

4 August 2026

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

BCC DS
RECEIVED
04-AUG-2026
APPLICATION REF
A007082379

Attention: Planning Services

Dear Sir / Madam,

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

1. Introduction

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

In support of this request, please find attached the following:

- Attachment 1 – DA Forms
- Attachment 2 – Signed Owner's Consent
- Attachment 3 – Property Searches
- Attachment 4 – Relevant Approval.

2. Site Details

The subject site is located at 26 Collingwood Street, Albion also described as Lot 60 on RP18381. The site is generally rectangular in shape, comprises an area of 405m², enjoys an approximate 10m frontage to Collingwood Street and is unencumbered by any easements or covenants.

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

Under the *Brisbane City Plan 2014* the site is:

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

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

At a State level, the site is:

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

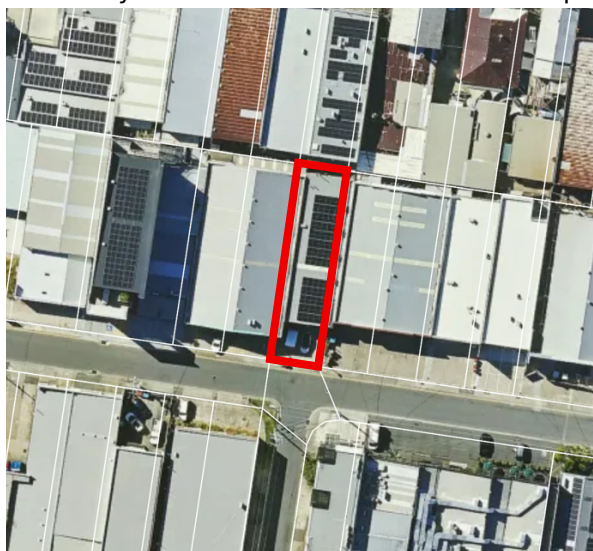


Figure 1: Current Aerial Photo

Source: MetroMaps



Figure 2: View from Collingwood Street

Source: *Hickey Oatley*

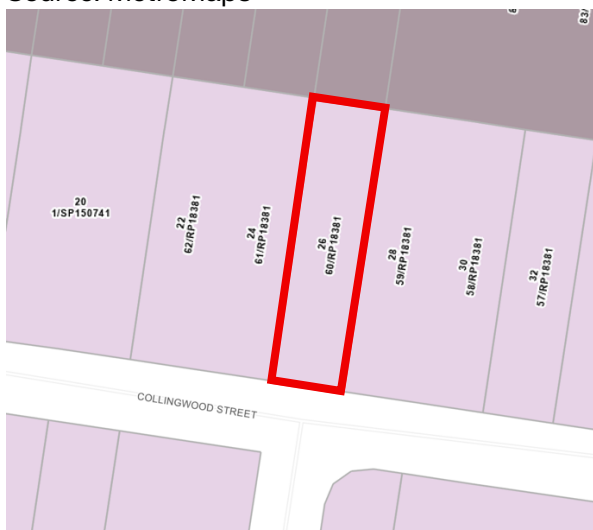


Figure 3: Zoning Map

Source: *Brisbane City Plan 2014*

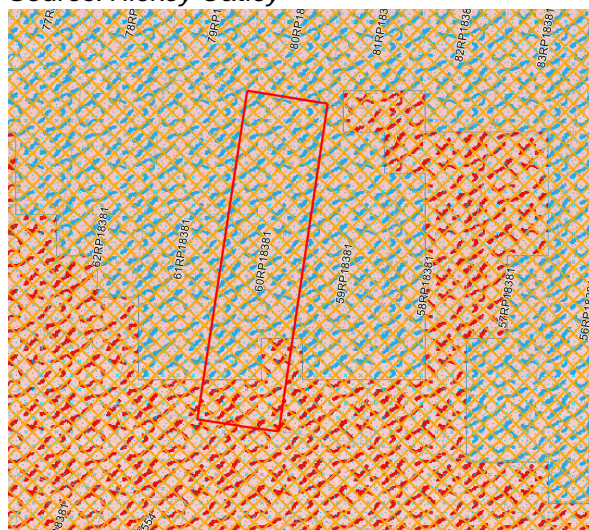


Figure 4: State DA Mapping

Source: Queensland Government

3. Site Approval History

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

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

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

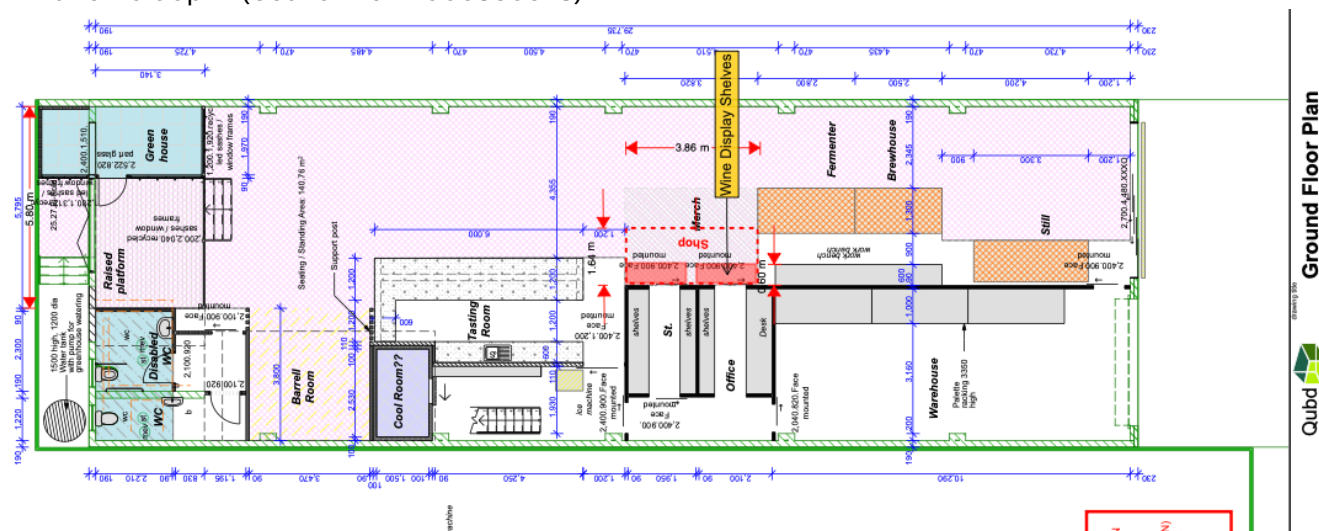


Figure 5: Extract of A006830528 Approved Ground Floor Plan

4. Owner's Consent

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

5. Proposed Changes

5.1 Context

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

The applicant leased the site and ultimately purchased it in 2025 to expand their existing business, New Tricks, which is a family-owned winery and distillery. The distillery component is limited to the site, while the winery and vineyard are based in Ballandean on the Granite Belt. Both operations focus on produce which honours the unique flavours and agricultural richness of Queensland.

