

7 August 2026

Chief Executive Officer
Development Assessment
Brisbane City Council

Minor Change Application to An Existing Development Approval
Application Reference: DRSUSEH99/602121 (Demolition of removal of church. dwelling 2
garages 6 duplex houses (12 units)
Addresses of Site: 11/1 CAITHNESS ST KEDRON 4031
Property Description: Lot 11 on SP131706

Proposal: New Patio roof for Unit 11

Dear Sir/Madam,

RE: Minor Change Application to An Existing Development Approval

On behalf of the property owner, we make this application to change the development approval to you as the responsible entity. The proposed change is a minor change in accordance with Section 81 of the *Planning Act 2016*.

After assessment of the proposed changes, Oasis Town Planning forms the view that the proposed change would NOT result in 'substantially different' development.

Section 4 of the Schedule 1 of the DA Rules states:

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

Criteria	Applicant's Response
<i>(a) involves a new use; or</i>	The proposed use remains the same as multiple dwellings.
<i>(b) results in the application applying to a new parcel of land; or</i>	The proposed use remains the same as multiple dwellings.
<i>(c) dramatically changes the built form in terms of scale, bulk and appearance; or</i>	The proposed change to the multiple dwellings does not result dramatic changes to the built form in terms of scale, bulk and appearance. The proposed patio (Approximately 22.34sqms) will provide additional covered area for recreational use of the residents of Unti 11. The proposed patio has a building height of only 2.5m and

	facing STRATHMORE Street, therefore it will not dramatically change the appearance of the Existing Unit 11. The proposed patio has been setback approximately 2.6m from the road boundary. It will not undermine the built form or appearance of the existing Multiple dwellings. The proposed patio will not undermine the residential amenity or privacy of the adjoining units. The proposed patio will provide a consistent built form to STRATHMORE Street as there are existing similar patios over the adjoining units 12 & 10.
<i>(d) changes the ability of the proposed development to operate as intended; or</i>	The proposed use remains the same as multiple dwellings.
<i>(e) removes a component that is integral to the operation of the development; or</i>	The proposed development will not remove any component that is integral to the operation of the intended use.
<i>(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or</i>	The proposed development will not impact on the traffic flow. The nature of the proposed use remains the same multiple dwelling. The change will not impact on or increase traffic flow to the site.
<i>(g) introduces new impacts or increase the severity of known impacts; or</i>	The proposed use remains the same as multiple dwellings, therefore it will not introduce new impacts or increase the severity of known impacts.
<i>(h) removes an incentive or offset component that would have balanced a negative impact of the development; or</i>	The proposed changes will not remove any incentive or offset component that would have balanced a negative impact of the development.
<i>(i) impacts on infrastructure provisions.</i>	The proposed changes will not impact on infrastructure provisions.

Landowners and Body Corporate's Consent

Both Individual landowner and Body Corporate's consents have been provided.

The proposed patio is located within an exclusive use area, Not within a Common area.

In relation to landowner's consent from all individual unit owners, we seek Council's support to apply the **Excluded Premises** provision.

Excluded Premises' of the definition below

According to the *Planning Act 2016*, 'Excluded premises' means –

...(b) for a change application – premises in relation to which 1 or more of the following apply for the application –

...(ii) the assessment manager considers the application does not materially affect the premises and that, given the nature of the change, the owner of the premises has unreasonably withheld consent; or

(iii) the assessment manager considers the application does not materially affect the premises and that because of the number of the owners, it is impracticable to get their consent.

Response:

