

Our ref: 11046
Council ref: A006351184

25 June 2026

Brisbane City Council
GPO Box 1434
Brisbane QLD 4000

Via email: dalodgement@brisbane.qld.gov.au

Dear Council,

**RE: APPLICATION FOR MINOR CHANGE TO A DEVELOPMENT APPROVAL
15 & 21 WELLINGTON ROAD AND 31, 33, 35 & 37 HAMPTON STREET, EAST BRISBANE
QLD 4169 - 'KINGFISHER' AND 'HAMPTON YARDS'**

We act on behalf of 15 Wellington Pty Ltd, the Applicant, in relation to this Change Application made in accordance with sections 78 & 81 of the *Planning Act 2016* (the Planning Act). We have carried out an assessment of the proposed changes and believe they constitute a 'minor change' in accordance with schedule 2 of the Planning Act.

The current approval (ref: A006351184) was issued by Brisbane City Council on 8 May 2025. This existing approval is for the following aspects:

- **Development permit for Material Change of Use** - Multiple Dwelling, Shop, Office and Food and drink outlet - **Stage 1** (Building A - 280 Units, Shop, Office and Food and drink outlet).
- **Development permit for Building Work** - Multiple Dwelling, Shop, Office and Food and drink Outlet - Building Work in the Flood overlay - **Stage 1** (Building A - 280 Units, Shop, Office and Food and drink outlet)
- **Development permit for Material Change of Use** - Multiple Dwelling, Shop, Office and Food and drink outlet - **Stage 2** (Building B - 312 units, Shop, Office and Food and drink outlet)
- **Development permit for Building Work** - Multiple Dwelling, Shop, Office and Food and drink Outlet - Building Work in the Flood overlay - **Stage 2** (Building B - 312 units, Shop, Office and Food and drink outlet)



- **Development permit for Material Change of Use** - Multiple Dwelling, Shop, Office and Food and Drink Outlet - **Stage 3** (Building C - 120 units, Shop, Office and Food and drink outlet).
- **Development permit for Building Work** - Multiple Dwelling, Shop, Office and Food and Drink Outlet - Building Work in the Flood overlay - **Stage 3** (Building C – 120 units, Shop, Office and Food and drink outlet).

This letter includes the following sections:

- Background;
- Proposed Minor Change;
- Amendments to Approval;
- Legislative Assessment; and
- Summary.

We have carried out an assessment of these changes in the preceding sections of this report and believe that they constitute a 'minor change' in accordance with the sections 78, 81 and Schedule 2 of the *Planning Act 2016* and Schedule 1 of the *Development Assessment Rules (DA Rules)*.

In support of our change application, the following documentation has been provided as attachments:

Attachment A	Property Searches
Attachment B	Amended Architectural Plans
Attachment C	Architectural Design Package
Attachment D	Amended Landscape Concept Package
Attachment E	Traffic Supporting Letter
Attachment F	Amended Waste Management Plan
Attachment G	Stage 1 Plan



1. Background

The site comprises seven allotments located at 15 and 21 Wellington Road and 31, 33, 35 and 37 Hampton Street, East Brisbane, formally described as Lot 1 on RP805860, Lot 1 on RP121388, Lots 24–27 on RP11580, and Lot 278 on SL2271. The site has frontage to both Wellington Road and Hampton Street and contains several existing buildings.

Development approval for the Hampton Yards project was issued on **16 May 2025** (Approval No. A006351184). The approved development comprises a staged mixed-use development incorporating three residential towers and associated communal facilities, landscaping, access and infrastructure works.

Following progression into the construction design phase, the applicant has identified a number of aspects of the approval that require amendment. The primary focus of the proposed changes relates to Tower C, now known as 'Kingfisher', although a number of consequential amendments are also proposed to other components of the approved development, including Towers A and B.

A key objective of the proposed amendments is to facilitate the delivery of 'Kingfisher' as the first stage of the development whilst allowing a number of existing commercial buildings on the balance of the site to remain operational during the interim period. 'Kingfisher' represents the least complex component of the approved development, being the lowest tower and now capable of being delivered without the need for basement construction. The proposed redesign therefore enables construction of this stage to commence sooner and be completed independently of the more substantial future stages.

The proposed staging approach also provides a more logical and practical development sequence across the site. In particular, it responds to staging and interface considerations between Towers A and C that were identified during Council's assessment of the original application. By establishing Kingfisher as a standalone first stage, the development can proceed in an orderly manner while maintaining the infrastructure, access arrangements and development framework necessary to support the future delivery of Towers A and B.

Importantly, the proposed amendments do not alter the long-term vision or ultimate development outcome approved for the site. Rather, they seek to refine the design and staging strategy to improve constructability, facilitate earlier commencement of development, and provide a more efficient pathway for delivery of the approved Hampton Yards project.



2. Proposed Minor Change

The requested minor change application relates to the current development permit A006351184, which is an approval for a Material Change of Use (Multiple Dwelling, Shop, Office and Food and drink outlet); and Building Work in the Flood Overlay.

The proposed amendments primarily relate to the redesign and staging of Tower C ('Kingfisher'), together with consequential changes to the basement, podium and parking arrangements across the broader development; and changes to the staging. In summary, the amendments comprise:

Staging and Development Sequencing

- Tower C ('Kingfisher') is proposed to proceed as the first stage of the development.
- Amendments to the approved staging plan to provide a more logical and practical staging configuration.
- Amended staging allows for retention of existing commercial buildings on portions of the site during the interim period prior to subsequent stages proceeding.
- Amendment to allow area nominated as 'overland flow and drainage easement' to be dedicated to Council as drainage reserve.

Built Form and Design

- Revised architectural design for 'Kingfisher', including minor changes to the tower footprint.
- Amendments to the internal unit configuration within 'Kingfisher'.
- Minor reduction in the overall approved building height for 'Kingfisher' from RL 67.20m to RL 65.50m.

Basement and Podium Reconfiguration

- Removal of basement parking beneath the Kingfisher stage.
- Redesign of the basement, ground floor and podium levels to facilitate a consolidated basement arrangement beneath Towers A and B only.
- Associated amendments to vehicle access, servicing and circulation arrangements.

Residential Yield

- Increase in the total number of approved dwellings from 712 to 732 dwellings.
- The additional 20 dwellings are accommodated entirely within 'Kingfisher', with no increase proposed within Towers A or B.

Car Parking and Bicycle Parking

- Reduction in resident parking provision to 672 spaces.
- Reduction in resident PWD spaces to 0 across the development.



- Total of 1x visitor PWD space servicing Stage 1 and 2 PWD spaces servicing Stages 2 & 3 on ground level
- Reduction in visitor parking provision to 37 spaces.
- Increase in bicycle parking provision from 904 spaces to 925 spaces.

The proposed amendments have been carefully integrated into the approved development framework and are discussed in detail throughout this report. While the amendments facilitate a revised staging strategy and refined design outcome, they do not alter the overall vision, land use mix or intended character of the approved Hampton Yards development.

The following sections provide additional detail and justification for the proposed changes, including an analysis of changes at each floor level:

2.1. Staging

The approved development comprises three stages and the proposed change still envisages the development be completed in three stages (one tower per stage). However, amendments are proposed to the staging boundaries to facilitate delivery sequencing and provide a more logical and practical staging configuration.

A comparison of the staging between the approved and proposed is shown in the table below:

Building	Approved	Proposed
Tower A	Stage 1	Stage 2
Tower B	Stage 2	Stage 3
Tower C	Stage 3	Stage 1

'Kingfisher'

Notably, 'Kingfisher', which was previously proposed as part of Stage 3, is now intended to form part of Stage 1. This amendment reflects the applicant's desire to prioritise delivery of the building and facilitate its earlier construction and occupation. To support this outcome, the staging boundaries have been revised to enable 'Kingfisher' to proceed independently as the initial stage of the development.

The revised design removes the previously approved shared podium interface between 'Kingfisher' and Tower A and establishes each building as a discrete development component. The amendments also separate the basement and podium structures, with basement parking no longer proposed beneath 'Kingfisher' and instead consolidated beneath Towers A and B. This approach provides a more practical and logical staging arrangement while maintaining the functionality and development potential of the remaining stages.



Land Dedication Timing

The staging amendments involve revisions to the land dedication arrangement and timing. The Hampton Street road dedication remains within Stage 1 (shown in yellow below). Additionally, only a portion of the overland flow drainage area (shown in blue below) is included within Stage 1 to align with the revised staging layout and comprises the extent of the 'frontage' to 'Kingfisher'. The Wellington Road non-prejudice road widening is wholly contained within Stage 2 (shown in green below). The balance of the drainage corridor (refer to red shading below) is proposed to be provided as part of Stage 3, as it is intended to utilise Hampton Street and the laneway for construction access to Stage 2 & 3. Importantly, existing commercial buildings occupying Stages 2 & 3 will be removed within Stage 2; however, the Applicants preference is to dedicate the drainage reserve in Stage 3 once construction of Stage 3 is completed.

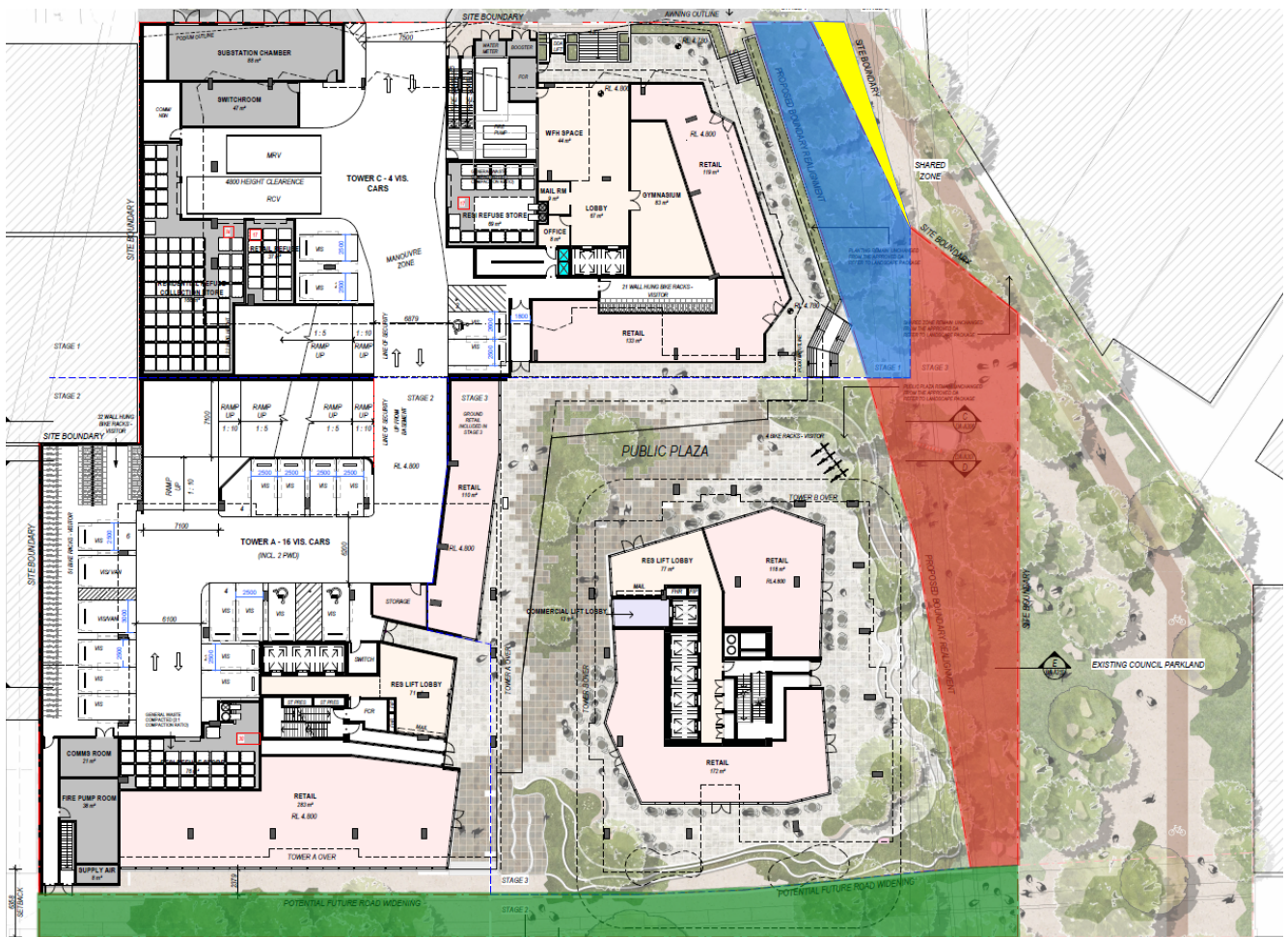


Figure 1: Land dedications and proposed staging

As part of this change, the Applicant is also seeking to dedicate the currently conditioned drainage reserve easement (blue and red area on the above plan) as drainage reserve. Council may prefer this is a dedication in fee simple, however the area contains significant



underground stormwater infrastructure and is part of the planned Kingfisher Creek Corridor project. As part of this project, Council has produced a preliminary concept of stepping-stone parks linking the community to the creek. This includes an expanded Watt Park on the current concept. Therefore, Council's control of this land will be important to ensure delivery of the project.



