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PLANNING ASSESSMENT REPORT

8 Goodwin Street, Kangaroo Point QLD 4169

Change Application (Other Change) under the *Planning Act 2016* to Change an Existing Development Permit for a Material Change of Use for an Apartment Building/Multiple Dwelling (253/15-1999/96) at 8 Goodwin Street, Kangaroo Point (Lot 0 on Building Unit Plan 106839) for Macleay Tower and Villas CTS 24663

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1.0 EXECUTIVE SUMMARY

Bartley Burns has been engaged by Macleay Tower and Villas CTS 24663 to prepare a Change Application (Other Change) to Change an Existing Development Permit for a Material Change of Use for an Apartment Building/Multiple Dwelling (253/15-1999/96) in respect of land at 8 Goodwin Street, Kangaroo Point.

This Planning Assessment Report provides details of the development proposal and how the proposal will comply with the relevant assessment benchmarks.

The proposal is considered to satisfy these assessment benchmarks and will be compatible in scale with other development in the immediate area. As a result, the proposal warrants approval and the issuing of the relevant approval documents.

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2.0 BASIC INFORMATION

Address	8 Goodwin Street, Kangaroo Point QLD 4169
Real Property Description	Lot 0 on Building Unit Plan 106839
Zone	High Density Residential
Precinct	Up to 15 Storeys
Overlays	Airport Environs
	Bicycle Network
	Coastal Hazard
	Critical Infrastructure and Movement Network
	Dwelling House Character
	Flood
	Potential and Actual Acid Sulfate Soils
	Road Hierarchy
	Streetscape Hierarchy
	Waterway Corridors
Neighbourhood Plan	Kangaroo Point Peninsula
	Dockside Precinct NPP-003
	Dockside Core Sub-Precinct NPP-003a
Approval Type	Change Application (Other Change) to Change an Existing Development Permit for a Material Change of Use for an Apartment Building/Multiple Dwelling (253/15-1999/96)



Figure 1: Site Location Source: NearMap 2026

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3.0 PROPOSAL

The applicant, acting on behalf of all owners of the site, proposes to modify the existing multiple dwelling use on land at 8 Goodwin Street, Kangaroo Point. Under the originating development approval from 1996 (253/15-1999/96), Council approved the construction of two apartment buildings i.e. a multiple dwelling use which is today referred to as Macleay Tower and Villas.

Macleay Tower

- Located in the western half of the site, closest to the Goodwin Street frontage
- Comprises a basement carpark level, a ground floor foyer level, 22 residential levels, an unroofed rooftop level and a rooftop plant level
- Was approved with 98 units/dwellings, but constructed with 93 units/dwellings, as five were amalgamated during construction

Macleay Villas

- Located in the eastern half of the site, closest to the Brisbane River frontage
- Comprises a basement carpark level, three residential levels and a rooftop plant level
- Was approved/constructed with twelve units/dwellings

For further details around each of these buildings, please refer to the attached Floor Matrix which includes a full breakdown of unit/dwelling types, etc. across each building/level.

For Council's reference, the purpose of this change application is to:

- update the number of approved units from 110 to 105;
- gain retrospective and future approval for sliding door enclosures to the western-facing balconies in the Type 5 units/dwellings in the Macleay Tower; and
- gain retrospective and future approval for shutter enclosures to all balconies in all units/dwellings in both the Macleay Tower and Macleay Villas.

For further details around each of these enclosures, please refer to the attached Tower Plans, Villa Plans, Sliding Door Specifications and Shutter Specifications which include comprehensive location, finishes, etc. information.

Otherwise in assessing these changes, we wish to point out that in relation to the sliding door enclosures:

- the western-facing balconies on Units 29 and 89 were in fact enclosed at the time of construction (as evidenced by the 'as constructed' Tower Plans) with it believed that these enclosures then prompted further enclosures to Type 5 units/dwellings in the years that followed;

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- while these original enclosures utilised shutters, it is believed shutters were swapped out for sliding doors at a later date to ensure a fully waterproof/watertight outcome with it important to note these sliding doors (and any future sliding doors) are (will be) of a similar style/finish to the sliding doors that exist throughout the building so as to ensure a consistent, low-impact outcome;
- these enclosures have not facilitated (nor is it the intention that they facilitate) additional rooms (bedrooms in particular) – instead, they have (and will continue to) simply facilitate larger, more useable open-plan living/dining rooms;
- by nature, these enclosures are not (will not be) highly visible from surrounding viewpoints, as they are (will be) located on the opposite side of the building to the Brisbane River and are otherwise setback from the main building line.

