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APPLICATION REF
A007134076

15 October 2026

The Assessment Manager
Brisbane City Council
GPO Box 1434
Brisbane QLD 4000

Dear Sir / Madam,

Minor Change to Development Approval over land at 23 Castlebar Street, Kangaroo Point QLD 4169 (Council Ref.: A006656931)

In accordance with Section 78 and 81 of the *Planning Act 2016* (**Planning Act**) and on behalf of *Verso Development Group Pty Ltd* (**the Applicant**), please find enclosed this Minor Change application to modify the abovementioned Development Approval granted over land at 23 Castlebar Street, Kangaroo Point QLD 4169.

The land to which this change application relates is formally described as Lot 10 on SP339399 (**the site**). This Minor Change application relates to the most recent approval over the site, issued by Council on 3 June 2026 (Council Ref.: A06656931). The approved development involves adaptive reuse and redevelopment of the Shafston Estate.

This application is accompanied by, and should be read in conjunction with the following material:

- **Appendix A –** DA Form 5;
- **Appendix B –** Property Searches and Owner's Consents;
- **Appendix C –** Existing Approval (Council Ref: A006656931) and Referral Agency Response (SARA Ref: 2412-43793 SRA);
- **Appendix D –** Revised Architectural Plans, prepared by *Cottee Parker;*
- **Appendix E –** Revised Site Based Stormwater Management Plan, prepared by *ADG*;
- **Appendix F –** Revised Vibration Management Plan, prepared by *Heilig & Partners*;
- **Appendix G -** Addendum to the Operational Waste Management Plan, prepared by *Colliers*;
- **Appendix H –** Revised Traffic Impact Assessment, prepared by *Colliers*;
- **Appendix I -** Revised Statement of Landscape Design Intent, prepared by *Urbis**;***
- **Appendix J -** Heritage Impact Statement, prepared by *Urbis*;
- **Appendix K –** Addendum to Archaeological Management Plan, prepared by *Urbis*;

- **Appendix L –** Addendum to Arboricultural Impact Assessment, prepared by *Independent Arboricultural Services*; and
- **Appendix M –** Copy of Minor Change Application Letter to the State Assessment and Referral Agency.

1 Site Context

The site is located at 23 Castlebar Street, Kangaroo Point QLD 4169, formally described as Lot 10 on SP339299. The inner-city site is a single land parcel with a total land area of 10,070m^2. It is bounded by primarily Castlebar Street to the north, Thorn Street to the south and the Brisbane River (Maiwar) to the east.

The site is currently improved by historically significant built form, including Shafston House proper and associated outbuildings and structures. The site is shown in **Figure 1** and comprises a sloping topography from 18m AHD at the Castlebar Street access point to 1m AHD at the riverine boundary of the site.

It is currently serviced by all essential urban infrastructure and benefits further from proximity public transport connections, including bus stops, and provides access to active and passive transport corridors for pedestrians and cyclists.

Figure 1 – *Site Aerial*



Source: Nearmap and adapted by Urbis

The site is designated within the High Density Residential Zone of the *Brisbane City Plan 2014* (Version 37) (**City Plan**) and more specifically within the Up to 15 Storeys zone precinct. It is situated within the Kangaroo Point Peninsula Neighbourhood Plan, more specifically within the Shafston Precinct NPP-004 and the Mowbray Park Precinct NPP-005. Notably the entirety of the site is designated as both a State and Local Heritage Place.

2 Approval History

The site benefits from several approvals, including the historic use of the land as an Educational Establishment. The site's most recent development approvals that are relevant to this application are summarised in **Table 1** below.

Table 1 - *Approval History*

Approval Number	Date	Purpose	Summary
A005653605	2 August 2021	Carry Out Building Work; Carry out Operational Work	Approval for partial minor demolition of non-significant heritage buildings and structures on the site, plus the removal of vegetation and minor ground works. This application was subject to Impact Assessment. This approval has been acted on.
A005933994	17 March 2023	Material Change of Use; Carry Out Building Work; Carry Out Operational Work	Approval for a Multiple Dwelling (39 units) and associated Operational Work and building work on a heritage place. The approval also included preliminary approval for a future Multiple Dwelling use within the heritage buildings. This application was subject to Code Assessment. This approval is subject to change as part of the most recently approved Other Change application outlined below.
A06656931	3 June 2026	Other Change to A005933994. Material Change of Use; Carry Out Building Work; Carry Out Operational Work.	Approval for a Multiple Dwelling (50 units) and associated Operational Work and building work on a heritage place. It introduces a staging component to the existing approval.

