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24/09/2026

APPLICATION REF

A007117533

22 September 2026

The Assessment Manager
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Delivery via: BCC Online Lodgement Form

Dear Sir/Madam,

Change Application (Minor) to a Development Approval at 94–108 Lambert Street & 46 O’Connell Street, Kangaroo Point (Council Reference: A007047497)

In accordance with Section 78 of the *Planning Act 2016* ('Planning Act') and on behalf of *Lambert Street KP Pty Ltd* and *Main St Projects Pty Ltd* ('the Applicants'), we hereby make a request to Brisbane City Council ('Council') to change an existing development approval at 94, 98, 102, 102A, 104, 106 and 108 Lambert Street, and 46 O'Connell Street, Kangaroo Point (referred herein as 'the site').

The changes necessitate amendments to the Decision Notice issued by Council on 5 August 2026 (Council Ref: A007047497) comprising a Development Permit for Material Change of Use for Multiple Dwelling (237 units) and a Preliminary Approval for Carrying out Operational Work for Filling and Excavation.

The following documents accompany this Minor Change Application:

- **Attachment A** – Planning Act Form 5 – Change Application Form;
- **Attachment B** – Property Search Documents and Landowner's Consent;
- **Attachment C** – Existing Development Approval (A007047497);
- **Attachment D** – Amended Proposal Plans, prepared by *DKO*;
- **Attachment E** – Proposed Changes to Approved Conditions; and
- **Attachment F** – Traffic Engineering Letter, prepared by *Modus*.

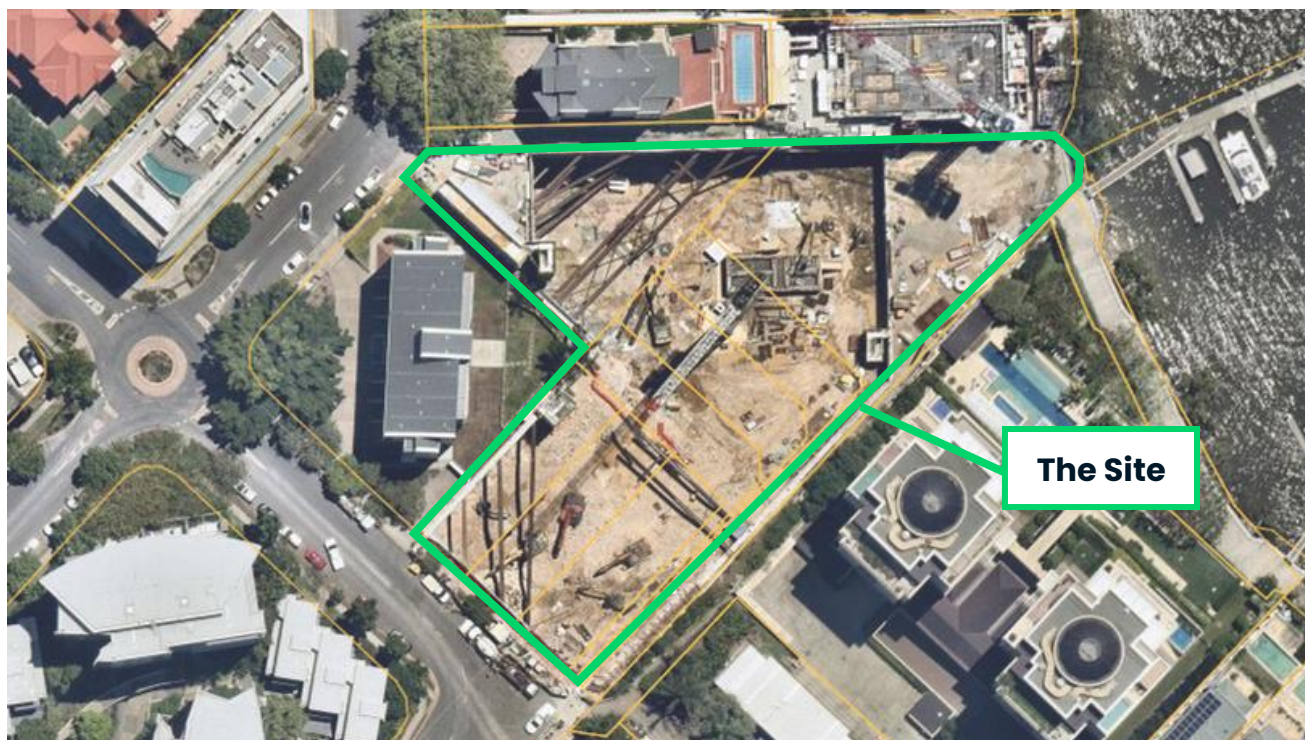
1 The Site

The site details and relevant *Brisbane City Plan 2014* ('City Plan') designations for the site are outlined in **Table 1**, with an aerial image provided at **Figure 1**.

