



DTS Group Qld Pty Ltd – Urban Planning

**73, 77 & 83 Linton Street, Kangaroo Point
QLD 4169**

Request to Change a Development Approval under s81 of the Planning Act 2016:
Development Permit for a Material Change of Use & Building Work – Multiple
Dwellings (Council Reference: A006350800)

On behalf of
JK Apartments Pty Ltd

July 2026

Minor Change Application

73, 77 & 83 Linton Street, Kangaroo Point QLD 4169

Being described as Lot 96 & 97 on RP11335 & Lot 95 on SP343523

On behalf of

JK Apartments Pty Ltd

July 2026

Document History				
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B	Technical & Quality Assurance Review	DTS Group QLD	Mel Lowe	03/06/2026
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Executive Summary

Site Details

Address:	73, 77 & 83 Linton Street, Kangaroo Point QLD 4169
Lot Description:	Lot 96 & 97 on RP11335 & Lot 95 on SP343523
Zone:	High Density Residential (Up to 8 Storeys) Zone
Neighbourhood Plan:	Kangaroo Point South Neighbourhood Plan (<i>Vulture Street Precinct – NPP-006</i>)
Site Area:	2,124m ²
Registered Landowner:	JK Apartments Pty Ltd

Application Details

Application:	Request to Change a Development Approval under Section 81 of the <i>Planning Act 2016</i> : • Development Permit – Material Change of Use and Building Work for Multiple Dwelling (126 Units) (Council Reference: A006350800).
Preliminary Approval:	Not Applicable
Defined Uses:	Multiple Dwelling
Applicant:	JK Apartments Pty Ltd C/- DTS Group Qld Pty Ltd PO Box 3128, West End QLD 4101
DTS Reference:	BNE230258

Synopsis

As prescribed under Section 78 of the Planning Act 2016 (“PA”) we hereby make a formal request to change development approval A006350800 for Multiple Dwellings on land at 73, 77 and 83 Linton Street, Kangaroo Point, being described as Lot 96 & 97 on RP11335 and Lot 95 on SP343523.

The minor change relates to elements that do not materially affect the scale, bulk, or appearance of the development. The approved number of storeys, setbacks, site cover, vehicle access, car parking and landscaping remain unchanged. The modifications are generally limited to subtle internal layout adjustments, with the podium and tower composition and external façades retained. The changes require the approved plans table and a limited number of the conditions to be updated.

This change application is supported by amended Architectural Plans, amended Landscape Concept Plans, Flood Advice, Traffic Assessment, Acoustic Assessment Letter, and amended Operational Waste Management Plan attached under **Appendix A – F**.

The amendments, which constitute a ‘Minor Change’, achieve a high level of compliance with the assessment benchmarks including key performance indicators and warrant support by Council.

1 Introduction

The proposed development pursues a Minor Change to the development approval at 73, 77 & 83 Linton Street, Kangaroo Point, being described as Lot 96 & 97 on RP11335 & Lot 95 on SP343523 (Council Reference: A006350800). Having regard to the provisions of the *Planning Act 2016*, the application requests to change a development approval pursuant to Section 78.

The proposed amendments to the development approval are sought to be assessed and decided as a minor change under section 81 of the *Planning Act 2016*. The proposed amendments to the layout and design are undertaken in a manner that is not dramatically different to the development approval, in accordance with the requirements of a minor change. The resultant development maintains a high level of compliance with the assessment benchmarks including key performance indicators.

Section 3 – The Summary of Changes of this report together with **Appendix A** – amended Architectural Plans, contain detailed information with regard to the design and layout of the proposed development and comparison with the approved development.

In accordance with Section 79 of the PA, the following documentation has been lodged in support of this Minor Change application:

- Duly executed DA Form 5;
- Amended **Architectural Plans** prepared by BDA Architecture, attached under **Appendix A**;
- Amended **Landscape Concept Plans** prepared by Cusp, attached under **Appendix B**;
- **Flood Advice** prepared by WEP, attached under **Appendix C**;
- **Traffic Assessment** prepared by L + R, attached under **Appendix D**;
- **Acoustic Assessment Letter** prepared by Acoustic Logic, attached under **Appendix E**;
- Amended **Operational Waste Management Plan** prepared by Modus, attached under **Appendix F**.

