1 APPLICATION SUMMARY

Application information		
Minor change to development approval		
Address	19 Anne Avenue, Broadbeach Qld 4218	
Lot and plan	Lot 0-8 BUP1114	
Site area	1,032sqm	
Properly made date	23 December 2025	
Originating and current Planning Scheme including version, domain / zone / precinct and constraints / overlays	**Originating Scheme**	**Current Scheme**
	City Plan Version 11	City Plan Version 13
	• Acid sulfate soils overlay • Airport environs overlay • Building height overlay • Coastal erosion hazard overlay • Dwelling house overlay • Light rail urban renewal area overlay • Residential density overlay (RD5) • Regional infrastructure overlay	No change from originating scheme.
Originating approved development	Development permit for a Material change of use for a Multiple dwelling and Short-term accommodation (56 units)	
Date of originating development approval	9 July 2025	
Originating approval authority	Under Delegated Authority, the Manager Major Assessment of the City Development Branch of Council	
Applicant and Applicant's consultancy team	**Mary Anne Development Pty Ltd** – Applicant **Urban Planning Services** – Town Planning **BDA Architecture** – Architect **LDG** – Landscape Architect **Rytenskild Traffic Group** – Traffic Engineer **Arcadis** – Civil and Hydraulic Engineer **Acoustic Works** – Acoustic Consultant **MRA Environmental** – Waste Consultant	
Owner details	Mary Anne Development Pty Ltd	

Referral agencies	Not applicable
Decision due date	29 January 2026
Officer's recommendation	Approval

2 PROPOSAL

The purpose of this report is to assess an application for a Minor change to a development approval pursuant to Section 78 of the *Planning Act 2016* for an approved Material change of use (Code assessment) for a Multiple dwelling and Short-term accommodation (56 units) at 19 Anne Avenue, Broadbeach.

Following the changes, the development permit will be amended to read as follows:

Development permit for a Material change of use (Code assessment) for a Multiple dwelling (56 units).

3 BACKGROUND

MCU/2025/53

On 9 July 2025, under Delegated Authority, Council approved a Development permit for a Material change of use for a Multiple dwelling and Short-term accommodation (56 units). The development was for a 33-storey tower with 58 3-bedroom units in the High density residential zone.

The subject application seeks a minor change to MCU/2025/53.

4 PLANNING ASSESSMENT

Reference is made to Attachment No.1 – "*Assessment criteria for minor change to development approval"*, attached to this report. Assessment has been undertaken against these provisions and the proposed changes are considered to be a minor change.

4.1 Summary of approved development and request

The proposal seeks to remove the Short-term accommodation land use, incorporate necessary services and equipment and make floor plan changes following advice from structural engineers.

Aside from the removal of Short-term accommodation and a reduction in height of 3.7m, there are negligible changes to the key development parameters. These are listed below:

- Minor increase to podium height to maintain visually differentiation and break up verticality
- Setbacks to the podium marginally reduced
- Setbacks to the tower slightly changed, with minor increases and decreases to different parts of the wall. The setback changes to pinch points are nominal and will be imperceivable.
- Slight increase in site cover

Importantly, the dwelling and bedroom yield, car and bicycle parking and servicing arrangements remain unchanged.

The following plans detail the proposed changes. Where only minor amendments are proposed (such as basement levels), comparisons will not be included below.



Figure 1 – Approved (left) and proposed (right) podium perspective from Anne Avenue road frontage (Source: BDA)



Figure 2 – Approved (left) and proposed (right) tower perspective from north (Anne Avenue road frontage) and south (rear) (Source: BDA)

