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29 June 2026

Chief Executive Officer
Brisbane City Council
GPO Box 1434
BRISBANE QLD 4001

Lodged via Online Form

Dear Sir / Madam,

RE: MINOR CHANGE TO EXISTING APPROVAL FOR MATERIAL CHANGE OF USE (SHORT TERM ACCOMODATION, FOOD AND DRINK OUTLET AND FUNCTION FACILITY) UPON LAND AT 70 MERIVALE STREET AND 38-40 CORDELIA STREET, SOUTH BRISBANE – COUNCIL REFERENCE: A006633380.

We write on behalf of the applicant, *Merivale No 1 Pty Ltd* requesting a Minor Change to the existing Development Permit for Material Change of Use (Council ref: A006633380) granted by Brisbane City Council on 05 August 2025.

Enclosed are details of the previous approval, site and the proposed amendments for your consideration.

To facilitate Council's assessment of the proposal, please find enclosed the following:

- Planning Act Form 5;
- Signed Owners Consent; and
- Latest Decision Notice and Stamped Approved Plans (A006633380.).

We trust that the information provided is to your satisfaction.

Should you wish to discuss the matter further please do not hesitate to contact our office on (07) 3361 9999.

Yours faithfully

TOWN PLANNING ALLIANCE PTY LTD

Tara Nunn
SENIOR PLANNER

Enc Minor Change Application

MINOR CHANGE APPLICATION

1. Site Details

Site Address	70 Merivale Street & 38-40 Cordelia Street, South Brisbane QLD 4101
Real property description	Lot 97 on B3137, Lot 108 on B3137 & Lot 1 on RP135082
Area of site	3,646m ²
Zone	MU1 Mixed use (Inner city)
Neighbourhood Plan	- South Brisbane riverside neighbourhood plan - Musgrave precinct - NPP-002
Overlays	- Airport environs overlay - Community purposes network overlay - Critical infrastructure and movement network overlay - Flood overlay - Brisbane River flood planning area - Potential and actual acid sulfate soils overlay - Road hierarchy overlay - Streetscape hierarchy overlay - Transport noise corridor overlay

The subject site is located at 70 Merivale Street and 38-40 Cordelia Street, South Brisbane. It is legally described as Lots 97 and 108 on B3137 and, Lot 1 on RP135082. The site comprises three allotments with a total area of 3,646m². Lot 97 on B3137 represents a rectangular allotment with a frontage of 20.34m to Merivale Street and an area of 911m². Adjoined to the west are Lot 108 on B3137 and Lot 1 on RP135082, two rectangular lots which provide a combined frontage of 60.93m to Cordelia Street and combined area of 2735m². This application relates solely to the existing Merivale Hotel upon Lot 97 on B3137.



Figure 1: Subject Site Aerial

In accordance with the *Brisbane City Council City Plan 2014*, the site is located in the Mixed use (Inner city) zone. The surrounding locality is identified as predominantly for Mixed use zoning with High density residential zoning to the northwest, Sport and recreation zoning to the west, and Community facilities (Education facilities) zoning to the southeast. The surrounding zoning designations are illustrated within Figure 2 below.



Figure 2: Surrounding zoning designations.

2. Application History

The subject site has an extensive application history which is summarised below:

- **02 December 2015 – A004157916**

On 02 December 2015, Council granted a Development Approval (A004157916) for a Short-term accommodation, Food and drink outlet and Function facility over the site. The proposal was for a total of 238 rooms across ten (10) storeys and a basement car parking. The development also included amenities such as a restaurant and function room on the ground floor.

- **21 September 2017 – A004584028**

On 21 September 2016, Council granted a Permissible Change application (A004584028) seeking minor amendments to improve the existing design. There were no changes to development yield.

- **26 March 2018 – A004863244**

On 26 March 2018, Council granted a Change application (A004863244) seeking amendments to redesign the rooftop. The development approval has been constructed and operational.

- **05 August 2025 – A006633380**

On 05 August 2025, Council granted a Change application (A006633380) for a second tower for Short-term accommodation fronting Merivale Street as an extension of the existing Novotel. The proposal utilises existing access arrangements with minor alterations to the basement car parking. The Merivale Hotel is a 16-storey building consisting of hotel rooms, a wellness floor, rooftop restaurant and pedestrian laneway on the ground level providing safe access from Merivale St and Cordelia St through the site.

3. Proposed Changes

A review of the approved design has been undertaken by the Applicant through the detailed design process and early construction feasibility discussions. As a result of this review, a Minor Change is proposed to amend the timing of the conditions of approval.

The changes to timing are proposed due to constraints placed on the construction of the basement levels. Specifically, the conditions proposed to be changed as detailed below do not relate to the construction of the basement level, therefore the associated certification and compliance with these conditions should not be required before the basement can commence construction. The current timing of 'Prior to site / operational / building work commencing' prevents works on the basement commencing. To this end, the proposed changes are nominal however, in terms of aligning condition compliance and construction timeframes, they will significantly aid project feasibility and delivery.

