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APPLICATION REF

A006923141

TPA.

09 December 2025

Chief Executive Officer  
Brisbane City Council  
GPO Box 1434  
BRISBANE QLD 4001

Sent Via: Online Smart Form

Dear Sir / Madam,

**RE: REQUEST FOR MINOR CHANGE IN ACCORDANCE WITH S81 OF THE PLANNING ACT 2016 – BUILDING WORKS (DEVELOPMENT PERMIT) TO A PRE-1947 DWELLING HOUSE WITHIN THE TRADITIONAL BUILDING CHARACTER OVERLAY UPON LAND AT 127-129 GRAY ROAD, WEST END QLD 4101 (LOTS 77 & 78 ON RP11261) – COUNCIL APPLICATION REFERENCE A006273401**

We write on behalf of *Cameron Kenna* with respect to the approval given over the abovementioned land granted by the *Brisbane City Council* on 30 November 2023 (Council file reference: A006273401) for the Reconfiguration of a lot, Material change of use and Building works.

In accordance with section 78 and 81 of the *Planning Act 2016*, we hereby request a Minor Change to the development approval. We provide below an overview and assessment of the Minor Change with respect to relevant provisions under the *Planning Act 2016* below.

To facilitate Councils assessment of the proposal, please find enclosed the following:

- DA Form 5;
- Signed Owners Consent;
- Proposed Architectural Plans prepared by *Invilla Architecture*;
- Previous Approval Package (A006273401).

We trust that the information provided is to your satisfaction.

Should you wish to discuss the matter further please do not hesitate to contact our office.

Yours faithfully

**TOWN PLANNING ALLIANCE PTY LTD**



**Jordan Holman**  
**DIRECTOR**

Enc Minor Change Application

## MINOR CHANGE APPLICATION

### 1. Site Details

Site Address	127-129 Gray Road, West End QLD 4101
Real property description	Lots 77-78 on RP11261
Area of site	810m <sup>2</sup>
Zone	Character (Infill housing) residential zone
Neighbourhood Plan	West End-Woolloongabba district neighbourhood plan
Overlays	<ul style="list-style-type: none"> <li>▪ Airport Environs overlay</li> <li>▪ Community purposes network overlay</li> <li>▪ Critical infrastructure and movement network overlay</li> <li>▪ Dwelling house character overlay</li> <li>▪ Potential and actual acid sulfate soils overlay</li> <li>▪ Road hierarchy overlay</li> <li>▪ Streetscape hierarchy overlay</li> <li>▪ Traditional building character overlay</li> </ul>

The subject site is located at 127-129 Gray Road, West End QLD 4101, more particularly described as Lots 77 and 78 on RP11261. The site represents a rectangular shaped allotment with a total area of 810m<sup>2</sup> and a frontage of approximately 21m to Gray Road.



Figure 1: Recent aerial view of the subject site

Under the *Brisbane City Plan 2014*, the subject site is identified within the Character (Infill housing) residential zone. As demonstrated in Figure 2 below, the surrounding locality is identified as predominately within the Character residential zone and Medium density residential zone with Environmental management zoning to the south, Community facilities to the east and a Neighbourhood centre to the north-west. The surrounding zoning designations are illustrated within Figure 2 below.



Figure 2: Surrounding zoning designations

## 2. Application History

To assist Council with this request, the development approval history over the site is detailed below as follows:

### A006273401

On 30 November 2023, Brisbane City Council granted approval for the following development permits:

- Reconfiguration of a lot (boundary realignment);
- Material change of use for a new dwelling house;
- Building work for a new dwelling house within the Traditional building character overlay; and
- Building work for partial demolition and extensions to an existing pre-1947 Dwelling house.

In accordance with the relevant provisions of the *Planning Act 2016*, the development approval is currently valid until midnight on 1 March 2030.

### 3. Responsible Entity

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Section 78A of the *Planning Act 2016* outlines the responsible entity for a change application, as follows:

- (1) The **responsible entity** for a change application is—
  - (a) if the change application is for a minor change to a development condition of a development approval stated in a referral agency's response for the development application or another change application for the approval—the referral agency; or
  - (b) otherwise—the assessment manager.
  