This approval is the subject Minor Change application and will herein be referred to as the 'Recent Approval'.

The details of this approval are set out in **Section 2.1** below.

2.1 A06656931 – Other Change Approval - 3 June 2026

On 3 June 2026, Council approved an Other Change to an existing development approval including Development Permits and Preliminary Approvals for Building Works, Operational Works and a Material Change of Use for Multiple Dwellings on the site (Council Ref.: A006656931).

In general terms, this approval authorises the residential-led adaptive reuse and redevelopment of the Shafston Estate.

Since the issuing of the most recent approval, the Applicant has continued to progress detailed design for the development. This process has identified a series of refinements to improve the functionality, efficiency and delivery of the approved development, particularly in relation the lower levels of the development. These refinements now form the basis of this Minor Change application.

The approval specifically includes the below permits. These permits are staged as shown below.

Stage 1:

- Development Permit for Material Change of Use for a Multiple Dwelling (50 units);
- Development Permit for Operational Work involving changes to landscaping or natural features;
- Development Permit for Building Work for partial demolition to a Queensland Heritage Place (not including Shafston House); and
- Preliminary Approval for Building Work for partial demolition to a Queensland Heritage Place (Shafston House).

Stage 2:

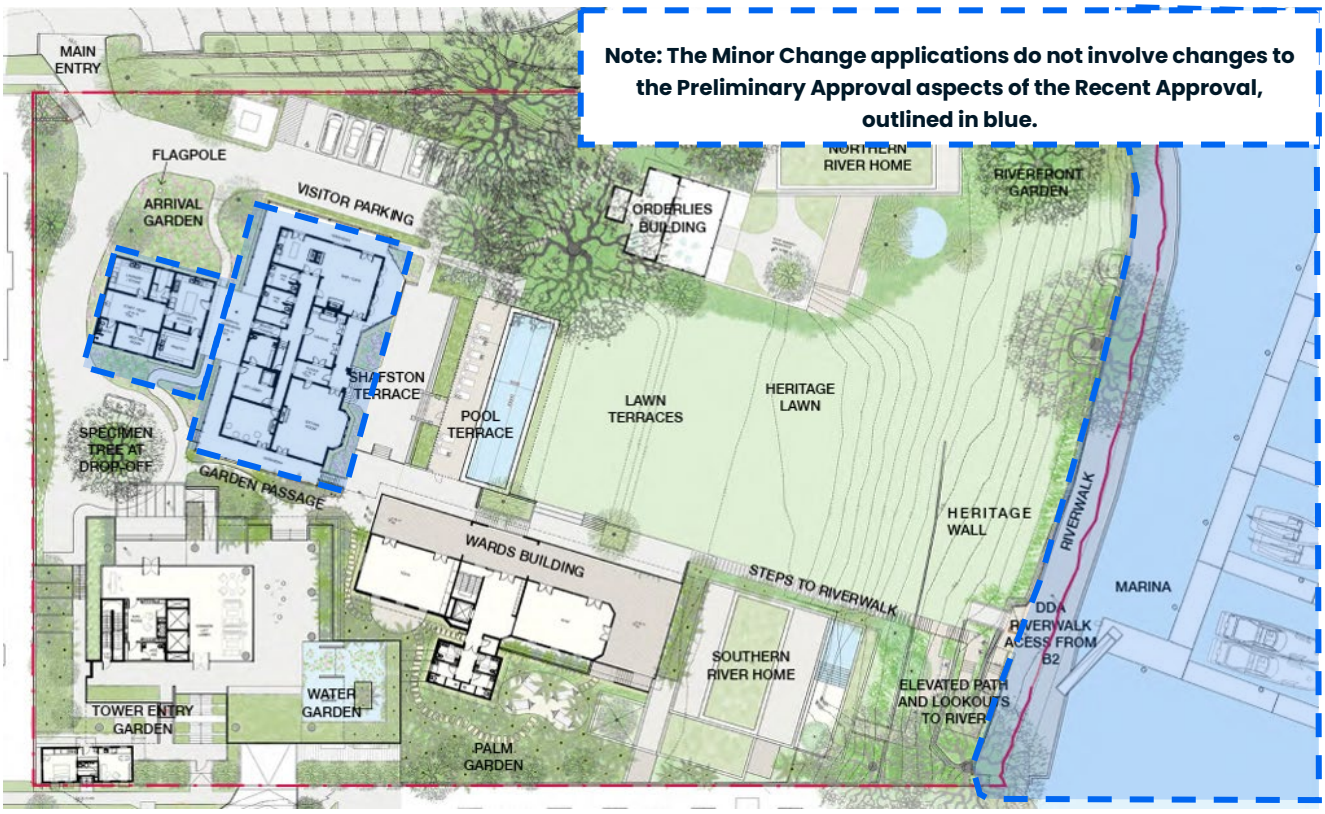
- Preliminary Approval for Prescribed Tidal Work (private pontoon);
- Preliminary Approval for Prescribed Tidal Work (Revetment works, Riverwalk, and demolition of existing pontoon).

