

Amendment Application (ED Act)

Town Planning Assessment

1. Introduction

This town planning assessment is prepared in respect of an Application to Change a PDA Development Approval (**Amendment Application**) made to the Minister for Economic Development Queensland / Department of State Development, Infrastructure and Planning (**MEDQ**) pursuant to section 99 of the Economic Development Act 2012 (**ED Act**).

The Amendment Application relates to the existing PDA Development Approval over the site at 11 Macarthur Avenue, Part 23 Macarthur Avenue, Part 1A Macarthur Avenue, Part 7 Wharf Street, and Part 11 Wharf Street, Hamilton for a PDA Development Permit for Material Change of Use for Mixed Use High Density Multiple Dwelling, Office (Co-working space), Shop (Dog grooming station), Food and Drink Outlet (Café), Parking Station (Car share scheme) and Indoor Sport and Recreation (Gym) (DEV Reference Number: **DEV2023/1402**). The development approval includes a 24-storey residential-led, mixed-use development, comprising a consolidated podium and two (2) towers, including 560 residential units and 965m² of retail and commercial space on ground and mezzanine levels. A copy of the current approval is included in **Appendix A**.

The Amendment Application is made in accordance with the requirements for Amendment Applications pursuant to section 99 of the ED Act, as it is made in the approved form and is accompanied by the written consent of the owner (**Appendix B**), and the required fee will be paid upon receipt of MEDQ's fee quote to be issued following lodgement of the Amendment Application.

The Applicant has purchased Lot 703 on SP287531 and Lot 705 on SP287529 from Brookfield Portside East Pty Ltd. At the time of making this amendment application the formal change of ownership has not occurred, however from Brookfield Portside East Pty Ltd has provided their consent for the Applicant to make this amendment application. Brookfield Portside East Pty Ltd remain the landowner for the balance of the site (relevant to the development approval) and consistent with the development approval no works are proposed to the balance of the site.

2. Background

2.1 Site and Relevant Planning Designations

The site is located at 11 Macarthur Avenue (developable area), Part 23 Macarthur Avenue (developable area), Part 1A Macarthur Avenue, Part 7 Wharf Street and Part 11 Wharf Street, Hamilton, formally described Lot 703 on SP287531, Lot 705 on SP287529, Lot 951 on SP287536, Lot 101 on SP28754 and Lot 201 on SP287543 (**the site**). The site has a total area of 16,610m². The proposal relates to part of the site, comprising an area of approximately 6,500m² (**development site**), and is shown in **Figure 1** below.

The development site has frontages to Macarthur Avenue (to the north) and Wharf Street (to the east) of approximately 107 metres and 60 metres, respectively. The development site is improved by an existing warehouse building and associated car parking area and benefits from a service laneway to the west adjoining Lot 705 on SP287529.

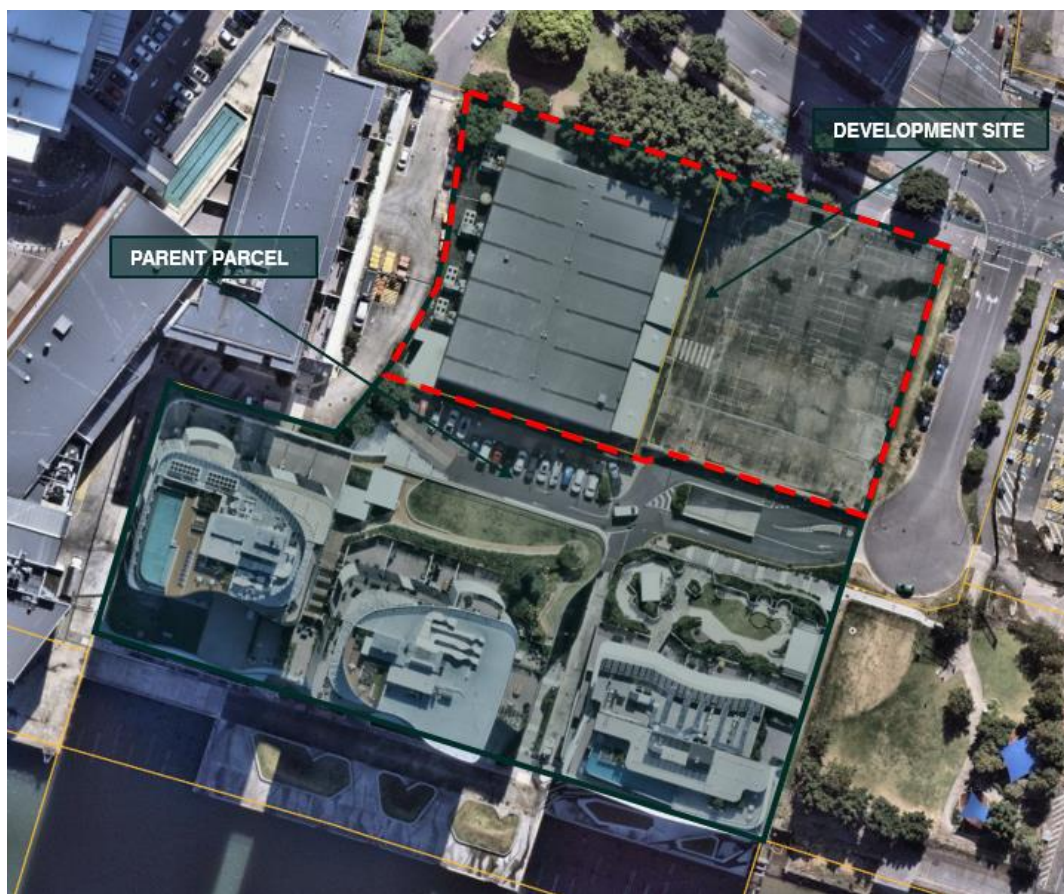


Figure 1: Subject site (Source: Nearmap, 2025)

The registered owner of the site is Brookfield Portside East Pty Ltd (A.C.N 127 225 183). A copy of the Certificate of Title is included in **Appendix B**.

Having regard to the Certificate of Title and Easement documentation, the site is subject to two (2) easements which benefit and burden the land, as shown in **Figure 2** below.

The development benefits from an easement for access purposes (Easement D on SP313542), which applies over land to the west of the site (Lot 0 on SP172640) and forms an existing service laneway that connects to Macarthur Avenue. The proposed development, consistent with the development approval, relies upon this easement for servicing purposes. The development is consistent with the terms of this access easement, and therefore landowner consent of the servient tenement (Brisbane

Cruise Wharf Pty Ltd ACN 098 923 785) is not required to be provided with the amendment application in accordance with Section 82(1) of the *Economic Development Act 2012*.

The site is partially burdened by an easement (Easement ELC on SP341715) for the purposes of electrical infrastructure (Energex Limited). The easement does not directly burden the development site.

Please refer to **Appendix B** for further information regarding the existing easement.

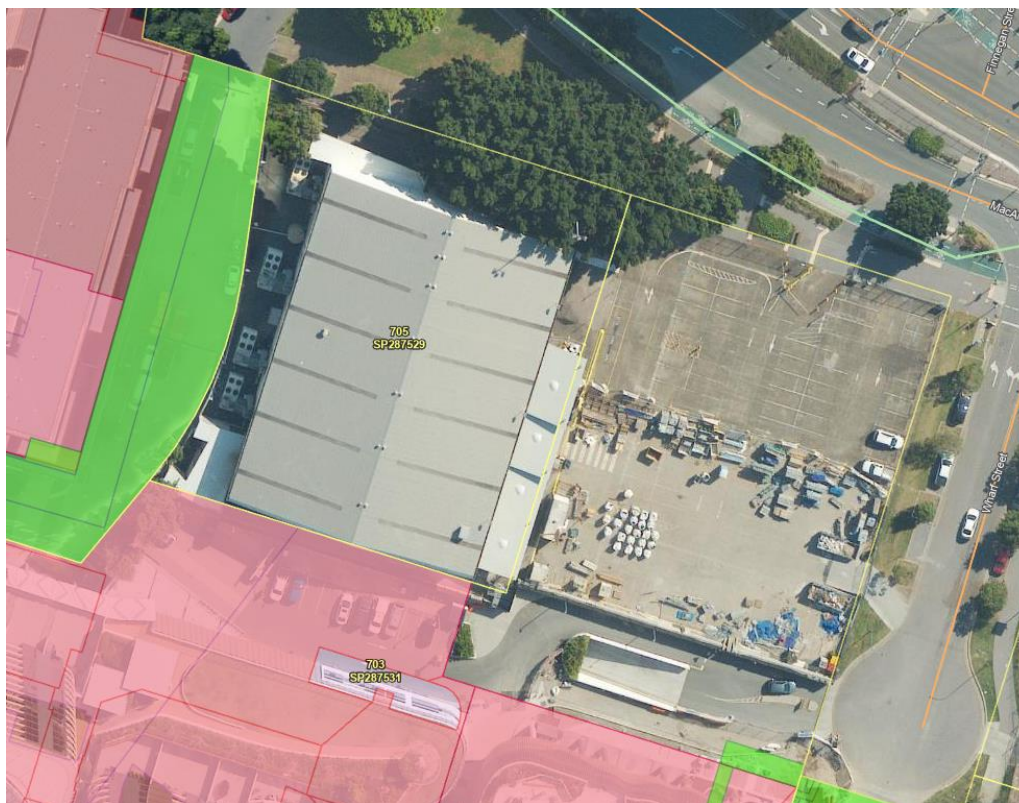


Figure 2: Easement locations (Source: QLD Globe, 2025)

The site is designated within the Northshore Hamilton Priority Development Area (**Northshore Hamilton PDA**), pursuant to the ED Act. Development and planning within the Northshore Hamilton PDA is subject of the Northshore Hamilton Development Area Development Scheme Amendment No. 1 (October 2022) (**Development Scheme**).

Below is a summary of the planning framework and key planning designations under the Development Scheme that apply to the site.