- (2) However, the P&E Court is the responsible entity for the change application instead of the person under subsection (1) if—
  - (a) the change application is for a minor change to a development approval; and
  - (b) the development approval was given or changed by the P&E Court; and
  - (c) a properly made submission was made about—
    - (i) the development application for the development approval; or
    - (ii) another change application for the development approval.
  
- (3) Also, the Minister is the responsible entity for the change application instead of the person under subsection (1) if—
  - (a) the change application is for a change to—
    - (i) a condition of a development approval that the Minister directed be imposed or amended under section 95; or
    - (ii) a condition of a development approval that the Minister directed be imposed under the old Act, section 419 or the repealed *Integrated Planning Act 1997*, section 3.6.1; or
    - (iii) a development approval given or changed by the Minister for an application that was called in under a call in provision; and
  - (b) the P&E Court is not the responsible entity for the change application.

With reference to the above, we note that the responsible entity for this change request is **Brisbane City Council**.

### 4. Proposed Changes

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Following receipt of the abovementioned approval, it is noted that minor amendments to certain design features have been identified due to client and consultant input. As a result, minor changes are sought to the approved development (A006273401).

Importantly, it should be noted that the changes are deemed minor in nature and will not significantly alter the overall built form or materially change what has previously been approved by Brisbane City Council in accordance with s78 and s81 of the *Planning Act 2016*.

Please refer to the table below detailing the new plan set submitted with this request for approval:

**Table 1: Outline of amended plans**

Title	Drawing Number	Prepared By	Issue Date
Cover Page	001 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Key Notes & Drawing List	003 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Existing / Demo Site Plan	010 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Demo Ground Floor Plan	020 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Demo First Floor	021 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Demo Roof Plan	022 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Demo Elevations	030 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Demo Elevations	031 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Demo First RCP	041 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Proposed Site Plan	090 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Ground Floor Plan – Rear House	100 Rev: M	<i>Invilla Architecture</i>	16/09/2025
First Floor Plan – Rear House	101 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Ground Floor Plan – Front House	102 Rev: M	<i>Invilla Architecture</i>	16/09/2025
First Floor Plan – Front House	103 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Roof Plan – Rear House	110 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Roof Plan – Front House	111 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Ground Floor Slab – Rear House	120 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Ground Floor Slab – Front House	121 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Elevations A and B	200 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Elevations C and D	201 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Elevations E and F	202 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Retaining Wall Elevations	203 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Sections	300 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Sections	301 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Door & Window Schedule – Rear House	600 Rev: M	<i>Invilla Architecture</i>	16/09/2025
Door & Window Schedule – Front House	601 Rev: M	<i>Invilla Architecture</i>	16/09/2025

Specifically, the proposal seeks to amend the following:

### Existing (Front) House

- Removal and replacement of front balustrade like for like;
- Increase to front balcony;
- Extension of living area toward the south;
- Removal of ground level patio on western elevation;
- Removal of door on western elevation due to internal layout reconfigurations; and
- Additional windows on southern elevation.

## New (Rear) House

- Removal of clerestory windows on eastern elevation; and
- Removal of one slider door to living area.

It should be noted that there are no proposed changes to the overall reconfiguration of the lots.

A detailed summary of the proposed changes is provided within the following sub-sections.

## 4.1 Existing Front House

### 4.1.1 Front Balustrade & Balcony

As identified within the enclosed amended Architectural Proposal Plans prepared by *Invilla Architecture*, the proposed balcony has been increased in size by approximately 10m<sup>2</sup>. The slight increase to the front balcony will allow for an additional access way to the living area from the master suite. Additionally, the proposed increase now provides greater linkages to a porch. Furthermore, the proposed balcony will now provide for increased weather protection of the porch on the lower level and additional shadows, further delineating the upper level from the ground floor.

It is acknowledged that due to the increase of the balcony forward of the existing balustrade line requires the removal of the existing balustrade and handrail. Nonetheless, and as per Table 5.3.4 – Prescribed accepted development within the *Brisbane City Plan 2014*, the balustrade and handrail will be replaced like for like, therefore meeting the provisions of accepted development.

For reference of the proposed change, please refer to the below comparison and enclosed Architectural Proposal Plans.