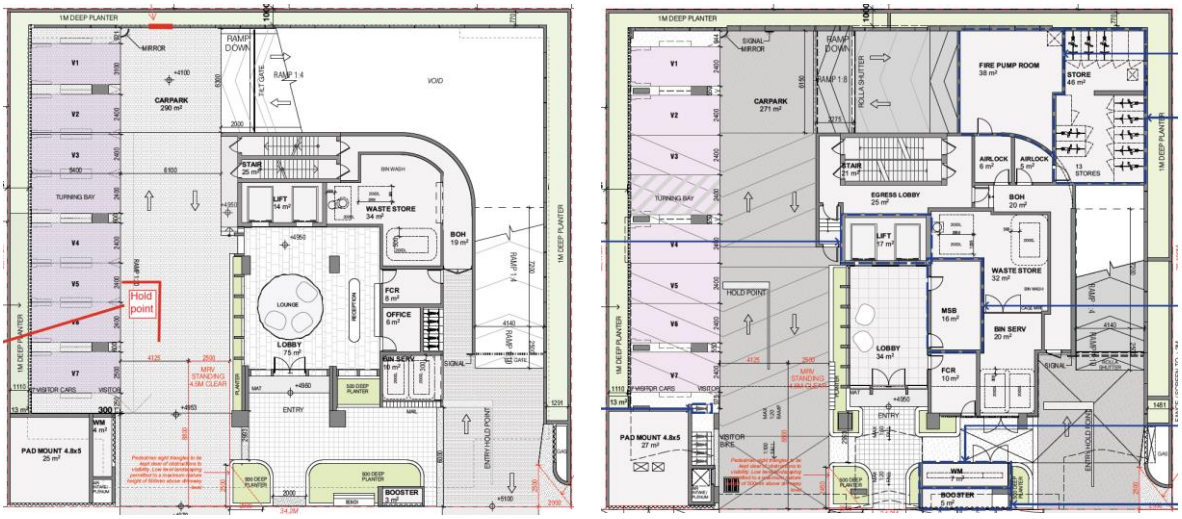

Figure 3 – Approved (left) and proposed (right) Ground Floor plan incorporating changes to the lobby and building services (Source: BDA)

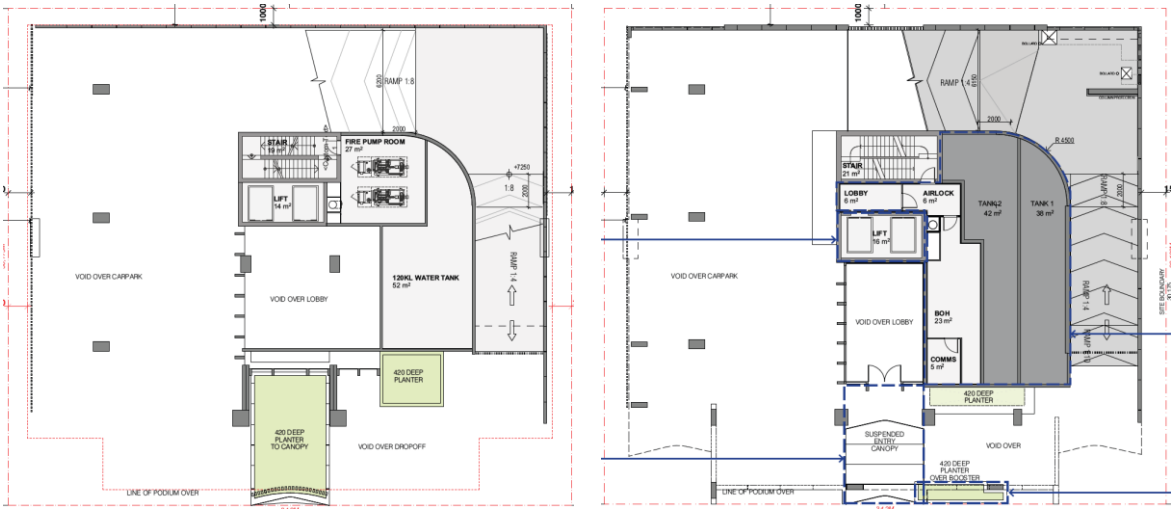

Figure 4 – Approved (left) and proposed (right) Mezzanine level showing removal of frontage planter and incorporation of building services (Source: BDA)