Table 1 – Planning Framework and Town Planning Designations	
Relevant Legislation	Economic Development Act 2012
Priority Development Area	Northshore Hamilton PDA
Assessment Manager	Department of State Development, Infrastructure and Planning (Economic Development Queensland)
Development Scheme	Northshore Hamilton PDA Development Scheme Amendment No.1 (October 2022)
Structure Plan	Mixed Use
Zone	Mixed Use High Density (no precinct)

2.2 Approval Background

Original Approval – December 2023

The original PDA Development Approval over the site was granted by MEDQ by way of a PDA Decision Notice dated 22 December 2023 (MEDQ's reference: DEV2023/1402). The approval was for a PDA Development Permit for Material Change of Use for Mixed Use High Density – Multiple Dwelling – Built to Rent (560 Units), Office (Co-Working Space), Shop (Dog Grooming Station), Food and Drink Outlet (Café), Indoor Sport and Recreation (Gym) and Parking Station (Car Share Scheme).

A copy of the development approval is included within **Appendix A**.

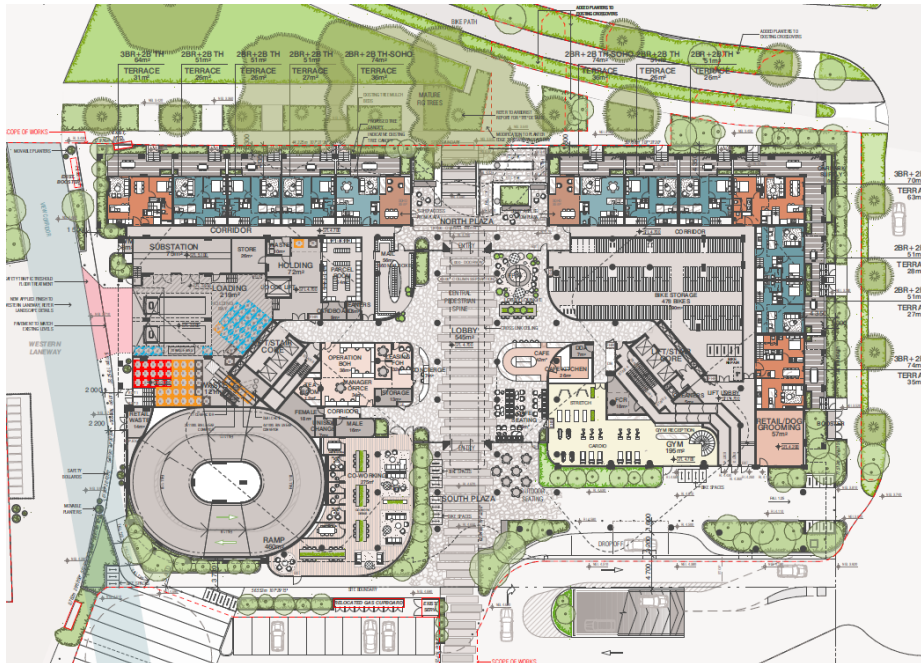


Figure 3: Approved Ground Floor Plan (Source: Fender Katsalidis, 2023)



Figure 4: Approved Northern Elevation (Source: Fender Katsalidis, 2023)

2.3 Pre-lodgement meeting

The Applicant attended a pre-lodgement meeting with Economic Development Queensland (EDQ) on the 8 July 2025 (EDQ Reference: PRE2025/886/2) to discuss the proposed changes to the development approval. The matters raised and discussed in the meeting have been considered in preparing the amendment application material.

3. Proposed Changes

3.1 Overview of Proposed Changes

This Amendment Application is being made as a consequence of changes that have arisen from a detailed review of the approved development outcome, following the Applicant's acquisition of the land and appointment of a builder. The changes relate to achieving a realistic construction project that will deliver critical housing supply.

At the outset, we advise that the fundamental design and operational aspects of the development remain unchanged. The proposed development continues to represent a twenty-four (24) storey, residential-led, mixed use development outcome comprising a consolidated podium and two (2) towers, generally consistent with the approved development. At ground level the development will deliver a pedestrian-focussed, activated and engaging outcome, with a distinct north-south pedestrian cross block link, active uses and spaces and extensive landscaping.

Some built form, design and floorplate changes are proposed to the podium and tower; however the footprint remains generally coherent with the approval and the development maintains a high quality design outcome.

The key changes proposed in this Amendment Application are summarised below and are further detailed within subsequent sections of this assessment.

- The number of units is proposed to reduce from 560 units to 429 units. There is also a change in the unit composition mix, which reflects the Applicants proposal for a build-to-sell product (the approval was for build-to-rent) and the current market conditions. The primary land use remains for Multiple Dwelling.
- The proposed change involves removal of the basement and replacement of the approved mezzanine level with a full level of podium parking. The podium continues to have a building height of five (5) storeys, consistent with the development approval, and is suitably sleeved and screened.
- Vehicle access to the development is proposed from the existing southern driveway via an internal driveway. The access has changed as a consequence of removing the basement.
- The proposed changes achieve a highly activated public realm, comprising a centralised pedestrian cross block link activated by retail uses, outdoor seating / dining, co-working (communal) spaces and residential tower lobbies, with distinct arrival plazas integrated at the northern and southern ends of the cross block link.
- Consistent with the approved development, communal open space will be distributed across the ground level, podium rooftop (Level 06) and rooftop levels. The development proposes a total of 5,068m² of communal open space.
- Within the towers the development maintains a coherent tower floor plate with some modest variation to the size of the floor plates, setbacks and internal building separation.
- The proposed change results in a reduction in gross floor area from 42,144m² to 40,117m².

- Increase in the total number of car parking spaces from 436 spaces to 651 spaces. The change in the car parking provision reflects the change in the nature of the units (i.e., build to sell) and continues to comply with the car parking rates under Schedule 2 of the development scheme. Refer to the Traffic Impact Statement prepared by Bitzios Consulting (**Appendix E**) for further detail.
- Changes to the approved servicing arrangement on the ground level, including integration of a second service bay at ground level, which will be accessible via Wharf Street (to the east).
- The proposed change results in a reduction in the number of bicycle parking spaces, to reflect the reduction in the number of units proposed.
- Introduction of staging to allow for the delivery of the development across two (2) stages.
- Other minor and inconsequential changes to the approved design, as illustrated within the Architectural Package (refer **Appendix C**) and further detail provided below.

Table 2 below provides a comparison of the approved and proposed development outcome.

Further detail of the changes is provided in the respective sections below.

Table 2: Comparison of approved and proposed development scheme		
	Approved	Proposed
Unit numbers	560 units total <ul style="list-style-type: none"> • 302 x 1 bedroom units • 224 x 2 bedroom units • 34 x 3 bedroom units 	429 units total <ul style="list-style-type: none"> • 114 x 1 bedroom units • 224 x 2 bedroom units • 76 x 3 bedroom units
Retail GFA	965m ²	295m ²
Building height	24 storeys and 85m AHD	24 storeys and 85m AHD
Podium height	5 storeys	5 storeys
Gross floor area	42,144m ²	40,117m ²
Car parking	436 spaces	651 spaces
Bicycle parking	700 spaces	466 spaces

Further detail of the changes is provided in the respective sections below.

3.2 Detailed Analysis of Proposed Changes

A detailed summary of the proposed changes is provided herein.

3.2.1 Unit Provision and Type

The Applicant proposes to reduce the number of approved units from 560 units to 429 units (reduction of 131 units) and change the unit mix. The change to the number and mix of units is in response to the Applicants proposal to deliver build to sell units (previously build to rent) and current market conditions and demands.

A breakdown of the apartment mix comparatively between the approved and proposed development scheme is provided in **Table 3** below.

Table 3 – Apartment Mix Comparison: Approved & Proposed			
Apartment Mix	Approved	Proposed	Change
'Studio'	51 x units	53 x units	+2 x units
1 x bedroom	251 x units	76 x units	-175 x units
2 x bedroom	176 x units	174 x units	-2 x units
3 x bedroom	82 x units	76 x units	-6 x units
Total	560	429	-131 x units

The proposed development as part the conditions of the development approval will provide 5% of the residential GFA as affordable housing.

3.2.2 Basement and Access

The development proposes to remove the approved basement to improve the functionality of vehicular access arrangements on-site. The removal of the basement will also substantially improve the interface of the development to the three (3) fig trees along Macarthur Avenue.

The car parking that was accommodated in the basement is proposed to be consolidated across the four (4) podium levels and ground level. The mezzanine level is proposed to be changed to a full car parking level, which does not change the approved five (5) storey podium outcome. For further detail regarding the car parking refer to Section 3.2.3.

Vehicular access to the development is proposed to be maintained via the existing southern driveway between the development site and the towers to the south. A new driveway is proposed through the centre of the site providing access to the podium car parking via a ramp below Tower 1. The driveway is proposed to be integrated with the proposed cross block link (refer to the ground level discussion below).

The Traffic Impact Statement prepared by Bitzios Consulting (**Appendix E**) has reviewed the revised access arrangements and confirms that the proposal will not conflict with the movement of other vehicles (related to Gallery House and Rivello) and appropriate sight distances are achieved.

3.2.3 Car Parking

The proposed change involves an increase in car parking number from 436 to 651 spaces, resulting in an increase in 215 spaces. Visitor parking for the multiple dwelling component are accommodated at ground level and level 2 (in front of the secure line), with resident parking provided across Level 2 – 5. Refer to the Architectural Plans prepared by Plus Architecture (**Appendix C**) for further detail.

The proposed car parking provision addresses the proposed built to sell outcome and market demands. The proposed car parking provision complies with the car parking rates under Schedule 2 of the development scheme. A Traffic Impact Statement has been prepared by Bitzios Consulting to support the proposed changes and is included within **Appendix E**.

The Traffic Assessment confirms that notwithstanding the change to the car parking provision, the traffic generation is coherent with the original approval and will not result in any significant changes to the traffic impacts to the local road network.

Other changes to the proposed car parking arrangement include:

- Reduction in the number of motorcycle parking spaces from 45 x resident spaces to 7 x spaces, comprising 6 x resident spaces and 1 x visitor space.
- Removal of the approved car share scheme, which provided a minimum of 16 vehicles on-site. The car share scheme offset the shortfall in the resident parking supply under the approval. As outlined above, the proposed change no longer results in a shortfall in car parking numbers and as such, the car share scheme is no longer required to offset a shortfall in resident car parking. Whilst the Applicant proposes to remove the car share scheme the approved parking station use will be maintained should it be required in the future (subject to any subsequent amendment application).
- Removal of the approved set down area for taxi's and rideshare vehicles at ground level. The development provides sufficient resident and visitor car parking spaces and vehicle drop off may occur within the internal driveway. Refer to **Figure 5** below and the Architectural Package (**Appendix C**) for further detail.