Figure 2: Extract from Kingfisher Creek Corridor Concept Plan

Stage 1

As mentioned above, it is proposed as part of Stage 1 to continue to utilise existing lawfully operating buildings on the site fronting Wellington Road. A 'Stage 1' staging plan (**Attachment G** and extract below) is included in the package to demonstrate how staging will operate for 'Kingfisher'. This involves retention of two buildings fronting Wellington Road and located within Stages 2 & 3 (accessed via Wellington Road and Hampton Street). This will necessitate a change to the servicing/stormwater solution for Stage 1 and the remaining stages.

There will be a fenced secure area between Stage 1 and the future stages to ensure an appropriate interface between this building and the existing commercial buildings.



These changes have enabled a refinement of the basement configuration, with the extent of basement levels reduced. Given that Tower C is the smallest of the three buildings and the revised parking demand can be accommodated within podium levels, no additional basement parking is required for this tower. Accordingly, the basement has been rationalised to accommodate predominantly residential parking for Towers A and B only, representing a more efficient design outcome.

Notwithstanding the revised parking mix and reduced basement extent, the proposal remains compliant with the relevant provisions of *City Plan 2014* and continues to achieve an appropriate balance between accessibility, amenity, and site-specific design outcomes.

Please refer to the Traffic Letter (**Attachment E**), prepared by Bitzios, for further detail.

Basement 4

As noted above, the basement configuration has been refined as part of the detailed design process. The proposed basement 4 has the following:

- Tower A:
 - 49 resident car spaces (including 4 tandem spaces)
 - 3 motorbike spaces
 - 71 wall-hung bike racks
- Tower B:
 - 52 resident car spaces (including 12 tandem spaces)

Basement 2 & 3

As noted above, the basement configuration has been refined as part of the detailed design process. The proposed basement 2 and 3 has the following:

- Tower A:
 - 49 resident car spaces (including 4 tandem spaces)
 - 3 motorbike spaces
 - 77 wall-hung bike racks
- Tower B:
 - 52 resident car spaces (including 12 tandem spaces)

Basement 1

As noted above, the basement configuration has been refined as part of the detailed design process. The proposed basement 1 has the following:

- Tower A:
 - 46 resident car spaces (including 4 tandem spaces)
 - 82 wall-hung bike racks



- Tower B:
 - 44 resident car spaces (including 10 tandem spaces)

2.3. Podium

Ground Floor

The proposed development introduces a series of moderate refinements to the ground-level layout across all three towers.

For Tower A, there is a slight increase in retail floor area, a minor redistribution of internal service areas, and a revised parking and bicycle provision, including fewer visitor spaces but an overall increase in visitor bicycle parking.

In addition, a further refinement relates to a portion of retail floor space within Tower A. Approximately 110m² of retail GFA has been deferred to Stage 3, as the space cannot be effectively utilised or operated independently until the future stage is delivered. This adjustment ensures a functional and cohesive retail outcome that aligns with the intended staging of the development, which has adopted a more logical configurate above and below ground compared with the existing approval.

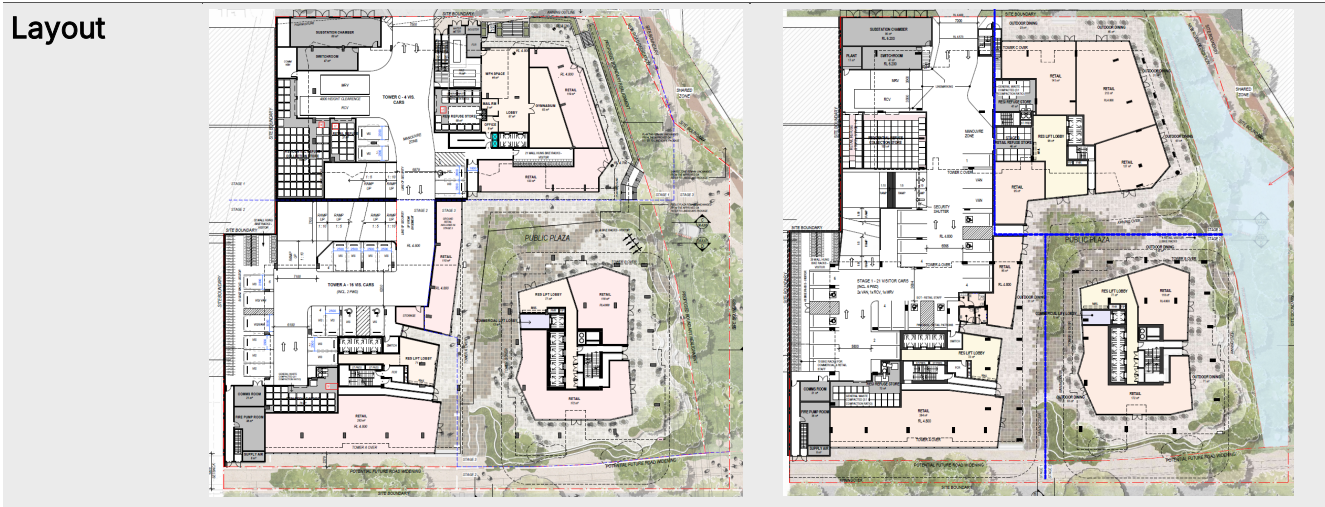
The most notable changes occur within 'Kingfisher', where the layout has been substantially refined. This includes a reduction in retail floor area, a smaller lobby footprint, redistribution of service and refuse areas, and the introduction of additional resident amenity spaces such as a gymnasium and work-from-home facilities. Car parking and bicycle provision within 'Kingfisher' have also been rationalised. Following further development of detailed design, it was determined that this tower needs to do more of the 'heavy lifting' in terms of services and infrastructure (water booster, FCR, DDA access) for future Stages 2 & 3, which is the primary reason behind the changes to the retail footprint reduction. It was also determined that the most appropriate entry to the 'Kingfisher' lobby should be via Hampton Street instead of the pedestrian plaza.

Overall, the proposed changes to the Ground floor, predominantly relate to 'Kingfisher' and represent a refinement of the approved layout, including adjustments to tenancy sizes and service areas. Parking provision has been updated in response to the revised planning requirements. Notwithstanding these refinements, the proposal maintains consistency with the overall development intent.

A detailed comparison of the approved and proposed development is provided in the table below:



Aspect	Proposed Development	Existing Approval
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Layout Comparison	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 71m² ▪ Retail – 393m² ▪ Residential refuse storage – 76m² ▪ Comms room – 21m² ▪ Fire pump room – 38m² ▪ Supply Air – 8m² ▪ Car parking – <ul style="list-style-type: none"> ○ 16 x visitor (incl. 2 PWD) ▪ Bike racks – <ul style="list-style-type: none"> ○ 83 x visitor 	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 72m² ▪ Retail – 369m² ▪ Residential refuse storage – 73m² ▪ Comms room – 21m² ▪ Fire pump room – 38m² ▪ Supply Air – 8m² ▪ Car parking – <ul style="list-style-type: none"> ○ 21 x visitor (incl. 6 PWD) ○ 2 x Van ▪ Bike racks – <ul style="list-style-type: none"> ○ 10 x commercial and retail staff ○ 70 x visitor
	<p>Tower B: No Changes</p>	<p>Tower B:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 77m² ▪ Retail – 290m² ▪ Outdoor dining area ▪ Bike racks – 4 x retail visitor
	<p>Tower C:</p> <ul style="list-style-type: none"> ▪ Retail – 252m² ▪ Residential lobby – 67m² ▪ Substation Chamber – 88m² ▪ Switch room – 47m² ▪ Residential refuse store – 235m² ▪ Retail refuse – 37m² ▪ Gymnasium – 83m² ▪ WFH Space – 44m² 	<p>Tower C:</p> <ul style="list-style-type: none"> ▪ Retail – 575m² ▪ Residential lobby – 98m² ▪ Substation Chamber – 90m² ▪ Switch room – 47m² ▪ Plant – 17m² ▪ Residential refuse store – 153m² ▪ Retail refuse store – 46m² ▪ Outdoor dining area



- Mail Room – 9m²
- Office – 8m²
- Outdoor dining area
- Fire pump
- Car parking –
 - 4 x visitor
 - 1 x RCV
 - 1 x MRV
- Bike racks –
 - 21 x visitor
- Car parking –
 - 1 x RCV
 - 1 x MRV



Figure 3: Rendered image of 'Kingfisher' (Tower C)

Level 1

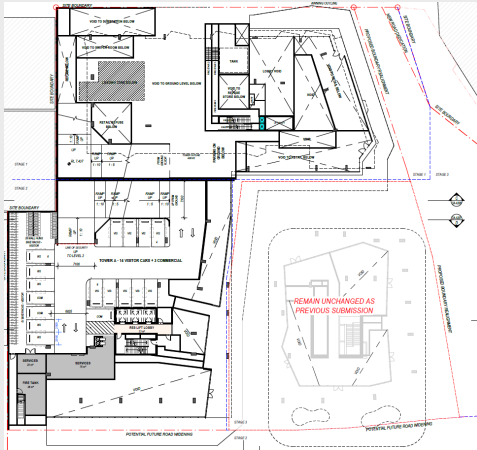

The redesign of Tower A, at level 1, has several changes to services and parking elements. The allocation of visitor car parking has been slightly reduced, with a portion reallocated to commercial spaces. Visitor bicycle parking provision has also been reduced from 108 to 79.

Tower B and C remain largely unchanged, continuing to present as a void area consistent with the approved.