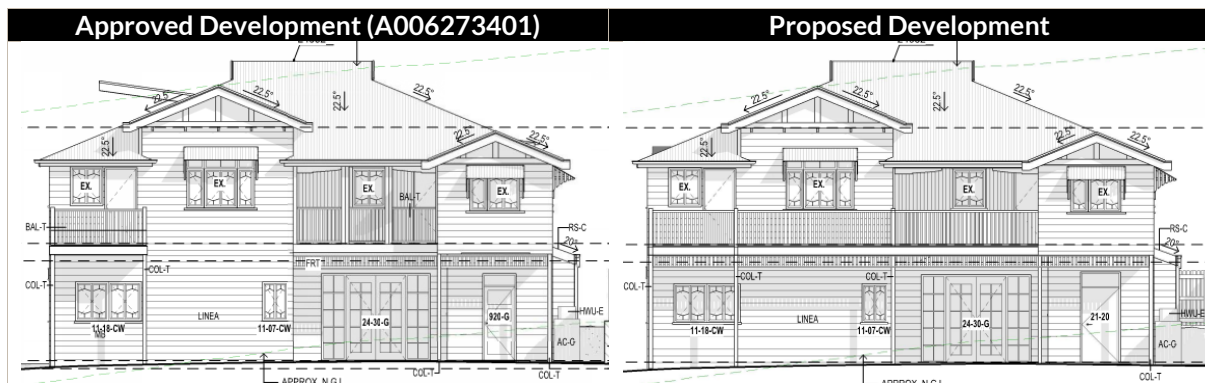


Figure 3: Comparison of northern (front) elevation of front house

### 4.1.2 Internal Reconfigurations

In response to client feedback, minor adjustments have been made to the internal layout of the front dwelling. Although internal layout changes are not an assessable component of the application, these amendments have resulted in slight modifications to the building footprint, most notably along the southern and western elevations.

As shown on the enclosed plans, the ground-floor open-plan living area has been increased by approximately 12m<sup>2</sup>, with the rear building line now aligning with the extent of the garage store area. Importantly, the modest increase toward the rear setback is not expected to generate any adverse amenity impacts, as the building footprint of the upper level remains unchanged from the approved design. Therefore, the expectation of a structure being located within this area remains unchanged.

A comparison of the approved and amended footprints is provided in the figure below.