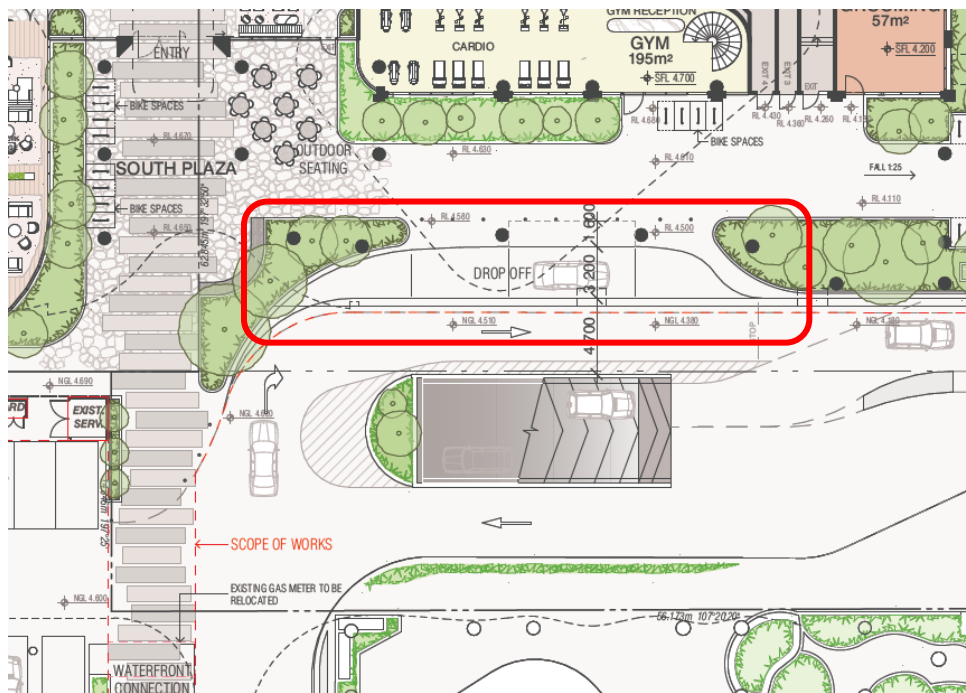


Figure 5: Approved set down area (Source: Fender Katsalidis, 2025)

3.2.4 Servicing

A second servicing bay has been integrated at the ground level below Tower 2 and accessible from Wharf Street. The proposed change provides for a service bay for each respective tower, delivering a more efficient outcome from a delivery, removalist and refuse collection perspective. Refer to **Figures 6 - 8** below.

The development proposes to maintain the loading bay accessible via the western service laneway, albeit with the following changes.

- Reduction in the number of loading bays provided within the western loading bay, from two (2) to one (1) loading bay; and

- Repositioning of the Tower 1 service bay (to the west) further south behind the podium carparking ramp.

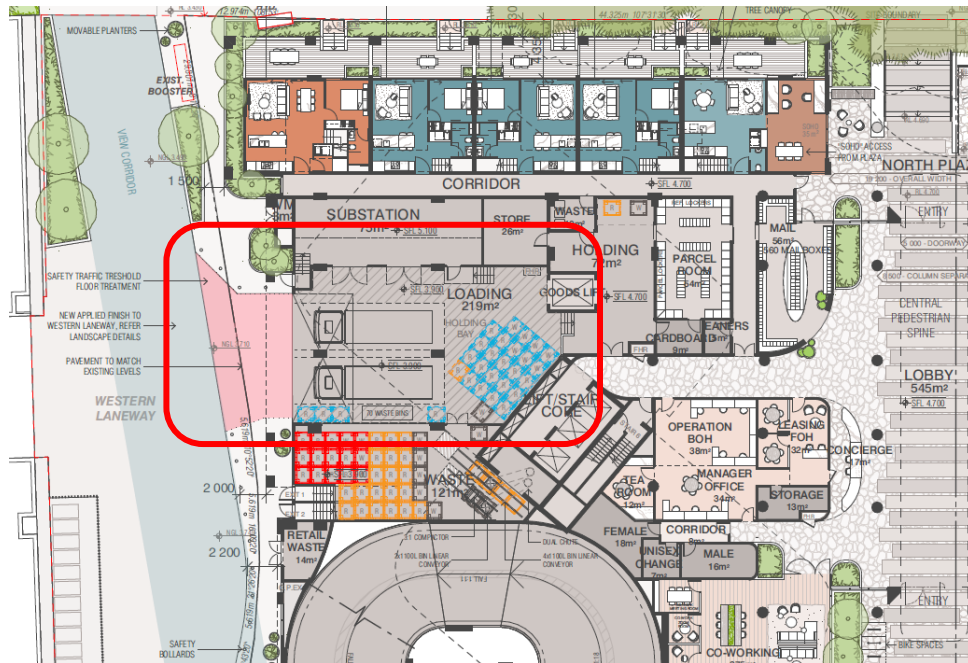


Figure 6: Approved service bay location (Source: Fender Katsalidis, 2023)



Figure 7: Proposed servicing arrangement – Western service laneway(Source: Plus Architecture, 2025)

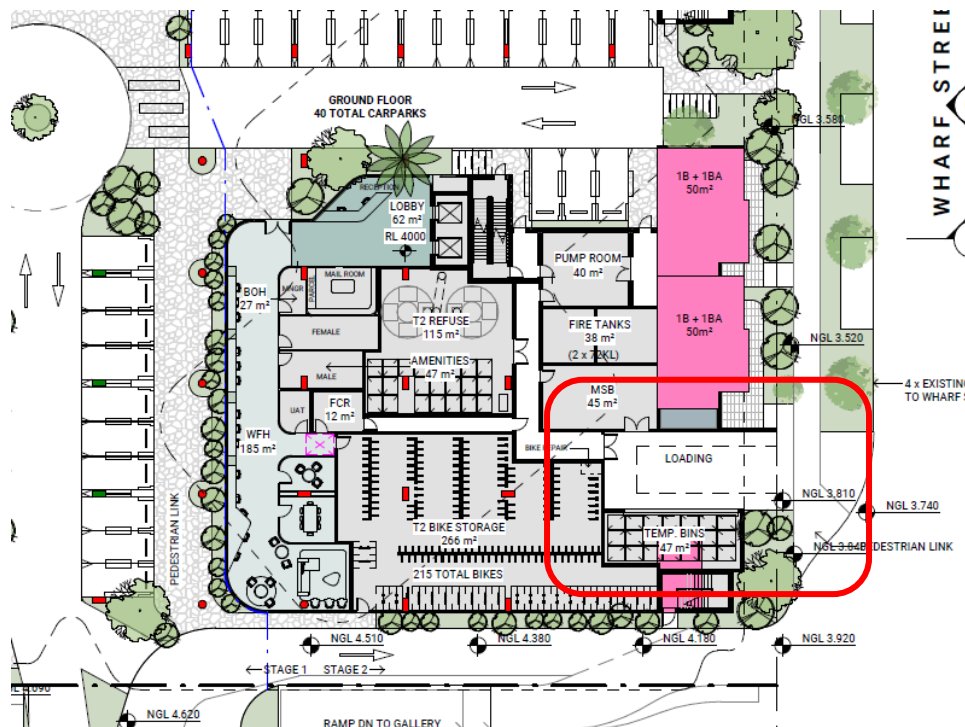


Figure 8: Proposed servicing arrangement – Via Wharf Street (Source: Plus Architecture, 2025)

Refer to the Traffic Impact Statement prepared by Bitzios Consulting (**Appendix E**) for further detail.

3.2.5 Bicycle Parking

The following changes are proposed to the approved bicycle parking arrangement:

- The proposed change provides dedicated on-site bicycle parking and storage areas within both Tower 1 and Tower 2, as opposed to the one (1) consolidated bicycle storage area on ground level, under the approval
- The approved development included a total of 700 bicycle spaces (560 x resident spaces, 140 x visitor spaces). The proposed change results in a reduction in the number of bicycle parking spaces that reflects the reduction in the number of proposed units.
- The proposed change results in a total of 466 bicycle spaces, complying with the minimum requirement prescribed under Council's TAPS PSP and the Austroads standards, respectively.

Refer to the Traffic Impact Statement prepared by Bitzios Consulting (**Appendix E**) for further detail.

3.2.6 Ground plane and pedestrian linkage

The connectivity, functionality, design, quality and activation of the proposed ground floor level remains coherent with (and in some circumstances improves) the development approval. The approved ground level outcome is illustrated in **Figure 9**.

The proposed change achieves a highly activated ground level plane and well-defined north-south cross block link that runs centrally throughout the site, in accordance with the approved development. Fundamental elements of the approved ground level have been integrated as part of the proposed change (as described below), in addition to other integrated features to facilitate increased activation and amenity, for the site and adjoining public and pedestrian environments.

- Provision of a centralised cross block link that runs in a north-south direction through the site. As illustrated in **Figure 10** below, the north-south link will connect the greenspace within the Macarthur Avenue Road reserve and provide the opportunity to continue the link through the land to the south

between Gallery House and Rivello (toward Brisbane River), an outcome facilitated by the original approval.