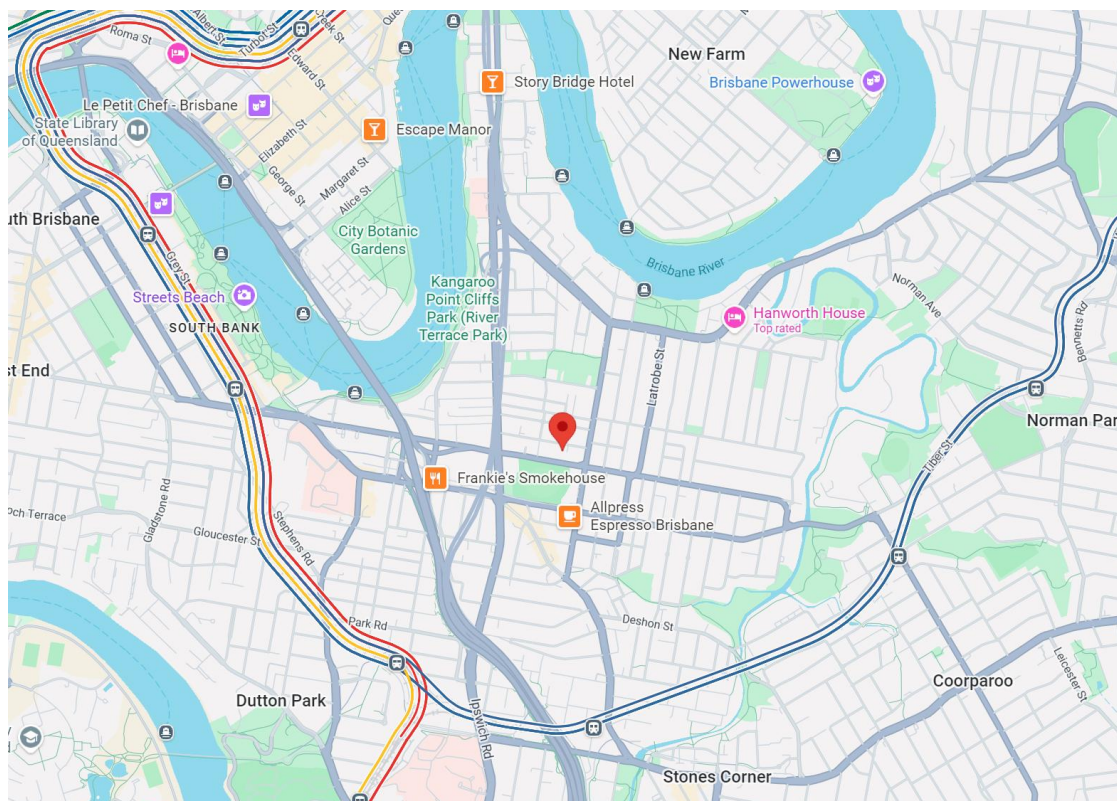


Figure 1 Site Location Context

Source: Google Maps, 2026

2 Site Characteristics

The subject site is located at 73, 77 & 83 Linton Street, Kangaroo Point, being described as Lot 96 & 97 on RP11335 & Lot 95 on SP343523. The subject site comprises a total site area of 2,124m² with a primary frontage of approximately 60.35m to Linton Street along the northern property boundary. As illustrated in **Figure 2** below, construction of the development has begun.



Figure 2 Aerial Photograph

Source: Near Map, March 2026

The site is located in Kangaroo Point on the northern side of Vulture Street, a key arterial linking the Brisbane CBD to the southern suburbs. It sits west of Wellington Road, east of Main Street, and directly north of The Gabba. The site benefits from proximity to retail and commercial uses along Main Street, Wellington Road, Stanley Street, and Ipswich Road, as well as nearby education facilities (St Laurence's College, Anglican Church Grammar School, and TAFE Queensland Southbank), major medical institutions (Mater Hospital and Queensland Children's Hospital), and key open spaces including Kangaroo Point Cliffs, Raymond Park, Mowbray Park, and Woolloongabba Place Park.

The site is well serviced by public transport, including the Woolloongabba Busway Station, bus routes along Vulture Street, Wellington Road and Main Street, South Bank Train Station, and nearby ferry terminals at Mowbray Park and the Maritime Museum.

Under the Brisbane City Plan 2014, the site is zoned High Density Residential. The site and surrounding area are now located in the Woolloongabba Priority Development Area (PDA) intended to unlock housing supply within parts of Woolloongabba, Kangaroo Point, East Brisbane and South Brisbane.

2.1 Development History

On 13 November 2024, Council granted approval for a Development Permit for a Material Change of Use and Building Work for Multiple Dwellings (126 Units) located at 73, 77 and 83 Linton Street, Kangaroo Point (Council Reference: A006350800). The application was subject to Impact Assessment. The development approval comprises:

- 23-storey building height with a podium and tower form;

- 126 x dwelling units, comprising 80 x 2-bedroom units and 46 x 3-bedroom units;
- Site cover of 83.84%;
- Deep planting provision of 20.1%;
- Partial ground level parking and 4 levels of podium parking above, comprising 172 resident parking spaces and 19 visitor spaces;
- Vehicle access achieved via a two-way crossover to Linton Street on the northern boundary.

2.1.1 Other Relevant Approvals

The subject site previously contained two pre-1911 dwelling houses, which were relocated in accordance with a separate development approval. On 25 October 2024, Council granted approval for a development application for Development Permit for Reconfiguring a Lot (1 into 3 Lot Subdivision); and Development Permit for Material Change of Use and Building Work for the relocation of two pre-1911 Dwelling Houses (Small Lot) from 73 and 77 Linton Street, Kangaroo Point to 41 Rode Road, Wavell Heights, involving partial demolition and extension works (Council Reference: A006559146). The development application was subject to Code Assessment. Council's approval for relocation followed on from an exemption certificate issued by Economic Development QLD (EDQ) (EC22024/9) on 24 June 2024 for the works to remove the dwellings from the site under the Woolloongabba Priority development scheme.

On 6 June 2025, Council granted approval for a Minor Change to the previous approval Reconfiguring a Lot; and Development Permit for Material Change of Use and Building Work for the relocation of two pre-1911 Dwelling Houses (Council Reference: A006765289) related to timing of certain condition requirements.

This related approval has now been fully executed and does not impact the Multiple Dwelling approval, the subject of this minor change application.

3 Proposed Development – Minor Change

3.1 Overview

It is proposed to modify the existing development approval for Material Change of Use and Building Work for Multiple Dwellings (126 Units) at 73, 77 and 83 Linton Street, Kangaroo Point, being described as Lot 96 & 97 on RP11335 and Lot 95 on SP343523 (Council Reference: A006350800). This request is made under section 78 of the *Planning Act 2016* and is to be administered, assessed and decided as a ‘minor change’ in accordance with section 81 of the *Planning Act 2016*.

The proposed development retains the approved number of storeys, boundary setbacks, site cover, deep planting, landscaping, car parking provision, pedestrian access, and vehicle access arrangements. The changes are limited to minor refinements to the layout arising from detailed design and do not constitute any substantive alteration to the approved development.