As a summary, the approved development involves:

- Adaptive reuse of the premises as a premium residential estate, including apartment dwellings, car parking, communal facilities, and recreation space;
- A new residential tower accommodating 48 dwellings with a building height of 27 storeys plus Rooftop Garden;
- Two Riverhomes oriented towards the rivers edge;
- Delivery of part of the Kangaroo Point Riverwalk along the site's river frontage;

- Main access to the site from Thorn Street with a two level basement car park hosting a total of 113 parking spaces;
- Visitor access from Castlebar Street including modification to the current gates to facilitate a wider access width;
- Adaptive reuse and conservation works to the significant subordinate buildings on the site, being the Orderlies Building, Postal Depot, and Wards Building; and
- Revising the current profile of the central lawn to be more aligned with historic profiles.

Figure 2 – *Approved site plan*



Source: PWP + Urbis

2.1.1 Infrastructure Agreement

The approval is subject to an Infrastructure Agreement between the owner of the land and Council. This is discussed in more detail in **Section 5.3**. No changes to the principles or special conditions of the IA are proposed as part of this application.

2.1.2 Preliminary Approval Aspects

As noted above the Recent Approval involves Preliminary Approvals for some components of the development, including works to Shafston House proper and delivery of the Prescribed Tidal Works aspect of the development.

These aspects of development were provided with a Preliminary Approval not a Development Permit, and as such cannot be carried out without a further Development Permit being granted. This change application does not seek to change aspects of the development that are granted under the Preliminary Approvals.

Separate development applications relating to these parts of the site are currently being prepared and are intended to be lodged shortly after this application. More specifically, the following separate development applications are currently being prepared to address the Preliminary Approval aspects granted for the site:

- Development Application for Development Permit for Building Works to the Shafston House proper building;
- Development Application for Development Permit for Prescribed Tidal Works (Revetment works, new Riverwalk, demolition of existing pontoon); and
- Development Application for Development Permit for Prescribed Tidal Works (new private pontoon).

The Prescribed Tidal Works applications are separate from one another due to the special conditions of the abovementioned Infrastructure Agreement for the site. This Infrastructure Agreement requires for the works required to deliver the Riverwalk to be prioritised and facilitated as part of a distinct application. The Applicant will continue to collaborate with Brisbane City Council on the design of the Riverwalk.

The conservation works for Shafston House proper are in the process of being finalised and will be issued to SARA and DETSI shortly, with a development application to follow thereafter.

2.1.3 Referral Response

The Recent Approval which is proposed to be changed (Council Ref: A06656931) involved a referral to the State Assessment and Referral Agency (SARA) due to the site being a Queensland Heritage Place and the development involving referrable Prescribed Tidal Works.

SARA's referral agency response included a series of conditions, which are provided as part of the approval package **Appendix C**.

The conditions imposed by SARA relate primarily to the protection, conservation and management of the existing heritage fabric, and ensuring the design of the Prescribed Tidal Works. The relevant SARA conditions that are impacted by this Minor Change application will be addressed in a separate and concurrent Minor Change Application made to SARA as the Assessment Manager. A copy of the Minor Change Application Letter to SARA is included in **Appendix M**.

3 Proposed Changes

This change application seeks a Minor Change to the approved development (Council Ref.: A006656931), in accordance with Sections 78 and 81 of the Planning Act. The proposed changes reflect a series of refinements evolved through the detailed design process and further modifications identified by the Applicant to improve

the functionality, efficiency and delivery of the approved development. Specifically, these changes intend to capture new opportunities for improved resident amenity and accessibility without altering the fundamental vision for Shafston Estate.

