25.
- 5) Bar/Lounge Area – closed if speakers at this area are in use. Closure is to occur using the operable façade in Figure 8 of the Noise Impact Report prepared by TTM Consulting Reference number 24BRA0149R01_1 Revision 1 dated 6/12/24 as amended in red on 11/6/25.

To ensure consistency with the amendments to the conditions outlined above, a series of small changes are also proposed to the amendments in red which were made to the approved Environmental Noise Impact report. These changes seek to reflect the hours included within the proposed changes to the conditions.

4 Assessment of Changes Against the Planning Act 2016

4.1 Minor Change Criteria

Consideration has been given to the relevant matters for assessing a Minor Change set out in the *Planning Act 2016* ('the Act'), having regard to the definition of a Minor Change in Schedule 2 and the assessment criteria set out in Section 81.

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 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."*

The proposed changes meet each of the criteria stated in this definition. This is demonstrated in the following sections of this application.

4.1.1 Substantially Different Development

In respect to (b)(i) of the above definition regarding what constitutes 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 1 below. The assessment demonstrates that the proposed changes will not result in substantially different development.

Table 4 - *Substantially Different Development Criteria*

Guideline Criteria	Comment
Involves a new use.	The proposed changes do not involve a new use.
Results in the application applying to a new parcel of land.	No new parcels of land are introduced as part of this change application.
Dramatically changes the built form in terms of scale, bulk and appearance.	The proposed changes do not result in any changes to the existing built form in terms of scale, bulk or appearance.
Changes the ability of the proposed development to operate as intended.	The development will continue to operate as an expanded tavern, as originally approved. None of the proposed changes will impact on the ability of the proposed development to operate as intended.
Removes a component that is integral to the operation of the development.	The proposed changes do not remove any components of approved development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	The proposed development will not impact on traffic flow or the transport network.

Guideline Criteria	Comment
Introduces new impacts or increases the severity of known impacts.	<p>No new impacts, or exacerbation of existing impacts are expected as a result of the proposed development, which were not demonstrated as being acceptable within the material submitted with the original development application.</p> <p>As outlined above, the proposed changes to the hours of operation seek to bring the areas of the tavern expansion into line with the existing approved hours of operation of the existing tavern. Notably, the assessment of the noise impacts demonstrate that the approved development can operate well within the allowable noise emission limits for the night-time period.</p>
Removes an incentive or offset component that would have balanced a negative impact of the development.	<p>No incentives or offsets are removed.</p>
Impacts on infrastructure provision.	<p>The proposal will not affect the provision of infrastructure required by the development.</p>

4.1.2 Other Assessment Considerations

With respect to the remaining assessment considerations as described in Schedule 2 of the Planning Act, the following is noted:

- The change application does not cause the development to include any prohibited development.
- If the application for the approval was remade inclusive of the changes sought for approval through this application, the proposal would not cause referral to a referral agency other than the chief executive.
- If the application for the approval was remade, including the changes sought for approval through this application, it would not cause a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2).
- The proposed changes do not, in isolation, trigger public notification. It is noted that no adverse submissions were received for the original development application.

The proposed change therefore satisfies the legislative test for a minor change, as defined in Schedule 2 of the Planning Act and addressed above.

4.2 Application Requirements

The Planning Act requires the following to be undertaken as part of the application:

- Section 79(1)(a) requires the change application to be made in the approved form. *Planning Act Form 5* has been completed and is provided as part of the application package.
- Section 79(1)(b)(i) requires the application to be accompanied by the required fee. The relevant Application Fee will be paid by the Applicant at the time of lodgement, and on receipt of Council's Fee Quote.
- Section 79(1A) requires the application to be accompanied by owner's consent to the extent the application relates to premises to which the Applicant is not the owner. In this instance, the applicant is the Owner of the premises, and as such, owner's consent is not required.
- Section 80 requires that where a change application for a Minor Change is proposed, notice of the proposal and the details of the change, must be provided to any affected entity. In this instance, there are no affected entities requiring notification of this change.

5 Conclusion

As outlined in this letter, the proposed changes constitute a Minor Change as described by the *Planning Act 2016*. The proposed changes are considered appropriate in consideration of the approved development and planning controls relevant to the site. Accordingly, we respectfully request that Council approve the proposed changes.

We trust the supplied documentation is sufficient in order for Council to undertake an assessment of this proposal. If you have any questions, please do not hesitate to contact me on the details below.

Yours sincerely,

A handwritten signature in blue ink that reads "Matthew Brown". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Matthew Brown
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