The amendments to Level 1 are limited to targeted refinements within Tower A, primarily relating to service infrastructure and parking redesign, while maintaining the approved



arrangement for Towers B and C. A detailed comparison of the approved and proposed development is provided in the table below:

Aspect	Proposed Development	Existing Approval
Layout		
Layout Comparison	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 23m² ▪ Services – 95m² ▪ Fire tank – 38m² ▪ Car parking – <ul style="list-style-type: none"> ○ 14 x visitor ○ 3 x commercial ▪ Bike racks – <ul style="list-style-type: none"> ○ 79 x visitor 	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 17m² ▪ Plant – 73m² ▪ Fire Tank - 94m² ▪ Car parking – <ul style="list-style-type: none"> ○ 23 x visitor (incl. 6 PWD) ▪ Bike racks – 108 x visitor
	<p>Tower B: No changes</p>	<p>Tower B: Void area</p>
	<p>Tower C: Void area</p>	<p>Tower C: Void area</p>

Level 2

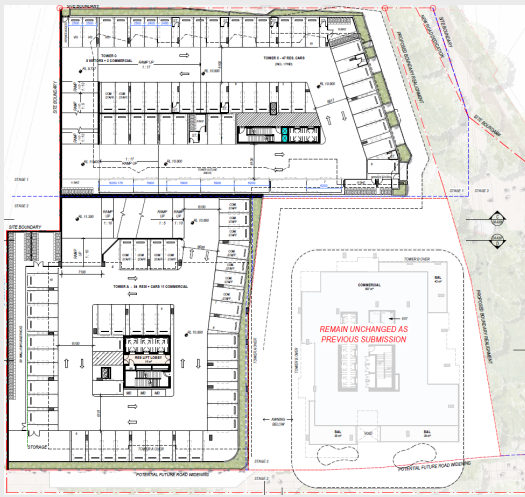
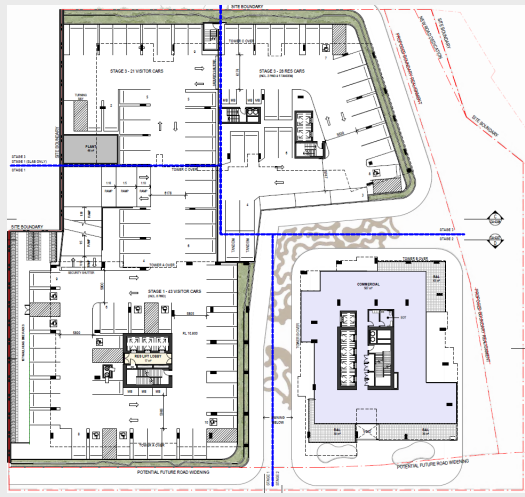
The redesign of Level 2 introduces several changes to parking and servicing arrangements within Towers A and C.

For Tower A, the layout has been reconfigured to rationalise parking and servicing functions. This includes a minor reduction in lobby area and a shift in parking allocation, transitioning from more visitor spaces to a mix of residential and commercial spaces.

The approved arrangement for Tower C, previously comprising residential and visitor parking, has been replaced with a revised layout incorporating a predominantly residential parking allocation, with some visitor and commercial spaces, together with the inclusion of resident bicycle facilities.



The amendments to Level 2 are limited to refinements within Towers A and C, facilitating an updated distribution of parking and servicing functions while maintaining the overall intent of the approved development. A detailed comparison of the approved and proposed development is provided in the table below:

Aspect	Proposed Development	Existing Approval
Layout		
Layout Comparison	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 16m² ▪ Car parking – <ul style="list-style-type: none"> ○ 34 x residential ○ 11 x commercial ▪ Bike racks – <ul style="list-style-type: none"> ○ 89 x resident <p>Tower B: No changes</p> <p>Tower C:</p> <ul style="list-style-type: none"> ▪ Car parking – <ul style="list-style-type: none"> ○ 47 x residential (incl. 1 PWD) ○ 3 x visitor ○ 2 x commercial ▪ Bike racks – <ul style="list-style-type: none"> ○ 50 x resident 	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 17m² ▪ Car parking – <ul style="list-style-type: none"> ○ 47 x visitor (incl. 8 PWD) ▪ Bike racks – <ul style="list-style-type: none"> ○ 107 x visitor <p>Tower B:</p> <ul style="list-style-type: none"> ▪ Commercial – 507m² with 112m² balcony <p>Tower C:</p> <ul style="list-style-type: none"> ▪ Plant – 48m² ▪ Car parking – <ul style="list-style-type: none"> ○ 28 x residential (incl. 2 PWD & 5 tandem) ○ 21 x visitor

Level 3

The redesign of Level 3 introduces minor refinements to parking and bicycle storage arrangements across the development.



For Tower A, the layout has been subject to a minor decrease (46 to 45 carparks) in residential car parking and bicycle storage provision (107 to 97 racks), while Tower B remains consistent with the approved design.

For Tower C, the parking layout has been refined, with the overall residential car parking provision generally maintained with the inclusion of resident bicycle parking.

The amendments to Level 3 are limited to minor refinements across the towers, maintaining the overall parking yield and intended building function and design outcome. A detailed comparison of the approved and proposed development is provided in the table below:

Aspect	Proposed Development	Existing Approval
Layout		
Layout Comparison	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 17m² ▪ Car parking – <ul style="list-style-type: none"> ○ 45 x resident (for both Tower A & B) ▪ Bike racks – <ul style="list-style-type: none"> ○ 97 x resident 	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Car parking – <ul style="list-style-type: none"> ○ 46 x resident (incl. 4 PWD) ▪ Bike racks – <ul style="list-style-type: none"> ○ 107 x resident
	<p>Tower B: No changes</p>	<p>Tower B: Void area</p>
	<p>Tower C:</p> <ul style="list-style-type: none"> ▪ Car parking – <ul style="list-style-type: none"> ○ 52 x resident (incl. 1 PWD) ▪ Bike racks – <ul style="list-style-type: none"> ○ 50 x resident 	<p>Tower C:</p> <ul style="list-style-type: none"> ▪ Car parking – <ul style="list-style-type: none"> ○ 53 x resident (incl. 2 PWD and 5 tandem)


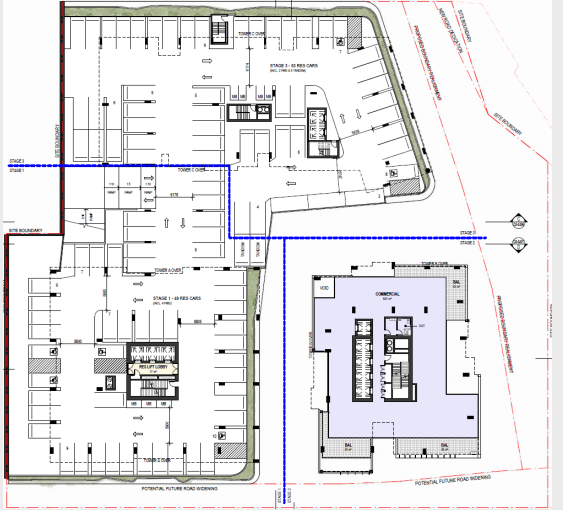


Level 4

The redesign of Level 4 introduces minor refinements to parking arrangements across the development.

For Tower A, the layout has been subject to a minor refinement to car parking provision, in addition to the introduction of visitor bicycle parking, while Tower B remains consistent with the approved design. For Tower C, the overall provision of 53 residential car parking spaces is maintained, with the inclusion of residential bike parking.

The amendments to Level 4 are limited to minor refinements across the towers, maintaining the approved parking yield and overall building function and design intent. A detailed comparison of the approved and proposed development is provided in the table below:

Aspect	Proposed Development	Existing Approval
Layout		
Layout Comparison	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 17m² ▪ Car parking – <ul style="list-style-type: none"> ○ 48 x resident ▪ Bike racks – <ul style="list-style-type: none"> ○ 97 x visitor 	<p>Tower A:</p> <ul style="list-style-type: none"> ▪ Residential lobby – 17m² ▪ Car parking – <ul style="list-style-type: none"> ○ 49 x resident (incl. 4 PWD)
	<p>Tower B: No changes</p>	<p>Tower B:</p> <ul style="list-style-type: none"> ▪ Commercial – 507m² with 112m² of balcony
	<p>Tower C:</p> <ul style="list-style-type: none"> ▪ Car parking – <ul style="list-style-type: none"> ○ 53 x resident (incl. 1 PWD) 	<p>Tower C:</p> <ul style="list-style-type: none"> ▪ Car parking –



- Bike racks –
 - 54 x resident
 - 53 x resident (incl. 2 PWD and 5 tandem)

2.4. 'Kingfisher' - Tower C (Stage 1)

A number of the changes relate only to Tower C within Stage 1. These are detailed in the sections below:

Building Envelope

The approved building envelope (shown in red below) is proposed to be amended to reflect a revised configuration for Tower C. While the envelope has been adjusted in certain locations to accommodate the updated layout, these changes are relatively minor in nature. Importantly, the proposed amendments do not result in any material change to the established setbacks or building separation distances, which remain largely identical with the existing approval.

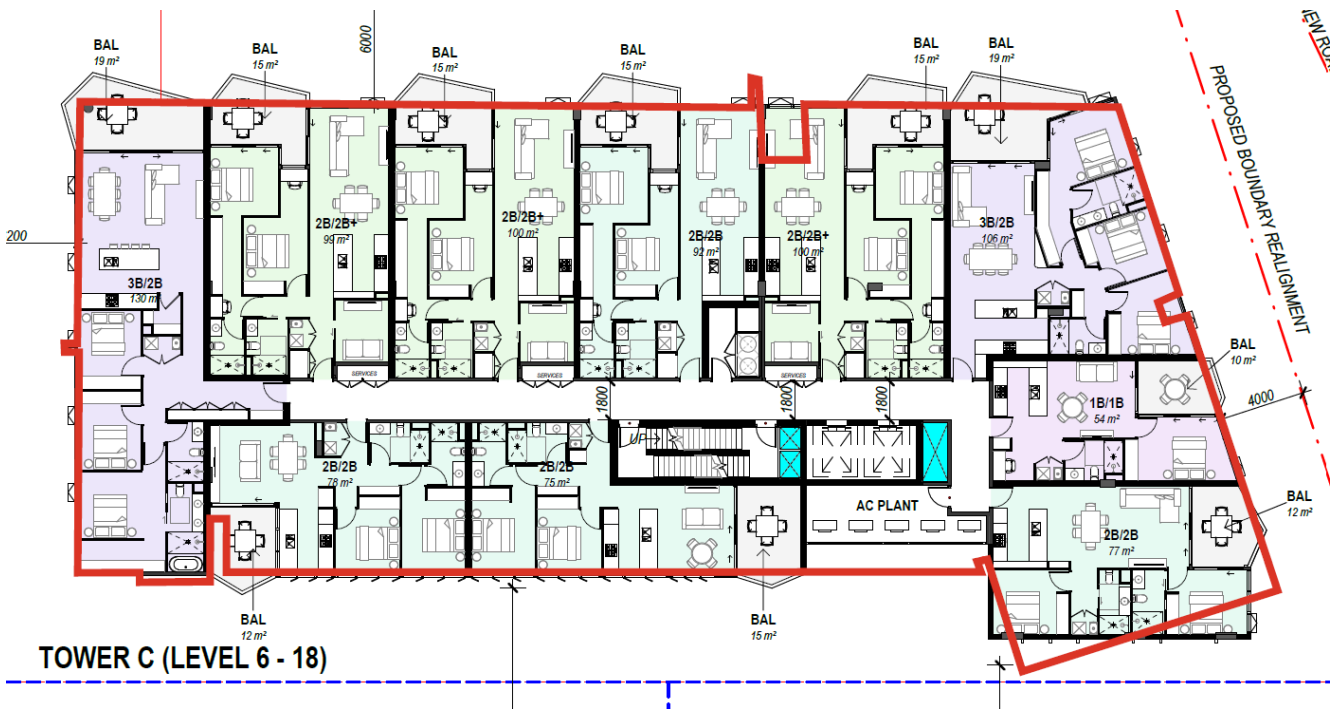


Figure 4: Proposed building envelope vs approved envelope

Building Height

As part of this minor change, the overall building height of Tower C has been reduced from 67.20 FFL to 65.50 FFL at the roof deck. This reduction is limited to the rooftop level, with no changes proposed to the floor-to-floor heights or internal level configuration. Accordingly, the decrease in overall height is minimal and does not alter the building's functional layout or built form outcomes and is therefore considered negligible in this context.