The key proposed changes include:

- Reconfiguration of the resident vehicular access to Castlebar Street for an improved arrival experience. Servicing accessing is to remain from Thorn Street;
- Revision to the design of the basement to improve connections to the Riverhomes and Riverwalk component of the development, which improves DDA outcomes for the site. This includes revision to the footprint and depth of the basement to accommodate for necessary parking demand for increased parking and storage in line with the premium nature of the development;
- Subsequent removal of an existing Poinciana tree in response to further arboricultural investigations;
- Refining the unit mix to better respond to market demand including the addition of pied-à-terre components of dwelling (which are discussed in more detail below);
- Revision to the upper levels of the development to support the operational and design standards of the residence partner, Capella. The changes include a marginal increase to the overall building height by 7.27 metres as well as converting the approved rooftop garden to private open space, resulting in an additional technical storey;
- A new communal wellness hub on Level 2 of the tower;
- Other minor design refinements arising from the detailed design exercises, such as continued progression of materiality and architectural detailing.

Table 2 below details key proposed changes to the approved development.

Table 2 - *Key Proposal Details*

Key Elements	Approved	Proposed
Building Height	27 storeys, plus rooftop garden 117.250 metres AHD	29 storeys 124.520 metres AHD
Residential Levels	25 levels	25 levels
Dwelling Mix	**Total 50** dwellings, comprising: <u>Tower</u> ▪ 46 x 3-bedroom units ▪ 2 x 4-bedroom units	**Total 41** dwellings, comprising: <u>Tower</u> ▪ 5 x 3-bedroom units ▪ 25 x 4-bedroom units ▪ 9 x 5-bedroom units

	River Homes ▪ 2 x 5-bedroom houses	River Homes ▪ 2 x 6-bedroom houses
Guest Spaces	Postal Depot[1] ▪ 1 x 1-bedroom guest house	Postal Depot ▪ 1 x 1-bedroom guest house Level 2: ▪ 6 pied-à-terre spaces
Car Parking	**Total 113** car parking spaces, comprising: ▪ 129 residential spaces; ▪ 8 visitor spaces.	**Total 189** car parking spaces, comprising: ▪ 182 resident spaces; ▪ 7 visitor spaces.
Bicycle Parking	**Total 90** bicycle parking spaces, comprising: ▪ 76 residential spaces; ▪ 14 visitor spaces.	**Total 52** bicycle parking spaces, comprising: ▪ 41 resident spaces; ▪ 11 visitor spaces.

The proposed changes are fully detailed in the Revised Architectural Plans contained within **Appendix D** of this application. Further details of the proposed development are outlined in the following sub-sections.

3.1 Arrival Experience and Access

The approved development includes access from crossovers on both Thorn Street and Castlebar Street. The proposed changes seek to refine the arrival experience for the apartment tower by relocating its resident access to Castlebar Street, thereby limiting the existing Thorn Street access to service vehicles only.

Under the proposed changes, residents and visitors will arrive through the approved Castlebar Street driveway and roundabout before entering a ramp down to basement levels. The ground floor of the tower has been adjusted to suit. By taking residents past Shafston House proper, this better showcases the heritage values of the larger estate, providing a more distinctive and inviting arrival experience. With the Thorn Street access retained to accommodate servicing functions, potential operational conflicts between residents and service vehicles are also reduced.

The change does not introduce a new access point or materially alter vehicle generation for the site overall. Rather, it redistributes movements within the site to provide a safer, more legible and higher-quality arrival experience while maintaining the approved access framework and surrounding road network function.

[1] Per Council's markup on the approved plans, the guest house does not contribute to the total number of individual units.

3.2 Basement Expansion

To accommodate parking and storage more aligned to market expectations, an additional basement level and an expanded basement footprint is proposed.

The extent of the proposed basement expansions is illustrated in **Appendix D** of this application. This expansion results in added parking supply and storage which better aligns with the expectations of future occupants given the quality of the estate's product offering, comprising larger dwelling formats with a premium riverfront position.

The development is anticipated to attract purchasers seeking larger, higher-value accommodation, who typically demonstrate a greater demand for on-site parking and secure storage than would ordinarily be expected for a conventional apartment development. The additional parking accommodates anticipated vehicle ownership levels, while the increased storage provision responds to contemporary lifestyle requirements and purchaser expectations for premium residential product. Generally, vehicle ownership rates for premium inner-city units are high, but the vehicle utilisation rates are comparatively low. The proposed resident parking provision equates to 4.56 spaces per unit, including the guest houses (discussed further below) and staff quarters, which function as ancillary components rather than a standalone unit. This rate of provision also includes the visitor parking spaces for the development.