Table 1 – Site Details

Address	94, 98, 102, 102A, 104, 106 and 108 Lambert Street, Kangaroo Point 4169 46 O’Connell Street, Kangaroo Point 4169
Real Property Description	- Lots 3–5 on RP10951 - Lots 1–3 on RP900166 - Lot 1 on RP10951 - Lot 1 on RP79525
Site Area	5,301m ²
Zone	High Density Residential Zone – Up to 15 storeys zone precinct
Neighbourhood Plan	Kangaroo Point Peninsula Neighbourhood Plan – Shafston Precinct

Figure 1 – Site Aerial



Source: Nearmap, annotated by Urbis (2025)

2 Approval History

The site benefits from a number of development approvals with a strong focus on residential development in alignment with the Kangaroo Point Peninsula Neighbourhood Plan and the present zoning for High Density Residential uses. A list of the relevant approvals has been provided in **Table 2** below.

The current approval subject to this Minor Change (s81) Application, relates to the Minor Change granted by Council on 5 August 2026 (Council Ref: A007047497), being the most recent development approval granted over the site.

Table 2 - Approval History

Ref No.	Decision Date	Associated Property	Description
A001609628	15 February 2008	102A-108 Lambert Street	Multi-unit dwelling (7 units)
A003958567	13 October 2014	102A-108 Lambert Street	Extension of currency period
A004461513	14 July 2017	108 Lambert Street	Multiple Dwelling (21 units)
A004914628	25 January 2019	108 Lambert Street & 46 O'Connell Street	Multiple Dwelling (74 units) and Filling and excavation
A005260505	3 July 2020	94-108 Lambert Street & 46 O'Connell Street	Multiple Dwelling (200 units)
A005536097	11 December 2020	94 and 98 Lambert Street	Relocation of two (2) Pre-1911 houses at 94 and 98 Lambert Street.
A005542190 Appeal No. 3611/2020	11 December 2020 28 May 2021	94-108 Lambert Street & 46 O'Connell Street	Council refusal - Multiple dwellings (300 units in three 15-storey residential towers) then P&E approval - Multiple dwellings (273 units in three 15-storey residential towers).
A005541716	8 March 2021	102 Lambert Street	Relocation of a Pre-1911 house at 102 Lambert Street.
A005833578	25 February 2022	94-108 Lambert Street & 46 O'Connell Street	Minor Change to A005542190 which included a reduction to building height, reduction of units to 205 units, changes to floor plates, vehicular access, staging, facades, landscaping and communal open space.

A006369802	28 March 2024	94 Lambert Street	Other Change to A005833578 to included two residential towers, rather than three, and other subsequent design changes, including increasing unit numbers.
A006625230	19 December 2024	94-108 Lambert Street & 46 O'Connell Street	Other Change to A006369802 to increase the height of the building by three storeys for tower 1 and two storeys for tower 2, other subsequent design changes, including increasing unit numbers to 239 units.
A006915130	22 January 2026	94-108 Lambert Street & 46 O'Connell Street	Minor Change to A006625230 to accommodate a revised sewer design in response to Urban Utilities (UU) advice.
A007047497	5 August 2026	94-108 Lambert Street & 46 O'Connell Street	Minor Change to A006915130, which amalgamated level 14 to reduce the total number of units and incorporated rooftop design changes on both towers.

3 Proposed Minor Changes

This Minor Change Application relates to the following:

- Introduction of development staging – this will facilitate the staged delivery of the approved tower forms, and will allow for the settlement, sale and occupation of apartments within Tower 1, whilst construction of Tower 2 continues on-site.
- Layout changes to the approved ground level gym and communal open space area; and
- Amendments to resident bicycle parking located at Basement 1 level to distribute resident bicycle parking across basement levels of the building, and replace the resident bicycle parking at Basement 1 with storage cages for residents.