As illustrated in the amended Architectural Plans (**Appendix A**) and discussed further in the sections below, the proposed changes include:

- Minor adjustments to floor levels of the undercroft slab;
- Addition of a stormwater tank and irrigation tank at the northern side of the undercroft;
- Removal of one of the three units (south-eastern unit) at the ground level resulting in a total of 125 units, and replacement with a cinema / golf simulator room and resident bike storage;
- Increased area of the gym at the ground level;
- Relocation of resident and visitor bicycle storage area at the ground level (total number of spaces retained);
- Amendments to services area and associated arrangements at the ground level and podium levels, including adjustments to the fire stair / core, mechanical services, fire tanks, fire pump room, CW pump, cleaner’s closet, manager office, bathroom, MSB / comms room, lifts, fire control room, booster and water meter (including addition of gas meter and tank suction), and PMT (including addition of an isolator);
- Increased size of refuse room at the ground level, including an additional diverter, accommodating 10 x 1,100L recycling bins and 11 x 1,100L general waste bins;
- Vehicle driveway and crossover width reduced from 7.1m to 7.06m;
- RCV loading bay length increased from 11m to 11.5m;
- Minor changes to the core services arrangement on Levels 2-6;
- Minor changes to AC plant area and associated stair access on Level 6;
- Minor reduction of acoustic wall height (from 1.8m to 1.3m) adjacent to car parking areas on western and eastern elevations at Levels 2-5;
- Adjustments to height of various elements on the rooftop (maximum height is generally maintained);
- Minor adjustments to design and layout of rooftop communal space, including glass balustrade in lieu of aluminium;
- Alterations to landscaping within verge and front setback, including two additional street trees (total of 5 street trees);
- Adjustments to external façade treatments, including reduction in height of blockwork wall at podium levels, amended external paint colours, and amended glazing frame and balustrade powder coat colours.

The proposed changes satisfy the definition of ‘Minor Change’ under the *Planning Act 2016* and do not result in ‘substantially different development’, as discussed under **Section 4** of this report.

3.2 Key Development Statistics

An outline of the key performance indicators has been presented in **Table 1** below, including a comparison with the original current approval.

Table 1 Key Performance Indicators – Comparison

Criteria	Current Approval	Minor Change	Comment
Building Height	23 storeys	23 storeys	Maintained
Dwelling Units	80 x 2-bedroom units 46 x 3-bedroom units Total = 126 units	79 x 2-bedroom units 46 x 3-bedroom units Total = 125 units	Reduced <i>The minor change involves the removal of 1 x 2-bedroom dwelling unit at the ground level.</i>
Site Cover	83.84%	83.84%	Maintained
Carparking	172 resident spaces 19 visitor spaces	172 resident spaces 19 visitor spaces	Maintained
Bicycle Parking Spaces	126 resident spaces 32 visitor spaces	126 resident spaces 32 visitor spaces	Maintained
Communal Open Space	575m ²	759m ²	Increased <i>The minor change involves additional communal recreation areas on the ground level.</i>
Deep Planting	20.1% 427m ²	20.1% 427m ²	Maintained

3.3 Undercroft Height

The proposal involves minor adjustments to floor levels of the undercroft slab. Specifically, the approved drawings nominated a general level of 7.16m AHD for the underside of the ground floor slab, with the underside of the ground floor slab set at 7.01m AHD in localised areas in the northern part of the site. It is proposed to lower these levels by 0.01m to provide a general level of 7.15m AHD and a localised level of 7.0m AHD. Further, the proposed undercroft plan includes a slightly larger undercroft area than was previously approved.

Detailed design also resulted in the alteration of the arrangement of columns in the undercroft, including the addition of a number of columns. The lift well was also altered in shape. In order to achieve an effective structural solution, precast walls have been adopted on the southern side of the building. It was previously assumed that the southern side of the building would be open for the passage of flow. In order to provide sufficient flow capacity, 7 x 2.5 metre wide openings have been included in the walls at ground level. The previous flood modelling assumed that a wall would be located on the northern boundary of the building facing Linton Street. It is now proposed to extend the wall to include the remainder of the northern boundary, with a return on the eastern side of the building. This area was previously to be cantilevered.

To improve the overall amenity of the development, it is proposed to raise the planter area at the northern boundary of the site. It is noted that the planter is located in front of the solid wall that was modelled previously.

As discussed in the Flood Advice, attached under **Appendix C**, the proposed development (including the changes to the design) was found to produce a negligible change in flood level. As noted previously, this can be attributed to the very low flow velocities that occur at and in the vicinity of the site. Noting that Council previously referred to events in excess of the design flood event due to the proposed undercroft, the 500 year ARI event was also modelled. The flood impact mapping for this case is presented in Figure B6 in **Appendix C**. Again, the proposed changes were not found to produce any change in flood level beyond the standard

10 mm tolerance. Given the above, it is considered that the proposed changes to the approved design will not give rise to any unacceptable flood level impacts.

Refer to the Flood Advice, attached under **Appendix C**, for further information.

3.4 Ground Level Layout

The proposed change involves the removal of one of the three ground level units (the south-eastern unit), to be replaced with a cinema/golf simulator room and resident bicycle storage. Additional modifications include internal reconfiguration of the gym, services rooms, main lobby, bicycle parking and refuse room.

The changes are generally internal in nature, with the approved ground level footprint remaining unchanged. Importantly, the proposal retains the two dwelling units interfacing with Linton Street, as well as the approved pedestrian entry, vehicle crossover, and deep planting and landscaping arrangements.

The proposed changes do not affect how the development interfaces with Linton Street, or how it presents to the adjoining properties.