As such, the proposal enhances the functionality, convenience and market responsiveness of the development without materially altering its appearance, intensity, operation or interface with adjoining properties. Rather, the changes ensure the development is capable of delivering the quality of amenity and resident experience contemplated by the estate's premium product offering while containing the anticipated parking demand wholly within the bounds of the site.

The proposed revisions to car and bicycle parking are summarised below in **Table 3** (noting that visitor parking remains within the podium levels).

Table 3 – *Proposed basement parking provision*

	Resident Car Parking	Visitor car Parking	Bicycle Parking
Ground Floor	-	~~8~~ 7	~~14~~ 11
Basement 1	~~47~~ 52	-	~~76~~ 10
Basement 2	~~50~~ 63	-	~~0~~ 10
Basement 3	67	-	21
Total	~~97~~ 182 spaces	~~8~~ 7 spaces	~~90~~ 52 spaces

3.3 Tree Removal

In further progressing the design and construction scoping of the project, arboricultural review has indicated that the one of the poinciana trees (Tree 5 on the stamped tree retention plan) should be removed as it is unlikely to remain viable and healthy following construction of the approved southern Riverhome design.

For more information, please refer to **Appendix L.**

3.4 Guest Units / Pieds-à-Terre

The proposal introduces six guest units on Level 2 of the development. These reflect a Pied-à-Terre model which is a new residential offering for the premises as well as Brisbane more broadly. These are noted as guest units 1 to 6.

For this development, Each Pied-à-Terre comprises a single room which will be linked to a dwelling in the Shafston Estate. The dwelling and corresponding residence must be owned together, with neither component capable of being sold or occupied as a separate lot. The Pied-à-Terre model has been developed in response to evolving housing preferences and increasing demand for flexible housing options within Brisbane's inner-city precincts. This typology aligns with the premium residential offering of the residence partner for the project, Capella.

The unique arrangement enables a range of living outcomes, including multi-generational living, accommodation for visiting family members, or investment ownership, while still functioning as a single dwelling product. The Pied-à-Terre product is a known global concept, particularly across European and North American high-density markets. Its introduction to Brisbane reflects the evolution of the city's apartment market and the changing needs of families.

These spaces are not intended to be used as a separate dwelling and will not be lettable to the third parties – either on a long term or short term basis. These spaces do not meet the definition of a dwelling provided for in the Planning Regulation 2017 – as it does not include facilities for washing clothes. Additionally, from a traffic generation perspective, these units are more appropriately regarded as bedrooms associated with their primary dwelling, rather than as individual dwelling units. Accordingly, they are unlikely to generate travel demand comparable to that of separate dwellings. However, given the car parking provision, in any event additional parking demand that may be generated by the guest units will be appropriately accommodated within the proposed parking supply. For more information, please refer to **Appendix H.**

It is expected that any development approval granted over the site would include reasonable and relevant conditions that appropriately regulate the scope of the approved Pieds-à-Terre to ensure that individual units cannot be sold or titled separately.

3.5 Tower Apartment Unit Mix

The mix of the dwellings in the tower have been updated to reflect the residential offering strategy of Verso and Capella. The proposed unit conversions for each level are summarised below in **Table 4**, reducing the overall number of dwellings to 39 apartments in the tower (with 6 guest units / pieds-à-terre).

Table 4 - *Proposed apartment unit conversions per floor*

	Guest Unit / Pied-à-terre	3 Bedroom	4 Bedroom	5 Bedroom	Total Units
Level 26			~~1~~	1	1 dwelling
Level 18 to Level 25		~~2~~		1	~~2~~ 1 dwellings per floor ~~16~~ 8 dwellings total
Level 14 to Level 17		~~2~~ 1	1		2 dwellings per floor 8 dwellings total
Level 13		1	1		~~1~~ 2 dwellings
Level 3 to Level 12		~~2~~	2		2 dwellings per floor 20 dwellings total
Level 2	6	~~2~~			~~2 units~~ 6 guest units
				Total	~~48~~ 41 dwellings ~~1~~ 6 guest units

This revised mix provides a broader range of accommodation options and supports the evolving market preference for larger, family-oriented residences within Brisbane's premium residential sector.

The change in mix will not adversely impact the operation of the development, noting that the Recent Approval assumed a similar likely population for the site overall. The number of dwellings on the site is reduced from with 50 dwellings and a guest unit to 41 dwellings and 7 guest units.