The abovementioned amendments are discussed, in detail, in the following sections of this report.

3.1 Introduction of Staging

As illustrated in **Figure 2**, the approved development is now proposed to be delivered across three (3) stages to facilitate the staged settlement and occupation of approved dwellings. The proposed staging **does not** alter the approved development outcome, built form, residential yield, access arrangements or operational characteristics of the development. Rather, it establishes a delivery framework that enables completed dwellings to be settled and occupied while the balance of the approved development is being constructed.

The proposed staging is summarised as follows:

- **Stage 1** will comprise **119 apartment units within Tower 1**, together with all infrastructure and services to enable the commencement of use of Tower 1 and Tower 2, whilst all communal facilities and operational components required to support the lawful occupation and independent functioning of Tower 1, will also be delivered.
- **Stage 2** will comprise **2 penthouse apartment units** at Tower 1.
- **Stage 3** will comprise **116 apartment units within Tower 2** and any remaining communal open space, car parking, and other necessary infrastructure required only to service Tower 2.

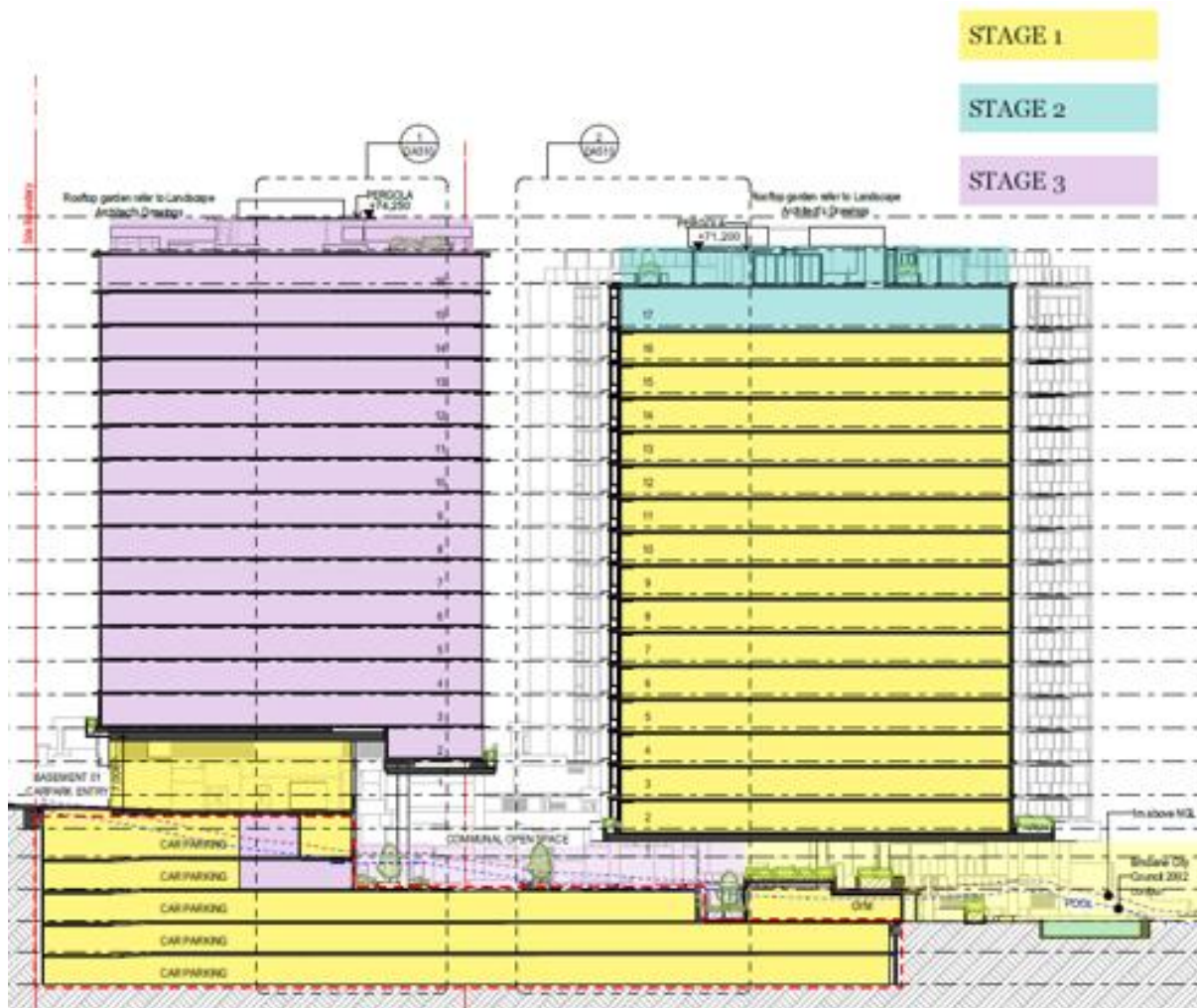
The abovementioned Staging has been clearly articulated in the proposal plans at **Attachment D**, with the plans also confirming that the approved residential yield of **237 apartment units** will be retained, with no changes proposed to the approved tower locations, building envelopes, land uses or overall development intent.