3.5 Street Trees

Deep planting and landscaping throughout the development is generally maintained in accordance with the current approval. However, it is proposed to modify the street tree arrangement as illustrated on the updated Landscape Concept Plan attached under **Appendix B**.

The revised street tree arrangement includes two (2) additional street trees, bringing the total tree count to five (5) trees along the Linton Street frontage (**Figure 3**). The addition of these trees results in an increase in the canopy extent and shade coverage across the site frontage, improving amenity for pedestrians and contributing to urban heat island mitigation. The increased tree count represents an improvement on the previous design and demonstrates the development's commitment to enhancing the public domain and green infrastructure outcomes for the site.

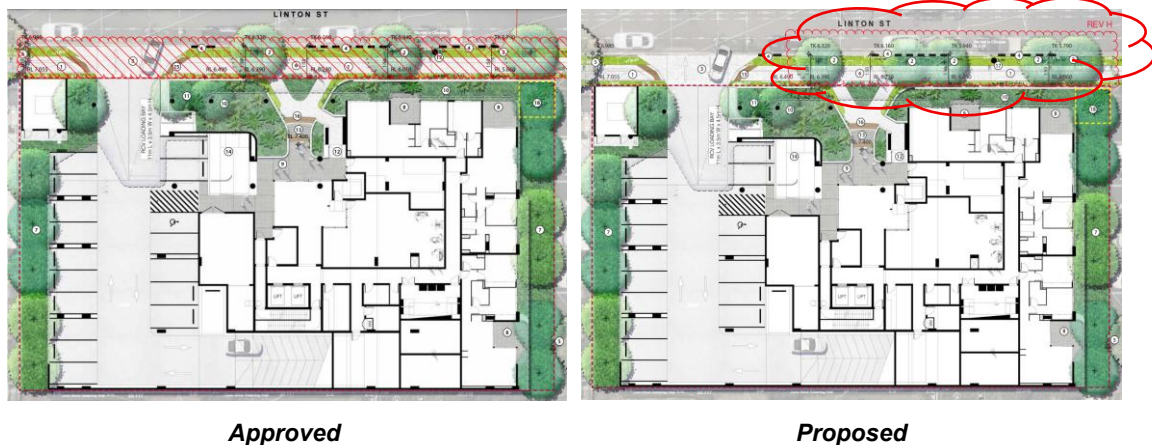


Figure 3 Comparison of Ground Level Landscaping
Source: Excerpt from amended Landscape Concept Plans attached under Appendix B

The proposed development continues to comply with the requirements of the Landscape Works Code. Refer to the amended Landscape Concept Plan, attached under **Appendix B**, for detailed drawings and assessment against the Landscape Works Code.

3.6 Traffic, Access, Servicing and Parking

The minor change generally maintains the approved access, servicing, and car parking arrangement with the exception of subtle adjustments discussed below.

3.6.1 Access and Servicing

The proposed changes maintain the approved vehicle access point via the crossover to Linton Street on the northern property boundary. The approved vehicle driveway and crossover width is to be marginally reduced from 7.1m to 7.06m due to a minor shift of the booster and water meter cabinets on the eastern side of the driveway, as well as the amendment to the visitor bicycle parking area.

As discussed in the Traffic Letter, attached under **Appendix D**, the revised width remains compliant with the TAPS PSP which involves a minimum design standard for a Type B2 crossover (7.0m), maintains a minimum service aisle width of 6.5m and minimum loading bay width of 3.5m for the RCV and LRV. This proposed change of 40mm will not have any material impact on the operation or safety of the driveway or the approved servicing arrangements. Given the crossover will provide the same functional outcome, the approved swept path outcomes will not be materially affected and updated swept path assessment is not considered necessary to support this minor change. Accordingly, it is requested that Condition 57 of the current approval be amended to require a 7.06m wide Type B2 permanent driveway crossover.

Further, the designated RCV loading bay at the ground level involves a minor alteration to increase the length of the bay from 11m to 11.5m. No additional changes to the approved servicing arrangements are proposed with the proposed width (3.5m) and height (4.5m) requirements maintained.

The current approved ramps are designed with standard 2m long 1:8 grade transitions in accordance with the minimum requirements of AS2890.1. These transitions provide a maximum change of grade of 12.5% which is sufficient to accommodate typical B85 & B99 vehicles with a ground clearance of 120mm, as per AS2890.1. Changes to the ramp grade transitions are proposed to facilitate suitable access for residents who may own 'luxury cars' with reduced ground clearance. A reduced ground clearance down to 100mm represents the lowest legal ground clearance limit under the Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010. The grade transition zones have been converted from a single 2m transition to 3 x 1m transitions, providing a smoother ramp surface. The change of grade at each transition segment (now 1m) has therefore reduced from 12.5% to 6.25%. The amended architectural plans (**Appendix A**) illustrate the new 1:16, 1:8 & 1:5.3 transitions. The ramps still maintain a maximum gradient of 1:4 at midblock, consistent with the approved plans. The proposed changes will provide a smoother grade transition and will be suitable for residents at the development.

Refer to the Traffic Letter, attached under **Appendix D**, for further information.

3.6.2 Car Parking

While the proposal results in the removal of a 2-bedroom unit (proposed total of 125 units), the development retains the approved car parking provision of 171 resident spaces and 19 visitor spaces, meeting BCC TAPS PSP minimum requirements. It is noted that the development site is located within the City Frame Area and therefore, reduced rates have been applied due to the accessibility of public and active transport options.

3.6.3 Bicycle Parking

The on-site bicycle parking spaces have been reconfigured and redesigned as part of the minor change application, generally in accordance with AS2890.3. The proposal retains approved bicycle parking provision of 126 resident spaces and 32 visitor spaces, compliant with Council's minimum requirements.