While with the shutter enclosures, we wish to point out:

- off the back of the original shutter enclosures to Units 29 and 89, it is believed other residents saw the value in enclosing their own balconies with shutters;
- all shutters are (will be) of a similar style/finish so as to ensure a consistent, low-impact outcome;
- unlike the sliding door enclosures, the idea behind the shutter enclosures is not create more internal space, but to create more usable *outdoor* space, as each balcony (depending on how it is orientated) is otherwise subject to harsh sun, high winds, associated sheet rain, etc., so if anything, these shutter enclosures will ensure the development complies with current requirements to, "provide attractive and functional private open space for residents" (PO31 of the Multiple Dwelling Code);
- the shutters are (will be) retractable, allowing residents to protect the full width of their balcony if/when required, but otherwise allowing residents to open up their balcony by locking the shutters in a stacked position at one end of the balcony;
- the shutters already installed have significantly reduced electricity usage/costs for owners who have installed them – thus ensuring compliance with current requirements to, "ensure buildings are subtropical and climatically responsive," and in turn, "reduce the need for mechanical heating, cooling and lighting," (PO16 and PO26 of the Multiple Dwelling Code) which, overall, has/will ensure a far more 'greener' building than what was originally constructed in accordance with Council's *New World City Design Guide: Buildings that Breathe*;
- the shutters have/will address significant safety concerns for residents with small children – preventing them from climbing and falling over the balcony balustrades which is of particular concern with a high-rise building like this.

As previously mentioned, the purpose of this change application is to a. update (decrease) the number of approved units and b. gain retrospective *and* future approval for the aforementioned enclosures – the reason behind this being that over the last thirty years, several enclosures have been carried out (by a combination of current and past owners) with an inconsistent paper trial explaining exactly how, so at this point in time, the body corporate i.e. Macleay Tower and Villas CTS

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24663 would like to 'tidy' all of these up, while also affording other owners the opportunity to enclosure their own balconies if they so desire.

In line with this, it is important to note that there are no conditions in the 1996 approval which explicitly restrict such enclosures (which probably explains why so many have occurred over the years). However, as Condition (a) requires the development to be generally in accordance with certain plans and Condition (be) requires the development to comply with all relevant standards in specified (past and present) legislative documents and we do not have full confidence that the enclosures maintain compliance with either of these conditions, we are lodging this change application in good faith – noting that nobody has ever complained or taken issue with the already completed enclosures which is unsurprising given how they present externally (refer to Figures 2-9).

To this end, we do not believe there is a need to modify any conditions in the 1996 approval as part of this change application except to maybe update plan reference numbers in Condition (a) and to allow for any conflicts in Condition (be) to occur where in accordance with said plans.



Figure 2: Macleay Tower Western Façade from Goodwin Street (Showing Type 5 Units)
Source: Applicant 2026

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Figure 3: Macleay Tower Western Façade from Goodwin Street (Showing Type 5 Units)
Source: Applicant 2026



Figure 4: Macleay Tower South-Western Façade from Goodwin Street Source: Applicant 2026



Figure 5: Macleay Tower Southern Façade from Adjacent Stradbroke Tower Source: Applicant 2026



Figure 6: Macleay Tower South-Eastern Façade from Adjacent Stradbroke Gardens
Source: Applicant 2026



Figure 7: Macleay Tower and Villas Eastern Façade from Riverside Walkway Source: Applicant 2026



Figure 8: Macleay Tower and Villas North-Eastern Façade from Riverside Walkway
Source: Applicant 2026



Figure 9: Macleay Tower and Villas Northern Façade from Riverside Walkway
Source: Applicant 2026

4.0 CHARACTERISTICS OF THE SITE

4.1 SITE DETAILS

The site is located at 8 Goodwin Street, Kangaroo Point, otherwise generally described as Lot 0 on Building Unit Plan 106839. The site comprises a single, irregular L-shaped lot which is bounded by Goodwin Street to the west, the Brisbane River to the east, Rotherham Street and a six storey apartment building (Bridgewater Gardens) to the north *and* an almost identical 'sister' apartment development to what exists onsite (Stradbroke Tower and Villas) to the south. In terms of topography, the site is relatively flat with no significant crossfall.