The primary purpose of the proposed staging arrangement is to enable the orderly settlement and occupation of completed dwellings within Tower 1 whilst construction of Tower 2 is ongoing. This approach provides flexibility for delivery of the approved development and enables purchasers to occupy completed residences at an earlier point in time without affecting the ultimate development outcome.

Importantly, all infrastructure, services, access arrangements, communal facilities and other critical components necessary to support the operation of Tower 1 will be delivered and fully operational prior to the commencement of use of Stage 1. The balance of infrastructure, facilities and development components associated with Tower 2 will be delivered prior to the commencement of use of Stage 3. Corresponding changes to the conditions of approval are proposed to ensure these outcomes are secured and that each stage functions safely, efficiently and as intended.

The proposed staging therefore represents an administrative and delivery change only. It does not result in any changes to the approved built form, intensity of development, residential yield, access arrangements or amenity outcomes. Instead, it facilitates the staged handover of completed dwellings while ensuring the approved development is ultimately delivered in its entirety and operates in accordance with the intent of the existing approval.

Figure 2 – Proposed Development Staging



Source: DKO Architects

3.2 Revised Gym Layout

As illustrated in **Figure 3**, the proposed change retains the resident gym at ground level beneath Tower 1, consistent with the approved development. The amendment involves enclosing the previously approved outdoor gym area to create additional indoor gym space, resulting in a modest increase in the gym's gross floor area. This delivers a larger and more functional indoor recreational facility for future residents.

Importantly, the expanded gym area is wholly contained within the existing approved building footprint. The proposal does not change the approved use, location or operation of the gym, but rather enhances its functionality, weather protection and useability.

To complement this change, a new 53m² landscaped area is proposed adjacent to the communal BBQ and open space area. Positioned above the expanded gym area, the landscaping softens the appearance of the roof structure and replaces what would otherwise present as hardstand. The introduction of additional

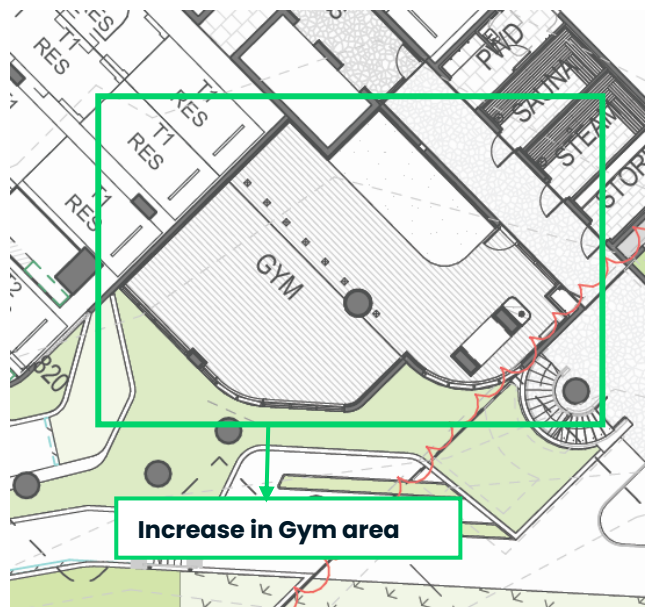
planting improves the visual amenity and useability of the communal open space, contributing positively to the presentation of the built form and resident amenity.