In addition to the above, the timing of Condition 10 is sought to be amended. Currently, the wording and timing of the condition requires the arcade to remain unobstructed at all times. While this is the intent for the ultimate design of the arcade, it will not be able to remain open during construction for workplace health and safety and public safety. As such, the arcade will need to be partially closed from the first day of site establishment until completion of the entire project. Thus, the condition is proposed to be amended to reflect the required timing accordingly to prior to commencement of use.

The proposed changes will not result in any changes to condition wording and will not result in any changes to the built form of the originally approved development.

3.1 Changes to the Conditions of Approval

The changes proposed as part of this application will supersede the existing approved conditions. A detailed list of the changes is provided in **Error! Reference source not found.** below with superseded sections denoted with a ~~strikethrough~~ and proposed changes in **red**.

Table 1: Proposed Changes to Conditions

DESCRIPTION	TIMING
10) Public Access - Arcade	
Provide and maintain unimpeded and safe 24 hours public access from Cordelia Street along the south-eastern boundary of the site to facilitate a minimum 2.4m wide unobstructed path in accordance with the approved drawing, Site Plan – Ground, Ref: DA01.002 Rev A, received 2 April 2025 as amended in red 26 June 2025 and the approved drawing, Ground Floor Plan, Ref: DA01.002 Rev A, received 2 April 2025 as amended in red 26 June 2025. The access way is designed to cater for persons with disabilities in accordance with the Australian Standard – AS1428.1 Design for Assess and Mobility – Part 1: General requirements for access – New building work. The arcade shall be constructed to a level and at a grade suitable to facilitate integration with an arcade on the adjoining land to the East, which will be delivered at the time the adjoining land is developed.	At all times Prior to commencement of use
GUIDELINE: This condition is imposed to ensure on- going safe public access to designated public pedestrian spaces within the development.	
13(a) Submit Creative Lighting Strategy	
Submit for, and obtain approval from Development Services, a creative lighting strategy to deliver quality lighting outcomes to meet functional needs as well as a means of creative expression that contributes lighting for occasion, identity, discovery and safety. The strategy is to include innovative ideas for the illumination of new facade features and entry points along the Merivale Street and Cordelia Street frontages and along the public arcade. To describe	As indicated

DESCRIPTION	TIMING
the strategy, the application may include reports, concept plans and perspective drawings. Timing: Prior to site/ operational/ building work commencing Timing: Prior to completion of basement works	
15(a) Submit Drawings	
Submit to, and obtain approval from, Development Services drawings prepared by a Registered Architect or Queensland Building Construction Commission Open Licence Class Building Designer showing the final developed details of the facade treatment, the ground interface and the roof top/building capping elements which depict a higher level of documentation detail than that shown on the APPROVED DRAWINGS AND DOCUMENTS, including: ▪ Elevation and facade treatment drawings for all ground, podium and typical tower floor levels that demonstrate the final design outcome for all elevations of the built form including: ▪ Detailed plans, sections and elevations at 1:50 or 1:20 scale for elements at the facade including structural elements and fixed and operable elements such as balustrades, screens, doors, windows, projecting fins and planter beds/trellises ▪ All servicing and infrastructure, including but not limited to, padmount transformers, pump rooms, fire hydrant boosters etc. ▪ Roof top or building capping elements, awnings and soffits ▪ One rendered perspective showing the intended finished built form. The drawings must: ▪ include dimensions for the extent of projecting elements, balustrade height and door and window/glazing configurations ▪ nominate materials, colours and finishes ▪ have title blocks and be cross referenced to larger scaled drawings. Timing: Prior to building works commencing Timing: Prior to completion of basement works	As indicated
27(a) Prepare a detailed Landscape Plan for Self Certification	
Prepare a detailed Landscape Plan for areas nominated on the approved drawings and documents as amended in red, including Ground Floor Plan, Ref: WNRA-53137-DD-3000, Rev P6, dated 06/11/2015, as amended in red 2/12/2015 and Level 01 Floor Plan, Ref: NRA-53137-DD-3010, Rev P6, dated 06/11/2015, the relevant Brisbane Planning Scheme Codes/Policies and the following conditions: PLANTING ▪ Provide columnar screening trees at 6m intervals where possible along the rear boundary ▪ Provide a landscape strip along the frontage planted with shrubs and groundcovers ADDITIONAL REQUIREMENTS ▪ Maximise opportunities for stormwater infiltration into landscaped areas SPECIFICATIONS ▪ Provide mulch and soil to meet AS4454 and AS4419	Prior to site/operational/building work commencing Prior to completion of basement works