3.6 Revised Rooftop and Overall Height

This new mix of residential product is also supported further by a refinement of floor-to-ceiling heights throughout the tower, resulting in an increase to the overall height of the building. The typical floor to floor heights have been increased to suit the residential offering strategy for the project.

This includes two additional storeys due to replacement of the previous Rooftop Garden level to now be a private landscaped rooftop and the reconfiguration of plant equipment. The proposed change results in the total storeys of the development to be 29 storeys, continuing to maintain 25 residential levels and resulting in 4 technical storeys.

A comparison of sections drawings of the upper levels of the development is shown below in **Figure 3**.

***Figure** 3 – Upper Level Comparison*



Picture 1 – Approved Architectural Plans

Source: Kerry Hill Architects



Picture 2 – Revised Architectural Plans

Source: Cottee Parker

In addition to the refined floor-to-ceiling heights, the meter room servicing the residential tower is relocated between the Ground Level and Level 1. The space contains only a lift shaft, stairway and meter room and therefore does not constitute a technical storey for the purposes of calculating building height.

In considering the change in context of the assessment framework for a Minor Change (including the Substantially Different Development guidelines), the revised overall height of the development does not unduly exacerbate any adverse impacts of the development when considering the nature and scale of the approved development.

Shadowing analysis has been prepared for the changed development and is included in the revised architectural package. The shadow analysis confirms that the proposed design changes produce only negligible variations in shadow extent and duration, with no material exacerbation of shadowing impacts on

adjacent properties or surrounding public spaces. Please refer to the Revised Architectural Plans in **Appendix D** for further details.

Further analysis regarding this is provided in **Section 7.1** further below.

3.7 Communal Wellness Hub

The proposed development seeks to introduce a dedicated communal wellness hub within Level 2 of the apartment tower, enhancing the range of recreational facilities available to residents. The wellness hub will provide a focal point for resident health and wellbeing and complement the broader lifestyle offering throughout the estate.

3.8 DDA-Compliant Marina Connection

The proposed development seeks to introduce a new DDA-compliant tunnel connection between the expanded basement and the marina, improving accessibility and connectivity between the estate and the Brisbane River.

The proposed connection is shown on the plan for Basement 3 (see **Appendix D**), comprising a short tunnel connection between the eastern edge of the basement car park and the riverwalk. The tunnel includes storage areas on both sides of the circulation corridor. This connection is intended to operate alongside the above-ground pathway connection north of the wellness centre which has already been approved.

Being DDA-compliant, the proposed connection benefits residents and visitors with accessibility needs (supporting equitable inclusion). However, supplementary benefits such as facilitating the easier movement of canoes, paddleboards and other bulky watercraft are also provided. This allows for easier use of the river for recreation.

3.9 Prescribed Tidal Works

As documented in Section 2.1 above, the approved development involves a Preliminary Approval aspect for Prescribed Tidal Works, being revetment works, demolition of the existing marina, construction of Riverwalk, and construction of a new private pontoon (private marina).

This change application involves no changes to the Prescribed Tidal Works components of the development – noting that these are to be addressed and applied for as part of a separate development application to be lodged in the future. A typical section of the Riverwalk has been included in the landscape plan package to provide an indication of the concept design for the Riverwalk – again noting that this will be applied for separately.

3.10 General Updates

In addition to the above, the proposed development also incorporates several minor refinements. These changes are largely internal in nature and do not meaningfully alter the approved development.

The general amendments include:

- Internal refinements to the layout of both Riverhomes;

- Relocation of the approved pad-mount transformer to a more discreet location along the northern site boundary, where it can be accessed;
- Continued progression of materiality and architectural detailing;
- Internal refinements to the layout of the apartment tower podium levels, including a reduction in visitor car parking and bicycle parking arrangements (from 8 and 14 spaces to 7 and 11 spaces, respectively).

Collectively, these amendments represent minor design refinements that improve the functionality and operation of the approved development without any significant visual, traffic, amenity impacts.

4 Supporting Material

In addition to the Revised Architectural Plans, the following specialist material have been prepared in support of the proposed changes to the approved development. As the proposed changes are minor in nature and are anticipated to have minimal impacts, if any, these are largely intended to be read as addendums to the specialist material previously assessed and approved within the Recent Approval.