- The northern end of the cross block link (adjacent to Macarthur Avenue) is anchored by 295m² of retail spaces (either side of the pedestrian connection), outdoor dining / seating and a landscaped plaza. The retail spaces, which also extend along the Macarthur Avenue frontage (to service laneway to the west), replace previously approved ground level residential units and will create an activate public domain and encourage casual surveillance.
- The southern end of the cross block link is anchored by landscaping and a wider pedestrian entry space. The entrance is activated by the work from home spaces within the two (2) residential lobbies. The southern plaza will also a pedestrian connection across the southern driveway between Gallery House and Rivello.
- The development approval included a central pedestrian connection, however it included doors at either end, enclosing the connection and reducing its functionality as a publicly accessible connection, and was only partially anchored by active uses. The development proposes to remove the doors and encourage a publicly accessible space that is integrated with its broader locality.
- The Architectural Plans (**Appendix C**) and Landscape Concept Plan (**Appendix D**) identify that the pedestrian spine will be treated by a high quality pavement treatment so that it is discernible for pedestrians and to ensure a low speed environment with the associated vehicle movements.
- The development approval identified a cross block link along the western boundary of the site, related to the service laneway over Lot 0 on SP172640. The opportunity for this cross block link remains under the proposed development, noting that the laneway is located on a different parcel of land.
- Residential lobbies accessible from the central pedestrian link, consistent with the existing development approval.
- Landscaping is provided throughout the ground plane, including hard and soft landscaping at and above ground, including generous landscaped areas along the streetscape frontage (Macarthur Avenue & Wharf Street), subtropical trees, seating height planters, raised planter boxes at the plaza space and cascading planters which define the northern edge of the retail plaza space. Refer to the Landscape Concept Plan prepared by Verge Design, included within **Appendix D**.
- Accommodation of residential units along the MacArthur Avenue and Wharf Street frontages to encourage engagement with and casual surveillance of these frontages. This outcome is coherent with the existing development approval.
- A combination of rhythmic forms, varying textures, glazing, lighting and materiality have been integrated throughout the ground level to create visual interest and deliver finer-scale outcomes which define the pedestrian link and plaza spaces at the ground plane.
- Servicing and building services, including service bays, waste storage and secure bicycle room (accessible from the central pedestrian link), continue to be accommodated at ground level.
- Vehicular access continues to be provided via the southern access laneway and runs centrally throughout the site to the ground level visitor parking and podium ramp. The internal driveway (as discussed above) represents a change to the ground level, however it has been designed to be integrated with the central cross block link, providing a low speed environment that responds to the developments integration with its surrounding context, which was not previously achieved by the closed off nature of the link under the approval.
- Refer to the Architectural Plans prepared by Plus Architecture which are included in **Appendix C**, for further detail.

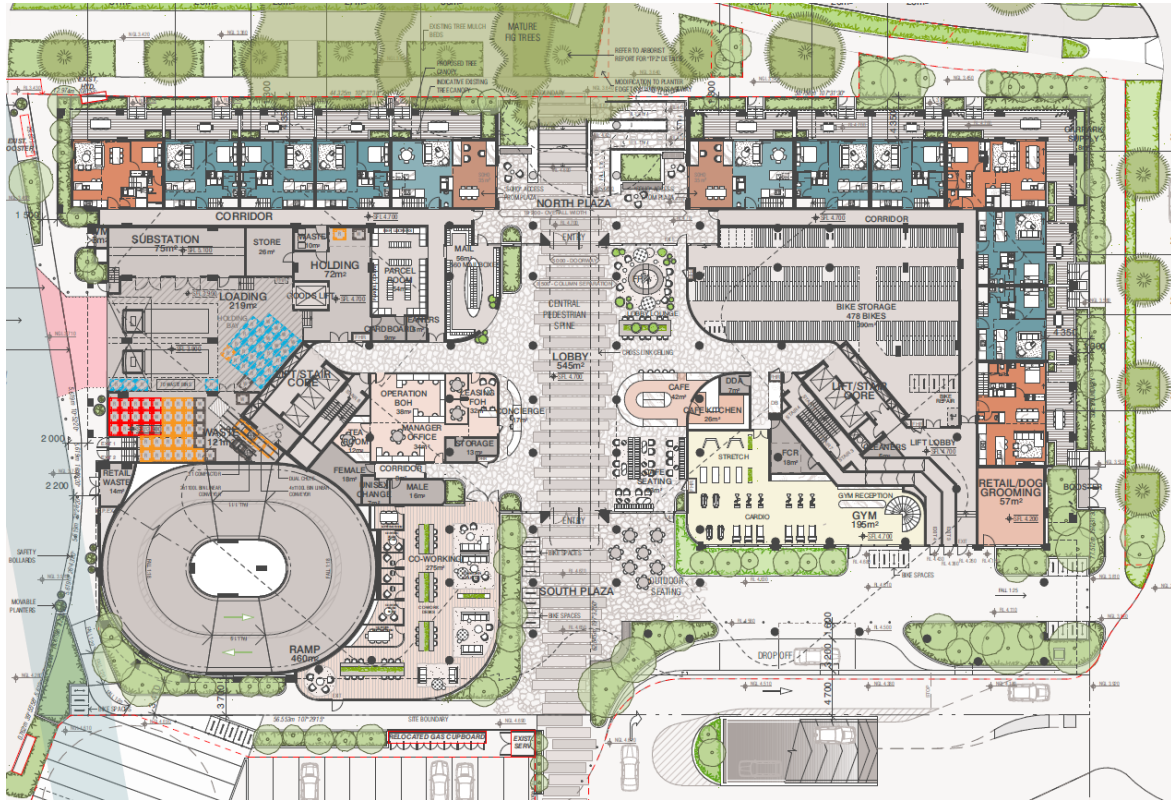


Figure 9: Approved ground level and pedestrian link (Source: Fender Katsalidis, 2023)

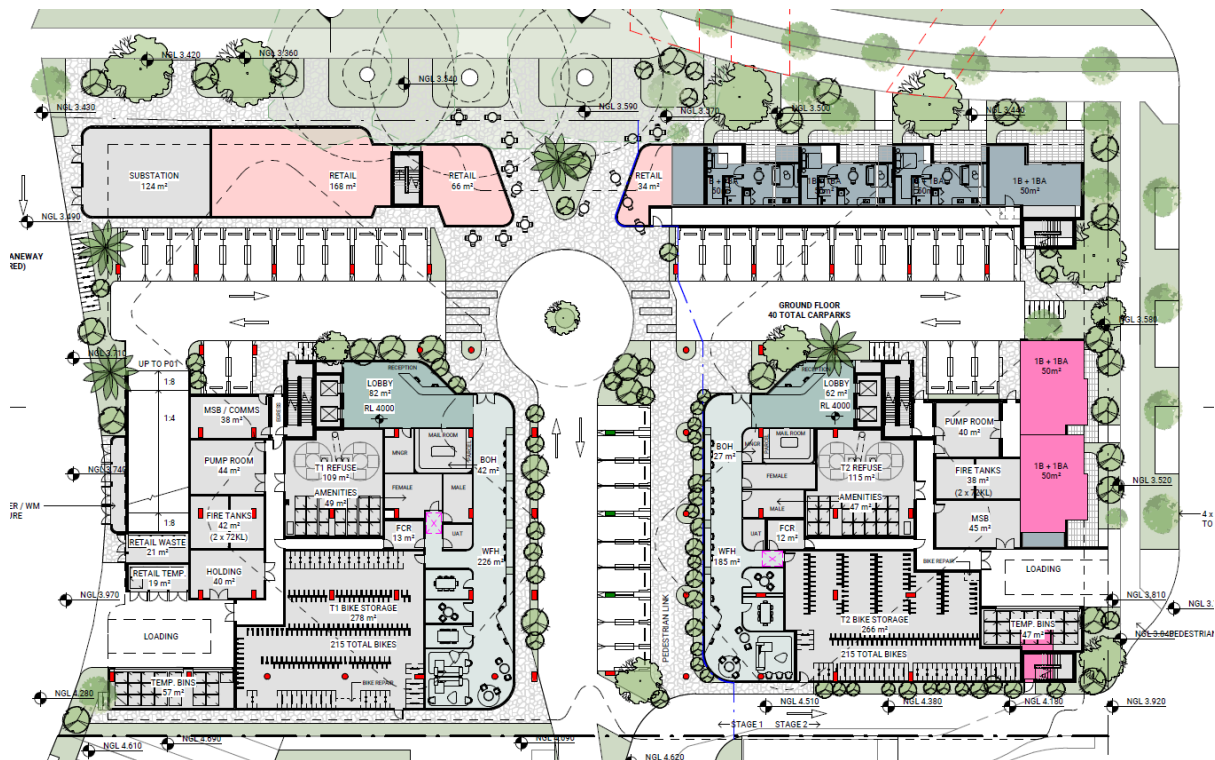
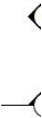


Figure 10: Proposed Ground Floor Level and Pedestrian Link (Source: Plus Architecture, 2025)



← STAGE 1 | STAGE 2 →

Ground Level

-
- The image displays two architectural floor plans of the ground floor of a building, showing internal spaces and external parking areas.
- Left Plan (Ground Floor):**
- RECEPTION**
 - LOBBY** 82 m², RL 4000
 - T1 REFUSE** 110 m²
 - AMENITIES** 47 m²
 - T1 BIKE STORAGE** 274 m²
 - 215 TOTAL BIKES**
 - BIKE REPAIR**
 - MAIL ROOM**
 - BOH** 40 m²
 - WHR**
 - FEMALE**
 - MALE**
 - FCR** 12 m²
 - UAT**
 - WFH** 226 m²
 - STAGE 1**
 - STAGE 2**
 - NGL 4.690**
- Right Plan (Ground Floor):**
- RECEPTION**
 - LOBBY** 62 m², RL 4000
 - T2 REFUSE** 115 m²
 - AMENITIES** 47 m²
 - T2 BIKE STORAGE** 274 m²
 - BIKE REPAIR**
 - MAIL ROOM**
 - BOH** 27 m²
 - WHR**
 - FEMALE**
 - MALE**
 - FCR** 12 m²
 - UAT**
 - WFH** 207 m²
 - STAGE 1**
 - STAGE 2**
 - NGL 4.510**
- External Features:**
- GROUND FLOOR**
 - 40 TOTAL CARPARKS**
 - 6 X VIS BIKES**
 - PEDESTRIAN LINK**
 - V01** through **V10** (Vertical Roadway)
 - 120** (Scale bar)

STAGE 1 | STAGE 2

Podium Rooftop

- The proposed change comprises 3,537m² of communal space on the roof of the podium.
- The podium includes a combination of internal and external spaces, including a gymnasium, wellness centre and internal dining, outdoor barbeque and dining area, lawn area, seating and play area.
- Integration of internal communal space on the podium rooftop within Tower 1 and 2 respectively, including a gymnasium, wellness centre and internal dining for the use of residents and comprise a total of 338m².