The site represented an obvious choice for the applicant, enabling co-location within a well-established inner-city mixed use precinct alongside a diverse mix of artisan food and drink operators, design studios, and fitness centres including:

- Fonzie Abbott, a coffee roastery, distillery and brewery at 43 – 45 Crosby Road
- Craft'd Grounds at 37 Collingwood Street which comprises:
 - A hotel (Drift Bar)
 - A coffee roaster (Seven Miles)

- A commercial kitchen (Sprout bakery)
- A restaurant (Herve's)
- A function facility specifically for wedding ceremonies (Alter Albion)
- The Black Brisbane at 35 Collingwood Street which comprises:
 - A restaurant / bar which is open daily until 3:00pm (Collingwood Black Espresso & Bar)
 - A function facility which is available for hire (The Black).
- Albion Fine Traders 600m to the south of the site at 97 Sandgate Road which comprises:
 - A commercial kitchen (Botanica salad)
 - A commercial kitchen (Jocelyn's provisions)
 - A coffee roastery (Neighbourhood coffee roasters)
 - A blow dry hair bar (Blow Salon)
 - Yoga studio (Raw power yoga)
 - A florist (Hacienda flowers); and
 - A number of other speciality retailers.

Since opening, New Tricks has experienced tremendous support from the local community, which has seen the business evolve. While its primary function remains a distillery, the applicant has received support and requests to host events at the premises that enable them to showcase the brand's produce.

While the site has an ancillary bar approval, Council inspected the property earlier this year and advised that hosting functions may extend beyond the scope of the site's existing development approval, and may be more appropriately characterised as a "Function facility". While a formal Show Cause Notice was not issued and we are unaware of any of the aforementioned function facilities holding such approval, this application errs on the side of caution and seeks to expand the scope of ancillary land uses permitted onsite to include:

- A shop (which is limited to the existing 7m² footprint) to enable the business to sell alcohol produced onsite and at New Tricks' winery
- A bar (which is limited to the existing 141m² footprint) to enable the continued operation of the business' tasting room; and
- A function facility (which is limited to the same 141m² footprint as the bar) to enable the premises to be booked for private functions such as small weddings, private celebrations, artisanal markets and / or trivia nights, irrespective of whether the tasting room is open.