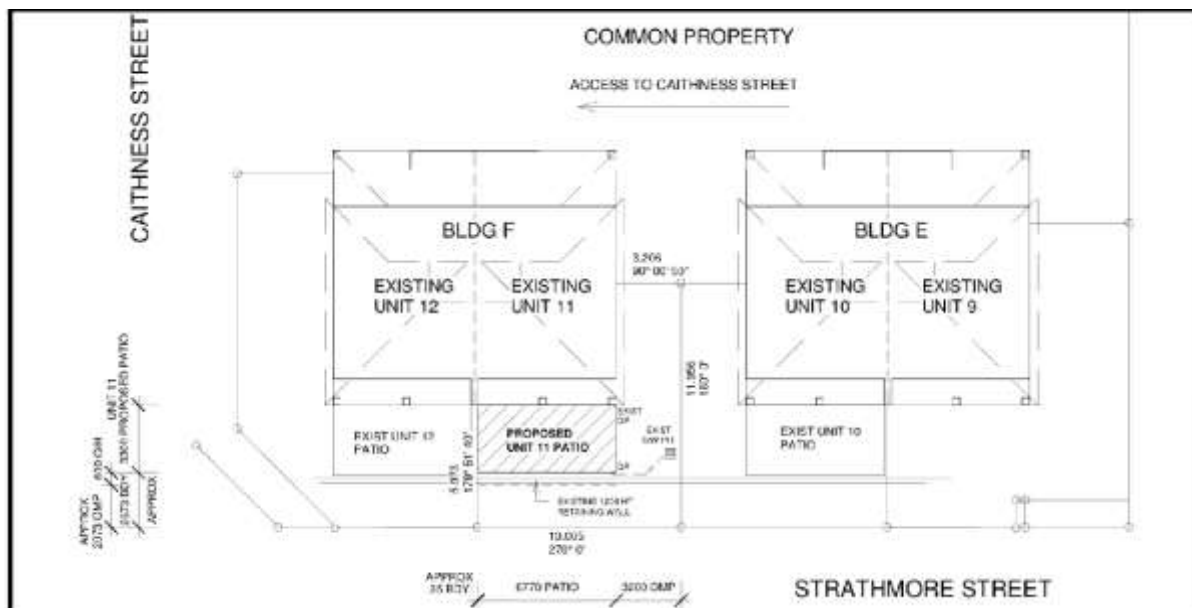
The proposed Minor Change application relates solely to Lot 11 (Unit 11), with the proposed patio located entirely within the exclusive use area of the unit. Accordingly, the proposed works will not materially impact any other lots or units within the development.

Given that the subject unit forms part of a larger development comprising 12 units, it would be impracticable to obtain consent from each individual lot owner.

- **Change to Approved Plans**

The proposed new patio to Unit 11 will trigger the amendment to the Approved Plans. The proposed building will be established entirely within the exclusive use area of Unit 11, not within the common property area.

Proposed Minor Change:



Key details for Patio

Building height	2.5m
Setbacks (Measured to the OMP)	• Side boundary: 00mm • Road boundary: 2673mm
Materials and finishes	Colourbond
Size	22.34m ²

The proposed patio is appropriately designed and sited having regard to the existing multiple dwelling development and the established built form of the surrounding area. The proposal achieves appropriate boundary setbacks and is of a modest scale, with a maximum height of only 2.5m. Accordingly, the patio will not present an excessive or visually dominant structure when viewed from adjoining properties or the surrounding streetscape. The proposed patio will provide additional covered private open space for the residents, improving the functionality and amenity of the existing dwelling. The structure is ancillary to the existing multiple dwelling use and will integrate appropriately with the established built form of the development. It will not result in an unreasonable increase in building bulk or adversely alter the character or appearance of the existing development.

In relation to the Strathmore Street frontage, the patio is appropriately setback from the road and is consistent with the established built form of the existing multiple dwelling development. **In particular, existing patios are associated with adjoining Units 10 and 12, demonstrating that similar structures are already an established component of the development and its presentation to Strathmore Street.** The proposed patio will therefore not introduce an incongruous or unexpected built form element within the existing streetscape.



The proposal will also maintain the reasonable expectations of amenity and privacy for adjoining residents. The modest 2.5m height, combined with the proposed setbacks and location of the patio, will minimise the potential for overlooking or visual intrusion into adjoining properties. The proposal will not result in unreasonable impacts on the privacy of adjoining residents or compromise the existing residential amenity of the multiple dwelling complex.

Furthermore, the proposed patio will not unreasonably restrict access to natural light, sunlight or breezes to the subject dwelling or adjoining residences. Given its limited height and scale, the structure will not create significant additional overshadowing or obstruct prevailing breezes or natural ventilation. The proposal therefore maintains appropriate environmental conditions for both the subject and adjoining dwellings.

Overall, the proposed patio represents a minor and compatible addition to the existing multiple dwelling development. It provides a practical improvement to the residents' private open space while maintaining appropriate setbacks, built form, streetscape character and residential amenity. The proposal will not result in any unreasonable impacts on adjoining properties and is therefore considered to achieve an appropriate planning outcome.

In Summary, we form the view that the proposed patio is minor building work only and it will not adversely impact on the existing development as multiple dwelling in terms of scale, bulk, appearance, streetscape, built form and residential amenity.

Please do not hesitate to contact me if you wish to discuss the application.

Yours faithfully



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