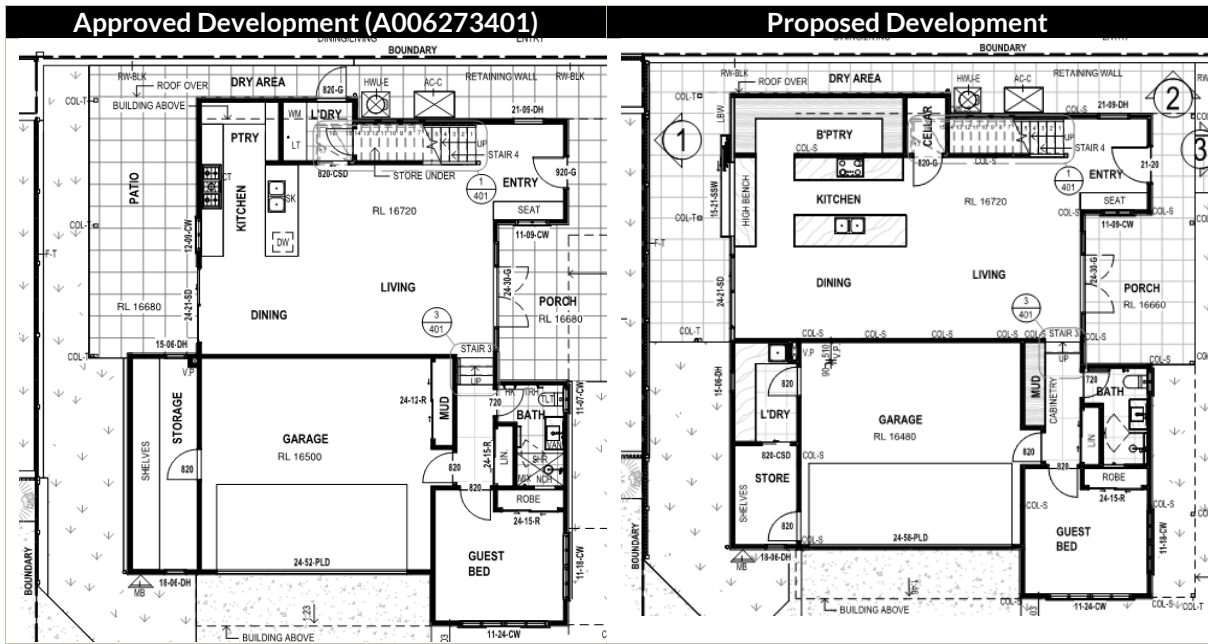


Figure 4: Comparison of ground floor plan of front house

Furthermore, due to the reconfiguration of internal spaces, the laundry room has been relocated to the south-eastern corner of the Dwelling. As such, the approved door on the western elevation has been removed to facilitate a wine cellar and increase the size of the butler's pantry. This area maintains a 1m side boundary setback which complies with AO6 of the Dwelling house (small lot) code.

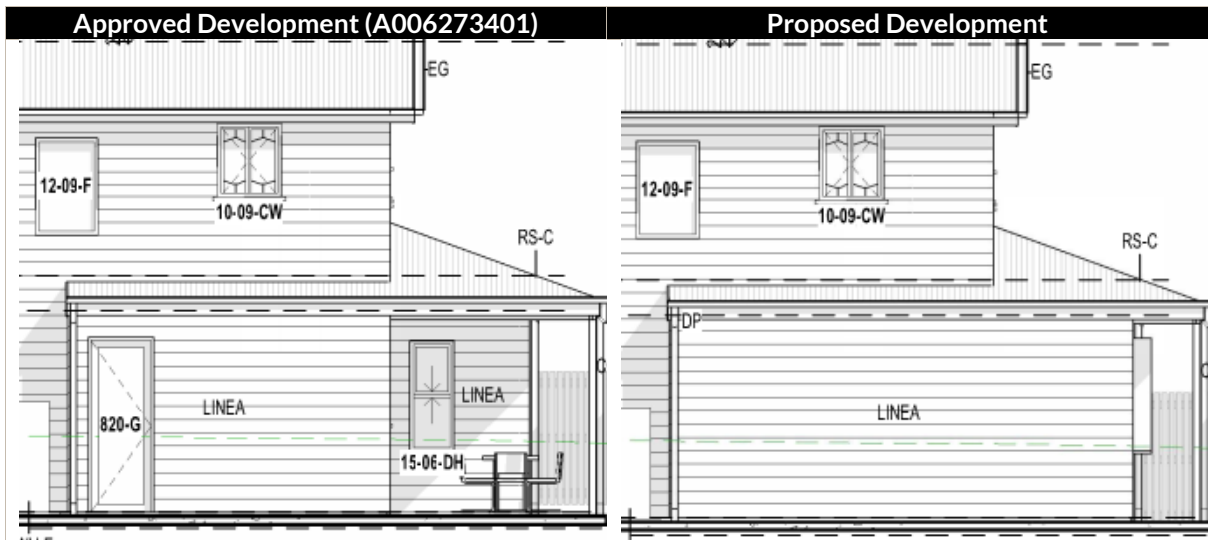


Figure 5: Comparison of western elevation of front house

#### 4.1.3 Southern Elevation Windows

As detailed in the enclosed Architectural Proposal Plans, the window on the southern elevation has been increased in size to enhance natural light within the reconfigured kitchen. A new window has also been added to the laundry room to improve natural lighting. Although these modifications are located at the rear of the dwelling and not assessable under the *Brisbane City Plan 2014*, the amended plan set has been updated accordingly to reflect these changes with a comparison provided in the below figure.