Despite the expanded scope of uses, no changes are sought to how the business practically operates with no changes sought to:

- The hours of operation permitted by condition 8 of the site's approval;
- The maximum number of patrons permitted onsite after 10:00pm as per the recommendations of the approved acoustic report;
- The existing number of seats within the premises, which remains less than 60; or
- The ability for food to be produced onsite. The premises does not include a formal kitchen, and no kitchen is proposed. A food truck is parked within one of the site's existing carparks, to enable food to be heated and served but, not produced onsite.

5.2 Proposed Built Form Changes

No changes are proposed to the existing built form.

5.3 Changes to Approval Documentation

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

5.3.1 Changes To Approved Plans

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

5.3.2 Changes To Conditions Of Approval

The following changes to conditions are sought:

Table A – List of Proposed Changes to Conditions		
Existing Wording	Proposed Wording	Justification for change
2) Limitation of Use – Microbrewery This development approval is limited to Medium impact industry B (Microbrewery), Bar (ancillary taste testing) and Shop (ancillary sales). The ancillary taste testing and shop activities must operate in accordance with this approval and the following: - Remain a subordinate use on site; - Is limited to tasting of products produced onsite, or by the same owner from their winery in Ballandean for sales from the shop component; and - Is to cease once the Medium impact industry B (Microbrewery) ceases.	2) Limitation of Use – Distillery The Bar, Shop and Function facility uses are to remain at all times ancillary and subordinate to the Medium impact industry activity (Distillery). In addition to selling products produced onsite, the ancillary Shop is permitted to sell products produced by the same owner's winery in Ballandean. If the Medium impact industry activity (Distillery) ceases, then the Bar, Shop and Function facility uses must also cease.	The proposed wording correctly refers to the site's use as a distillery rather than a microbrewery. It also removes the condition that only products produced onsite can be sold or tasted, noting that no such limitations are imposed on any similar businesses surrounding the site. It does, however, continue to restrict the shop to only selling alcohol produced onsite or at the business' associated winery.

5.3.3 Changes To Infrastructure Charges

An amended infrastructure charges notice is not required to be issued given:

- the proposed change does not result in an increase in GFA noting the food trunk in front of the site is temporary removable structure as evidenced in **Figure 2**;
- the proposed change does not result in an increase in impervious area; and
- the introduction of a Function facility use within the area already approved for use as a Bar does not require additional infrastructure charges to be levied, given that it carries a lower infrastructure charge.

6. Type Of Change Application

The Act establishes two (2) types of change to a development approval:

1. A 'Minor change' to a development approval; or
2. An 'Other change' to a development approval.

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

Table B - Assessment of Proposal Against Criteria in Minor Change Definition		
Minor Change Criteria	Y / N	Response
For a development approval-		
(i) would not result in substantially different development; and	Y	Table D confirms that the proposed change results in substantially different development.
(ii) if a development application for the development, including the change, were made when the change application is made would not cause—		
A. the inclusion of prohibited development in the application; or	N	The proposed change does not include or introduce prohibited development.
B. referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	N	The relevant approval in Attachment 4 confirms the original development application did not trigger referral to any concurrence or advice agencies. The Property Searches in Attachment 3 confirm that if a development application for the development, including the change, was made today, it still would not trigger referral to The Chief Executive or any other entity.
C. referral to extra referral agencies, other than to the chief executive; or	N / A	The relevant approval in Attachment 4 confirms that the original application was not referred to any referral agencies.
D. a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55 (2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or	N / A	The proposed change does not require a referral agency (i.e. The Chief Executive) to assess the application against, or have regard to, matters prescribed by regulation under section 55 (2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made.
E. public notification if public notification was not required for the development application'.	N / A	The original application was subject to Impact Assessment and therefore, was required to be publicly notified.

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

Table C – Assessment of Proposed Development Against Substantially Different Development Criteria		
Substantially Different Development Criteria	Y / N	Our Response
a) Involves a new use	Y	The proposed change seeks to introduce a standalone Function facility use.

Table C – Assessment of Proposed Development Against Substantially Different Development Criteria

Substantially Different Development Criteria	Y / N	Our Response
b) Results in the application applying to a new parcel of land	N	The proposed change does not result in the approval applying to any new parcels of land.
c) Dramatically changes the built form in terms of scale, bulk or appearance.	N	The proposed change does not result in any changes to site's existing built form in terms of scale, bulk or appearance.
d) Changes the ability of the proposal to operate as intended	N	While the proposed change seeks to introduce a Function facility use, it does not fundamentally alter the development's ability to operate as intended. The site will still be used as a distillery, it just enables patrons to visit the site for a booked event whether or not the bar/tasting room component is open (noting its opening hours are intended to be reduced).
e) Removes a component that is integral to the operation of the development	N	The proposed change does not remove a component that is integral to the operation of the development i.e.
f) Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site	N	No changes are proposed to the development's access, car parking or servicing arrangements. As the site is located within the City Frame, Council's <i>Transport, access, parking and servicing Planning scheme policy</i> prescribes a maximum number of car parks for any non-residential use rather than a minimum. As such, the proposed introduction of a Function facility use does not affect its compliance. Furthermore, the proposed Function facility use is intended to operate within the hours already approved for the site's existing bar use. It does not seek to enable additional patrons to visit the site but rather enable them to come for a booked event whether or not the bar is open.
g) Introduces new impacts or increases the severity of known impacts	N	Given the above, the proposed change is not considered to significantly impact on traffic flow or the transport network. The proposed change does not introduce new impacts or increase the severity of known impacts.
h) For a development prescribed by the Planning Regulation as requiring social	N	The proposal is not prescribed by the Planning Regulation as requiring social impact assessment.