Figure 3 - Approved vs Proposed Gym



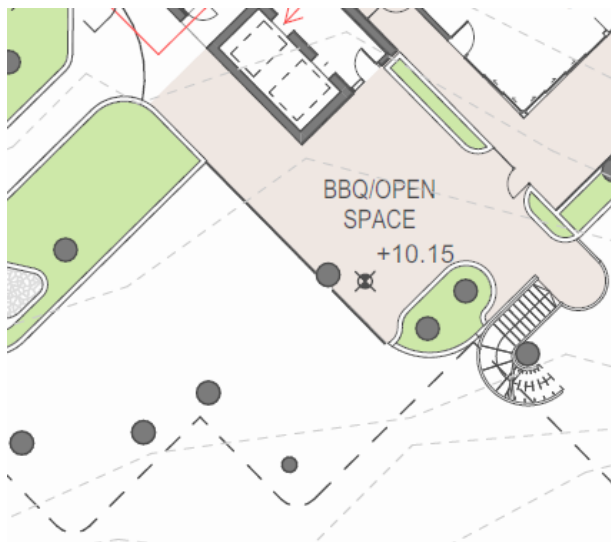
Picture 1 Approved Basement 4 -Gym

Source: DKO Architecture



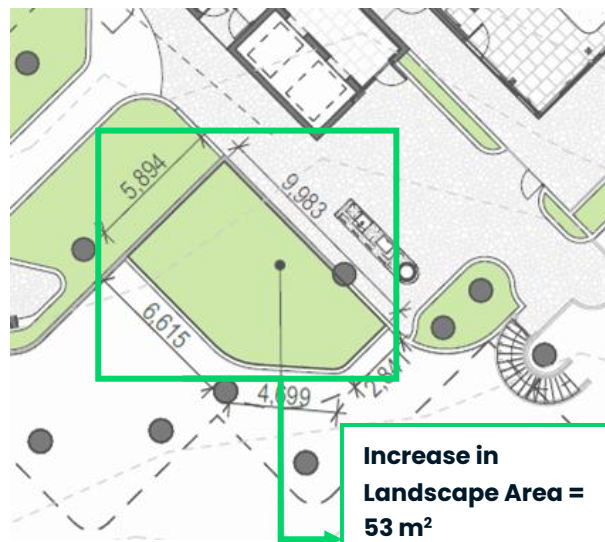
Picture 2 Proposed Basement 4 - Gym

Source: DKO Architecture



Picture 3 Approved Basement 3 -BBQ/Open Space

Source: DKO Architecture



Picture 4 Proposed Basement 3 - New Landscape area with BBQ/Open Space

Source: DKO Architecture

3.3 Resident Bicycle Spaces

The proposed minor change seeks to reconfigure the resident bicycle parking arrangement within Basement Level 1 to facilitate the provision of resident storage cages. Resident bicycle parking will instead be distributed across the basement levels of the development, which is a common and practical design outcome for contemporary high-density residential developments.

