Hickey Oatley

Hickey Oatley Planning
& Development Pty Ltd
ACN 616 137 618

PO Box 70
New Farm
Queensland 4005

hello@hickeyoatley.com.au
hickeyoatley.com.au
0401 349 601

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APPLICATION REF
A007157037

18 November 2026

The Chief Executive Officer
Brisbane City Council
GPO Box 1434
BRISBANE Q 4001

Attention: Planning Services

Dear Sir / Madam,

Re: Request to Make a Change to a Development Approval over land located at 26 Collingwood Street, Albion also described as Lot 60 on RP18381
Council Reference: A006830528

1. Introduction

On behalf of Farmer Purdy Pty Ltd, we hereby request to make a change to the abovementioned development approval under s78 of the Planning Act 2016 ('the Act').

In support of this request, please find attached the following:
- Attachment 1 – Planning Act Form 5
- Attachment 2 – Signed Owner's Consent
- Attachment 3 – Property Searches
- Attachment 4 – Relevant Approval; and
- Attachment 5 – Revised Plan.

2. Site Details

The subject site is located at 26 Collingwood Street, Albion also described as Lot 60 on RP18381. The site is generally rectangular in shape, comprises an area of 405m^2, enjoys an approximate 10m frontage to Collingwood Street and is unencumbered by any easements or covenants.

As **Figures 1 & 2** show, the site is improved by a single storey industrial tenancy.

Under the *Brisbane City Plan 2014* the site is:
- located in the Low impact industry zone;
- located within the Albion neighbourhood plan area (no specific precinct); and
- affected by the following overlays:
  - Airport environs overlay (OLS – Horizontal limitation surface boundary; Procedures for air navigation surfaces (PANS); BBS zone – Distance from airport 3-8km)
  - Coastal hazard overlay (Erosion prone area – coastal erosion sub-category; Erosion prone area – permanent inundation due to sea level rise at 2100 sub-category; High storm-tide inundation area sub-category; Medium storm-tide inundation area sub-category)
  - Community purposes network overlay
  - Critical infrastructure and movement network overlay (Critical infrastructure and movement planning area sub-category)
  - Flood overlay (Brisbane River flood planning area 3 sub-category; Brisbane River flood planning area 4 sub-category; Creek/waterway flood planning area 2 sub-category; Overland flow flood planning area sub-category)
  - Industrial amenity overlay (Industrial amenity investigation area sub-category)

- Potential and actual acid sulfate soils overlay (Potential and actual acid sulfate soils sub-category; Land at or below 5m AHD sub-category)
- Road hierarchy overlay (Neighbourhood road)
- Streetscape hierarchy overlay (Industrial street).

At a State level, the site is:

- wholly located within the Urban footprint
- wholly located within a Coastal area – Erosion prone area
- partly located within both a Coastal area – medium storm tide inundation area
- partly located within both a Coastal area –high storm tide inundation area; and
- wholly located within the Water resource planning area (refer **Figure 4**).