Table C – Assessment of Proposed Development Against Substantially Different Development Criteria

Substantially Different Development Criteria	Y / N	Our Response
impact assessment as identified under section 106T of the Act – introduces new social impacts or increase the severity of known social impacts; or		
i) Removes an incentive or offset component that would have balanced a negative impact of the development.	N	The proposed change does not remove an incentive or offset component.
j) Impacts on infrastructure provisions.	N	The proposed change will not result in any impacts on infrastructure provisions.

Tables B and C demonstrate the proposed change results in substantially different development and therefore does not and meets the definition of a minor change. Accordingly, this application seeks an 'other' change to the development approval under section 82 of the Act.

7. Evaluation Against Relevant Assessment Criteria

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

- 2) *"For administering the change application, and assessing and deciding the change application in the context of the development approval, part 2, division 2 and part 3, other than sections 51, 63 and 64(8)(c), and the development assessment rules, apply –*
 - a) *as if—*
 - (i) *the responsible entity were the assessment manager; and*
 - (ii) *the change application were the original development application, with the changes included, but was made when the change application was made; and*
 - b) *with necessary changes.*
- 3) *However—*
 - a) *section 53 does not apply to the change application if the change is not a minor change only because the change may cause—*
 - (i) *a referral to a referral agency if there were no referral agencies for the development application; or*
 - (ii) *a referral to extra referral agencies; or*
 - (iii) *a referral agency to assess the change application against extra matters; and*
 - b) *the power—*
 - (i) *to direct that a development condition be imposed under section 56 (1)(b)(i) includes a power to direct that a development condition be amended; and*
 - (ii) *to impose a development condition under section 60 (2)(c) or (3)(b) or 64(6)(b) includes a power to amend a development condition; and*
 - c) *if the responsible entity is, under section 78 (3)(ba) or (bb), the Minister—*
 - (i) *part 2, division 2 and part 3, other than sections 51, 63 and 64(8)(c), and the development assessment rules apply to the change application only if, and to the extent, those provisions would apply to a development application called in by the Minister; and*
 - (ii) *section 105 (5) and (6) applies for assessing and deciding the change application.*
- 4) *To remove any doubt, it is declared that the following matters apply, only to the extent the matters are relevant to assessing and deciding the change application in the context of the development approval -*
 - a) *the assessment benchmarks;*

- b) any matters a referral agency must, may, or may only assess the application against or have regard to under section 55 (2);
- c) any matters the assessment must have regard to under section 45(3) or (5);
- d) any other relevant matters under section 45 (5)(b)".

In response to the abovementioned criteria we note:

- 2(a) Brisbane City Council was the assessment manager for the original application and remains the responsible entity for this change application.
- 3(a) The proposal does not trigger an 'other' change only because it requires referral to a referral agency. As such, we understand the application will be required to be publicly notified.
- 4(a) Despite the introduction of the additional land use, the proposal results in no change to the site's compliance with the relevant assessment benchmarks prescribed by the *City Plan*, given:
 - a) no changes are proposed to the site's existing built form;
 - b) no changes are proposed to its existing infrastructure or refuse servicing arrangements;
 - c) the proposed use remains compliant with the car parking requirements prescribed by Council's *Transport, access, parking and servicing Planning scheme policy*;
 - d) the additional land use results in no practical changes to the site's operation, with the distillery still operating during typical business hours and no changes proposed to the site's permitted hours of operation or patron numbers. It simply seeks to enable the premises to be booked for private functions such as small weddings, private celebrations, artisanal markets and / or trivia nights, irrespective of whether the tasting room is open.
- 4(d) The proposal is consistent with surrounding land uses.

8. Fees and Charges

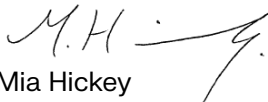
In accordance with Council's *2026 / 2027 Fees and Charges Schedule*, we understand the applicable fee is **\$6,450** being the fee for a new 140m² Function facility. This fee will be promptly paid upon receipt of a fee invoice from Council.

9. Conclusions and Recommendation

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

Kind regards,

Hickey Oatley



Mia Hickey
Principal