DESCRIPTION	TIMING
Ensure that soil media is ameliorated to increase its water holding capabilities. Note: The requirements outlined by this condition do not require an application to be made with Council.	
28(a) Submit Level Details	
Submit for the approval of Development Assessment, details of the finished levels of the site and building entries (both pedestrian and vehicular) to demonstrate compatibility with acceptable footpath/footway grades. The details must be provided by a registered Landscape Architect or other relevant professional and include the following: - Finished surface levels at the site/lot boundary; - Finished ground floor levels; - Crossfall and longitudinal grades including sections demonstrating compliance with Brisbane Standard Drawings (BSD), including a maximum crossfall of 1:50; and - Existing kerb heights. Timing: Prior to building works is occurring Timing: Prior to building work above ground commencing	As indicated
29(a) Submit Level Details	
Submit to Development Services, and obtain approval for, details of the future finished levels of the site and building entries (both pedestrian and vehicular) to demonstrate verge levels and crossfalls complying with the Infrastructure Design Planning Scheme Policy including section 3.7.3.5. The details must be provided by a qualified Landscape Architect or RPEQ and include the following: - finished surface levels at the site/lot boundary; - finished ground floor levels; - existing kerb heights; and - crossfall and longitudinal grades. Timing: Prior to site/operational/building work occurring. Timing: Prior to building work above ground commencing	As indicated
31(c) Certify Detailed Landscape Plan	
On completion of the Detailed Landscape Plan, submit to Development Services a landscape design certification via the Landscape Design and Landscape Works Certification online form. Design certification is to be prepared by a Qualified Landscape Architect, certifying that the Detailed Landscape Plan complies with the requirements of this condition. The Certification must include a copy of the: - Landscape design certification form. - Certified detailed landscape plan. NOTE: The landscape design and landscape works certification online form can be found by searching <i>development application forms</i> on Council's website. Timing: Prior to building work commencing. Timing: Prior to landscape works commencing	As indicated

DESCRIPTION	TIMING
PROOF OF FULFILMENT <i>A copy of the landscape design certification form and certified detailed landscape plan</i>	

4. Planning Act 2016 Provisions

The changes to the Development Approval outlined in the above sections are identified as meeting the benchmark for a Minor Change in accordance with Schedule 2 of the *Planning Act 2016*, given that the change:

- (i) ***Would not result in a substantially different development*** – The proposal as described above does not result in a substantially different development having regard to the matters in Schedule 1 of the Development Assessment rules. In particular, the changes do not result in the following:
 - a) ***Involve a new use*** – The proposed change does not involve a new use. The proposed development will continue to operate in accordance with the development approval.
 - b) ***Results in the application applying to a new parcel of land*** – The proposed change does not result in the application applying to a new parcel of land. The development remains only on the allotments included in the original approval.
 - c) ***Dramatically changes the built form in terms of scale, bulk and appearance*** – The proposed change does not include changes to the built form in terms of scale, bulk and appearance in accordance with the approved plans. The proposed changes to conditions will have no material impact on the built form. The changes are limited to the timing of certifications and compliance with conditions to enable the delivery of basement works prior to non-related certifications being provided to Council.
 - d) ***Changes the ability of the proposed development to operate as intended*** – The proposed change does not alter the ability of the development to operate as intended.
 - e) ***Removes a component that is integral to the operation of the development*** – The proposed change does not result in the removal of a component that is integral to the operation of the development.
 - f) ***Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site*** – The proposed changes do not significantly impact on traffic flow or the transport network.
 - g) ***Introduces new impacts or increase the severity of known impacts*** – The proposed change does not introduce new impacts or increase the severity of known impacts. The change to the condition timing will improve construction feasibility by aligning construction and Council assessment timelines.
 - h) ***Removes an incentive or offset component that would have balanced a negative impact of the development*** – The proposed change does not remove any incentive or offset component.
 - i) ***Impacts on infrastructure provisions*** – The proposed change does not impact on infrastructure provision.
- (i) ***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* – The proposed change would not cause the inclusion of Prohibited development in the application if a development application for the development including the change was made.
- (B) *Referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application* – Not applicable. There was a referral agency for the development application.
- (C) *Referral to extra referral agencies, other than to the chief executive* – The change would not cause referral to extra referral agencies if a development application for the development including the change was made.
- (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* – The change would not cause a referral agency to assess the application against additional matters if a development application for the development including the change was made.
- (E) *Public notification if public notification was not required for the development application* – Not applicable. The original development application included public notification.

5. Conclusion

In view of the above, the proposed changes meet the benchmark for a Minor Change to a development approval as detailed in the *Planning Act 2016*.

The proposed amendments are sought to capture changes made in response to consultant and client input entering into the construction phase. As such, we request that Council update the approval package inclusive of the amended conditions referenced above in Section 3.