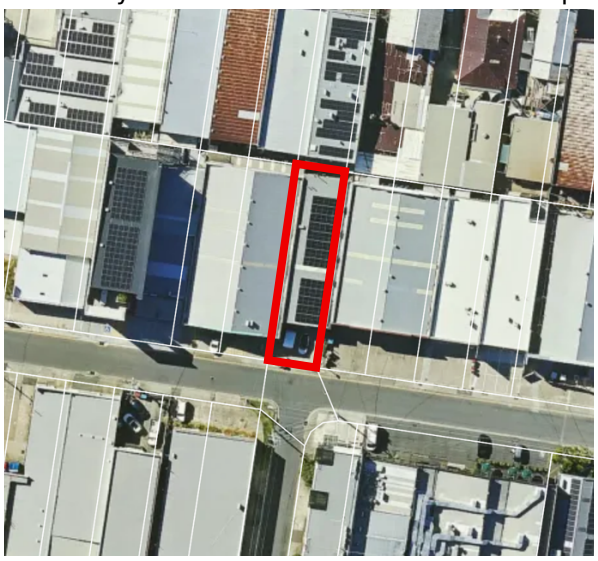


Figure 1: Current Aerial Photo
Source: MetroMaps



Figure 2: View from Collingwood Street
Source: *Hickey Oatley*

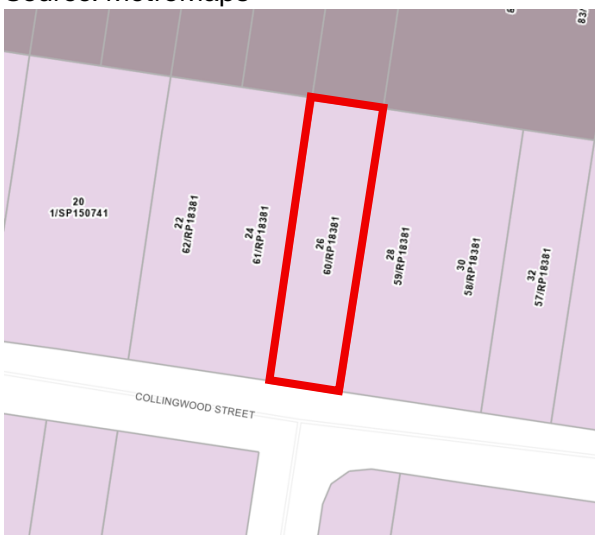


Figure 3: Zoning Map
Source: *Brisbane City Plan 2014*

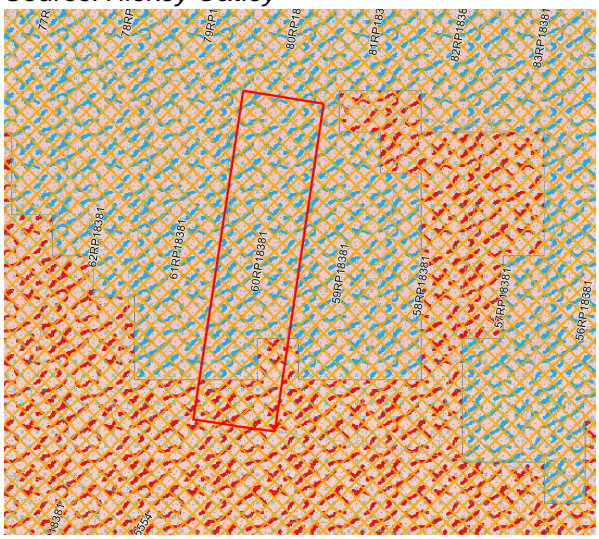


Figure 4: State DA Mapping
Source: Queensland Government

3. Site Approval History

Council's Development.i tool reveals that since 1 January 2004, the following development approvals have been granted over the site:

- On 24 July 2015 Council granted a Development Permit for a Material change of Use for Low Impact Industry (Council Ref: A004122950)

- On 23 June 2021 Council granted a Development Permit for a Material Change of Use for Medium Impact Industry (Distillery) and Bar (Tasting room) (Council Ref: A005685466). This facilitated repurposing the site's existing industrial building to establish a distillery with an ancillary bar component and off-site sales.
- On 3 April 2025 Council granted an "other change" to the abovementioned approval to introduce a shop component which enabled the site's new owners to sell wine produced at their winery in Ballandean (Council Ref: A005685466);
- On 17 October 2025 Council granted a minor change to the site's approval to extend the bar component's permitted operating hours until 12:00am with no more than 90 patrons onsite after 10:00pm (Council Ref: A006830528).