Residential Levels (Level 5 – 18)

There are minor refinements to the floor plate and layout across Levels 5 to 18, including slight adjustments to the unit mix and configuration, with the most notable change occurring from Level 14 upwards. The approved scheme provided for six units per level between Levels 14 and 18, whereas the proposed layout accommodates ten units per level. This has been achieved through a revised mix of dwelling types, including the removal of larger four-bedroom units and an increased provision of two- and three-bedroom apartments. As a result, the overall yield for Tower C has increased from 120 to 140 dwelling units. It is also noted that Towers A and B, from Level 5, remain unchanged.

In addition to the above, the Level 5 private terraces have been reduced in extent to allow additional area of communal landscaping at the edge of the podium. However, due to the revised staging and separate construction of Towers A & C, the area of communal recreation area at Level 5 has been removed, offset by inclusion of a new gymnasium and work from home area at ground level.

A detailed breakdown of the revised unit mix is provided in the table below.

Level	Apartment Type	APPROVED	NEW PROPOSAL
		Units	Units
5	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10
6	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10



7	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10
8	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10
9	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10
10	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10



11	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10
12	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10
13	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR	1	
	2 Bed / 1 Bath	2	
	2 Bed / 2 Bath	3	4
	2 Bed / 2 Bath / MPR	1	3
	3 Bed / 2 Bath	2	2
	3 Bed / 2 Bath / MPR	1	
	Total	10	10
14	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR		
	2 Bed / 1 Bath		
	2 Bed / 2 Bath		4
	2 Bed / 2 Bath / MPR		3
	3 Bed / 2 Bath	1	2
	3 Bed / 2 Bath / MPR	1	
	3 Bed / 3 Bath		



	4 Bed / 2 Bath	4	
	Total	6	10
15	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR		
	2 Bed / 1 Bath		
	2 Bed / 2 Bath		4
	2 Bed / 2 Bath / MPR		3
	3 Bed / 2 Bath	1	2
	3 Bed / 2 Bath / MPR	1	
	3 Bed / 3 Bath		
	4 Bed / 2 Bath	4	
	Total	6	10
16	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR		
	2 Bed / 1 Bath		
	2 Bed / 2 Bath		4
	2 Bed / 2 Bath / MPR		3
	3 Bed / 2 Bath	1	2
	3 Bed / 2 Bath / MPR	1	
	3 Bed / 3 Bath		
	4 Bed / 2 Bath	4	
	Total	6	10
17	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR		
	2 Bed / 1 Bath		
	2 Bed / 2 Bath		4
	2 Bed / 2 Bath / MPR		3
	3 Bed / 2 Bath	1	2
	3 Bed / 2 Bath / MPR	1	
	3 Bed / 3 Bath		
	4 Bed / 2 Bath	4	
	Total	6	10



18	1 Bed / 1 Bath		1
	1 Bed / 1 Bath / MPR		
	2 Bed / 1 Bath		
	2 Bed / 2 Bath		4
	2 Bed / 2 Bath / MPR		3
	3 Bed / 2 Bath	1	2
	3 Bed / 2 Bath / MPR	1	
	3 Bed / 3 Bath		
	4 Bed / 2 Bath	4	
	Total	6	10



3. Amendments to Approval

To facilitate the requested changes, a review of the current approval A006351184 has been undertaken. The application proposes to make the following changes to the approval package:

3.1. Approval Package

Drawing or Document	Number	Plan Date
Pedestrian Wind Environment Statement	W1237-01F02(Rev0)	11-OCT-2024 (Received)
Stormwater Plan	CDA031 Rev P2	30-AUG-2023 (Received)
Stormwater Management Plan	A231105 Rev 01	30-AUG-2023 (Received)
Proposed Site Plan	DA-A005 Issue D (Amended In Red 31-JAN-2025)	11-OCT-2024 (Received)
Proposed Site Plan	DA-A005 Issue H	16-JUN-2026
Basement 4	DA-A197 Issue B (Amended In Red 08-MAY-2025) DA-A197 Issue K	11-OCT-2024 (Received) 16-JUN-2026
Basement 2 & 3	DA-A198 Issue C (Amended In Red 08-MAY-2025) DA-A198 Issue L	11-OCT-2024 (Received) 16-JUN-2026
Basement 1	DA-A199 Issue D (Amended In Red 08-MAY-2025) DA-A199 Issue M	11-OCT-2024 (Received) 16-JUN-2026
Ground Floor	DA-A200 Issue E (Amended In Red 08-MAY-2025) DA-A200 Issue N	11-OCT-2024 (Received) 16-JUN-2026
Level 1	DA-A201 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 1	DA-A201 Issue L	16-JUN-2026
Level 2	DA-A202 Issue D (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 2	DA-A202 Issue M	16-JUN-2026
Level 3	DA-A203 Issue B (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)



Level 3	DA-A203 Issue K	16-JUN-2026
Level 4	DA-A204 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 4	DA-A204 Issue L	16-JUN-2026
Level 5	DA-A205 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 5	DA-A205 Issue K	16-JUN-2026
Level 6 – 13	DA-A206 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 6 - 18	DA-A206 Issue J	16-JUN-2026
Level 14 – 18	DA-A207 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 19 - Tower C Roof	DA-A208 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
LEVEL 19.1 TOWER C ROOF TERRACE - LOWER	DA-A219.1 Issue I	16-JUN-2026
LEVEL 19.2 TOWER C ROOF TERRACE - UPPER	DA-A219.2 Issue H	16-JUN-2026
LEVEL TOWER C ROOF - MECH	DA-A220 Issue H	16-JUN-2026
LEVEL 21 - 42	DA-A221 Issue H	16-JUN-2026
Level 20 - 24	DA-A209 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 25 - 28	DA-A210 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 29 - 30	DA-A211 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 31 - Tower A Roof	DA-A212 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 32 - 40	DA-A213 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)



Level 41 - Tower B Lower Roof	DA-A214 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Level 42 - Tower B Upper Roof	DA-A215 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
Roof Plan	DA-A220 Issue C (Amended In Red 08-MAY-2025)	11-OCT-2024 (Received)
East Elevation	DA-A300 Issue C	11-OCT-2024 (Received)
East Elevation	DA-A300 Issue G	16-JUN-2026
South Elevation	DA-A301 Issue C	11-OCT-2024 (Received)
South Elevation	DA-A301 Issue G	16-JUN-2026
West Elevation	DA-A302 Issue C	11-OCT-2024 (Received)
West Elevation	DA-A302 Issue G	16-JUN-2026
North Elevation	DA-A303 Issue D	11-OCT-2024 (Received)
North Elevation	DA-A303 Issue H	16-JUN-2026
Section A	DA-A304 Issue C	11-OCT-2024 (Received)
Section A	DA-A304 Issue H	16-JUN-2026
Section B	DA-A305 Issue C	11-OCT-2024 (Received)
Section B	DA-A305 Issue H	16-JUN-2026
Section C	DA-A306 Issue C	11-OCT-2024 (Received)
Section C	DA-A306 Issue G	16-JUN-2026
Section D	DA-A307 Issue C	11-OCT-2024 (Received)
Section D	DA-A307 Issue H	16-JUN-2026
Section E	DA-A310 Issue C	11-OCT-2024 (Received)
Section E	DA-A310 Issue G	16-JUN-2026
Facade Detail A, Tower B	DA-A350 Issue B	11-OCT-2024 (Received)



Facade Detail B, Tower B	DA-A351 Issue B	11-OCT-2024 (Received)
Facade Detail C, Tower B	DA-A352 Issue B	11-OCT-2024 (Received)
Facade Detail D, Tower B	DA-A353 Issue B	11-OCT-2024 (Received)
Facade Detail E, Tower A	DA-A354 Issue B	11-OCT-2024 (Received)
Facade Detail G, Tower A	DA-A355 Issue B	11-OCT-2024 (Received)
Podium Facade Detail H, Tower A	DA-A357 Issue B	11-OCT-2024 (Received)
Hampton Yards - Landscape Concept	23127 LC-02 Issue F (Amended In Red 08-NOV-2024)	11-OCT-2024 (Received)

3.2. Condition Changes

The requested changes involve minor amendments to the approved conditions, including:

<i>Condition</i>	<i>Proposed Change</i>
Stage 1	
<p>Condition 5 – Demolish or Relocate Buildings/Structures Demolish or Relocate buildings/structures on the site in accordance with the approved DRAWINGS AND DOCUMENTS and where applicable, the approved Construction Management Plan.</p> <p>The removal of buildings/structures includes the removal of all existing concrete slabs, foundations and footings.</p>	<p>Condition 5 – Demolish or Relocate Buildings/Structures Demolish or Relocate buildings/structures on the site in accordance with the approved Stage 1 DRAWINGS AND DOCUMENTS and where applicable, the approved Construction Management Plan.</p> <p>The removal of buildings/structures includes the removal of all existing concrete slabs, foundations and footings.</p>
<p>Response: We request that this condition is amended, as not all buildings are proposed to be demolished as part of Stage 1, as demonstrated on Drawing DA-C-A100 Issue B. Existing buildings will remain on site during Stages 1.</p>	
<p>Condition 7 – Visitor Parking Visitor car parking spaces must:</p> <ul style="list-style-type: none"> - Be clearly labelled as 'Visitor Parking'; - Remain unimpeded by landscaping, water tanks, storage (temporary or otherwise), 	<p>Condition 7 – Visitor Parking Visitor car parking spaces must:</p> <ul style="list-style-type: none"> - Be clearly labelled as 'Visitor Parking'; - Remain unimpeded by landscaping, water tanks, storage (temporary or otherwise),



*gates or any other fitting, fixture or structure;
and*

- *Provide 24 hour unrestricted access for all bona fide visitors to the whole site.*

gates or any other fitting, fixture or structure; and

- ~~*Provide 24 hour unrestricted access for all bona fide visitors to the whole site.*~~

Response: The applicant does not propose to operate the site on an unrestricted 24-hour basis and therefore cannot comply with this condition. We note that as currently designed, a total of only 3 of the total 37 visitor spaces will not be available for 24-hour unrestricted access. Within Stage 1, 4 of the total 7 visitor spaces will have 24-hour unrestricted access. The remaining 3 visitor spaces will be behind the security line. This complies with Council's code requirement of having a minimum of 50% of visitor parking spaces available for 24-hour unrestricted access.

Limiting access to controlled hours is necessary to manage site operations, security, and amenity impacts. Key learnings from operation of the Applicant's other developments (including Silk One) are that strong manager presence is required to enforce visitor car parking and this cannot be done on a 24hr basis.

In this regard, we consider the requirement to be unreasonable and not reflective of the proposed use or operational needs of the development. We respectfully request that this part of the condition be deleted or amended to align with the intended operating hours of the site.

Condition 13 – Mural Artwork

Submit to, and obtain approval from, Development Services, the proposed Mural Artwork design for the built to boundary podium wall on the northern facade.

Note: The Mural Artwork shall not fulfill compliance for the Public Artwork condition contained within this development.

Timing: Prior to building work above ground level commencing.

- a) *Implement the approved Mural Artwork*
- b) *Implement the approved Mural design*

Timing: Prior to commencement of use and then to be maintained

Condition 13 – Mural Artwork

Submit to, and obtain approval from, Development Services, the proposed Mural Artwork design for the built to boundary podium wall on the northern facade.

~~*Note: The Mural Artwork shall not fulfill compliance for the Public Artwork condition contained within this development.*~~

Timing: Prior to building work above ground level commencing.

- a) *Implement the approved Mural Artwork*
- b) *Implement the approved Mural design*

Timing: Prior to commencement of use and then to be maintained

Response: We request that the note requiring mural artwork to be excluded from compliance with the public art condition be removed.

The approved development is already subject to a substantial public art obligation, representing a significant investment by the Applicant in delivering a high-quality public realm outcome. In the context of



escalating construction costs and increasing development delivery challenges, it is important that the public art budget can be applied flexibly to achieve the best overall artistic and placemaking outcome for the site.