As already discussed, the site contains a high-rise tower building along the Goodwin Street frontage and a mid-rise villa building along the Brisbane River frontage. In addition to this, the site also contains open-air parking/manoeuvring areas at the front of the tower building and a large, communal open space area with associated shade structure/amenities to the north of both buildings. In line with this, the site has existing connections to necessary water, sewerage, stormwater, electricity and telecommunication infrastructure. Beyond this, the site also has existing access to/from Goodwin Street which is a constructed road with existing kerb and channel and designated pedestrian pathways. In particular, two 6.5 metre wide crossovers (one in the northern half of the frontage and one in the southern half of the frontage) provide vehicular access to different carpark/set-down areas onsite, while a set of stairs (in the centre of the frontage) provides pedestrian access up to the ground floor level of both buildings. As part of this proposal, all existing buildings, structures, parking/manoeuvring areas, infrastructure and access provisions are intended to be retained.

In terms of constraints, the site is not identified as containing protected vegetation under the relevant overlays in *City Plan 2014.* Unsurprisingly though, the eastern third of the site along the Brisbane River is identified as being within the Brisbane River corridor under the Waterway Corridors Overlay in *City Plan 2014.* Tied into this, the eastern boundary of the site is identified as being within medium and high storm-tide inundation areas under the Coastal Hazard Overlay in *City Plan 2014 and* within Brisbane River Flood Planning Areas 1-3 under the Flood Overlay in *City Plan 2014*. Beyond this, the balance of the site is also identified as being within Brisbane River Flood Planning Areas 4 and 5 under the Flood Overlay in *City Plan 2014*. In assessing this proposal, it is important to note that none of these overlays are particularly relevant – either due to the proposal's location outside the mapped extents *or* the fact that the proposal will constitute infill development which will not alter the existing development footprint or finished floor levels.

Further to this, the site is identified as being burdened and benefitted by several easements – none of which are (will be) impacted by this proposal:

- Easement FF on CP864467 (burdening the site) which runs along the site's eastern side boundary in favour of Brisbane City Council *and* Energex for the purpose of facilitating public access to the adjacent South Bank Walk *and* underground infrastructure;

- Easement JJ on CP864467 (burdening the site) which sits in the site's south-western corner in favour of the adjoining site at 2 Goodwin Street for the purpose of providing shared driveway access as the two sites are intrinsically connected;
- Easement LL on CP896835 (burdening the site) which sits near the site's southern side boundary in favour of the adjoining site at 2 Goodwin Street for the purpose of providing shared pedestrian access to landscaped areas as the two sites are intrinsically connected;
- Easement HH on CP864467 (benefitting the site) which runs along the northern side boundary on front of the adjoining site at 2 Goodwin Street for the purpose of providing shared basement carpark access as the two sites are intrinsically connected;
- Easement KK on CP896834 (benefitting the site) which sits near the northern boundary on the adjoining site at 2 Goodwin Street for the purpose of providing shared pedestrian access to landscaped areas as the two sites are intrinsically connected;
- Easement PP on RP809089 (benefitting the site) at 51 Darragh Street for the purpose of providing access to sporting facilities i.e. outdoor pool, tennis court and gym;
- Easement A on RP807311 (benefitting the site) at 44 Ferry Street for the purpose of providing shared access to the Dockside ancillary facilities;
- Easement H on RP807318 (benefitting the site) at 44 Ferry Street for the purpose of providing shared access to the Dockside porte cochere;
- Easement Y on RP807331 (benefitting the site) at 44 Ferry Street for the purpose of providing shared access to the Dockside waterway.

Meanwhile, in terms of zoning, the site is located within the Up to 15 Storeys Precinct of the High Density Residential Zone under *City Plan 2014* with the proposal representing a development outcome that is very much in keeping with the intent of this zone precinct by maintaining, "a residential building [which] is predominantly nine to fifteen storeys in height, in a very well-located part of the city, including close to the City Centre, clustered around significant centres and high-frequency public transport nodes, often in hilltop locations or with river views."

And finally in terms of neighbourhood planning, the site is located within the Dockside Core Sub-Precinct (NPP-003a) of the Kangaroo Point Peninsula Neighbourhood Plan area under *City Plan 2014* with the proposal representing a development outcome that is very much in keeping with the intent of this area by ensuring, "development maintains sight lines between buildings to the Brisbane River and between Goodwin Street and Cairns Street, and reinforces the tower in landscaped plaza development form that contributes to the precinct's unique character and high level of residential amenity."