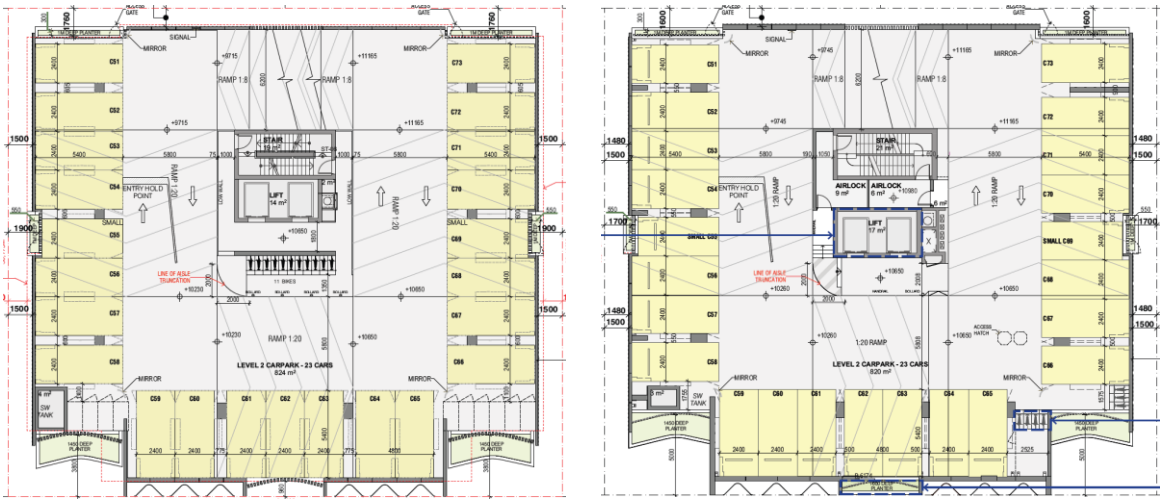

Figure 5 – Approved (left) and proposed (right) podium Level 2 with showing marginal setback changes and the introduction of a new canopy planter to the Anne Avenue frontage (south boundary) (Source: BDA)

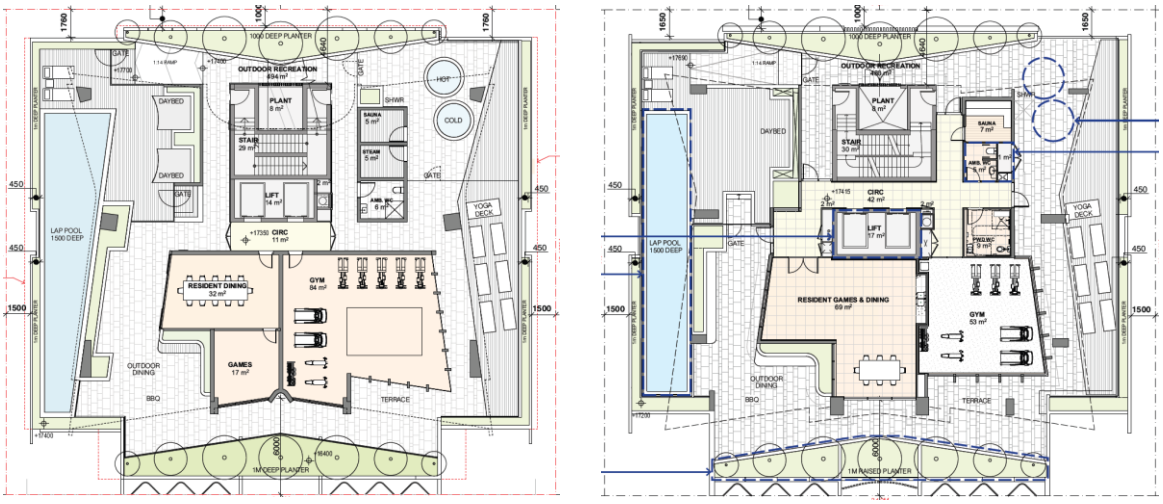

Figure 6 – Approved (left) and proposed (right) Recreation Level showing minor layout amendments (Source: BDA)