The applicant intends to incorporate mural artwork as part of the broader public art strategy for the development, with associated costs funded from the allocated public art budget. Mural artwork is a recognised and legitimate form of public art and, in this instance, is intended to contribute to the site's visual identity, activation and sense of place. Importantly, elements of the proposed mural treatment are intended to form a permanent component (or at least partially permanent) of the development.

Requiring mural artwork to be delivered separately from, and in addition to, the conditioned public art contribution is considered unreasonable, as it artificially distinguishes between complementary forms of public art and effectively increases the required public art expenditure.

Accordingly, it is requested that the note be deleted to allow mural artwork to be included as part of the development's public art contribution.

Condition 19 – Artworks

Provide and maintain artworks in accordance with this condition.

19(a) Budget and Art Opportunities Report

Submit to, and obtain approval from the Principal Architect, Design Brisbane, via Development Services email dalodgement@brisbane.qld.gov.au

- (i) A Quantity Surveyor's letter stating the artwork budget allocation of no less than 0.25% of the total cost of building and construction work.*
- (ii) An Art Opportunities Report, prepared by a suitably qualified art consultant or curator that provides:*
 - The site's context, history, and description*
 - Curatorial rationale for the artwork program*
 - Proposed artwork locations within an area determined by the Principal Architect, Design Brisbane that meet the criteria of being readily viewable within the public domain.*
 - Any artwork should not be delivered to fulfil compliance for any other condition contained within this development approval and the approved drawings and documents.*

Note: Artworks for podium screening shall not achieve compliance with this condition.



- A long- list of recognised artists or craftspeople which includes descriptions of each artist's practice, and relevant examples of their artwork that indicates the potential artforms and mediums under consideration for each location
- Indicative budget breakdown
 - Indicative program
- Contact details of the art consultant or curator.

For further guidance on the Art Opportunity Report content contact the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au

Timing: Prior to the commencement of the use and then to be maintained

19(b) Final Concept Design Report

Submit to, and obtain approval from, the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au, a Final Concept Design Report, prepared by a suitably qualified art consultant or curator

The Final Concept Design Report must include a minimum of three Concept Designs per artwork opportunity location from suitably qualified artists.

The preferred artwork/s concept design must include:

- Artist statement relating to the work
 - Artist's biography and abridged Curriculum Vitae
 - Concept drawings or/and render
 - Materials, scale, dimensions, site context, and any other relevant information
- Preliminary budget breakdown
 - Delivery Program
 - Maintenance considerations.

Timing: Prior to the commencement of the use and then to be maintained

19(c) Implement Approved Artwork



Supply and install approved artwork and attribution plaque including artist statement and artwork credit line.

Timing: Prior to the commencement of the use and then to be maintained

19(d) Submit details

*Submit to the Principal Architect, Design Brisbane via Development Services email
dalodgement@brisbane.qld.gov.au*

- (i) The maintenance manual for the artwork/s, including any supporting documentation.*
- (ii) The itemised cost breakdown for each artwork including:*
 - Artists fees*
 - Design development costs*
 - Fabrication and installation costs*

Timing: Prior to the commencement of the use and then to be maintained

19(e) Final Inspection

Arrange for the Principal Architect, Design Brisbane, to carry out a final inspection to confirm that the artwork has been installed in accordance with the requirements of this condition.

Timing: Prior to the commencement of the use and then to be maintained

Response: We note that the public art condition has been imposed *across each stage of the development*. However, it is unclear whether the intent of the condition is to require public art to be delivered within every stage, or simply to ensure that any public art provided within a stage (and overall) complies with the relevant requirements.

It is our understanding that the latter is the intended outcome, whereby the condition operates as a compliance mechanism for any public art delivered (consistent with the Art Opportunities Report), rather than mandating a specific budget of public art in every stage.

To provide greater clarity and avoid any misinterpretation, there may be merit in amending the wording of the condition to expressly reference the condition imposed in Stage 1, including the requirement for the public art report to be prepared and endorsed; and that artworks can be provided in accordance with the approved report and within any stage.



This approach would ensure a consistent and coordinated public art outcome across the development, while clearly establishing that subsequent stages are to comply with the overarching framework, rather than independently triggering separate public art obligations.

Condition 29 – Landscape the Site (Contingency Plan)

Where Stages 2 or 3 have not been completed within 10 years, landscape the balance of the Ground Floor plane (as required by the conditions for Stages 2 and 3) as indicated on the approved DRAWINGS AND DOCUMENTS, and fulfill and in accordance with the requirements of this condition.

(b) Submit Detailed Landscape Plan

Submit to Development Services, and obtain approval for, a detailed Landscape Plan for the balance of all Ground Floor plane landscape works identified on the approved Landscape Concept Plan, document number: 23127 LC-02 Issue F, received 11 October 2024, amended in red 8 November 2024. The plan must be prepared at a scale of 1:100 by a qualified Landscape Architect and must comply with the relevant Brisbane Planning Scheme Codes. The plan must include the following: ...

~~**Condition 29 – Landscape the Site (Contingency Plan)**~~

~~Where Stages 2 or 3 have not been completed within 10 years, landscape the balance of the Ground Floor plane (as required by the conditions for Stages 2 and 3) as indicated on the approved DRAWINGS AND DOCUMENTS, and fulfill and in accordance with the requirements of this condition.~~

~~**(b) Submit Detailed Landscape Plan**~~

~~Submit to Development Services, and obtain approval for, a detailed Landscape Plan for the balance of all Ground Floor plane landscape works identified on the approved Landscape Concept Plan, document number: 23127 LC-02 Issue F, received 11 October 2024, amended in red 8 November 2024. The plan must be prepared at a scale of 1:100 by a qualified Landscape Architect and must comply with the relevant Brisbane Planning Scheme Codes. The plan must include the following: ...~~

Response: We request that this condition be deleted on the basis that existing commercial buildings are being retained within Stage 1 and should not require demolition within 10 years.

Condition 40 – Grant Easements

Grant the following easement(s) as may be required:

- (i) Easements, in favour of Brisbane City Council for:
 - Underground drainage

Note: the easement plan is to be supported by a plan prepared by a Registered Surveyor (QLD) showing the location and size of the underground drainage, ensuring the infrastructure is fully contained within the easement.

- Open Cut and Overland Flow affected by the 1%AEP for Creek/Waterway flooding or 2%AEP for Overland Flow flooding as shown on the APPROVED DRAWING NUMBER DA-A005 Issue D, received 11

~~**Condition 40 – Dedicate Land as Drainage Reserve**~~

~~Dedicate land as drainage reserve, in accordance with the approved staging plan, all areas by the 1%AEP for Creek/Waterway flooding or 2%AEP for Overland Flow flooding as shown on the APPROVED DRAWING NUMBER DA-A005 Issue H, dated 16 June 2026; and affected by underground stormwater infrastructure.~~

~~Note: the easement plan is to be supported by a plan prepared by a Registered Surveyor (QLD) showing the location and size of the underground drainage, ensuring the infrastructure is fully contained within the easement.~~

~~— Open Cut and Overland Flow affected by the 1%AEP for Creek/Waterway~~



it-October 2024, and amended in red 31
January 2025

Note: These easements include the provision for
Council to obtain access.

~~flooding or 2%AEP for Overland Flow
flooding as shown on the APPROVED
DRAWING NUMBER DA-A005 and
amended in red 31 January 2025~~

~~Note: These easements include the provision for
Council to obtain access.~~

Response: As outlined above, it is requested that the required drainage easement be amended to require dedication of land as drainage reserve (or transfer in fee simple).

This amendment is necessary as a consequence of the revised staging arrangement. Under the proposed staging plan, the future drainage reserve is traversed by the revised stage boundaries, meaning the entire reserve cannot be dedicated as part of Stage 1. Existing commercial buildings are proposed to remain operational within the later stages of the development, and the balance of the future drainage reserve is required to be retained under the applicant's control to facilitate ongoing access and construction activities associated with those stages.

Accordingly, it is proposed that the portion of the drainage reserve within Stage 1 be dedicated upon completion of that stage, with the balance of the drainage reserve to be dedicated as part of Stage 3 in accordance with the approved staging plan.

To reflect this revised delivery methodology, it is requested that the condition be amended to include the words "in accordance with the approved staging plan". This will ensure the timing of the land dedication aligns with the approved staging sequence while still securing the ultimate delivery of the entire drainage reserve. It is also requested that the condition be updated to reference the amended plans submitted with this application.

Condition 45 – Basement Excavation and Support
Basement excavation and support of all exposed walls must be carried out in accordance with the relevant Brisbane Planning Scheme Codes and the requirements of this condition...

~~**Condition 45 – Basement Excavation and Support**
Basement excavation and support of all exposed walls must be carried out in accordance with the relevant Brisbane Planning Scheme Codes and the requirements of this condition...~~

Response: We request that Condition 45 be removed, as it pertains to basement excavation and support. Following the basement reconfiguration, no basement works are proposed within Stage 1, and the condition is therefore no longer applicable.

Condition 52 – Access, Grades, Manoeuvring, Carparks, Signs and Line Marking
Construct and maintain access, parking and manoeuvring for vehicle son site in accordance with the relevant Brisbane Planning Scheme Codes, as indicated on the approved DRAWINGS AND DOCUMENTS, including the following:

i. A pavement of minimum Local Road standard or equivalent surface material (including associated

Condition 52 – Access, Grades, Manoeuvring, Carparks, Signs and Line Marking
Construct and maintain access, parking and manoeuvring for vehicle son site in accordance with the relevant Brisbane Planning Scheme Codes, as indicated on the approved DRAWINGS AND DOCUMENTS, including the following:

i. A pavement of minimum Local Road standard or equivalent surface material (including



- drainage) to the area on which motor vehicles will be driven and/or parked.
- ii. Suspended concrete parking areas, aisles and driveways are to be designed and certified by an RPEQ to accommodate the required design vehicles/s identified in this condition
 - iii. Manoeuvring on site for a RCV and for the loading and unloading of vehicle(s);
 - iv. Parking on the site for Stage 1 for a minimum of 389 resident/tenant cars including 40 parking spaces for people with disabilities, 87 visitor cars including 14 parking spaces for people with disabilities, 1 service bay for MRV, 1 service bay for RCV, 2 service bay for VANS, 49 motorcycle parking bays and for the loading and unloading of vehicle(s) within the site. There must be a total of 525 spaces provided for Stage 1.
 - v. Provide a minimum of 280 number of secure bicycle parking spaces for residents, 70 number of secure bicycle parking spaces for visitors, 7 number of secure bicycle parking spaces for staffs of retail use, 7 bicycle spaces for Commercial visitors and 14 number of lockers and 1 number of showers cubicles with ancillary change rooms for both females and males.
 - vi. A minimum of 2.3 metres height clearance to all undercover parking areas, including the entry and access to these 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).
 - vii. A height clearance sign located at the entrance(s) to undercover carparking areas and a directional visitor parking sign clearly visible from the vehicle entrance to the site.
 - viii. An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
 - ix. 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
- associated drainage) to the area on which motor vehicles will be driven and/or parked.
- ii. Suspended concrete parking areas, aisles and driveways are to be designed and certified by an RPEQ to accommodate the required design vehicles/s identified in this condition
 - iii. Manoeuvring on site for a RCV and for the loading and unloading of vehicle(s);
 - iv. Parking on the site for Stage 1 for a minimum of 161 resident/tenant cars, ~~including 40 parking spaces for people with disabilities~~, 7 visitor cars including 1 parking spaces for people with disabilities, 1 service bay for MRV, 1 service bay for RCV, 2 service bay for VANS, ~~49 motorcycle parking bays~~ and for the loading and unloading of vehicle(s) within the site. There must be a total of 161 spaces provided for Stage 1.
 - ~~v. Provide a minimum of 280 number of secure bicycle parking spaces for residents, 70 number of secure bicycle parking spaces for visitors, 7 number of secure bicycle parking spaces for staffs of retail use, 7 bicycle spaces for Commercial visitors and 14 number of lockers and 1 number of showers cubicles with ancillary change rooms for both females and males.~~
 - vi. A minimum of 2.3 metres height clearance to all undercover parking areas, including the entry and access to these 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).
 - vii. A height clearance sign located at the entrance(s) to undercover carparking areas and a directional visitor parking sign clearly visible from the vehicle entrance to the site.
 - viii. An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
 - ix. Prepare and implement signs and line markings drawings that show the internal paved areas signed and delineated in accordance with 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.