3.7 Podium Acoustic Barrier

As discussed within the Acoustic Assessment Letter, attached under **Appendix E**, the design of the approved crash barriers located on the podium levels has been amended as part of this application. The report notes that compliance can be achieved with minimal barrier treatments to the Level 2 to Level 5 car parking areas. It is recommended that the development includes the following to achieve compliance with the relevant criteria:

- Install a minimum 1.2m high acoustic barrier (above the relevant car park RL) along the western boundary of the Level 2 to Level 5 car parking areas. The barrier shall be solid and gap-free and constructed using materials to achieve a minimum surface density of 12.5kg/m².

Per the outcomes of the assessment under **Appendix E**, there are no acoustic requirements for a barrier to the eastern boundary of the car parking areas, therefore the installation of a minimum 1.2m barrier per the above is deemed acceptable. Additionally, the existing Level 1 (Ground) barrier treatments, per the existing acoustic report (ref: 20240210.1/3004A/R1/TS, dated 30/04/24), are to be retained.

Accordingly, Condition 30 of the approval is to be amended to align with the above revised recommendations for the development. Refer to the Acoustic Assessment Letter, attached under **Appendix E**, for further information.

3.8 Waste Management

The development application is supported by an amended Operational Waste Management Plan (OWMP) attached under **Appendix F**. The following waste management arrangement is proposed for the 125 dwelling units:

- 10 x 1,100L general waste bins, plus 1 x 1,100L bin under the chute, all located in the ground level refuse room;
- 9 x 1,100L recycling bins, plus 1 x 1,100L bin under the chute, all located in the ground level refuse room;
- 1 x diverter refuse chute that will terminate into the bulk bins on the ground level. A hopper will be located on each residential level for disposal. This has removed the need to store recycling bins on each car park podium level;
- Maximum of 3 collections per week for each waste stream;
- Servicing will be conducted by a BCC contractor via a rear-loading RCV. The RCV will perform a single reverse manoeuvre into the site from Linton Street and exit in a forward gear;
- The RCV will stand on-site in a formal loading area, on the entry side of the driveway, which has appropriate dimensions for vehicle clearance.

The proposed waste management arrangement generally complies with the Refuse Planning Scheme Policy within the *City Plan 2014*.

3.9 Communal Open Space

The proposal also introduces additional communal recreation areas at ground level, while retaining the extensive rooftop communal space, including a swimming pool, indoor and outdoor dining areas, outdoor cinema, terraced spaces, cold plunge, spa and sauna. The proposal increases the overall communal open space area provision from 575m² to 759m² across the development. The development continues to deliver adequate passive and active recreational opportunities for residents.

3.10 Minor RL Adjustments

The minor change application retains the approved building height of 23 storeys. The proposal includes subtle adjustments to the tower, involving slight modifications to floor levels, which are generally marginally lower than the approved levels.

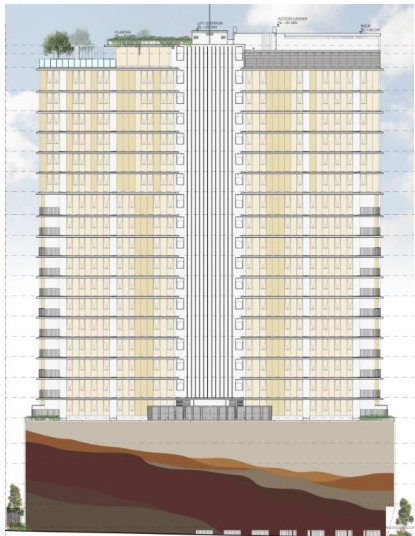
The lift overrun is proposed to decrease from RL 81.00m AHD to RL 80.74m AHD, while the roof access ladder is shown at RL 81.4m AHD. This element was not depicted in the current stamped approved plans with the highest component being the lift overrun. The proposed roof access ladder is a minor structure that does not impact on the appearance of building height.

Overall, the building height remains consistent with the development approval, with updated elevations and sections providing additional detail on service structures and roof access.

3.11 External Façades

As demonstrated in **Table 2** below, the proposed changes to the approval are minor in nature and do not drastically alter the built form. The front façade to Linton Street is largely retained and the only additional changes to the elevations relate to the height of the blockwork wall on the podium levels, glass balustrade in lieu of aluminium battens on the rooftop level, external paint colours, and glazing frame and balustrade powder coat colours.

Table 2 Elevation Comparison

Elevation	Approved	Proposed
North		
South		

Elevation	Approved	Proposed
East		
West		

4 Planning Act 2016 ("PA") – Minor Change

4.1 Section 78

Section 78 of the PA allows for the change of an existing development approval. The proposed amendments to the development approval satisfies the definition of a Minor Change as prescribed within Schedule 2 of the PA, as follows:

(i) would not result in substantially different development; and

Substantially different development is defined within Schedule 1 of the Development Assessment Rules (DAR). The schedule outlines what constitutes a substantially different development, and an assessment of the proposed changes against the criteria has been provided below.

(a) involves a new use;

The proposed change does not involve a new use.

(b) results in the application applying to a new parcel of land; or

The proposed change will not result in the inclusion of a new parcel of land.

(c) dramatically changes the built form in terms of scale, bulk and appearance; or

The minor change relates to elements that do not materially affect the scale, bulk, or appearance of the development. The approved number of storeys, setbacks, site cover, vehicle access, car parking and landscaping remain unchanged. The modifications are generally limited to subtle internal layout adjustments, with the podium and tower composition and external façades retained.