Figure 14: Proposed Podium Rooftop Communal Space Outcomes (Source: Verde Design, 2025)

Rooftop Levels

- The rooftop of each tower includes communal open space, totalling 1,098m²
- Each rooftop includes a pool, deck / lounge area, dining and seating spaces and landscaping.

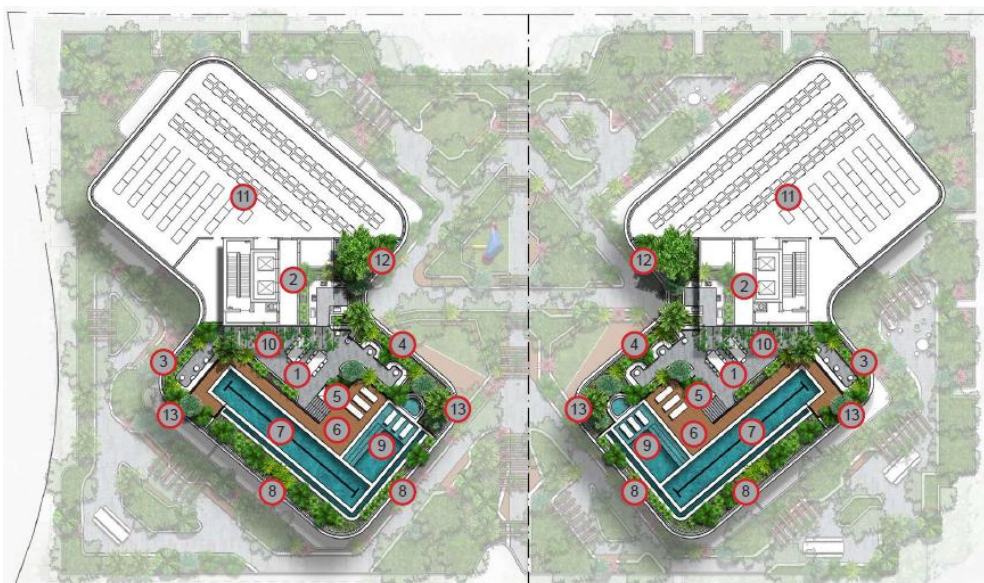


Figure 15: Proposed Rooftop Communal Space Outcomes (Source: Verde Design, 2025)

The development proposes a total of 5,068m² of communal open space, which equates to 77% of the site and 13% of the residential GFA. The proposed communal open space provision maintains functional indoor and outdoor spaces in similar locations to the approval and will support the resident's needs, noting that the reduced number of units is relevant in the context of the communal open space provision.

3.2.10 Staging

The Applicant proposes to stage the development to deliver it in two (2) parts, as described below. The staging supports the constructability and delivery of the development.

- Stage 1: Tower 1, including half of the podium and the portion of the ground level below tower 1, including the cross block link and vehicle driveway.
- Stage 2: Tower 2, including the balance of the podium and ground level.

Figure 16 illustrates the proposed staging outcome.

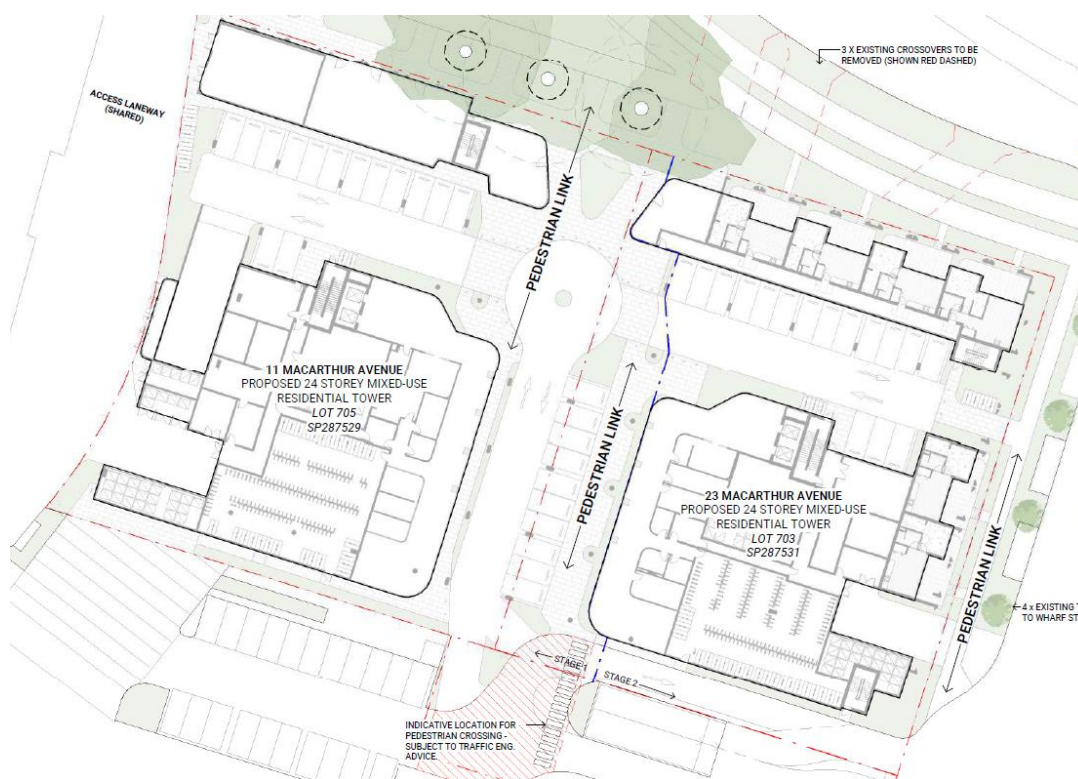


Figure 16: Staging (Source: Plus Architecture, 2025)

Based on the Applicant and builders' construction program they anticipate that the second stage will commence six (6) months after Stage 1 is completed. The internal podium elevation for Stage 1 is temporary (refer to the plan provided in **Appendix C**) and its treatment reflects the Applicant's construction program.

3.2.11 Overarching Design Outcome

As a consequence of the changes to the podium and tower and the Applicant's detailed design process changes are proposed to the buildings design. Overall, the architectural design, façade articulation and use of material and colours is coherent with the development approval, albeit with the minor changes below.

- Consistent with the development approval the podium is sleeved by residential units and a high quality façade outcome, including arched forms, vertical bronze battens and landscaping.

- The development approval included archways that contributed to the design of the podium and helped to balance its scale, partially concealing the mezzanine level.

The podium includes arched forms of varying scale, which contribute to the design and visual interest of the podium and helps to balance the presentation of the podium as a four (4) and five (5) storey scale, consistent with the development approval.

- **Figure 17** illustrates the podium design.



Figure 17: Proposed Podium Design (Source: Plus Architecture, 2025)

- The tower design is characterised by tinted glazing, slab projections, varied balcony forms and vertical concrete blades, with a varied scale and irregular pattern. The slab projections and vertical concrete blades create variation in the horizontal and vertical profile of the façade, consistent with the development approval.
- **Figure 18** illustrates the tower design.



Figure 18: Proposed Tower Design (Source: Plus Architecture, 2025)

3.3 Changes to Approval Documentation

As part of this Amendment Application, we endeavour to assist MEDQ with relevant process matters to the greatest extent possible. In this regard, we have identified where the Amendment Application will result in amendments to the current approval package, including the approved drawings and documents and conditions of approval.

3.3.1 Changes to Approved Drawings and Documents

We recommend that the following changes are made to the approved drawings and documents (existing documents to be removed in strikethrough, and replacement documents in **green**). Only the documents subject of change are identified below; all other approved documents are unchanged.

Table 2 – Changes to Approved Drawings and Documents		
Drawing or Document	Number	Date
Existing Ground Plan, prepared by Fender Katsalidis	DA0005 REV.02	06/10/2023 and amended in red by MEDQ on 08/11/2023
Precinct Ground Plan, prepared by Fender Katsalidis	DA0013 REV.03	06/10/2023 and amended in red by MEDQ on 08/11/2023
Basement Floor Plan, prepared by Fender Katsalidis	DA0099 REV.03	06/10/2023
Ground Floor Plan, prepared by Fender Katsalidis Site Plan – Ground Floor	DA0100 REV.03 DA010	06/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025
Mezzanine Floor Plan, prepared by Fender Katsalidis	DA0101 REV.03	06/10/2023 and amended in red by MEDQ on 08/11/2023
Level 2 Floor Plan, prepared by Fender Katsalidis Floor Plan – Level 02 – Podium Carparking	DA0102 REV.03 DA101	06/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025
Level 3 Floor Plan, prepared by Fender Katsalidis Floor Plan – Level 03 to 05 – Podium Carparking	DA0103 REV.03 DA102	06/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025
Level 4 Floor Plan, prepared by Fender Katsalidis	DA0104 REV.03	06/10/2023 and amended in red by MEDQ on 08/11/2023
Podium Roof Floor Plan, prepared by Fender Katsalidis Floor Plan – Level 06 – Podium Residential	DA0105 REV.03 DA103	09/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025
Level 6 Floor Plan, prepared by Fender Katsalidis	DA0106 REV.03	06/10/2023
Level 7 – 17 Floor Plan, prepared by Fender Katsalidis Floor Plan – Level 07 to 24 – Typical Residential	DA0108 REV.03 DA104	06/10/2023 August 2025
Level 18 – 23 Floor Plan, prepared by Fender Katsalidis	DA0118 REV.03	06/10/2023
Roof Terrace / Plant Floor Plan, prepared by Fender Katsalidis Floor Plan – Level 25 – Rooftop Recreation	DA0124 REV.03 DA105	06/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025
Floor Plan – Level 26 – Roof	DA106	August 2025
North – Elevation Trees, prepared by Fender Katsalidis	DA2000 REV.01	09/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025
North – Elevation, prepared by Fender Katsalidis Elevation – North	DA2001 REV.03 DA200	09/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025