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.

Response: We seek an amendment to the condition to ensure it is consistent with the proposed car parking numbers, as detailed in the revised plans submitted with this application.

Condition 56 – Basements in Flood Planning or Coastal Hazard Areas

Design and construct all basements affected by flooding within the Brisbane River or Creek/Waterway Flood Planning Areas or Coastal Hazard Areas, including stormwater, electrical and sanitary facilities, in accordance with the following:...

~~**Condition 56 – Basements in Flood Planning or Coastal Hazard Areas**~~

~~Design and construct all basements affected by flooding within the Brisbane River or Creek/Waterway Flood Planning Areas or Coastal Hazard Areas, including stormwater, electrical and sanitary facilities, in accordance with the following:...~~

Response: We request that Condition 56 be deleted, as no basement works are proposed within Stage 1.

Condition 59 – Future Road Widening

The development must not prejudice the future road reserve widening along the Wellington Road frontage. Keep the area clear of improvements and structures. The extent of the land to be set aside for a future road reserve widening is set out on the Proposed Site Plan, drawing number: DA-A005 Issue D, received 11 October 2024, and amended in red 31 January 2025, forming part of the approved DRAWINGS AND DOCUMENTS.

~~**Condition 59 – Future Road Widening**~~

~~The development must not prejudice the future road reserve widening along the Wellington Road frontage. Keep the area clear of improvements and structures. The extent of the land to be set aside for a future road reserve widening is set out on the Proposed Site Plan, drawing number: DA-A005 Issue H, dated 16 June 2026, and amended in red 31 January 2025, forming part of the approved DRAWINGS AND DOCUMENTS.~~

Response: We request that Condition 59 be deleted on the basis that the Wellington Road widening requirement is not relevant to Stage 1.

Condition 60 – Land for Transport Network - Road (Non- trunk)

Dedicate as road land shown as new road (non-trunk) on the APPROVED DRAWING NUMBER DA-A005 Issue D received 11 October 2024 and amended in red 31 January 2025.

~~**Condition 60 – Land for Transport Network - Road (Non- trunk)**~~

~~Dedicate as road land shown as new road (non-trunk) on the APPROVED DRAWING NUMBER DA-A005 Issue H, dated 16 June 2026, and amended in red 31 January 2025.~~

Note: This condition is imposed under section 145 of the Planning Act 2016.

Note: This condition is imposed under section 145 of the Planning Act 2016.

Response: We request that this condition be updated to reflect the updated plans submitted with the application.

Condition 61 – All Basements – Stormwater Runoff

Design and construct basements to manage

~~**Condition 61 – All Basements – Stormwater Runoff**~~

~~Design and construct basements to manage~~



stormwater runoff in accordance with the relevant Brisbane Planning Scheme Codes and the following:

- (i) All stormwater pump systems must be designed to gravity drain to a Council stormwater system.
- (ii) The driveway into a basement must be designed and constructed to minimise local driveway stormwater runoff entering the basement. The drainage must be designed to capture runoff from a 10% AEP rainfall event and gravity drain to a lawful point of discharge.
- (iii) Vehicle access into any basement from a Council road will require the basement driveway to ramp up a minimum of 200mm, above adjacent road channel invert, to maintain road major flow capacity.
- (iv) All roofwater drainage is to be directed to a lawful point of discharge via gravity drainage, not directed into the basement.
- (v) Any stormwater within a basement that connects via gravity drainage directly to a council pipe or manhole must incorporate backflow prevention devices.

PROOF OF FULFILMENT

Certification from a Registered Professional Engineer Queensland that the development has been designed and constructed in accordance with this condition.

61(a) Submit Certification to Council

Submit to Council certification by a Registered Professional Engineer Queensland that the stormwater, subsoil drainage, specifications and drawings for the basement construction is in accordance with the requirements of this condition.

Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.

~~stormwater runoff in accordance with the relevant Brisbane Planning Scheme Codes and the following:~~

- ~~(i) All stormwater pump systems must be designed to gravity drain to a Council stormwater system.~~
- ~~(ii) The driveway into a basement must be designed and constructed to minimise local driveway stormwater runoff entering the basement. The drainage must be designed to capture runoff from a 10% AEP rainfall event and gravity drain to a lawful point of discharge.~~
- ~~(iii) Vehicle access into any basement from a Council road will require the basement driveway to ramp up a minimum of 200mm, above adjacent road channel invert, to maintain road major flow capacity.~~
- ~~(iv) All roofwater drainage is to be directed to a lawful point of discharge via gravity drainage, not directed into the basement.~~
- ~~(v) Any stormwater within a basement that connects via gravity drainage directly to a council pipe or manhole must incorporate backflow prevention devices.~~

~~*PROOF OF FULFILMENT*~~

~~*Certification from a Registered Professional Engineer Queensland that the development has been designed and constructed in accordance with this condition.*~~

~~**61(a) Submit Certification to Council**~~

~~Submit to Council certification by a Registered Professional Engineer Queensland that the stormwater, subsoil drainage, specifications and drawings for the basement construction is in accordance with the requirements of this condition.~~

~~Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.~~



Response: We request that Condition 61 be deleted, as no basement works are proposed within Stage 1.

Condition 63 – Work for Stormwater Network (Non-Trunk)

Construct relocated stormwater drainage to service the development as shown on the approved Stormwater Plan, drawing number CDA031 Revision P2, received 30 August 2023, and the relevant Brisbane Planning Scheme Codes, and in accordance with the conditions of the approval, ensuring that the works are connected to a lawful point of discharge and protect the existing triple stormwater arch drain.

Note: Guidance for the preparation of drawings and/or documents to comply with this condition is provided in the Brisbane Planning Scheme Policies.

Note: This condition is imposed under section 145 of the Planning Act 2016.

Condition 63 – Work for Stormwater Network (Non-Trunk)

Construct relocated stormwater drainage to service the development as shown on the approved **Stormwater Plan, drawing number CDA031 Revision P2, received 30 August 2023**, and the relevant Brisbane Planning Scheme Codes, and in accordance with the conditions of the approval, ensuring that the works are connected to a lawful point of discharge and protect the existing triple stormwater arch drain.

Note: Guidance for the preparation of drawings and/or documents to comply with this condition is provided in the Brisbane Planning Scheme Policies.

Note: This condition is imposed under section 145 of the Planning Act 2016.

Response: We note that the condition references a superseded stormwater plan, which requires updating to reflect the revised staging. An updated stormwater plan is currently being prepared and will be submitted once available.

Stage 2

Condition 116 – Artworks

Provide and maintain artworks in accordance with this condition.

119(a) Budget and Art Opportunities Report

Submit to, and obtain approval from the Principal Architect, Design Brisbane, via Development Services email dalodgement@brisbane.qld.gov.au

- (i) A Quantity Surveyor's letter stating the artwork budget allocation of no less than 0.25% of the total cost of building and construction work.*
- (ii) An Art Opportunities Report, prepared by a suitably qualified art consultant or curator that provides:*
 - The site's context, history, and description*
 - Curatorial rationale for the artwork program*
 - Proposed artwork locations within an area determined by the Principal Architect,*



Design Brisbane that meet the criteria of being readily viewable within the public domain.

- *Any artwork should not be delivered to fulfil compliance for any other condition contained within this development approval and the approved drawings and documents.
Note: Artworks for podium screening shall not achieve compliance with this condition.*
- *A long- list of recognised artists or craftspeople which includes descriptions of each artist's practice, and relevant examples of their artwork that indicates the potential artforms and mediums under consideration for each location*
- *Indicative budget breakdown*
 - *Indicative program*
- *Contact details of the art consultant or curator.*

For further guidance on the Art Opportunity Report content contact the Principal Architect, Design Brisbane via Development Services emaildalodgement@brisbane.qld.gov.au

116(b) Final Concept Design Report

Submit to, and obtain approval from, the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au, a Final Concept Design Report, prepared by a suitably qualified art consultant or curator

The Final Concept Design Report must include a minimum of three Concept Designs per artwork opportunity location from suitably qualified artists.

The preferred artwork/s concept design must include:

- *Artist statement relating to the work*
 - *Artist's biography and abridged Curriculum Vitae*
 - *Concept drawings or/and render*
 - *Materials, scale, dimensions, site context, and any other relevant information*
- *Preliminary budget breakdown*
 - *Delivery Program*
 - *Maintenance considerations.*



116(c) Implement Approved Artwork

Supply and install approved artwork and attribution plaque including artist statement and artwork credit line.

116(d) Submit details

Submit to the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au

- (i) The maintenance manual for the artwork/s, including any supporting documentation.
- (ii) The itemised cost breakdown for each artwork including:
 - Artists fees
 - Design development costs
 - Fabrication and installation costs

116(e) Final Inspection

Arrange for the Principal Architect, Design Brisbane, to carry out a final inspection to confirm that the artwork has been installed in accordance with the requirements of this condition.

Response: We note that the public art condition has been imposed across each stage of the development. However, it is unclear whether the intent of the condition is to require public art to be delivered within every stage, or simply to ensure that any public art provided within a stage (and overall) complies with the relevant requirements.

It is our understanding that the latter is the intended outcome, whereby the condition operates as a compliance mechanism for any public art delivered (consistent with the Art Opportunities Report), rather than mandating a specific budget of public art in every stage.

To provide greater clarity and avoid any misinterpretation, there may be merit in amending the wording of the condition to expressly reference the condition imposed in Stage 1, including the requirement for the public art report to be prepared and endorsed; and that artworks can be provided in accordance with the approved report and within any stage.

Condition 126 – Landscape the Site (Contingency Plan)

126(b) Submit Detailed Landscape Plan

Submit to Development Services, and obtain approval for, a detailed Landscape Plan for the balance of all Ground Floor plane landscape works identified on the approved Landscape Concept Plan, document number: 23127 LC-02 Issue F, received 11 October

Condition 126 – Landscape the Site (Contingency Plan)

126(b) Submit Detailed Landscape Plan

Submit to Development Services, and obtain approval for, a detailed Landscape Plan for the balance of all Ground Floor plane landscape works identified on the approved Landscape Concept Plan, document number: 23127 LC-01 Issue I, dated



2024, amended in red 8 November 2024. The plan must be prepared at a scale of 1:100 by a qualified Landscape Architect and must comply with the relevant Brisbane Planning Scheme Codes. The plan must include the following: ...

~~16 June 2026, amended in red 8 November 2024.~~
The plan must be prepared at a scale of 1:100 by a qualified Landscape Architect and must comply with the relevant Brisbane Planning Scheme Codes. The plan must include the following: ...

Response: We request that this condition be updated to reflect the updated package submitted with the application.

Condition 143 - Access, Grades, Manoeuvring, Carparks, Signs and Line Marking

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:

- (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.
- (ii) Suspended concrete parking areas, aisles and driveways are to be designed and certified by an RPEQ to accommodate the required design vehicles/s identified in this condition
- (iii) Manoeuvring on site for a RCV and for the loading and unloading of vehicle(s);
- (iv) Parking on the site for Stage 2 for a minimum of 260 resident/tenant cars including 20 parking spaces for people with disabilities, and for the loading and unloading of vehicle(s) within the site. There must be a total of 260 spaces provided for Stage 2.
- (v) Provide a minimum of 312 number of secure bicycle parking spaces for residents and 78 number of secure bicycle parking spaces for visitors.
- (vi) A minimum of 2.3 metres height clearance to all undercover parking areas, including the entry and access to these 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).