4.2 APPLICATION HISTORY

In addition to the 1996 application/approval, a development.i search reveals the following applications have been lodged/decided over the site since 2004 – neither of which relate to the proposal in any way:

- A007012552 – Building Work – Extension to an Existing Multiple Dwelling (Sun Shade and Toilet Facility) – Approved June 2026 with Construction Due to be Completed November 2026;
- A007087107 – Plan Sealing – Building Format Plan (Changes to Exclusive Use Car Parks) – Lodged August 2026 (Undecided).

5.0 STATE PLANNING INSTRUMENTS

5.1 STATE PLANNING POLICY 2017

The proposal will not conflict with any of the policies in the *State Planning Policy*.

5.2 SHAPINGSEQ 2023

The site is included within the 'Urban Footprint' under the *South East Queensland Regional Plan 2023 (ShapingSEQ 2023)* with the intent of this area is to:

"The Urban Footprint identifies land in which the region's urban development needs to 2046 can be accommodated in a way consistent with the outcomes and strategies of ShapingSEQ 2023*. The Urban Footprint incorporates the full range of urban uses including housing, industry, business, infrastructure, community facilities and other integral components of well-planned urban environments, such as local areas for sport and recreation and urban open space. The priority for developing land in the Urban Footprint is to accommodate urban growth. However, the Urban Footprint is not an urban zone and does not imply that all land can be developed for urban purposes."*

The proposal will, therefore, not conflict with the intent of the 'Urban Footprint' as envisaged under *ShapingSEQ 2023*.

5.3 PLANNING REGULATION 2017

5.3.1 Referral Agencies

As the proposal relates to a material change of use and the site is subject to an easement which benefits of Energex, Schedule 10, Part 9, Division 2, Table 2 of the *Planning Regulation 2017* identifies that this application is required to be referred to Energex. As this referral requires assessment against the purposes of the *Electricity Act 1994* and the *Electrical Safety Act 2002*, it is important to note that the proposal will comply with and be consistent with both.

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6.0 LOCAL PLANNING INSTRUMENTS

6.1 CITY PLAN 2014

6.1.1 Strategic Framework

The proposal will not conflict with any of the themes in the Strategic Framework of *City Plan 2014*.

6.1.2 Category of Assessment

The site is located within the Up to 15 Storeys Precinct of the High Density Residential Zone with Table 5.5.4 of *City Plan 2014* identifying that proposal is 'impact assessable' development as it relates to a multiple dwelling with a building height, "greater than the building height specified in a relevant neighbourhood plan," i.e. 20 storeys under the Kangaroo Point Peninsula Neighbourhood Plan Code.

This category of assessment is unchanged by the relevant overlays affecting the site *and* by the site's inclusion within the Kangaroo Point Peninsula Neighbourhood Plan Code.

In line with this, it is important to note that while the building work component of the proposal in isolation is not considered 'assessable', the building work component of the overall development is identified as being 'code assessable' in Sections 5.9 and 5.10 of *City Plan 2014* – hence why it has been applied for as part of this application.

6.1.3 Relevant Codes

Under Section 5 of *City Plan 2014*, the proposal is identified as being 'impact assessable' development with the applicable assessment benchmarks for this application deemed to be within the following codes:

- High Density Residential Zone Code
- Multiple Dwelling Code
- Airport Environs Overlay Code (Section A)
- Bicycle Network Overlay Code
- Coastal Hazard Overlay Code (Sections B and C)
- Flood Overlay Code (Sections B and C)
- Potential and Actual Acid Sulfate Soils Overlay Code
- Road Hierarchy Overlay Code (Sections A, B and C)
- Streetscape Hierarchy Overlay Code
- Waterway Corridors Overlay Code (Sections A and D)
- Kangaroo Point Peninsula Neighbourhood Plan Code

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- Filling and Excavation Code
- Infrastructure Design Code
- Landscape Work Code
- Outdoor Lighting Code
- Park Planning and Design Code
- Stormwater Code
- Transport, Access, Parking and Servicing Code
- Wastewater Code

These codes are addressed in Appendix A of this report.

7.0 CONCLUSION

The proposal is generally consistent with the intent of the High Density Residential Zone within *City Plan 2014* and represents substantial compliance with the assessment benchmarks of the applicable codes. The proposal will not cause any significant impact on the surrounding area, instead providing for a positive, functional development which will satisfy resident needs. In this regard, the proposal demonstrates an acceptable development outcome and, therefore, warrants approval subject to reasonable and relevant conditions.