The complete list of specialist material is included in the following appendices:

- **Appendix E –** Revised Site Based Stormwater Management Plan, prepared by *ADG*;
- **Appendix F –** Revised Vibration Management Plan, prepared by *Heilig & Partners*;
- **Appendix G -** Addendum to the Operational Waste Management Plan, prepared by *Colliers*;
- **Appendix H –** Revised Traffic Impact Assessment, prepared by *Colliers*;
- **Appendix I -** Revised Statement of Landscape Design Intent, prepared by *Urbis**;***
- **Appendix J -** Heritage Impact Statement, prepared by *Urbis*;
- **Appendix K –** Addendum to Archaeological Management Plan, prepared by *Urbis*; and
- **Appendix L –** Addendum to Arboricultural Impact Assessment, prepared by *Independent Arboricultural Services*.

5 Proposed Changes to Development Approval

The following section outlines the proposed changes to the approved plans, documents and conditions.

5.1 Drawings and Documents

To reflect the proposed changes and ensure the resultant approval issued references the correct plans, the Applicant requests that the Revised Architectural Plans included in **Appendix D** replace the approved drawings and documents in its entirety. The revised plans comprise a complete package and are intended to supersede all architectural drawings currently identified in the existing approval, rather than operate as supplementary or partial amendments. This will ensure that the approval relies on a single, consolidated and consistent drawing set for future works.

5.2 Conditions of Approval

It is recommended that conditions of the Development Permit be amended to reflect the proposed changes to references and dates to align with the most recent iteration of drawings. The Applicant will work with Council to determine specific condition amendments that may be required as the assessment progresses, as required in direct response to the changes being proposed. No major changes to other conditions are proposed at this time.

5.3 Infrastructure Agreement Arrangements

The existing approval for the site is the subject of an Infrastructure Agreement (**IA**) between the owner of the land and Council. This IA provides a mechanism for the staged delivery of the approved development, including the Riverwalk and Revetment Wall components and establishment of easements for access and maintenance.

This minor change does not fundamentally impact the provisions set out within the IA or the infrastructure to be delivered under this agreement. In the event that Council forms the view that the IA needs to be amended to reference the updated proposal, the Applicant will work with Council to facilitate this IA amendment process as quickly as possible.

Importantly, no changes to the principles or special conditions of the IA are proposed as part of this application. The changes proposed to the IA are purely administrative and are proposed to ensure the agreement aligns with the specifications and references of this development application/approval.

6 Planning Assessment

The approved application was subject to the provisions set out by Version 35 of the City Plan (June 2026). Since the lodgement and subsequent approval of the application material, the City Plan has been subject to two updates, with Version 37 of the City Plan currently in effect.

While the relevant planning framework has not materially changed since the application material for the Recent Approval was initially lodged, this Minor Change application has been prepared with regard to Version 37 of the City Plan as the current version in effect.

None of these amendments to the City Plan materially altered the assessment benchmarks applicable to the site. The key changes related to flood mapping, car parking, and neighbourhood plan renewal, none of which affected the subject site.

7 Assessment of Minor Change

Consideration has been given to the relevant matters for assessing a Minor Change under the Planning Act, having regard to the definition of Minor Change in Schedule 2 and the assessment criteria outlined in Section 81. The proposed changes as outlined above have been assessed against these criteria as follows:

*"**Schedule 2 Dictionary***

***Minor change** means a change that –*

…

b) for a development approval –

i. would not result in substantially different development; and

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

B. referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or

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

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

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

The proposed change meets each of the criteria stated in this definition. This is demonstrated further in **Section 7.1** below.

7.1 Substantially Different Development

In respect to part (b)(i) of the definition of **Minor Change** and what constitutes substantially different development, it is appropriate to have regard to Schedule 1 of the *Development Assessment Rules (Version 3.0)* (**DA Rules**) which sets out the substantially different development 'test'. An assessment of the proposed changes against the substantially different development criteria is included in **Table 5** below.

Table 5 - *Substantially different development criteria*

Criteria	Response
Involves a new use	The proposed changes do not involve the introduction of a new use over the site. The Recent Approval provides for a Multiple Dwelling use only.
Results in the application applying to a new parcel of land	The proposed changes do not introduce a new parcel of land.
Dramatically changes the built form in terms of scale, bulk and appearance	The proposed changes are relatively minor and are largely contained within the approved building envelope, with only a modest increase in overall building height. As a result, the revisions do not dramatically alter the scale, bulk or appearance of the development. The development will continue to present in a substantially similar manner, retaining its primary built form expression as an apartment tower fronting Thorn Street.