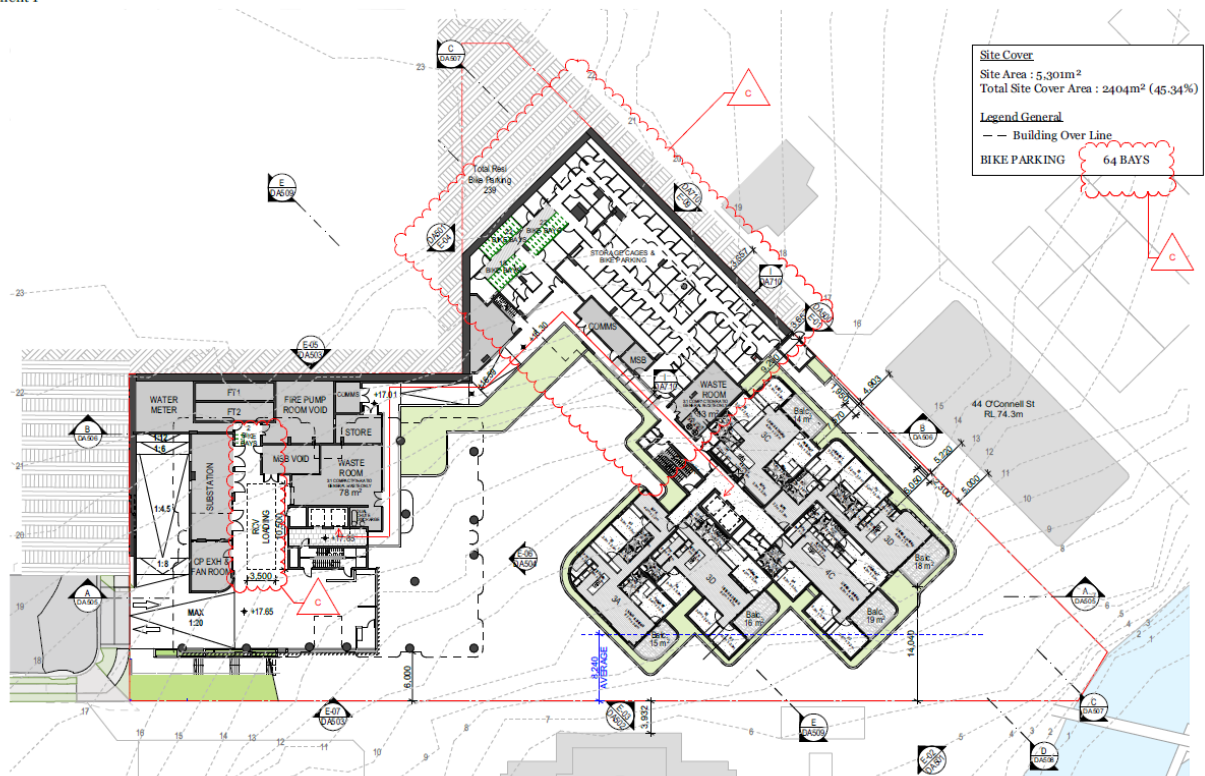
Importantly, the proposal will continue to provide a total of 239 resident bicycle parking spaces, consistent with the approved development and all relevant conditions of approval. As such, the proposed changes do not result in any reduction to the overall bicycle parking supply available to residents.

The introduction of resident storage cages represents a positive residential amenity outcome, providing occupants with secure and convenient storage space for personal belongings, recreational equipment and household items that may not reasonably be accommodated within individual dwellings. The provision of dedicated storage facilities is a desirable feature in urban infill developments, enhancing the functionality and liveability of apartment living while supporting the efficient use of residential floor space. The proposed amendment therefore delivers an improved resident amenity outcome without compromising the development's bicycle parking provision or operational functionality.

Figure 4 below provides an extract of the refined bicycle parking and resident storage cage arrangement.

Figure 4 – Basement Level 1 – Resident Bicycles and Storage

Plans
GAP Basement 1



Source: DKO Architects

Refer to **Attachment F** for further details on the revised resident bicycle parking arrangements.

4 Proposed Changes to Development Approval

The following section outlines the proposed changes to the approval package. Specifically, text ~~struck through in red~~ indicates wording to be deleted and blue and underlined indicates proposed changes.

4.1 Changes to Approved Plans and Documents

The following amendments to the list of approved drawings and documents are requested to ensure that any resultant approval correctly acknowledges the updated drawings and documents as shown in the table below.

The following table only outlines the plan references that require amending. All other approved plans and documents not referenced in this table will remain as per the current approval (Council Ref: A007047497).

Table 3 - Changes to Approved Plans and Documents

Plan/ Document Name	Reference Number	Revision	Plan Date
GAP Basement 6	DA401	Revision E <u>Revision D</u>	01-10-2024 <u>11-09-2026</u>
GAP Basement 5	DA402	Revision E <u>Revision D</u>	01-10-2024 <u>11-09-2026</u>
GAP Basement 4	DA403	Revision E	01-10-2024 <u>11-09-2026</u>
GAP Basement 3	DA404	Revision E	01-10-2024 <u>11-09-2026</u>
GAP Basement 2	DA405	Revision D <u>Revision C</u>	01-10-2024 <u>11-09-2026</u>
GAP Basement 1	DA406	Revision F <u>Revision C</u>	27-11-2025 <u>11-09-2026</u>
Tower 1 – South Elevation	DA502	Revision D <u>Revision G</u>	01-10-2024 <u>11-09-2026</u>
Tower 2 – North & South Elevations	DA503	Revision G <u>Revision E</u>	11-06-2026 <u>11-09-2026</u>
<u>GAP – Basement 6 Staging Diagram</u>	<u>DA7100</u>	<u>Revision A</u>	<u>11-09-2026</u>