Condition 143 - Access, Grades, Manoeuvring, Carparks, Signs and Line Marking

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:

- (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.
- (ii) Suspended concrete parking areas, aisles and driveways are to be designed and certified by an RPEQ to accommodate the required design vehicles/s identified in this condition
- (iii) Manoeuvring on site for a RCV and for the loading and unloading of vehicle(s);
- (iv) Parking on the site for Stage 2 for a minimum of ~~260~~ 364 resident/tenant cars ~~including 20 parking spaces for people with disabilities,~~ 30 visitor cars including 2 parking spaces for people with disabilities, 18 motorcycle parking bays and for the loading and unloading of vehicle(s) within the site. There must be a total of ~~260~~ 364 spaces provided for Stage 2.
- (v) Provide a minimum of ~~312~~ 420 number of secure bicycle parking spaces for residents and ~~78~~ 105 number of secure bicycle parking spaces for visitors.
- (vi) A minimum of 2.3 metres height clearance to all undercover parking areas, including the entry and access to these 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



- (vii) A height clearance sign located at the entrance(s) to undercover carparking areas and a directional visitor parking sign clearly visible from the vehicle entrance to the site.
- (viii) An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
- (ix) 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.

- protrusion from the ceiling (e.g. fire sprinklers, services, lighting fixtures, signs, etc).
- (vii) A height clearance sign located at the entrance(s) to undercover carparking areas and a directional visitor parking sign clearly visible from the vehicle entrance to the site.
 - (viii) An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
 - (ix) 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.

Response: We seek an amendment to the condition to ensure it is consistent with the proposed car parking numbers, as detailed in the revised plans submitted with this application.

Condition 151 – Future Road Widening

The development must not prejudice the future road reserve widening along the Wellington Road frontage. Keep the area clear of improvements and structures. The extent of the land to be set aside for a future road reserve widening is set out on the Proposed Site Plan, drawing number: DA-A005 Issue D, received 11 October 2024, and amended in red 31 January 2025, forming part of the approved DRAWINGS AND DOCUMENTS.

Condition 151 – Future Road Widening

The development must not prejudice the future road reserve widening along the Wellington Road frontage. Keep the area clear of improvements and structures. The extent of the land to be set aside for a future road reserve widening is set out on the Proposed Site Plan, drawing number: DA-A005 Issue H, dated 16 June 2026, and amended in red 31 January 2025, forming part of the approved DRAWINGS AND DOCUMENTS.

Response: We request that this condition be updated to reflect the updated plans submitted with the application.

Mural Artwork

Submit to, and obtain approval from, Development Services, the proposed Mural Artwork design for the built to boundary podium wall on the northern facade.

Note: The Mural Artwork shall not fulfill compliance for the Public Artwork condition contained within this development.

Mural Artwork

Submit to, and obtain approval from, Development Services, the proposed Mural Artwork design for the built to boundary podium wall on the northern facade.

~~Note: The Mural Artwork shall not fulfill compliance for the Public Artwork condition contained within this development.~~



Timing: Prior to building work above ground level commencing.

a) Implement the approved Mural Artwork
Implement the approved Mural design

Timing: Prior to commencement of use and then to be maintained

Timing: Prior to building work above ground level commencing.

a) Implement the approved Mural Artwork
Implement the approved Mural design

Timing: Prior to commencement of use and then to be maintained

Response: As a result of the revised staging arrangement and the redistribution of towers between stages, the mural artwork condition is now applicable to Stage 2 (Tower A). Notwithstanding this, and consistent with the above (**Condition 13**), we request that the above changes are made to the Mural Artwork condition.

Visitor Parking

Visitor car parking spaces must:

- Be clearly labelled as 'Visitor Parking';
- Remain unimpeded by landscaping, water tanks, storage (temporary or otherwise), gates or any other fitting, fixture or structure; and
- Provide 24 hour unrestricted access for all bona fide visitors to the whole site.

Visitor Parking

Visitor car parking spaces must:

- Be clearly labelled as 'Visitor Parking';
- Remain unimpeded by landscaping, water tanks, storage (temporary or otherwise), gates or any other fitting, fixture or structure; and
- ~~Provide 24 hour unrestricted access for all bona fide visitors to the whole site.~~

Response: As a result of the revised staging arrangement and the redistribution of towers between stages, the visitor parking condition is now applicable to Stage 2 (Tower A). The applicant does not propose operating the site on an unrestricted 24-hour basis and therefore cannot comply with this condition. Limiting access to controlled hours is necessary to manage site operations, security, and amenity impacts.

In this regard, we consider the requirement to be unreasonable and not reflective of the proposed use or operational needs of the development. We respectfully request that this condition be deleted or amended to align with the intended operating hours of the site.

Demolish or Relocate Buildings/Structures

Demolish or Relocate buildings/structures on the site in accordance with the approved DRAWINGS AND DOCUMENTS and where applicable, the approved Construction Management Plan.

The removal of buildings/structures includes the removal of all existing concrete slabs, foundations and footings.

Demolish or Relocate Buildings/Structures

Demolish or Relocate buildings/structures on the site in accordance with the approved DRAWINGS AND DOCUMENTS and where applicable, the approved Construction Management Plan.

The removal of buildings/structures includes the removal of all existing concrete slabs, foundations and footings.

Response: We request that this condition be applied to Stage 2, as shown in Drawing DA-C-A100, issue B, the existing buildings will remain on site until Stage 2.

Stage 3



Condition 188 – Visitor Parking

Visitor car parking spaces must:

- Be clearly labelled as 'Visitor Parking';
- Remain unimpeded by landscaping, water tanks, storage (temporary or otherwise), gates or any other fitting, fixture or structure; and
- Provide 24 hour unrestricted access for all bona fide visitors to the whole site.

~~**Condition 188 – Visitor Parking**~~~~Visitor car parking spaces must:~~

- ~~- Be clearly labelled as 'Visitor Parking';
 - Remain unimpeded by landscaping, water tanks, storage (temporary or otherwise), gates or any other fitting, fixture or structure; and
 - Provide 24 hour unrestricted access for all bona fide visitors to the whole site.~~

Response: We request that this condition be removed from Stage 3, as it no longer applies to the revised staging arrangement. Specifically, Tower C is now incorporated within Stage 1, and as such, the condition is no longer relevant to Stage 3.

Condition 192 – Mural Artwork

Submit to, and obtain approval from, Development Services, the proposed Mural Artwork design for the built to boundary podium wall on the northern facade.

Note: The Mural Artwork shall not fulfill compliance for the Public Artwork condition contained within this development.

Timing: Prior to building work above ground level commencing.

a) Implement the approved Mural Artwork
Implement the approved Mural design

Timing: Prior to commencement of use and then to be maintained

~~**Condition 192 – Mural Artwork**~~~~Submit to, and obtain approval from, Development Services, the proposed Mural Artwork design for the built to boundary podium wall on the northern facade.~~~~*Note:* The Mural Artwork shall not fulfill compliance for the Public Artwork condition contained within this development.~~~~Timing: Prior to building work above ground level commencing.~~~~a) Implement the approved Mural Artwork
Implement the approved Mural design~~~~Timing: Prior to commencement of use and then to be maintained~~

Response: We request that this condition be removed from Stage 3, as it no longer applies to the revised staging arrangement. Specifically, Tower C is now incorporated within Stage 1, and as such, the condition is no longer relevant to Stage 3.

Condition 198 – Artworks

Provide and maintain artworks in accordance with this condition.

198(a) Budget and Art Opportunities Report

Submit to, and obtain approval from the Principal Architect, Design Brisbane, via Development Services emaildalodgement@brisbane.qld.gov.au



- (i) A Quantity Surveyor's letter stating the artwork budget allocation of no less than 0.25% of the total cost of building and construction work.
- (ii) An Art Opportunities Report, prepared by a suitably qualified art consultant or curator that provides:
 - The site's context, history, and description
 - Curatorial rationale for the artwork program
 - Proposed artwork locations within an area determined by the Principal Architect, Design Brisbane that meet the criteria of being readily viewable within the public domain.
 - Any artwork should not be delivered to fulfil compliance for any other condition contained within this development approval and the approved drawings and documents.

Note: Artworks for podium screening shall not achieve compliance with this condition.

- A long- list of recognised artists or craftspeople which includes descriptions of each artist's practice, and relevant examples of their artwork that indicates the potential artforms and mediums under consideration for each location
- Indicative budget breakdown
- Indicative program
- Contact details of the art consultant or curator.

For further guidance on the Art Opportunity Report content contact the Principal Architect, Design Brisbane via Development Services emaildalodgement@brisbane.qld.gov.au

198(b) Final Concept Design Report

Submit to, and obtain approval from, the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au, a Final Concept Design Report, prepared by a suitably qualified art consultant or curator



The Final Concept Design Report must include a minimum of three Concept Designs per artwork opportunity location from suitably qualified artists. The preferred artwork/s concept design must include:

- *Artist statement relating to the work*
- *Artist's biography and abridged Curriculum Vitae*
- *Concept drawings or/and render*
- *Materials, scale, dimensions, site context, and any other relevant information*
- *Preliminary budget breakdown*
- *Delivery Program*
- *Maintenance considerations.*

198(c) Implement Approved Artwork

Supply and install approved artwork and attribution plaque including artist statement and artwork credit line.

198(d) Submit details

Submit to the Principal Architect, Design Brisbane via Development Services email dalodgement@brisbane.qld.gov.au

- (i) *The maintenance manual for the artwork/s, including any supporting documentation.*
- (ii) *The itemised cost breakdown for each artwork including:*
 - *Artists fees*
 - *Design development costs*
 - *Fabrication and installation costs*

198(e) Final Inspection

Arrange for the Principal Architect, Design Brisbane, to carry out a final inspection to confirm that the artwork has been installed in accordance with the requirements of this condition.

Response: We note that the public art condition has been imposed across each stage of the development. However, it is unclear whether the intent of the condition is to require public art to be delivered within every stage, or simply to ensure that any public art provided within a stage (and overall) complies with the relevant requirements.



It is our understanding that the latter is the intended outcome, whereby the condition operates as a compliance mechanism for any public art delivered (consistent with the Art Opportunities Report), rather than mandating a specific budget of public art in every stage.

To provide greater clarity and avoid any misinterpretation, there may be merit in amending the wording of the condition to expressly reference the condition imposed in Stage 1, including the requirement for the public art report to be prepared and endorsed; and that artworks can be provided in accordance with the approved report and within any stage.

Condition 221 – Access, Grades, Manoeuvring, Carparks, Signs and Line Marking

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:

- (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.
- (ii) Suspended concrete parking areas, aisles and driveways are to be designed and certified by an RPEQ to accommodate the required design vehicles/s identified in this condition
- (iii) Manoeuvring on site for a RCV and for the loading and unloading of vehicle(s);
- (iv) Parking on the site for Stage 3 for a minimum of 134 resident/tenant car spaces, including 8 parking spaces for people with disabilities, 21 visitor car spaces and provisions for the loading and unloading of vehicles within the site. The total number of spaces provided for Stage 3 must be 155.
- (v) Provide a minimum of 120 number of secure bicycle parking spaces for residents and 30 number of secure bicycle parking spaces for visitors.
- (vi) A minimum of 2.3 metres height clearance to all undercover parking areas, including the entry and access to these 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).