(d) changes the ability of the proposed development to operate as intended; or

The proposed modifications constitute minor adjustments to the approved layout and do not affect the development's functionality. The changes do not alter the ability of the development to operate as intended.

(e) removes a component that is integral to the operation of the development; or

No integral operational aspects of the approved development are removed as part of the proposed changes.

(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or

The proposed amendments reduce the development yield by one unit while retaining the approved number of on-site car parking spaces. As a result, the changes will not have any adverse impact on traffic flow or the surrounding transport network

(g) introduces new impacts or increase the severity of known impacts; or

The proposed modifications are limited to minor adjustments to the approved layout and do not introduce any new impacts or increase the severity of known impacts.

(h) removes an incentive or offset component that would have balanced a negative impact of the development; or

The changes seek minor adjustments to the approved layout which are largely internal. These do not remove an approved offset or incentive component. Therefore, the proposal does not reduce or remove any mechanism intended to balance negative impacts of the development.

(i) impacts on infrastructure provisions.

The minor change to the development approval will not adversely impact upon infrastructure provision, location or demand within the surrounding area.

In relation to the above, the proposed minor change does not constitute a substantially different development in accordance with Schedule 1 of the DA Rules.

(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

The proposed change will not result in 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

The underlying development approval did not require referral. The proposed changes do not require referral to any referral agencies.

(C) referral to extra referral agencies, other than to the chief executive; or

The proposed changes would not cause the referral 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

The underlying development approval did not require referral. The proposed changes do not require referral to any referral agencies.

(E) public notification if public notification was not required for the development application.

The approved development application was subject to Impact Assessment.

4.2 Section 81

Section 81 of the PA outlines aspects to which the responsible entity, Brisbane City Council, must have regard when assessing the minor change, this includes:

Properly made submissions about the development application or another change application that was approved

The original development application was Impact Assessable and received 196 properly made submissions during the public notification period (167 in support and 29 in objection). The matters in the objections generally related to building height, bulk and scale, separation and setbacks, landscaping, flooding and car parking / traffic.

The minor change application maintains the approved number of storeys, bulk and scale. The application seeks a reduction in yield by one (1) dwelling units, while retaining the provision of on-site car parking and landscaping. The setbacks and separation are not altered as part of this request. Accordingly, the changes do not exacerbate any of the concerns raised in the submissions.

Any pre-request response notice or response notice given in relation to the change application

The approved development did not require referral and no pre-request response notice or response notice has been obtained in relation to the proposed changes. In accordance with section 80 item 2(a) of the *Planning Act 2016*, there are no affected entities.

All matters the responsible entity would or may assess against or have regard to, if the change application were a development application.

The matters made assessable by the original development application have been considered as part of this minor change request. The changes are considered appropriate on the basis that the proposal is able to continue to comply with the relevant acceptable / performance outcomes in the applicable codes within *Brisbane City Plan 2014*.

5 Approved Documents, Conditions and Infrastructure Charges

5.1 Approved Documents

The approved 'Drawings and Documents' table is to be amended as outlined in **Table 3** below.

Table 3 Amendments to Approved 'Drawings and Documents'

Drawing or Document	Number	Plan Date
UPDATED OR NEW DRAWINGS / DOCUMENTS		
Site Plan – Proposed	DA1.501 Issue 1	12/03/2026
Floor Plan – Undercroft	DA2.100 Issue 3	27/05/2026
Floor Plan – L1 (Ground)	DA2.101 Issue 3	27/05/2026
Floor Plan – L2	DA2.102 Issue 3	27/05/2026
Floor Plan – L3	DA2.103 Issue 3	27/05/2026
Floor Plan – L4	DA2.104 Issue 3	27/05/2026
Floor Plan – L5	DA2.105 Issue 3	27/05/2026
Floor Plan – L6	DA2.106 Issue 3	27/05/2026
Floor Plan – L7, 9, 10, 12, 13, 15, 16	DA2.107 Issue 3	27/05/2026
Floor Plan – L8, 11, 14	DA2.108 Issue 3	27/05/2026
Floor Plan – L17	DA2.117 Issue 3	27/05/2026
Floor Plan – L18-22	DA2.118 Issue 3	27/05/2026
Floor Plan – L23	DA2.123 Issue 2	27/05/2026
Floor Plan – L23 Pool Terrace	DA2.123.1 Issue 2	27/05/2026
Floor Plan – Roof	DA2.124 Issue 1	12/03/2026
Elevation – North	DA3.101 Issue 1	12/03/2026
Elevations – East & West	DA3.102 Issue 1	12/03/2026
Elevation – South	DA3.103 Issue 1	12/03/2026
Section A-A	DA4.101 Issue 1	12/03/2026
Section B-B	DA4.102 Issue 1	12/03/2026
COS Plan – L1 (Ground)	DA9.101 Issue 1	27/05/2026
COS Plan – L23	DA9.123 Issue 1	27/05/2026
COS Plan – L23 Pool Terrace	DA9.123.1 Issue 1	27/05/2026
Landscape Development Application Report	23188 Rev H	11/03/2026

Drawing or Document	Number	Plan Date
'Acceptability of Minor Change with Respect to Flooding' letter	L.30190.002	23/05/2026
EXISTING DRAWINGS / DOCUMENTS		
Flood Response	L.30190.001 (Amended In Red 05-NOV-2024)	09-AUG-2024
Preliminary Engineering Services Layout Plan	SK01 Revision 02	24-APR-2024
Pre-Development Catchment Plan	SK02 Revision 02	24-APR-2024
Preliminary Post-Development Catchment Plan	SK03 Revision 02	24-APR-2024
Stormwater Management Plan Details	SK04 Revision 02	24-APR-2024
Flood Impact Assessment Report	R.03019.001.02 Issue 2 (Amended In Red 05-NOV-2024)	29-APR-2024
Conceptual Stormwater Management Plan	27659 Revision 01	24-APR-2024

5.2 Approved Conditions

The applicant has identified that the conditions can remain unchanged, with the exception of Conditions 30, 35, 46, 57 and 76, as outlined in **Table 4** below.