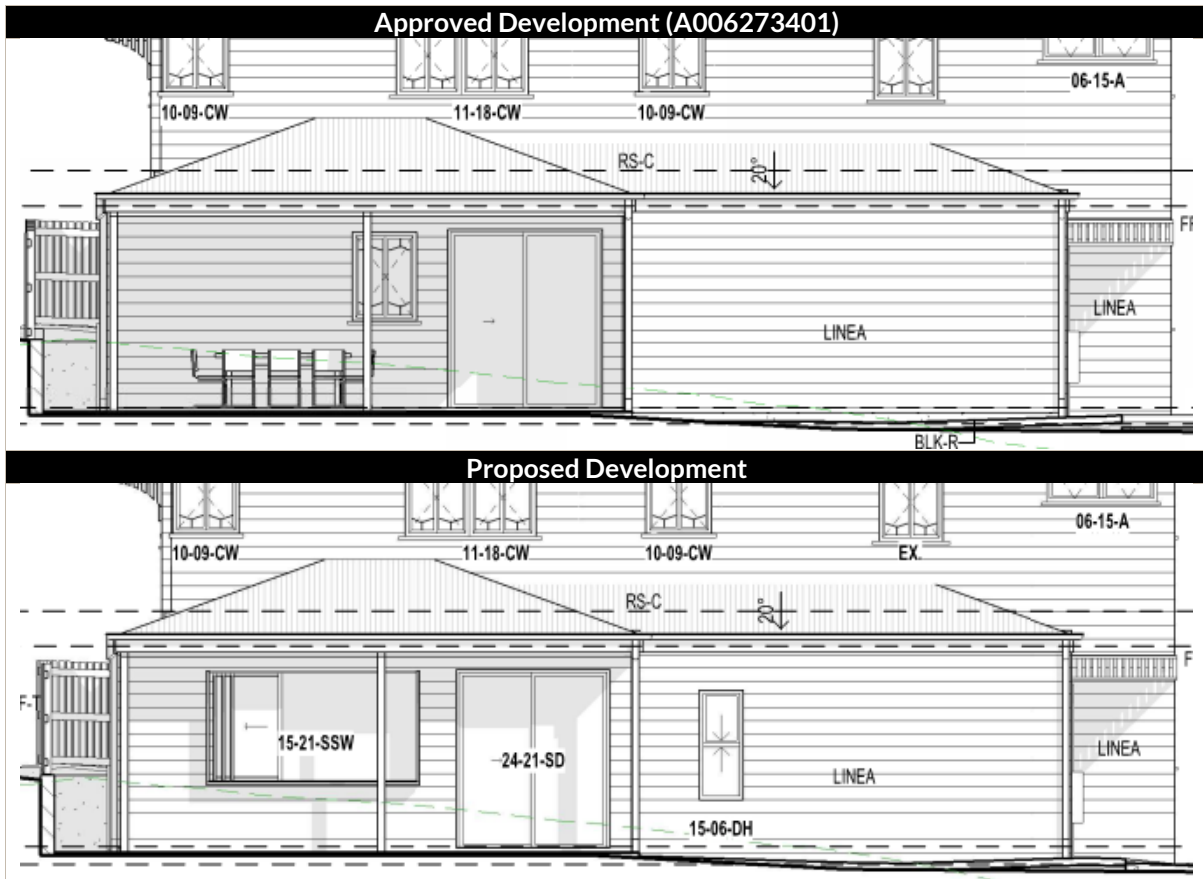


Figure 6: Comparison of southern elevation of front house

## 4.2 Proposed Rear House

### 4.2.1 Eastern Elevation Windows

In response to client feedback received during the detailed design phase, the previously approved clerestory windows on the eastern elevation of the new (rear) house have been removed. Adequate natural light to the study and internal staircase will still be achieved through the large window positioned on the northern elevation. For reference, these amendments are illustrated in the enclosed Architectural Proposal Plans and the comparison provided below.

