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APPLICATION REF

A007033622

Brisbane

TOWN PLANNING

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PO Box 25, Grange, Qld 4051

11 May 2026

Development Assessment
Brisbane City Council
GPO Box 1434
Brisbane Qld 4001

Dear Sir/Madam,

**RE: REQUEST TO CHANGE A DEVELOPMENT APPROVAL
UNDER SECTION 81 OF THE PLANNING ACT
FOR APPLICATION NUMBER A006294226
OVER 44-52 BARRABOOKA DRIVE AND 2 MINYA STREET IN THE GAP**

In January 2024, we obtained approval on behalf of the owners for reconfiguring a lot (4 into 4 lots).

We understand that a meeting was held between the Geoff James (the owner), the local Councillor and Council representatives (including Mark Viney) on the 11th of August 2025 to discuss making the following changes:

- Modifying the wording in condition 4(a) to remove the references to any building or structure, landscaping and parking. To allow for more general work like this to occur in this space.
- Remove condition 5 (covenant condition) to support the previous point.
- Remove the portion of pet exclusion fencing that runs along the road frontage in lot 116, as shown in blue via the Council amendments to the proposal plan. I.e. Remove the requirement for fencing that faces Whitehead Road.

We also understand that Council's in principle support was provided for the changes in that meeting.

On that basis, the purpose of this request is to formalise those discussions.

More specifically, we are seeking a "*request to change an existing development approval*".

To be considered under Section 81 of the Act, the amendments must fall within the scope of a "minor change", as defined in Schedule 2 of the same document. In considering this request we note the following:

- (b)(i) states that the amended design must not be "substantially different" from the approved design. As shown on the proposed plans and in the information above, the modifications will not materially alter the external appearance of the development. Therefore, we conclude that the proposed changes do not represent a "substantially different" outcome.

- (b)(ii)(A) states that if the application were to be remade including the changes it should not include “prohibited development”. We confirm that the proposal does not constitute prohibited development.
- (b)(ii)(B), (C) and (D) states that if the application were to be remade including the changes it should not require referral to new or additional referral agencies. In response to this item it is noted that the original proposal did not trigger referral to any agencies, we confirm that this fact would not change if the application were to be remade.
- (b)(ii)(E) states that the change should not push the level of assessment from code to impact, triggering public notification where it was not previously required. It is also noted that the proposed design would not increase the level of assessment under the new scheme (being City Plan 2014) if it were to be remade.

Therefore, in light of the above we confirm that the proposed change constitutes a “minor change” as defined in Schedule 2 of the Act. As such this request can be processed as a changed application under section 81.

Should you have any queries regarding this request please do not hesitate to contact me on 3113 3261.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'P. Charles', with a stylized flourish at the end.

Peta Charles
Principal Planner