Table 4 Amendments to Conditions

Current Condition	Proposed Amendment	Applicant Comment
30) Acoustic Fence – General <i>Erect a 1.8m high acoustic barrier, (relative to the finished level of the ground floor and levels 1 to 5) along the western and eastern boundaries or building facades, as per the approved Architectural Drawings. The acoustic fence must:</i> - Be constructed of a material with a minimum surface area density of 12.5kg/m²; - Be constructed of any aesthetically pleasing weather-resistant material such as fibre cement, painted or treated timber, brick, concrete or a combination thereof; - Be continuous and gap free.	30) Acoustic Fence – General <i>Erect a 1.8m minimum 1.2m high acoustic barrier, (relative to the finished level of the ground floor and levels 1 to 5) along the western and eastern boundaries or building facades, as per the approved Architectural Drawings. The acoustic fence must:</i> - Be constructed of a material with a minimum surface area density of 12.5kg/m²; - Be constructed of any aesthetically pleasing weather-resistant material such as fibre cement, painted or treated timber, brick, concrete or a combination thereof; - Be continuous and gap free.	This condition is required to be amended to reflect the revised acoustic barrier height. Refer to Section 3.7 of this report and the Acoustic Assessment Letter attached under Appendix E for further information.
35) Grant Easements <i>Grant the following easement(s) as may be required:</i> <i>(i) Easements, in favour of Brisbane City Council for:</i> - Overland Flow restricted height easement for the building under-croft, limited vertically to 7.16m AHD (2% AEP inundation extent), as shown in	35) Grant Easements <i>Grant the following easement(s) as may be required:</i> <i>(i) Easements, in favour of Brisbane City Council for:</i> - Overland Flow restricted height easement for the building under-croft, limited vertically to 7.16m 7.15m AHD (2% AEP inundation extent), as	This condition is required to be amended to reflect the revised undercroft levels. Refer to Section 3.3 of this report and the Flood Advice attached under Appendix C for further information.

Current Condition	Proposed Amendment	Applicant Comment
the approved Flood Impact Assessment Report, reference R.03019.00.01 Issue 2, dated 29/04/2024, as amended in red 05/11/2024. Note: These easements include the provision for Council to obtain access. Timing: Prior to commencement of use and then to be maintained.	shown in the approved Flood Impact Assessment Report, reference R.03019.00.01 Issue 2, dated 29/04/2024, as amended in red 05/11/2024 'Acceptability of Minor Change with Respect to Flooding' letter, reference L.30190.002, dated 26 May 2026. Note: These easements include the provision for Council to obtain access. Timing: Prior to commencement of use and then to be maintained.	
46) & 76) Stormwater – Flood Study Construct the development in accordance with the approved Flood Impact Assessment Report, Reference R.3019.001.02 dated 29/4/2024, as amended in red 05/11/2024 and the Flood Response dated 9/8/2024. All fences proposed across an overland flow path are to be constructed with minimum 75% openings to allow for the free passage of overland flows. 46(a) & 76(a) Certification Submit to Development Services certification from a Registered Professional Engineer Queensland that the development has been constructed in accordance with the approved flood study. Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.	46) & 76) Stormwater – Flood Study Construct the development in accordance with the approved Flood Impact Assessment Report, Reference R.3019.001.02 dated 29/4/2024, as amended in red 05/11/2024 and the Flood Response dated 9/8/2024 'Acceptability of Minor Change with Respect to Flooding' letter, reference L.30190.002, dated 26 May 2026. All fences proposed across an overland flow path are to be constructed with minimum 75% openings to allow for the free passage of overland flows. 46(a) & 76(a) Certification Submit to Development Services certification from a Registered Professional Engineer Queensland that the development has been constructed in accordance with the approved flood study. Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.	The condition is required to be amended to reference the updated Flood Advice prepared by WEP attached under Appendix C.
57) Permanent Driveway Crossover Provide a 7.10 metre wide Type B2 permanent driveway crossover to the frontage of the site in accordance with the relevant Brisbane Planning Scheme Codes and located as shown on the approved DRAWINGS AND DOCUMENTS. Written consent must be obtained from Program, Planning and Integration Arboriculture (PPI Arb) prior to any works occurring that will either impact on or require removal of a street tree (this includes pruning, excavation or fill within the root zone/canopy of the tree) At all times during construction of the crossover, safe pedestrian access	57) Permanent Driveway Crossover Provide a 7.10 7.06 metre wide Type B2 permanent driveway crossover to the frontage of the site in accordance with the relevant Brisbane Planning Scheme Codes and located as shown on the approved DRAWINGS AND DOCUMENTS. Written consent must be obtained from Program, Planning and Integration Arboriculture (PPI Arb) prior to any works occurring that will either impact on or require removal of a street tree (this includes pruning, excavation or fill within the root zone/canopy of the tree) At all times during construction of the crossover, safe pedestrian access	This condition is required to be amended to reflect the revised crossover width. Refer to the amended Architectural Plans attached under Appendix A and the Traffic Assessment attached under Appendix D for further information.

Current Condition	Proposed Amendment	Applicant Comment
along the site frontage must be maintained. Note: No further driveway permit is required however additional footway permits or lane closure permits may be required for footpath/verge closures and/or lane closures. These permits must be obtained prior to construction of the crossover.	along the site frontage must be maintained. Note: No further driveway permit is required however additional footway permits or lane closure permits may be required for footpath/verge closures and/or lane closures. These permits must be obtained prior to construction of the crossover.	