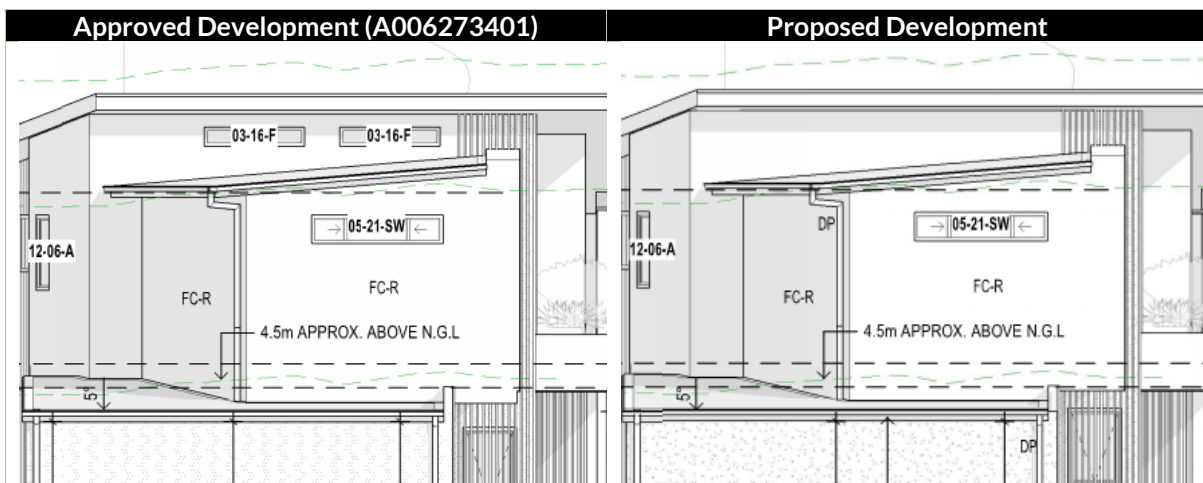


Figure 7: Comparison of eastern elevation of rear house

## 4.2.1 Eastern Elevation Windows

The final amendment relates to the approved sliding doors on the northern elevation, which provide access from the front lawn into the living room. The width of these doors has been reduced from 4 stacker doors to 3 to allow for additional blank wall space within the living room. This minor alteration is shown on the enclosed plans and illustrated in the comparison below.

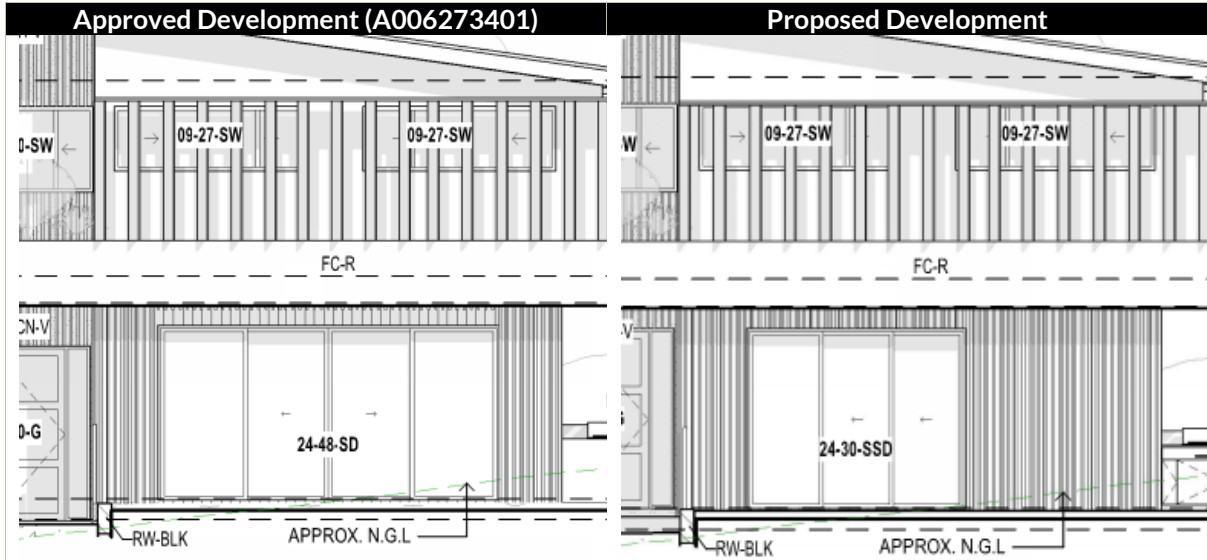


Figure 8: Comparison of eastern elevation of rear house

Importantly, it should be noted that the changes are deemed minor in nature and will not significantly alter the overall built form or materially change what has previously been approved by *Brisbane City Council* in accordance with s78 and s81 of the *Planning Act 2016*. We therefore request that Council update the approval package, inclusive of the amended plans referenced in Section 5 of this letter.

## 5. Changes to Approved Drawings

Consequential changes are proposed to the list of approved drawings to reflect the amended Architectural Proposal Plans. The proposed plans prepared by *Invilla Architecture* submitted as part of this change application will supersede the existing approved plans. A detailed list of the changes to the approved drawings and documents is provided in Table 2 below.