Plan/ Document Name	Reference Number	Revision	Plan Date
GAP - Basement 5 Staging Diagram	DA7101	Revision A	11-09-2026
GAP - Basement 4 Staging Diagram	DA7102	Revision A	11-09-2026
GAP - Basement 3 Staging Diagram	DA7103	Revision A	11-09-2026
GAP - Basement 2 Staging Diagram	DA7104	Revision A	11-09-2026
GAP -Basement 1 Staging Diagram	DA7105	Revision A	11-09-2026
GAP - Mezzanine Staging Diagram	DA7106	Revision A	11-09-2026
GAP - Ground Level Staging Plan	DA7107	Revision A	11-09-2026
GAP - Level 1 Staging Plan	DA7108	Revision A	11-09-2026
GAP - Level 2-12 Staging Plan	DA7109	Revision A	11-09-2026
GAP - Level 13 [Penthouse] Staging Plan	DA7110	Revision A	11-09-2026
GAP - Level 14 Staging Diagram	DA7111	Revision A	11-09-2026
Tower 2 Amenity Staging Diagram	DA7112	Revision A	11-09-2026
Tower 2 Roof Staging Diagram	DA7113	Revision A	11-09-2026
Section A-A Staging Diagram	DA7114	Revision A	11-09-2026
Section B-B Staging Diagram	DA7115	Revision A	11-09-2026

4.2 Changes to Conditions

The proposed Minor Change will necessitate consequential amendments to the conditions of approval to facilitate the staged delivery of the development. As outlined in Section 3.2, all critical infrastructure and services will be delivered as part of Stage 1. Accordingly, it is anticipated that all relevant servicing and connection conditions will be tied to Stage 1.

For the purposes of this application, only the key condition amendments have been identified and included in **Attachment E**. However, the Applicant acknowledges that additional consequential amendments to the broader suite of conditions may be required to appropriately reflect the introduction of staging. Further detail on the proposed condition changes is provided in **Attachment E**.

5 Assessment of a Minor Change

This section demonstrates how the proposed minor change addresses the relevant statutory requirements associated with a change application.

5.1 Responsible Entity

Chapter 3, Part 5, Subdivision 2 of the Planning Act sets out the procedure for making a change application. In particular, Section 78 states (emphasis added in **bold**):

78 Making change application

- (1) *A person may make an application (a change application) to change a development approval.*
- (2) *A change application must be made to the responsible entity.*
- (3) *The responsible entity is—*
 - (a) *for a change application for a minor change to a development condition that a referral agency imposes—the referral agency; or*
 - (b) *the P&E Court, if—*
 - (i) *the change application is for a minor change; and*
 - (ii) *the development approval was given because of an order of the court; and*
 - (iii) *there were any properly made submissions for the development application; or*
 - (c) ***otherwise—the assessment manager.***

This minor change application relates to a development approval issued by Council as the assessment manager. In accordance with Section 78(3)(c) of the Planning Act, Brisbane City Council is therefore the responsible entity in this instance.

5.2 Minor Change Criteria

Consideration has been given to the definition of a minor change in Schedule 2 and the assessment criteria set out in Section 81 of the Planning Act, as well as the 'substantially different development' test prescribed in the *Development Assessment Rules* ('DA Rules').

A minor change is defined under Schedule 2 of the Planning Act as follows:

"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) 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 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
 - (E) Public notification if public notification was not required for the development application.”

The proposed changes meet each of the criteria stated on this definition. This is demonstrated in following sections below.

5.3 Substantially Different Development

In respect to part (b)(i) of the definition of Minor Change and what constitutes a substantially different development, it is appropriate to have regard to Schedule 1 of the DA Rules which sets out the substantially different development criteria. An assessment of the proposed changes against the substantially different development criteria is included in the table below.