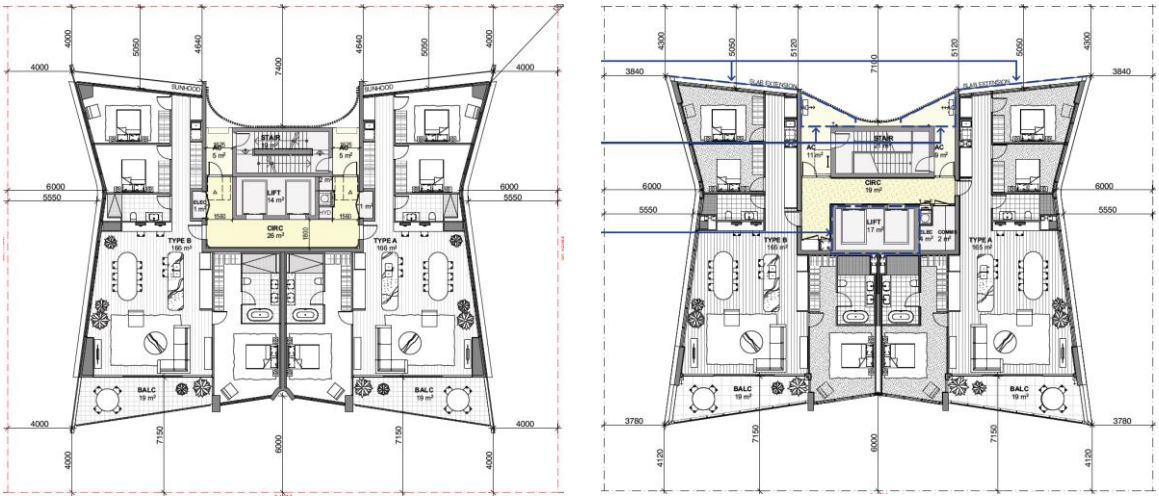

Figure 7 – Approved (left) and proposed (right) Typical Tower level floor plan showing minor setback and wall plane changes (Source: BDA)

The applicant seeks changes to the development conditions as follows:

Cond No.	Applicant request	Officer discussion / recommendation
2	*Approved Drawings* – The applicant requests to amend this condition to reflect the updated drawings submitted.	The request to amend this condition is supported. The removal of the Short-term accommodation land use is inconsequential. The land use itself facilitates short stays such as Airbnb and Stayz, which carry higher potential for loud and antisocial behaviour. Reducing the approved land uses to Multiple dwelling only improves amenity for residents and increases the supply of permanent residential accommodation. Regarding setbacks, where there is a reduced setback to one boundary, an increased setback is proposed to another part of the building to balance it out. This occurs for both the podium and tower forms. As a result, the ultimate setback outcome and impacts on adjacent development remain largely the same. In

		most cases, the reduced setbacks are also so minor that they will be imperceivable. Other changes to accommodate services and structural engineering advice have little effect on the final development scheme and are necessary to facilitate a functional and compliant building. The development maintains adequate landscaping to protect surrounding amenity and enhance streetscape character.
3	*Approved plans* – The applicant requests to amend this condition to reflect the revised plans submitted.	The request to amend this condition is supported as it ensures the plans reflect the revised development.
9	*Landscaping works* – The applicant requests to amend this condition to reference the amended Statement of Landscape Intent submitted.	The request to amend this condition is supported. While there is a reduction in total landscaping, the development's balance between built form and green areas remains. Officers also acknowledge that the boosters and water meter assembly had to be accommodated on the site's frontage, which is where the greatest loss of landscaping occurs. The amendments to the front façade of the podium also ensure the soil volume of the main planter is sufficient to support climbing species up to the recreation deck., assisting in balancing the reduction of ground level landscaping.
46	*Certification of works (Health and Regulatory services)* – The applicant requests to amend this condition to reflect the revised plans submitted.	The request to amend this condition is supported as it ensures the correct plans are reflected in the decision notice.
47	*Certification of works (Hydraulics and Water Quality)* – The applicant requests to amend this condition to reflect the revised plans submitted.	The request to amend this condition is supported as it ensures the correct plans are reflected in the decision notice.
52	*Certification of works (Water and Waste)* – The applicant requests to amend this condition to reflect the revised plans submitted.	The request to amend this condition is supported as it ensures the correct plans are reflected in the decision notice.

5 CONCLUSION

This report assessed a request for a Minor change to a development approval pursuant to Section 78 of the *Planning Act 2016* for an approved Material change of use (Code assessment) for a Multiple dwelling and Short-term accommodation (56 units) at 19 Anne Avenue, Broadbeach.

The assessment of this request determined the Minor change is acceptable and recommended for approval.

6 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority the Manager Major Assessment of the City Development Branch of Council approves the Minor change application for the Development permit for a Material change of use (Code assessment) for a Multiple dwelling (56 units), in accordance with the Attachment entitled: Decision notice – change application approval including amended suite of development conditions for MCU/2025/53.