Table 2 – Changes to Approved Drawings and Documents		
Drawing or Document	Number	Date
South – Elevation, prepared by Fender Katsalidis Elevation – South	DA2002 REV.03 DA202	06/10/2023 and amended in red by MEDQ on 08/11/2023 August 2025
East – Elevation, prepared by Fender Katsalidis Elevation – East	DA2003 REV.03 DA201	06/10/2023 August 2025
West – Elevation, prepared by Fender Katsalidis Elevation – West	DA2004 REV.03 DA203	06/10/2023 August 2025
East – Internal Façade Elevation, prepared by Fender Katsalidis	DA2005 REV.03	06/10/2023
West – Internal Façade Elevation, prepared by Fender Katsalidis	DA2006 REV.03	06/10/2023
Section A, prepared by Fender Katsalidis Building Section A	DA2500 REV.03 DA300	06/10/2023 August 2025
Tower Section B, prepared by Fender Katsalidis Building Section B	DA2501 REV.03 DA301	06/10/2023 August 2025
Tower Section C, prepared by Fender Katsalidis Building Section C – Staging Interface	DA2502 REV.03 DA302	06/10/2023 August 2025
GFA Calculation – Plans, prepared by Fender Katsalidis GFA + Site Cover – Ground Level	DA4013 REV.03 DA510	09/10/2023 August 2025
GFA + Site Cover – Level 02 – Podium Carparking	DA512	August 2025
GFA + Site Cover – Level 03 to 05 – Podium Carparking	DA513	August 2025
GFA + Site Cover – Level 06 – Podium Residential	DA516	August 2025
GFA + Site Cover – Level 07 to 24 – Typical Residential	DA516	August 2025
GFA + Site Cover – Level 25 – Rooftop Recreation	DA535	August 2025
GFA + Site Cover – Roof	DA536	August 2025
Materials Palette, prepared by Fender Katsalidis	DA4030 REV.03	06/10/2023
Pool Sections, prepared by Fender Katsalidis	DA4100 REV.02	06/10/2023
Façade Sections – Podium, prepared by Fender Katsalidis	DA4150 REV.02	06/10/2023 and amended in red by MEDQ on 08/11/2023
Façade Sections – Podium, prepared by Fender Katsalidis	DA4151 REV.02	06/10/2023
Tower – Studio / 1 Bed Apartments, prepared by Fender Katsalidis	DA5000 REV.03	06/10/2023
Tower – 2 Bed + 1 Bath Apartments, prepared by Fender Katsalidis	DA5001 REV.03	06/10/2023
Tower – 2 Bed + 2 Bath Apartments, prepared by Fender Katsalidis	DA5002 REV.03	06/10/2023
Tower – 3 Bed + 2 Bath Apartments, prepared by Fender Katsalidis	DA5003 REV.03	06/10/2023
Ground Floor – 2 Bed Double Storey Apartments, prepared by Fender Katsalidis	DA5004 REV.03	06/10/2023

Table 2 – Changes to Approved Drawings and Documents		
Drawing or Document	Number	Date
Ground Floor – 3 Bed Double Storey Apartments, prepared by Fender Katsalidis	DA5005 REV.03	06/10/2023
Ground Floor – 3 Bed Double Storey Apartments, prepared by Fender Katsalidis	DA5006 REV.03	06/10/2023
Traffic Engineering Report, prepared by TTM Traffic Impact Statement, prepared by Bitzios Consulting	Revision 3 Version 003	05/10/23 06/08/2025
ESD Report for Portside East prepared by Aspire Sustainability Consulting ESD Letter of Accordance, prepared by E-Lab Consulting	116012_1 Rev 1.0 N.A	11/05/2023 and amended in red by MEDQ on 21/12/2023 14 August 2025
Civil Engineering Report prepared by Michael Bale & Associates Civil Engineering Report, Prepared by Michael Bale & Associates	R001-G23018 R001-G23018A	06/07/2023 06/08/2025
Operational Waste Management Plan, prepared by TTM Waste Management Plan, prepared by ITE Consulting	Rev 4 01	31/07/2023 08/08/2025
Environmental Noise Assessment prepared by TTM Environmental Noise Assessment, prepared by Colliers	22BRA0093 R01_1 Rev 1 Rev 0	11/05/2023 01/08/2025
Portside Built to Rent Qualitative Wind Assessment prepared by CPP Wind Engineering Consultants Portside Built to Rent Wind Assessment Following Proposed Changes, prepared by CPP Wind Engineering Consultants	18496-R01 N.A	25/07/2023 06 August 2025
11 – 23 Macarthur Ave Hamilton Portside BTR Landscape Development Application, prepared by Urbis Portside 11 – 23 Macarthur Avenue, Hamilton Amendment Application Landscape Plans, prepared by Verde Design Group	N.A N.A	09/10/2023 August 2025
Arboricultural Impact Assessment, prepared by Independent Arboricultural Services Arborist Comments Report, prepared by Independent Arboricultural Services	IAS11653 IAS109092	3 April 2023 7 August 2025
Portside Built to Rent Wind Assessment, prepared by CPP Wind Engineering Consultants	CPP18496	05 October 2023

3.3.2 Changes to Decision Notice and Conditions of Approval

As a consequence of the proposed changes identified above, the application proposes the following change to conditions (elements to be removed in ~~strike through~~, and replacements in **green**).

Table 3 – Changes to Conditions	
Condition	Reason for Change
4) Compliance Assessment – Significant vegetation Protection <i>All trees identified in the Arboricultural Impact Assessment prepared by Independent Arboricultural Services dated 3 April 2023, checked on 6 October</i>	To update report references.

Table 3 – Changes to Conditions	
Condition	Reason for Change
<p>2023 dated 7 August 2025, are street trees which are significant vegetation in the Northshore Hamilton PDA Scheme and are located within a Brisbane City Council managed asset. Submit to EDQ DA for Compliance Assessment documented evidence that Brisbane City Council (BCC) supports and approves the extent of pruning works and interference to all of the 24 trees and tree groups identified in the Arboricultural Impact Assessment.</p>	
<p>5) Sufficient Grounds – Compliance Assessment – Detailed Design Public Realm Strategy</p> <p>a) Submit to EDQ DA for Compliance Assessment, a detailed Public Realm Strategy prepared by a suitably qualified professional, for the areas of public realm as illustrated on the Precinct Ground Plan, Drawing No. DA0013, dated 06.10.2023 and amended in red on 8 November 2023 Floor Plan – Ground Level, Drawing No. DA100, dated August 2025. The Public realm strategy needs to address all areas where the public will have access within and surrounding the building, and will include at a minimum:</p> <ul style="list-style-type: none"> i. Detailed designs for the central both public required cross block links including consistent pavement / surface treatments, way finding, signage and lighting. ii. The creation of an arrival place (plaza) at both ends of the enclosed laneway, including large opened glazed doors that remain open 7am – 7pm. <p>...</p>	<p>To update plan references.</p> <p>To recognise that the ground level plaza is no longer enclosed.</p>
<p>6) Compliance Assessment – Detailed Landscape Plans</p> <p>a) Submit to EDQ DA for compliance assessment, detailed landscape plans prepared by an AILA Registered Landscape Architect, for the development's landscape works generally in accordance with 11-23 Macarthur Ave Hamilton Portside BTR Landscape Development Application, prepared by Urbis, dated 27.07.2023 Verde Design Group, dated 15 August 2025 and include the following:</p> <p>...</p>	<p>To update report reference.</p>
<p>10) Compliance Assessment – ESD Sustainability</p> <p>a) Submit to EDQ DA for Compliance Assessment an updated sustainability statement and supporting documentation prepared by a suitably qualified consultant which demonstrates the building will achieve a 4 Star Green Star building certification under the Green Building Council of Australia (GBCA) Green Star New Buildings V1 rating tool. The updated sustainability statement and supporting documentation is to be prepared as follows:</p> <ul style="list-style-type: none"> i. The updated sustainability statement is to be prepared in accordance with the approved ESD report prepared by Aspire, as amended in red ESD Letter of Accordance prepared by E-LAB Consulting, dated 14 August 2025; <p>...</p>	<p>To update report references.</p>
<p>25) Excavation and Basement Design</p> <p>a) Submit to the EDQ IS an Excavation and Basement Report, certified by a RPEQ, including:</p> <ul style="list-style-type: none"> i. confirmation of design and performance criteria including standards and supporting documents used for the basis of design; ii. consistency with: <ul style="list-style-type: none"> 1. Australian Standard AS 3798, Guidelines on Earthworks for Commercial and Residential Developments; 	<p>To recognise the exclusion of a basement level and any requirement for excavation and basement design as part of the change application.</p>

Table 3 – Changes to Conditions

Condition	Reason for Change
<p>2. the Geotechnical Shoring and Design Report submitted under other condition/s forming part of this approval;</p> <p>3. the Structural Monitoring and Vibration Report submitted under other condition/s forming part this approval;</p> <p>4. the Rock and Ground Anchor Report submitted under other condition/s forming part this approval</p> <p>iii. locations of cut and fill, and the character of material;</p> <p>iv. quantity of fill to be deposited;</p> <p>v. a maintenance regime for site access roads/tracks, ensuring they remain clean and free of material;</p> <p>vi. existing and proposed finished levels in reference to the Australian Height Datum and extending into the adjoining properties;</p> <p>vii. mitigation measures for the protection of adjoining properties and roads from ponding and/or nuisance from stormwater;</p> <p>viii. where earthworks disturb contaminated land (as defined under the EP Act), evidence of appropriate mitigation to support the approved land uses in accordance with Queensland legislated requirements; and</p> <p>ix. Detailed Design and Construction Plans, including staging, for excavation and basement design, certified by a RPEQ.</p> <p>b) Carry out excavation and basement work in accordance with the certified Detailed Design and Construction Plans submitted under part a) ix) of this condition.</p> <p>c) Submit to EDQ IS RPEQ:</p> <p>i. certification that excavation and basement work has been undertaken in accordance with part b) of this condition; and</p> <p>ii. certified 'as constructed' drawings for the excavation and basement work carried out in accordance with part b) of this condition.</p> <p>NOTE: When submitting 'as constructed drawings', the preferred format is one letter/certificate listing all drawings and signed by the appropriate RPEQ for each discipline of engineering.</p>	
<p>35) Stormwater Management (Quality)</p> <p>a) Submit to EDQ IS detailed engineering drawings, certified by a RPEQ, for stormwater treatment devices designed generally in accordance with:</p> <p>i. PDA Guideline No. 13 Engineering standards – Stormwater quality; and</p> <p>ii. the approved Civil Engineering Report (Michael Bale & Associates, Revision 2, dated 6 July 2023) (Michael Bale & Associated, Revision 01, dated 06/08/2025).</p> <p>...</p>	To update report references.
<p>36) Acoustic Treatments</p> <p>a) Construct the approved development in accordance with the recommendations of the approved Environmental Noise Assessment Report, prepared by TTM Consulting Pty Ltd (Revision 1), dated 11 May 2023 Environmental Assessment Report, prepared by Colliers (Revision 0), dated 01/08/2025.</p>	To update report references.
<p>42) Refuse Collection</p> <p>a) Submit to EDQ IS evidence of approved refuse collection arrangements, from Council or a private waste contractor, for the approved development.</p> <p>b) Implement the refuse collection arrangements generally in accordance with the Operational Waste Management Plan, prepared by TTM Consulting Pty Ltd</p>	To update report references.