Table 4 – Substantially Different Development

Guideline Criteria	Response
Involves a new use.	The proposed changes do not involve a new use on the premises.
Results in the application applying to a new parcel of land.	The proposed change does not involve the application applying to a new parcel of land.
Dramatically changes the built form in terms of scale, bulk and appearance.	The proposed change will not result in any dramatic change to the approved built form in terms of scale, bulk or appearance. In terms of physical works, the proposal is limited to converting a modest outdoor gym area into an indoor gym area, introduction of a planter roof atop the gym, and an increase in the quantum of resident bicycle spaces within the existing approved basement levels. These changes are wholly contained within the approved building/development footprint and do not

Guideline Criteria	Response
	introduce any additional building height, alter the approved tower footprints, or result in any material change to the external presentation of the development. The overall scale, bulk, architectural expression and visual appearance of the development will therefore remain generally consistent with the existing approval. Refer to Attachment D – Amended Proposal Plans for further detail.
Changes the ability of the proposed development to operate as intended. For example, reducing the size of a retail complex may reduce the capacity of the complex to service the intended catchment.	The proposed changes will not affect the ability of the development to operate as intended. The development will continue to be utilised as a Multiple Dwelling development. Whilst staging is proposed, construction works are occurring on-site that relate to Stage 3, which evidences the intent to delivery the whole development outcome. Staging simply seeks to allow for staged settlement and occupation of Tower 1 whilst Tower 2 remains under construction. This approach is not uncommon on similar two-tower inner city development.
Removes a component that is integral to the operation of the development.	The proposed changes do not involve the removal of any components integral to the operation of the approved of the development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	The proposed change is unlikely to result in new or additional impacts on traffic flow or the surrounding transport network. The proposal does not involve increase car parking, or development yield, that would facilitate any increases to vehicle movements.
Introduces new impacts or increases the severity of known impacts.	The proposal does not introduce new impacts or increases the severity of known impacts.
Removes an incentive or offset component that would have balanced a negative impact of the development.	The proposed changes do not impact upon any incentives or offsets associated with the development.
Impacts on infrastructure provision.	The proposed changes are not anticipated to adversely impact infrastructure provision. The introduction of staging will facilitate sequential delivery of the approved development, with all critical

Guideline Criteria	Response
	infrastructure required to support the development to be delivered as part of Stage 1. The proposed changes do not alter the approved residential yield or overall infrastructure demand.

The above assessment demonstrates that, the proposed changes are minor in nature and do not result in substantially different development.

5.4 Prohibited Development

In respect to part (b)(ii)(A) of the definition of Minor Change, the proposed Minor Change will not introduce or involve any prohibited development as identified in Schedule 10 of the *Planning Regulation 2017*.

5.5 Referral Agencies

In respect to parts (b)(ii)(B) of the definition of Minor Change, the original application was referred to the State Assessment and Referral Agency ('SARA') for Transport Infrastructure Threshold matters.

If the development application, including the changes, were to be made now, the development application would not require referral to any additional referral agencies. Therefore, the proposed changes will not trigger the need for the development to be referred to any additional referral agencies or any referral agency to have regard to any additional referral matters.

The above demonstrates that the proposed changes comply with the criteria stated in parts (b)(ii)(B), (C) and (D) of the minor change definition.

5.6 Category of Assessment and Public Notification

In respect to parts (b)(ii)(E) of the Minor Change definition, we note that the original development application was subject to Code Assessment (Council Ref: A005542190 / P&E Court Ref: 3611/2020). However, the Other Change Application approved on 19 December 2024 elevated the category of assessment to Impact Assessment and required public notification.

If remade with the proposed changes, the application would remain impact assessable, and the category of assessment would be unchanged. Therefore, no new public notification requirements apply to the changed application.

6 Pre-Request Response Notices

There are no formal pre-request response notices associated with this change application.

7 Affected Entities

There are no affected entities associated with the proposed Minor Change, given the original application and proposed changes do not require referral to any advice agencies.

8 Landowner's Consent

Lambert Street KP Pty Ltd and *Main St Projects Pty Ltd* are the owners of the land parcels this Minor Change Application is made over, and their consent is included within **Attachment B**.

9 Conclusion

In summary, the proposed changes fulfil the criteria of a Minor Change as defined in Schedule 2 of the Planning Act, and would not result in a substantially different development, as outlined in Schedule 1 of the DA Rules.

The development, including the proposed changes, complies 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 use or result in dramatic changes to the approved built form.

We trust 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, **Sirena Kwok** (Senior Consultant) or **Anmol Chhina** (Consultant) on (07) 3007 3800.

Kind regards,



Liam Martin

Associate Director

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Attachment A – Planning Act Form 5 – Change Application Form

Attachment B – Property Search Documents and Landowner’s Consent

Attachment C – Existing Development Approval (A007047497)

Attachment D – Amended Proposal Plans

Attachment E – Proposed Changes to Approval Conditions

Attachment F – Traffic Engineering Letter