Author:	*Authorised by:*
Conor Pizzolato	Lara Dawes
Planner	Manager Planning Assessment
January 2026	

Attachment No. 1 – Assessment criteria for minor change to development approval

Review of the proposed change to the development approval has been undertaken against the:

- Definition of minor change contained within Schedule 2 of the *Planning Act 2016*.
- Schedule 1 of the Development Assessment Rules that identifies criteria for determining if a change would result in a substantially different development; and
- Section 81 of the *Planning Act 2016* that applies to assessing and deciding an application for minor change to a development approval.

Definition of minor change under Schedule 2 of the *Planning Act 2016*:

(b) for a development approval:

Minor change for a development approval	**Officer comment**
(i) would not result in substantially different development; and	Does not result in substantially different development.
(ii) if a development application for the development, including the change, were made when the change application is made would not cause— (A) the inclusion of prohibited development in the application; or	Does not include any prohibited development.
(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	No referral required.
(C) referral to extra referral agencies, other than to the chief executive; or	No referral required.
(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or	No referral required.
(E) public notification if public notification was not required for the development application.	Public Notification was not applicable to the original application or any subsequent applications.

Development Assessment Rules - Schedule 1: Substantially different development

Substantially different development consideration	**Officer comments**
A change may be considered to result in a substantially different development if the proposed change:	
(a) involves a new use; or	No new uses proposed.

(b) results in the application applying to a new parcel of land; or	No new lots included.
(c) dramatically changes the built form in terms of scale, bulk and appearance; or	Minor reduction in building height which relieves visual impact. Small changes to setbacks to podium and tower, however, there is give and take so the average setback remains similar and there is little visual difference.
(d) changes the ability of the proposed development to operate as intended; or	No change to the operations of the development.
(e) removes a component that is integral to the operation of the development; or	No integral components removed.
(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	No change to density, therefore, no impact on traffic.
(g) introduces new impacts or increase the severity of known impacts; or	No new impacts and existing impacts remain the same.
(h) removes an incentive or offset component that would have balanced a negative impact of the development; or	No incentives or offsets removed.
(i) impacts on infrastructure provisions.	No discernible impact on infrastructure provisions.

Section 81 of the *Planning Act 2016* applies to assessing an application for minor changes, in particular Subsection (2) (3) and (4) – matters the responsible entity must consider when assessing a minor change application.

Section 81 – Assessing change applications for minor changes	**Officer comments**
(1) In assessing the change application, the responsible entity must consider –	
(a) the information the applicant included with the application; and	The information submitted has been considered as part of the assessment of the minor change application.
(b) if the responsible entity is the assessment manager – any properly made submissions about the development application or another change application that was approved; and	No submissions were received to the original application.
(c) any pre-request response notice or response notice given in relation to the change application; and	Not applicable.
(d) if the responsible entity is, under section 78A(3), the Minister – all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and	Not applicable.

(da) if paragraph (d) does not apply – all matters the responsible entity would or may assess against or have regard to if the change application were a development application; and	The original application was assessed against the superseded City Plan Version 11. This provision is requesting the responsible entity to assess the minor change component as if it was part of the original development application. Assessment against the City Plan Version 11 revealed the proposed minor changes would still meet the intent of the relevant applicable codes.
(e) another matter that the responsible entity considers relevant.	No other relevant matters.

Section 81 – Assessing change applications for minor changes	**Officer comments**
(2) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da) consider – (a) a statutory instrument; or (b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.	Noted
Section 81 – Assessing change applications for minor changes	**Officer comments**
(3) The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.	Noted and considered.
Section 81 – Assessing change applications for minor changes	**Officer comments**
(4) However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances to -	
(a) the statutory instrument or other document as in effect when the change application was made; or	Noted.
(b) if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided – the amended or replacement instrument or document; or	Noted.
(c) another statutory instrument – (i) That comes into effect after the change application is made but before it is decided; and	Noted.

(ii) That the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.	
Section 81 – Assessing change applications for minor changes	**Officer comments**
Section 81A of the *Planning Act 2016* applies to deciding an application for minor changes, in particular Subsection (2) – deciding change applications for minor changes.	
(2) After assessing the change application under section 81, the responsible entity must decide to – (a) make the change, with or without imposing development conditions, or amending development conditions, in relation to the change; or (b) refuse to make the change.	Noted and actioned.