Table 3 – Changes to Conditions

Condition	Reason for Change
(Revision No. 4), dated 31 July 2023 ITE Consulting (Revision 01), dated 08/08/2025.	

4. Statutory Town Planning Framework

This section of our Town Planning Assessment identifies the applicable components of the statutory town planning framework relating to an Amendment Application, and their relevance to the changes proposed by the Applicant.

Section 99 of the ED Act sets out the procedure for changing approvals, and is reproduced below.

99 Application to change PDA development approval

- (1) *A person may apply (the **amendment application**) to MEDQ to change a PDA development approval.*
- (2) *However, the amendment application may be made only if MEDQ is satisfied the change would not result in the relevant development being substantially different.*
- (3) *Division 3 applies for the amendment application as if—*
 - (a) *a reference in the division to a PDA development application were a reference to the amendment application; and*
 - (b) *a reference in the division to a PDA development approval were a reference to a changed PDA development approval; and*
 - (c) *a reference in the division to the granting of a PDA development approval were a reference to the making of the change.*
- (4) *Despite subsection (3), section 84(2) to (6) applies for the amendment application only in a circumstance mentioned in section 84(1)(c).*
- (5) *If the person is not the owner of the relevant land for the PDA development approval, the amendment application must be accompanied by the owner's consent.*

Whilst the Development Assessment Rules (DA Rules) established by the *Planning Act 2016* do not explicitly apply to development within a PDA, it provides a useful guide to determining 'substantially different development' (being a term used in the assessment of an amendment application).

Schedule 1 of the DA Rules sets out the circumstances in which a 'minor change' (relevant to the *Planning Act 2016*) would not result in substantially different development. The DA Rules explain that, although it will depend on the individual circumstances of the development, and although it is not intended to be exhaustive, the following list identifies the types of changes that may result in a substantially different development. We have had regard to this list in the Town Planning Assessment.

A change may be considered to result in a substantially different development if the proposed change:

- a) Involves a new use; or*
- b) Results in the application applying to a new parcel of land; or*
- c) Dramatically changes the built form in terms of scale, bulk and appearance; or*
- d) Changes the ability of the proposed development to operate as intended; or*
- e) Removes a component that is integral to the operation of the development; or*
- f) Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or*

- g) *Introduces new impacts or increases the severity of known impacts; or*
- h) *Removes an incentive or offset component that would have balanced a negative impact of the development; or*
- i) *Impacts on infrastructure provisions.*

Section 87 of the ED Act prescribes the matters which MEDQ must have regard to in assessing the application, as follows.

87 Matters to be considered in making decision

- (1) *In deciding the application, MEDQ must consider—*
 - (a) *the main purpose of this Act; and*
 - (b) *any relevant State interest; and*
 - (c) *any submissions made to it about the application, during the submission period; and*
 - (d) *the following instruments—*
 - (i) *for an application for development in, or PDA-associated development for, a provisional priority development area—*
 - (A) *if a provisional land use plan is in effect for the area when the application is decided—the provisional land use plan; or*
 - (B) *otherwise—the draft provisional land use plan for the area;*
 - (ii) *for an application for development in, or PDA-associated development for, another priority development area—*
 - (A) *if a development scheme is in effect for the area when the application is decided—the development scheme; or*
 - (B) *if a development scheme is not in effect for the area when the application is decided, but there is a proposed development scheme for the area—the interim land use plan for the area and the proposed development scheme; or*
 - (C) *if a development scheme is not in effect for the area when the application is decided and there is no proposed development scheme for the area—the interim land use plan for the area; and*
 - (e) *any PDA preliminary approval in force for the relevant land; and*
 - (f) *any preliminary approval under the Planning Act in force for the relevant land.*
- (2) *Also, in deciding an application for development in, or PDA-associated development for, a priority development area other than a provisional priority development area, if—*
 - (a) *there is—*
 - (i) *a development scheme or interim land use plan for the area; and*
 - (ii) *a proposed development scheme for the area; and*
 - (b) *the proposed development scheme was prepared after the development scheme or interim land use plan took effect;*

MEDQ may, subject to section 86, give the weight it considers appropriate to the proposed scheme.
- (3) *In deciding an application for PDA-associated development for a priority development area, MEDQ may, subject to section 86, give the weight it considers appropriate to any of the following instruments that would, under the Planning Act, have regulated the development if it were not PDA-associated development for the area—*
 - (a) *a planning instrument that applies to the relevant land;*

- (b) *assessment benchmarks for the development prescribed by regulation under the Planning Act;*
- (c) *assessment benchmarks for the development made under another Act for the Planning Act.*
- (4) *Subsection (1)(c) does not prevent MEDQ from considering a submission about the application made to it after the submission period has ended.*

An assessment of the proposed changes against the ‘substantially different development’ definition of the DA Rules, together with an assessment against the Development Scheme, pursuant to section 87 of the ED Act, is included in section 5 of this Town Planning Assessment.

5. Amendment Application Statutory Assessment

5.1 Assessment against Substantially Different Criteria

The following table provides an assessment against the guidelines for substantially different development as identified in Schedule 1 of the Development Assessment Rules.

Table 4 – Assessment against Substantially Different Development Criteria	
Minor Change Criteria	Assessment
Does not involve a new use	The proposed change maintains the same land uses as those already approved, being a Multiple Dwelling, Office, Shop, Food and Drink Outlet and Indoor Sport and Recreation.
Does not result in the application applying to a new parcel of land	The proposal continues to apply over the land to which the current approval applies.
Does not dramatically change the built form in terms of bulk, scale, appearance	<p>The proposed changes do not dramatically change the bulk, scale and appearance of the approved development for the following reasons:</p> <ul style="list-style-type: none"> The overall building composition remains consistent, achieving a consolidated five (5) storey podium outcome with two x 19 storey towers above. The development has a total building height of 24 storeys, consistent with the development approval. The development has a scale of 85m AHD consistent with the development approval. The removal of the basement does not change the built form or appearance of the development as it is accommodated below ground and therefore not visible. The introduction of the ground level internal driveway does not substantially change the built form or appearance of the development. The driveway is connected to the existing driveway along the southern boundary, which was also relied upon by the current approval to access the basement. The driveway within the site has been integrated into the design and operation of the central cross block link and therefore does not result in a dramatically different outcome at ground level. Consistent with the approval the central portion of the site provided for movement, albeit only pedestrians. The inclusion of vehicle movement through the centre of the site does not substantially change the form or appearance (noting that there are other changes unrelated to the driveway) on the basis that a similar function is maintained through the centre of the site. The podium maintains a consolidated form across the site, including a mix of residential units, landscaping and an articulated and high quality façade outcome (to screen the podium parking), consistent with the development approval. The change to the podium form along part of the southern edge does not dramatically change the built form or appearance of the podium. The development maintains a coherent tower form, with minor changes to the building setbacks and internal separation as part of changes to the curved building design and changes to the internal

Table 4 – Assessment against Substantially Different Development Criteria

Minor Change Criteria	Assessment
	<p>floorplates to accommodate the revised unit composition. The proposed change maintains a highly articulated tower form and two (2) well separated towers. The changes to the setbacks and internal separation are imperceptible in the context of the overall scale and form.</p> <ul style="list-style-type: none"> • The proposed changes at ground level maintain a high quality, activated and well-defined north-south cross block link that runs centrally through the site, coherent with the approved development. The key design and operational aspects of the ground level have been maintained by the development, as described below. <ul style="list-style-type: none"> ○ Integration of residential units along the Macarthur Avenue and Wharf Street frontages; ○ Integration of a north-south pedestrian cross block link which achieves a central alignment, including a the opportunity for an east – west pedestrian connection to Wharf Street (adjacent to the service laneway); ○ The pedestrian link continues to be activated by a range of active uses and spaces, including retail tenancies (i.e., cafe, shop etc.), co-working spaces (communal space), residential lobbies and outdoor seating / dining areas; ○ Integration of plazas and open space outcomes at either end of the cross block link; and ○ Extensive landscaped areas along the frontage and throughout the ground level. • The development continues to accommodate communal space at ground level, podium rooftop and rooftop levels, providing a combination of indoor and outdoor spaces, including work from home facilities, gym, pool, sauna, outdoor dining / barbeque spaces, play equipment, seating and lawn areas. The location and type of communal facilities is consistent with the development approval. • The proposed development includes some variation to the façade design and materiality; however the appearance and composition of the development retains its key elements, as described below, and is not dramatically different. <ul style="list-style-type: none"> ○ Within the podium the development includes arched forms (of varying height to balance the scale of the podium and present a 4-5 storey outcome), units oriented to the frontages, landscaping and a mix of rendered block work, vertical battening, precast patterned panels and glazing. ○ Within the tower the façade continues to be defined by tinted glazing, slab projections, modulated balcony forms and vertical projections, in an irregular pattern, that create interest and variation in the façade. <p>Refer to Section 5.2 for further detail.</p>
Does not change the ability of the approved development to operate as intended	<p>The proposed changes do not alter the ability of the approved development to operate as intended. The proposal remains for a mixed use development, comprising, a Multiple Dwelling, Office, Shop, Food and Drink Outlet, Indoor Sport and Recreation and Parking Station (Car Share Scheme).</p> <p>The development proposes to remove the car share vehicles, as a consequence of the residential units being build to sell and the developments compliance with the car parking rate (the approval had an alternative parking provision). The Applicant does not propose to remove the Parking Station Use from the approval on the basis that it may still be used in the future (subject to a future amendment application), in the same way that a mix of retail / commercial uses are included under the approval to allow for a mix of activities within the</p>