Condition 221 – Access, Grades, Manoeuvring, Carparks, Signs and Line Marking

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:

- (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.
- (ii) Suspended concrete parking areas, aisles and driveways are to be designed and certified by an RPEQ to accommodate the required design vehicles/s identified in this condition
- (iii) Manoeuvring on site for a RCV and for the loading and unloading of vehicle(s);
- (iv) Parking on the site for Stage 3 for a minimum of 200 resident/tenant car spaces, ~~including 8 parking spaces for people with disabilities, 21 visitor car spaces~~ and provisions for the loading and unloading of vehicles within the site. The total number of spaces provided for Stage 3 must be 200.
- (v) Provide a minimum of 173 number of secure bicycle parking spaces for residents and 43 number of secure bicycle parking spaces for visitors ~~and 12 number of secure bicycle parking spaces for staffs of retail use, 3 bicycle spaces for Commercial visitors~~
- (vi) A minimum of 2.3 metres height clearance to all undercover parking areas, including the entry and access to these 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



- (vii) A height clearance sign located at the entrance(s) to undercover carparking areas and a directional visitor parking sign clearly visible from the vehicle entrance to the site.
 - (viii) An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
 - (ix) 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.
- protrusion from the ceiling (e.g. fire sprinklers, services, lighting fixtures, signs, etc).
 - (vii) A height clearance sign located at the entrance(s) to undercover carparking areas and a directional visitor parking sign clearly visible from the vehicle entrance to the site.
 - (viii) An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
 - (ix) 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.

Response: We seek an amendment to the condition to ensure it is consistent with the proposed car parking numbers, as detailed in the revised plans submitted with this application.

Condition 228 – Future Road Widening
 The development must not prejudice the future road reserve widening along the Wellington Road frontage. Keep the area clear of improvements and structures. The extent of the land to be set aside for a future road reserve widening is set out on the Proposed Site Plan, drawing number: DA-A005 Issue D, received 11 October 2024, and amended in red 31 January 2025, forming part of the approved DRAWINGS AND DOCUMENTS.

Condition 228 – Future Road Widening
 The development must not prejudice the future road reserve widening along the Wellington Road frontage. Keep the area clear of improvements and structures. The extent of the land to be set aside for a future road reserve widening is set out on the Proposed Site Plan, drawing number: DA-A005 Issue H, dated 16 June 2026, and amended in red 31 January 2025, forming part of the approved DRAWINGS AND DOCUMENTS.

Response: We request that this condition be updated to reflect the updated plans submitted with the application.

All Basements – Stormwater Runoff
 Design and construct basements to manage stormwater runoff in accordance with the relevant Brisbane Planning Scheme Codes and the following:

- (i) All stormwater pump systems must be designed to gravity drain to a Council stormwater system.
- (ii) The driveway into a basement must be designed and constructed to minimise local driveway



stormwater runoff entering the basement. The drainage must be designed to capture runoff from a 10% AEP rainfall event and gravity drain to a lawful point of discharge.

- (iii) Vehicle access into any basement from a Council road will require the basement driveway to ramp up a minimum of 200mm, above adjacent road channel invert, to maintain road major flow capacity.
- (iv) All roofwater drainage is to be directed to a lawful point of discharge via gravity drainage, not directed into the basement.
- (v) Any stormwater within a basement that connects via gravity drainage directly to a council pipe or manhole must incorporate backflow prevention devices.

PROOF OF FULFILMENT

Certification from a Registered Professional Engineer Queensland that the development has been designed and constructed in accordance with this condition.

(a) Submit Certification to Council

Submit to Council certification by a Registered Professional Engineer Queensland that the stormwater, subsoil drainage, specifications and drawings for the basement construction is in accordance with the requirements of this condition.

Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.

Response: We request that the above condition be placed within Stage 3, where the basement works are now proposed.

Grant Easements

Grant the following easement(s) as may be required:

- (i) *Easements, in favour of Brisbane City Council for:*
 - *Underground drainage*

Condition 40 – Dedicate Land as Drainage Reserve
Dedicate land as drainage reserve, in accordance with the approved staging plan, all areas by the 1%AEP for Creek/Waterway flooding or 2%AEP for Overland Flow flooding as shown on the APPROVED



Note: the easement plan is to be supported by a plan prepared by a Registered Surveyor (QLD) showing the location and size of the underground drainage, ensuring the infrastructure is fully contained within the easement.

- Open Cut and Overland Flow affected by the 1%AEP for Creek/Waterway flooding or 2%AEP for Overland Flow flooding as shown on the APPROVED DRAWING NUMBER DA- Issue D, received 11 October 2024, and amended in red 31 January 2025

Note: These easements include the provision for Council to obtain access...

~~DRAWING NUMBER DA-A005 Issue H, dated 16 June 2026; and affected by underground stormwater infrastructure.~~

~~Note: the easement plan is to be supported by a plan prepared by a Registered Surveyor (QLD) showing the location and size of the underground drainage, ensuring the infrastructure is fully contained within the easement.~~

~~— Open Cut and Overland Flow affected by the 1%AEP for Creek/Waterway flooding or 2%AEP for Overland Flow flooding as shown on the APPROVED DRAWING NUMBER DA-A005 and amended in red 31 January 2025~~

~~Note: These easements include the provision for Council to obtain access.~~

Response: As outlined above, it is requested that the required drainage easement be amended to require dedication of land as drainage reserve (or transfer in fee simple).

This amendment is necessary as a consequence of the revised staging arrangement. Under the proposed staging plan, the future drainage reserve is traversed by the revised stage boundaries, meaning the entire reserve cannot be dedicated as part of Stage 1. Existing commercial buildings are proposed to remain operational within the later stages of the development, and the balance of the future drainage reserve is required to be retained under the applicant's control to facilitate ongoing access and construction activities associated with those stages.

Accordingly, it is proposed that the portion of the drainage reserve within Stage 1 be dedicated upon completion of that stage, with the balance of the drainage reserve to be dedicated as part of Stage 3 in accordance with the approved staging plan.

To reflect this revised delivery methodology, it is requested that the condition be amended to include the words "in accordance with the approved staging plan". This will ensure the timing of the land dedication aligns with the approved staging sequence while still securing the ultimate delivery of the entire drainage reserve. It is also requested that the condition be updated to reference the amended plans submitted with this application.



4. Legislative Assessment

Schedule 2 of the *Planning Act 2016* establishes the criteria of a minor change to a development approval by way of its definition. To support this application, we have undertaken an assessment against each element of this criterion below:

Minor Change	Response
<i>(b) for a development approval –</i>	
<i>(i) Would not result in substantially different development; and</i>	The application would not result in a substantially different development.
<i>(ii) If a development application for the development, including the change, were made when the change application is made would not cause–</i>	
<i>(A) the inclusion of prohibited development in the application; or</i>	The proposed changes do not introduce prohibited development.
<i>(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or</i>	The original development application required referral to the chief executive.
<i>(C) referral to extra referral agencies, other than to the chief executive; or</i>	The original development application required referral to the chief executive. The proposed change does not trigger referral to any new referral agencies.
<i>(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or</i>	The proposed change does not trigger referral to any new referral agencies.
<i>(E) public notification if public notification was not required for the development application.</i>	The original development application was impact assessable making it subject to public notification and public notification has previously been carried out.



Guidance as to what constitutes substantially different development is provided within Schedule 1 of the *Development Assessment Rules* (DA Rules). A response to each of these elements is in the criteria below:

Substantially different development:	Response
<i>(a) Involves a new use; or</i>	No new use is proposed.
<i>(b) Results in the application applying to a new parcel of land; or</i>	The application will not apply to a new parcel of land.
<i>(c) Dramatically changes the built form in terms of scale, bulk and appearance; or</i>	<p>Although the building envelope has been refined in certain areas, the extent of these changes is limited and does not result in any material alteration to setbacks or building separation distances, which remain broadly consistent with the approved development. As such, the overall built form outcomes and interface relationships are maintained.</p> <p>In this context, the proposal does not dramatically change the built form in terms of scale, bulk or appearance, with any changes being minor and consistent with the established character of the area.</p>
<i>(d) Changes the ability of the proposed development to operate as intended; or</i>	<p>The proposed changes will not affect the ability of the development to operate as a multiple dwelling, office, shop and food and drink outlet (i.e. a mixed-use development).</p> <p>The change to staging to allow 'Kingfisher' to proceed first does not change the operation of the development. The change to staging and the timing of dedication of road and drainage easement will, overall, not change the operation of the development, although in the first stage it will be different from approved.</p>
<i>(e) Removes a component that is integral to the operation of the development; or</i>	The proposed change will not remove a component that is integral to the operation of the development.



Substantially different development:	Response
<p>(f) <i>Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or</i></p>	<p>Notwithstanding the revised parking mix and reduced basement extent, the proposal remains compliant with the relevant provisions of <i>City Plan 2014</i> and continues to achieve an appropriate balance between accessibility, amenity, and site-specific design outcomes.</p> <p>The proposed change will not result in any significant impacts on traffic flow or the surrounding transport network, including any material increase in traffic to the site, as demonstrated in the Traffic Report prepared by Bitzios (Attachment E).</p>
<p>(g) <i>Introduces new impacts or increases the severity of known impacts; or</i></p>	<p>The proposed change will not introduce new impacts or increase the severity of know impacts. Whilst the change will decrease the overall building height marginally and change the building envelope of Tower C, these changes are not be readily perceptible from street level and do not cause any new impacts.</p> <p>With regard to the change in staging to allow existing lawful buildings fronting Wellington Road to remain operational during Stage 1, these buildings are currently occupied by a trade supply shop and office/commercial uses. The Gabba Collision Repairs will cease operation upon completion of the adjoining 'Murcia' development by the same developer.</p>
<p>(h) <i>For a development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act –</i></p> <ul style="list-style-type: none"> ▪ <i>Introduces new social impacts or increase the severity of known social impacts; or</i> 	<p>The proposed development does not require a social impact assessment.</p>
<p>(i) <i>Removes an incentive or offset component that would have balanced a negative impact of the development; or</i></p>	<p>The proposed change will not remove an incentive or offset component that would have balanced a negative impact of the development.</p>



Substantially different development:	Response
(j) <i>Impacts on infrastructure provisions.</i>	The proposal results in additional dwelling units, which will result in additional demand on the existing services/infrastructure; however, this additional demand is readily able to be met via existing/proposed service connections without any further augmentation. Additional infrastructure charges will be payable for the additional units.

4.1. Decision Matters Assessment

In addition, we have also carried out an assessment against section 81 of the *Planning Act 2016* which outlines the matters an assessment manager must assess against when deciding a minor change application as set out below:

(1) This section applies to a change application for a minor change to a development approval.

(2) When assessing the change application, the responsible entity must consider—

(a) the information the applicant included with the application; and

The information supporting this application is included within this letter.

(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

The original application was subject to public notification. While Council will consider the matters raised in submissions, the proposed changes are minor in nature and do not give rise to any new or materially different issues, as outlined above.

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

Not applicable – this minor change application does not require referral to SARA or any other referral agencies and therefore a pre-request response notice has not been obtained.

(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

Not applicable, the responsible entity for the application is not the Minister.

(dd) 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.



We believe the proposed changes are appropriate given the circumstances and there are no other relevant matters that need to be considered.

(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.

We have carried out an assessment against the planning instruments and believe that the proposed changes are generally in comply with the relevant Planning Scheme, which apart from the changes to the Transport, Access, Parking and Servicing Code (City Core), remains substantially the same.

In summary, we believe that the proposed changes have adequately considered the matters within section 81 of the *Planning Act 2016*.



5. Summary

In summary we are of the view that the proposed amendment satisfies the minor change criteria and we therefore request Council amend the condition as per the representation set out within this letter; and include reference to the attached proposed plans within the approval document.

Upon receipt of Council's assessment fee, we will coordinate payment at earliest opportunity.

Should you wish to discuss the above matters further, please do not hesitate to contact me on 0488005620 or email at rachaelcaton@saundershavill.com.

Yours sincerely
Saunders Havill



Rachael Caton
Senior Town Planner