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8.0 APPENDIX A

8.1 CITY PLAN 2014 ASSESSMENT BENCHMARKS

8.1.1 High Density Residential Zone Code

As the proposal in isolation will not alter the existing use (multiple dwelling), nor will it significantly alter the overall form of said use, a full assessment against the High Density Residential Zone Code is not considered necessary in assessing this application.

8.1.2 Multiple Dwelling Code

As the proposal in isolation will not significantly alter the overall form the existing multiple dwelling use, a full assessment against the Multiple Dwelling Code is not considered necessary in assessing this application. In saying that, we wish to point out that the proposal in isolation will comply with assessment benchmarks that relate to general privacy/amenity and subtropic design, as well as those that relate specifically to private open space areas i.e. PO3, PO4, PO16, PO17, PO26 and PO31.

8.1.3 Airport Environs Overlay Code

As the proposal in isolation will have no impact on the operational airspace of nearby airports, a full assessment against the Airports Environs Overlay Code is not considered necessary in assessing this application.

8.1.4 Bicycle Network Overlay Code

As the proposal in isolation will have no impact on nearby bicycle networks, a full assessment against the Bicycle Network Overlay Code is not considered necessary in assessing this application.

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8.1.5 Coastal Hazard Overlay Code

As the proposal in isolation is not considered assessable against the Coastal Hazard Overlay Code, a full assessment against this code is not considered necessary in assessing this application.

8.1.6 Flood Overlay Code

As the proposal in isolation is not considered assessable against the Flood Overlay Code, a full assessment against this code is not considered necessary in assessing this application.

8.1.7 Potential and Actual Acid Sulfate Soils Overlay Code

As the proposal in isolation is not considered assessable against the Potential and Actual Acid Sulfate Soils Overlay Code, a full assessment against this code is not considered necessary in assessing this application.

8.1.8 Road Hierarchy Overlay Code

As the proposal in isolation will have no impact on nearby roads, a full assessment against the Road Hierarchy Overlay Code is not considered necessary in assessing this application.

8.1.9 Streetscape Hierarchy Overlay Code

As the proposal in isolation will have no impact on nearby streetscapes, a full assessment against the Streetscape Hierarchy Overlay Code is not considered necessary in assessing this application.

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8.1.10 Waterway Corridors Overlay Code

As the proposal in isolation will not alter the existing development footprint, a full assessment against the Waterway Corridors Overlay Code is not considered necessary in assessing this application.

8.1.11 Kangaroo Point Peninsula Neighbourhood Plan Code

As the proposal in isolation will not alter the existing use (multiple dwelling), nor will it significantly alter the overall form of said use, a full assessment against the Kangaroo Point Peninsula Neighbourhood Plan Code is not considered necessary in assessing this application.

8.1.12 Filling and Excavation Code

As the proposal in isolation will not include or require new/altered filling or excavation, nor will it have an impact on nearby filling or excavation, a full assessment against the Filling and Excavation Code is not considered necessary in assessing this application.

8.1.13 Infrastructure Design Code

As the proposal in isolation will not include or require new/altered infrastructure, nor will it have an impact on nearby infrastructure, a full assessment against the Infrastructure Design Code is not considered necessary in assessing this application.

8.1.14 Landscape Works Code

As the proposal in isolation will not include or require new/altered landscaping provisions, nor will it have an impact on nearby landscaping provisions, a full assessment against the Landscape Work Code is not considered necessary in assessing this application.

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8.1.15 Outdoor Lighting Code

As the proposal in isolation will not include or require new/altered outdoor lighting, nor will it have an impact on nearby outdoor lighting, a full assessment against the Outdoor Lighting Code is not considered necessary in assessing this application.

8.1.16 Park Planning and Design Code

As the development at large does not relate to a park, a full assessment against the Park Planning and Design Code is not considered necessary in assessing this application.

8.1.17 Stormwater Code

As the proposal in isolation will not include or require new/altered stormwater infrastructure, nor will it have an impact on nearby stormwater infrastructure, a full assessment against the Stormwater Code is not considered necessary in assessing this application.

8.1.18 Transport, Access, Parking and Servicing Code

As the proposal in isolation will not include or require new/altered access, parking or servicing provisions, nor will it have an impact on nearby access, parking or servicing provisions, a full assessment against the Transport, Access, Parking and Servicing Code is not considered necessary in assessing this application.

8.1.19 Wastewater Code

As the site is located within a sewered area, a full assessment against the Wastewater Code is not considered necessary in assessing this application.

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