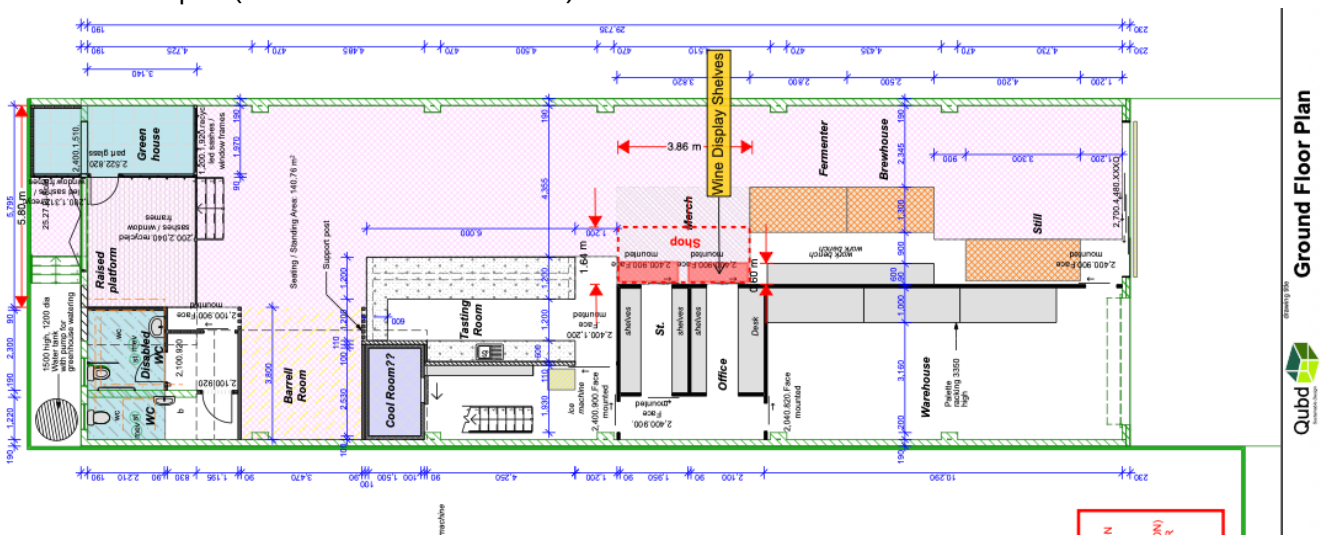


Figure 5: Extract of A006830528 Approved Ground Floor Plan

4. Owner's Consent

In accordance with section 79(1A) of the Act, this change application is accompanied by the written consent of the owners of the premises. Refer **Attachment 2**.

5. Proposed Changes

5.1 Context

The applicant first leased the property in 2024, taking over from the previous operator, Grandad Jack's Craft Distillery, which applied for and obtained the site's original Medium impact industry approval in 2021 (Council Ref: A005685466).

The applicant leased the site and ultimately purchased it in 2025 to expand their existing business, New Tricks, which is a family-owned winery and distillery. While no physical changes are proposed to the existing premises, approval is sought to amend the wording of condition 2 to clarify the use (which currently refers to the original microbrewery) and to better align with Council's standard condition wording.

To confirm, no changes are proposed to:

- the approved use;
- the existing building's gross floor area (GFA) or impervious area;
- the hours of operation permitted by condition 8 of the site's approval;
- the maximum number of patrons permitted onsite after 10:00pm, as per the recommendations of the approved acoustic report; or
- the existing number of seats within the premises, which remains less than 60.

5.2 Proposed Built Form Changes

No changes are proposed to the existing built form.

5.3 Changes to Approval Documentation

In order to facilitate the above, the following changes to the approval package are sought.

5.3.1 Changes To Approved Plans

No changes to any of the approved plans or drawings are proposed.

Table A – List of Approved Drawings and Documents

Drawing or Document	Number	Plan Date
Acoustic Report	2025245 R01B (Amended In Red 17-OCT-2025)	31-JUL-2025 (Received)
Site Plan	RID-ALB-100 ~~D~~	~~22-FEB-2021~~ **18-NOV-2026 (Received)**
Demolition Plans	RID-ALB-120 D	22-FEB-2021
Ground Floor Plan	RID-ALB-200 B	29_JAN-2025 (Received)
First Floor Plan	RID-ALB-202 D	22-FEB-2021
Elevations Sheet 1	RID-ALB-300 D	22-FEB-2021
Elevations Sheet 2	RID-ALB-301 D	22-FEB-2021
Sections Sheet 1	RID-ALB-400 D	22-FEB-2021
Sections Sheet 2	RID-ALB-401 D	22-FEB-2021

5.3.2 Changes To Conditions Of Approval

The following changes to conditions are sought:

Table B – List of Proposed Changes to Conditions

Existing Wording	Proposed Wording	Justification for change
2) Limitation of Use – Microbrewery This development approval is limited to Medium impact industry B (Microbrewery), Bar (ancillary taste testing) and Shop (ancillary sales). The ancillary taste testing and shop activities must operate in accordance with this approval and the following: - Remain a subordinate use on site; - Is limited to tasting of products produced onsite, or by the same owner from their winery in Ballandean for sales	**2) Limitation of Use – Distillery** The bar and shop uses must be limited to the areas indicated on the approved DRAWINGS AND DOCUMENTS and must be associated and subordinate to the Medium impact industry (Distillery) use. Should the Medium impact industry B use cease operation, the operation of the bar and shop must also cease.	The proposed wording correctly refers to the site's use as a distillery rather than a microbrewery and better aligns with Council's standard "limitation of use" condition wording. While it does not change the ability of the site to operate as intended (i.e. the medium impact industry use remains the primary use), it does provide greater operational flexibility without materially changing the nature or scale of the approved development, and it avoids unnecessary ambiguity about what activities may occur onsite.

Table B – List of Proposed Changes to Conditions		
Existing Wording	Proposed Wording	Justification for change
from the shop component; and - Is to cease once the Medium impact industry B (Microbrewery) ceases.		

5.3.3 Changes To Infrastructure Charges

An amended Infrastructure charges notice is not required to be issued given the proposed change does not result in a change to the development's GFA or imperious area.

6. Type Of Change Application

The Act establishes two (2) types of change to a development approval:
1. A 'Minor change' to a development approval; or
2. An 'Other change' to a development approval.