5.3 Infrastructure Charges Notice

The approved development has levied infrastructure contributions for the project under ICN-027832. The following requires an amended ICN to be issued as part of this change application:

- Removal of one x 2-bedroom dwelling unit on the ground level from the demand calculation;
- Correction of the credits applied for the Dual Occupancy on 77 Linton Street. Both dwellings part of the Dual Occupancy are 3-bedrooms as illustrated in **Figure 4** below. We also have videos of each dwelling which can be provided to Council to confirm the floor layouts.

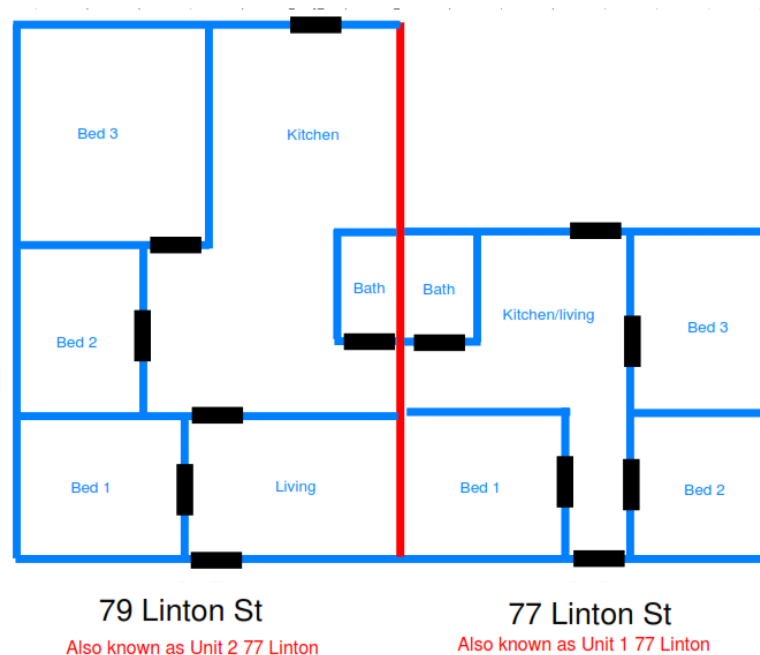


Figure 4 Floor Layout of Dual Occupancy on 77 Linton Street

Table 5 below provides a breakdown of the current and proposed Infrastructure Charges breakdown.

Table 5 Proposed Changes to ICN

Current ICN-027832		Proposed Updated ICN		Comments
Demand				
58	Multiple Dwelling – 1 or 2 bedroom dwelling	57	Multiple Dwelling – 1 or 2 bedroom dwelling	1 less 2-bedroom dwelling
68	Multiple Dwelling – 3 or more bedroom dwelling	68	Multiple Dwelling – 3 or more bedroom dwelling	No change
Credit				

Current ICN-027832		Proposed Updated ICN		Comments
6	Multiple Dwelling – 1 or 2 bedroom dwelling	6	Multiple Dwelling – 1 or 2 bedroom dwelling	<i>No change</i>
2	Dwelling House – 3 or more bedroom dwelling	2	Dwelling House – 3 or more bedroom dwelling	<i>No change</i>
1	Dual Occupancy – 1 or 2 bedroom dwelling	0	Dual Occupancy – 1 or 2 bedroom dwelling	<i>Corrected to a 3-bedroom dwelling</i>
1	Dual Occupancy – 3 or more bedroom dwelling	2	Dual Occupancy – 3 or more bedroom dwelling	<i>Corrected</i>

6 Conclusion

The proposed development pursues a change to the approved development for a Material Change of Use and Building Work for Multiple Dwellings on land located at 73, 77 and 83 Linton Street, Kangaroo Point, being described as Lot 96 & 97 on RP11335 and Lot 95 on SP343523 (Council Reference: A006350800).

The type of change application sought is a Minor Change assessed and decided in accordance with Section 81 of the PA. As outlined above, the proposed amendments are able to satisfy the definition of a Minor Change and will not result in substantially different development as defined by Schedule 1 of the DAR.

The conclusions which can be drawn from this assessment report, are as follows:

- This request is made under section 78 of the *Planning Act 2016* and is to be administered, assessed and decided as a 'minor change in accordance with section 81 of the *Planning Act 2016*.
- The report undertakes a detailed comparison between the approved development and modified development, demonstrating that the proposal is able to satisfy the definition of a minor change and does not result in substantially different development.
- The minor change relates to elements that do not materially affect the scale, bulk, or appearance of the development. The approved number of storeys, setbacks, site cover, vehicle access, car parking and landscaping remain unchanged. The modifications are generally limited to subtle internal layout adjustments, with the podium and tower composition and external façades retained.
- The modifications achieve a high level of compliance with the assessment benchmarks including key performance indicators. The proposed change does not result in any additional performance outcomes, and it does not remove an incentive or offset component that would have balanced a negative impact of the development. The report has justified in detail these aspects of the development.
- The proposed amendments are supported by amended Architectural Plans, amended Landscape Concept Plans, Flood Advice, Traffic Assessment, Acoustic Assessment Letter, and amended Operational Waste Management Plan attached under **Appendix A – F**.

This Assessment Report supports the development application and is recommended to Council as the Assessment Manager for approval subject to reasonable and relevant conditions.

Appendix A

Amended Architectural Plans

Appendix B

Amended Landscape Concept Plans

Appendix C

Flood Advice

Appendix D

Traffic Assessment

Appendix E

Acoustic Assessment Letter

Appendix F

Amended Operational Waste Management Plan



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