Changes the ability of the proposed development to operate as intended	The proposed changes do not impact the ability of the proposed development to operate as intended. They largely relate to revisions made to the architectural plans as a result of detailed design.
Removes a component that is integral to the operation of the development	The proposed minor changes do not include the removal of a component that is integral to the operation of the approved development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site	The proposed changes do not intensify the approved use and therefore are not anticipated to increase traffic generation to the site.
Introduces new impacts on traffic flow and the transport network, such as increasing traffic to the site	The proposed changes do not intensify the approved use and therefore are not anticipated to introduce a new impact on the traffic flow to the site.
Introduces new impacts or increase the severity of known impacts	The proposed changes are limited to minor reconfigurations as a result of detailed design (including minor overall height increase) and the introduction of an additional basement level. These changes are understood as not introducing new impacts or increasing the severity of known impacts with respect to the assessment benchmarks relevant to Council's assessment. While the proposal introduces an additional basement level, the expansion is largely contained below ground and does not materially alter the appearance, use or operation of the approved development. Additionally, the revised access arrangement is deemed to be acceptable from a traffic engineering perspective. Traffic generation is expected to be lower than under the approved development, resulting in negligible impacts on the surrounding road network. Appropriate measures, including a warning light system, will assist in ensuring the safe operation of the driveway access. Importantly, the proposed car parking, bicycle parking and servicing provisions are suitable for the proposed development and are generally consistent

	with, or improved from, those approved by Council under the current development approval. In terms of the minor overall height increase, the shadow diagrams demonstrate that the revised design maintains a shadowing outcome broadly consistent with the approved development, with only minor variations that do not give rise to any significant or unreasonable additional impacts on nearby properties.
For a development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act ▪ **Introduces new social impacts or increase the severity of known social impacts**	The development is not required to prepare or implement the findings of a social impact assessment.
Removes an incentive or offset component that would have balanced a negative impact of the development	The proposed changes do not remove an incentive or offset component contemplated by the current approval.
Impacts on infrastructure provisions	The proposed changes are not anticipated to impact on the infrastructure provisions identified and earmarked at the site.

The above assessment demonstrates that the proposed change will not result in substantially different development.

7.2 Prohibited Development

With respect to part (b)(ii)(A) of the definition of a Minor Change, the proposed changes do not introduce or involve any prohibited development.

7.3 Referral Agencies

As mentioned in Section 2.1 of this letter, the subject approval involved referral agencies. As such, part (b)(ii)(B) of the definition of a Minor Change does not apply.

Additionally, pursuant to part (b)(ii)(C) of the definition of a Minor Change, this application does not introduce any new referral additional referral agencies.

Finally, pursuant to part (b)(ii)(D) of the definition of a Minor Change, this application does not introduce any new matters that the existing referral agencies would need to assess, other than those which they already assessed the application against, or had regard to, when the application was made.

7.4 Category of Assessment and Public Notification

The subject approval which this application seeks to change was an impact assessable Other Change. Being an impact assessable application, this involved public notification. As such, part (b)(ii)(E) of the definition of a Minor Change does not apply.

7.5 Notifying Affected Entities

This Minor Change application has no affected entities. While referral is made to SARA, as the chief executive, they are exempt from being considered an affected entity (pursuant to Section 80(1)(a) of the *Planning Act 2016*).

Council is however an affected entity for the Minor Change application made to SARA, which will be addressed separately to this application.

8 Application Fee

In accordance with Council's *Development Assessment and Compliance Fees 2026-27*, it is the Applicant's view that the proposed Minor Change attracts a fee of **$4,800**. The fee will be paid following issue and receipt of Council's fee quote.

9 Conclusion

The above assessment demonstrates that the proposed changes fulfil the criteria of a Minor Change as defined in Schedule 2 of the Planning Act, and does not result in substantially different development, as outlined in Schedule 1 of the *Development Assessment Rules*.

The development, including the proposed changes, continues to comply with the outcomes sought by the relevant planning instruments and associated assessment benchmarks. Therefore, the proposed amendments do not impact on the overall function of the uses or result in dramatic changes to the approved built form.

We trust that the supplied documentation is sufficient in order for Council to undertake an assessment of this request. If you have any questions, please do not hesitate to contact the undersigned, **Sam Robinson** (Senior Consultant) or **Rauha Firaq** (Consultant) on (07) 3007 3800.

Yours sincerely,



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