For a change to be considered a 'minor change', the change must meet the following criteria set out in Schedule 2 of the Act:

Table C - Assessment of Proposal Against Criteria in Minor Change Definition			
Minor Change Criteria		Y / N	Response
For a development approval-			
(i)	would not result in substantially different development; and	N	**Table D** confirms that the proposed change does not result in substantially different development.
(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	N	The proposed change does not include or introduce prohibited development.
	B. referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	N	The relevant approval in **Attachment 4** confirms the original development application did not trigger referral to any concurrence or advice agencies. The Property Searches in **Attachment 3** confirm that if a development application for the development, including the change, was made today, it still would not trigger referral to The Chief Executive or any other entity.
	C. referral to extra referral agencies, other than to the chief executive; or	N / A	The relevant approval in **Attachment 4** confirms that the original application was not referred to any referral agencies.
	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	N / A	The proposed change does not require a referral agency (i.e. The Chief Executive) 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

Table C - Assessment of Proposal Against Criteria in Minor Change Definition			
	Minor Change Criteria	Y / N	Response
	the application against, or have had regard to, when the application was made; or		application against, or have had regard to, when the application was made.
E.	public notification if public notification was not required for the development application'.	N / A	The original application was subject to Impact Assessment and therefore, was required to be publicly notified.

Schedule 1 of the Development Assessment Rules sets a guiding criterion for what constitutes 'substantially different development'. An assessment of the proposed change against this criterion is provided in **Table D**.

Table D – Assessment of Proposed Development Against Substantially Different Development Criteria			
	Substantially Different Development Criteria	Y / N	Our Response
a)	Involves a new use	N	The proposed change does not involve a new use.
b)	Results in the application applying to a new parcel of land	N	The proposed change does not result in the approval applying to any new parcels of land.
c)	Dramatically changes the built form in terms of scale, bulk or appearance.	N	The proposed change does not result in any changes to site's existing built form in terms of scale, bulk or appearance.
d)	Changes the ability of the proposal to operate as intended	N	The proposed change does not alter the development's ability to operate as intended. The site will still be used primarily as a distillery.
e)	Removes a component that is integral to the operation of the development	N	The proposed change does not remove a component that is integral to the operation of the development.
f)	Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site	N	No changes are proposed to the development's access, car parking or servicing arrangements. No changes are proposed to the approved use, its GFA, car parking or access arrangements. Given this, the proposed change is not considered to significantly impact on traffic flow or the transport network.
g)	Introduces new impacts or increases the severity of known impacts	N	The proposed change does not introduce new impacts or increase the severity of known impacts.
h)	For a development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act –	N	The proposal is not prescribed by the Planning Regulation as requiring social impact assessment.

Table D – Assessment of Proposed Development Against Substantially Different Development Criteria			
	Substantially Different Development Criteria	Y / N	Our Response
	• introduces new social impacts or increase the severity of known social impacts; or		
i)	Removes an incentive or offset component that would have balanced a negative impact of the development.	N	The proposed change does not remove an incentive or offset component.
j)	Impacts on infrastructure provisions.	N	The proposed change will not result in any impacts on infrastructure provisions.

Tables C and **D** demonstrate the proposed change does not result in substantially different development and meets the definition of a minor change. Accordingly, this application seeks a 'minor' change to the development approval under section 81 of the Act.

7. Evaluation Against Relevant Assessment Criteria

Section 82 of the Act prescribes what the responsible entity must consider when assessing and deciding an application for an 'other change. This includes:

Section 81 of the Act prescribes what the responsible entity must consider when assessing and deciding an application for a 'minor' change. This includes:

2) When assessing the change application, the responsible entity must consider-
   a) the information the applicant included with the application; and
   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
   c) any pre-request response notice or response notice given in relation to the change application; and
   d) if the responsible entity is, under section 78(3)(ba) or (bb), 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
   da) if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and
   e) another matter that the responsible entity considers relevant.
3) 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.

In response to the aforementioned criteria we note:

2(b) While the latest change was subject to Impact assessment, it is understood no properly made submissions were received.

2(c) A pre-request response was not required to be obtained.

2(d) The original application was not a development application called in by the Minister.

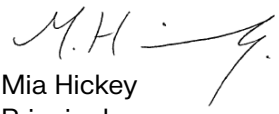
8. Fees and Charges

In accordance with Council's 2026 / 2027 Fees and Charges Schedule, we understand the applicable fee for a (minor) change to the site's development approval is **$3,600**. This fee will be promptly paid upon receipt of a fee invoice from Council.

9. Conclusions and Recommendation

Based on the facts and circumstances presented herein, it is recommended that the proposed change be approved. Should you have any queries, or require any further information, please do not hesitate to contact me.

Kind regards,
Hickey Oatley



Mia Hickey
Principal