Table 4 – Assessment against Substantially Different Development Criteria

Minor Change Criteria	Assessment
	ground level retail spaces (bit not all approved uses may be on site at once).
Does not remove a component that is integral to the operation of the development	<p>The proposed minor change will not change the ability of the approved development to operate as intended. The proposal remains for a residential-led, mixed-use development.</p> <p>The development, as a consequence of the change to the units (build to sell) and increase in the car parking provision (to comply with the rates under the Development Scheme), will not require the car share scheme under the development approval. The removal of the car share scheme (noting that the parking station land use will still be maintained as part of the development) does not represent the removal of an integral component of the development and will not change the operation of the development.</p>
Does not significantly impact on traffic flow and the transport network, such as increasing traffic to the site.	<p>The proposed development will continue to obtain access via the existing driveway (to the south) from Wharf Street.</p> <p>The changed internal driveway will not impact on the existing traffic movements and network. For further detail refer to the traffic impact assessment included in Appendix E.</p> <p>The proposed change involves an increase in car parking numbers from 436 spaces to 651 spaces (total increase of 215 spaces). The increase in car parking numbers is to better reflect contemporary market-led demand. As demonstrated in the Traffic Impact Statement (Appendix E), the proposed car parking rate complies with the minimum and maximum car parking rates prescribed under the Development Scheme. Whilst there is an increase in the number of parking spaces proposed on-site, the traffic assessment confirms that the change in traffic generation is coherent with the original approval and will not result in any significant changes to the traffic impacts to the local road network.</p> <p>For further detail, please refer to the Traffic Impact Statement prepared by Bitzios Consulting, included in Appendix E.</p>
Does not introduce new impacts or increase the severity of known impacts	<p>The proposed change does not introduce new impacts or increase the severity of known impacts, for the reasons set out below.</p> <ul style="list-style-type: none"> • The proposed changes to the tower, as discussed above, do not reduce the minimum setbacks to the boundaries. Furthermore, the change to the tower separation, maintains well separated towers and provides screening where necessary to ensure that there is no impact on the amenity or privacy of the residential units. • The changes will not have an adverse impact on the road network for the reasons discussed above and detailed within the Traffic Impact Assessment prepared by Colliers (Appendix E). • The proposed changes do not impact upon the three (3) significant landscape trees (fig trees) within the Macarthur Avenue road reserve. The proposed removal of the basement substantially improves the interface of the development to the roots of the trees. The development will continue to maintain appropriate setbacks within the podium (no less than the current approval) to ensure that there is no additional pruning requirement to the tree canopies. For further detail refer to the Arborist Assessment (Memorandum) prepared by Independent Arboricultural Services (Appendix G). • The proposed changes will not exacerbate impacts on the local wind climate and will not have additional impacts to pedestrian comfort or amenity as a result of the proposed changes, as detailed within the Qualitative Wind Assessment (Appendix J).

Table 4 – Assessment against Substantially Different Development Criteria	
Minor Change Criteria	Assessment
	<ul style="list-style-type: none"> The proposed changes will not introduce or increase the severity of acoustic impacts and compliance with the Northshore Hamilton PDA Development Scheme and <i>Brisbane City Plan 2014</i> (where applicable) can be achieved, subject to compliance with the recommended noise mitigation measures, as detailed within the Environmental Noise Assessment Report prepared by Colliers (Appendix I). <p>For the reasons set out above, the proposed change will not increase any existing impacts or introduce new impacts. Refer to Section 5.2 for further detail.</p>
Does not remove and incentive or offset component that would have balanced a negative impact of the development	The superior design outcomes and other sufficient grounds forming part of the approval remain unchanged.
Does not impact on infrastructure provisions	The development proposes to reduce the number of units over the site and therefore will not place any additional demand on the infrastructure network. The changed number of units will be reflected in a revised infrastructure charges notice for the development.

5.2 Assessment against Applicable Planning Framework

Section 87 of the ED Act provides the matters to which MEDQ must consider in assessing the Amendment Application (which are consistent with the assessment of any PDA development application). This includes: the main purpose of the ED Act; any relevant State interest; any submissions made about the application; and the development scheme.

Relevant aspects to the assessment of the Amendment Application are provided below.

- The development continues to further the main purpose of the ED Act, being “to facilitate economic development, and development for community purposes, in the State”.
- The proposed amendments do not alter the development’s assessment against any relevant State interest.
- The proposed changes to the development will not alter the approved development’s compliance with the town planning framework applicable at the time the original application was made or the matters that apply at the time this Amendment Application is made.
- The original application was assessed against the applicable provisions of the Northshore Hamilton PDA Development Scheme (October 2022). The proposal remains consistent at the time of this change application with the assessment benchmarks of the Northshore Hamilton PDA Development Scheme.
- A summary of the development’s compliance with the built form provisions is provided below:
 - **Building Height** – The application does not propose to change the approved 24 storey building height, and therefore continues to comply with the planning framework, as per the original assessment. The same building height provisions under the original planning framework continue to apply to the current planning framework.
 - **Housing** – The proposed development will deliver a diversity of housing choice, pursuant to Section 2.5.5 of the Development Scheme. The development proposes a total of 429 units, including:
 - 76 x one bedroom units (17.7% of the unit provision);
 - 174 x two bedroom units (40.5% of the unit provision); and
 - 76 x three bedroom units (17.7% of the unit provision).

The development will provide 5% of the residential GFA as affordable housing consistent with the Development Scheme and conditions of the development approval.

- **Sustainability** – As per the ESD Report included in **Appendix K** the development will achieve the sustainable building outcomes under Section 2.5.4 of the Development Scheme and Condition 10 of the development approval.
- **Built Form** – The application does not propose to change the building composition, maintaining the consolidated five (5) storey podium outcome and two (2) x 19 storey towers above. The proposed development therefore continues to comply with the planning framework, as per the original assessment and current planning framework (unchanged in this respect).
- **Podium** – The development proposes some variation to the podium form, whilst maintaining the minimum approved setbacks to Macarthur Avenue, Wharf Street. The proposed development therefore continues to comply with the planning framework, as per the original assessment and current planning framework (unchanged in this respect).
- **Tower Floor Plate** – As a result of the proposed changes to the building floorplate resulting in a varied setback outcome. The proposed setbacks continue to comply with the minimum approved setbacks to the boundaries. The proposed development therefore continues to

comply with the planning framework, as per the original assessment and current planning framework (unchanged in this respect).

- **Minimum Building Separation** – The proposed change results in a variation to the separation between the building from 15.3m-29.8m under the approval to 12.6m-23.6m under the proposal. The separation is appropriate and complies with the PDA-wide criteria as expressed below.
 - The proposal reflects the rhythm and pattern of the approved development, noting other design elements described above in Section 3.2 of this report. The proposed change in the building separation is minor and inconsequential in the context of the original approval.
 - The proposal maintains well separated buildings, which as a consequence of the irregular form supports a separation that is largely greater than the 18m outcome for the Mixed Use High Density Zone under the Development Scheme.
 - The proposed tower separation will deliver access to light, promote air circulation, minimise overshadowing and maximise amenity and privacy for both occupants and neighbours.
 - Screening has been provided to the balconies that interface with the 12.6m building separation to ensure there is not privacy or overlooking impacts.

The proposed separation responds to the outcomes under Section 2.5.1.3 of the Development Scheme, which is consistent with the planning framework applicable to the original assessment.

- **Private Open Space** – The development application proposes some changes to the location and configuration of balconies within the building, however the development maintains the minimum areas specified under the Development Scheme and therefore continues to comply with the planning framework, as per the original assessment and the current planning framework. Refer to the Architectural Plans prepared by Plus Architecture (**Appendix C**) for further detail.
- **Communal Open Space** – The development proposes 4,798m² of communal spaces, including a range of active and passive recreation spaces. Consistent with the vision and PDA-wide criteria (see Section 2.5.1.3) under the Development Scheme the proposed communal space will deliver a variety of passive and active (internal and external) recreation opportunities, including work from home spaces, a gym . yoga studio, sauna, pool, barbeque and outdoor dining areas, outdoor seating, lawn areas and play areas, that will benefit and cater for the different needs of the buildings occupants. The communal open space will also compliment the spaces and activities that are accommodated within the surrounding public realm and within nearby developments.
- **Car Parking** – The proposed change involves an increase in car parking numbers from 436 spaces to 651 spaces. The proposed car parking provision complies with the minimum and maximum car parking rates prescribed under Schedule 2 of the development scheme.
- **Bicycle Parking** – The Development Scheme does not prescribe bicycle parking rates for the development and hence the original assessment relied upon the rates specified under the *Brisbane City Plan 2014* TAPS PSP and the relevant Austroads Guide.

The revised bicycle parking rate complies with the minimum requirements stipulated under both the City Plan and Austroads guide, respectively.

- **Servicing** – The Development Scheme does not prescribe the type and number of service vehicles for the development and hence the original assessment relied upon the rates specified under the *Brisbane City Plan 2014* TAPS PSP.

The proposed servicing bays are appropriately designed and located for the required service vehicles, in accordance with the requirements specified under the Brisbane City Plan TAPS PSP.

The proposed change is therefore consistent with the provisions and intent of the current planning framework

6. Summary

This Town Planning Assessment in respect of the proposed Amendment Application for the development approval at 11 – 23 Macarthur Avenue, Hamilton, has assessed the proposed changes having regard to the relevant statutory town planning framework of the ED Act.

This Town Planning Assessment concludes that the proposed Amendment Application satisfies the relevant statutory town planning framework.

We recommend that the Amendment Application be approved, with the drawings and documents, and conditions updated as per the recommendations identified within this Town Planning Assessment.