Table 2: Proposed changes to approved drawings

Title	Drawing Number	Issue Date
Cover Page	001 Rev: M	16/09/2025
Key Notes & Drawing List	003 Rev: M	16/09/2025
Existing / Demo Site Plan	010 Rev: M	16/09/2025
Existing/Demo Site Plan	010 Rev: H	09/10/2023
Demo Ground Floor Plan	020 Rev: M	16/09/2025
Demo Ground Floor Plan	021 Rev: H	09/10/2023
Demo First Floor	021 Rev: M	16/09/2025
Demo First Floor	021 Rev: H	09/10/2023
Demo Roof Plan	022 Rev: M	16/09/2025

Title	Drawing Number	Issue Date
Demo Roof Plan	022 Rev: H	09/10/2023
Demo Elevations	030 Rev: M	16/09/2025
Demo Elevations	030 Rev: H	09/10/2023
Demo Elevations	031 Rev: M	16/09/2025
Demo Elevations	031 Rev: H	09/10/2023
Demo First RCP	041 Rev: M	16/09/2025
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First Floor Plan – Rear House	101 Rev: H	09/10/2023
Ground Floor Plan – Front House	102 Rev: M	16/09/2025
Ground Floor Plan – Front House	102 Rev: H	09/10/2023
First Floor Plan – Front House	103 Rev: M	16/09/2025
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Elevations C and D	201 Rev: M	16/09/2025
Elevations C & D	201 Rev: H	09/10/2023
Elevations E and F	202 Rev: M	16/09/2025
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Sections	300 Rev: H	09/10/2023
Sections	301 Rev: M	16/09/2025
Sections	301 Rev: H	09/10/2023

Title	Drawing Number	Issue Date
Door & Window Schedule – Rear House	600 Rev: M	16/09/2025
Door & Window Schedule – Front House	601 Rev: M	16/09/2025

## 6. Planning Act 2016 Provisions

The changes to the Development Approval outlined in the above sections are identified as meeting the benchmark for a Minor Change in accordance with Schedule 2 of the *Planning Act 2016*, given that the change:

- (i) ***Would not result in a substantially different development*** – The proposal as described above does not result in a substantially different development having regard to the matters in Schedule 1 of the Development Assessment rules. In particular, the changes do not result in the following:
  - a) ***Involve a new use*** – The proposed change does not involve a new use. The change is limited to the changes as noted within the above and attached correspondence. No new land uses are proposed over the site.
  - b) ***Results in the application applying to a new parcel of land*** – The proposed change does not result in the application applying to a new parcel of land. The development remains only on the allotments included in the original approval.
  - c) ***Dramatically changes the built form in terms of scale, bulk and appearance*** – The proposed change does not dramatically change the built form in terms of scale, bulk and appearance in accordance with the approved plans.
  - d) ***Changes the ability of the proposed development to operate as intended*** – The proposed change does not alter the ability of the development to operate as intended. The development remains a dwelling house.
  - e) ***Removes a component that is integral to the operation of the development*** – The proposed change does not result in the removal of a component that is integral to the operation of the development.
  - f) ***Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site*** – The proposed minor change is limited to aspects of the built form with no proposed intensification of the site. Further, the number of on-site car parking spaces is to be maintained as currently approved.
  - g) ***Introduces new impacts or increase the severity of known impacts*** – The proposed change does not introduce new impacts or increase the severity of known impacts. The slight change to the layout is maintained within the approved building envelope and therefore does not result in any new or increased impacts.
  - h) ***Removes an incentive or offset component that would have balanced a negative impact of the development*** – The proposed change does not remove any incentive or offset component.
  - i) ***Impacts on infrastructure provisions*** – The proposed change does not impact on infrastructure provision.
- (i) ***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*** – The proposed change would not cause the inclusion of Prohibited development in the application if a development application for the development including the change was made.

- (B) *Referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application* – The changes would not cause referral to a referral agency if the development application was made for the development including the change.
- (C) *Referral to extra referral agencies, other than to the chief executive* – Not applicable. When initially lodged, the application did not require referral to a referral agency. Moreover, the proposed changes do not result in referral to any additional referral agencies.
- (D) *A referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made* – Not applicable. When initially lodged, the application did not require referral to a referral agency.
- (E) *Public notification if public notification was not required for the development application* – The application was originally subject to Impact Assessable procedures; however, the nature of the proposed changes does not require public notification to be undertaken.

## 7. Conclusion

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In view of the above, the proposed changes meet the benchmark for a Minor Change to a development approval as detailed in the *Planning Act 2016*.

The proposed amendments are sought to capture changes made in response to consultant and client input during the detailed design phase. As such, we request that Council update the approval package inclusive of the amended plans referenced above in Section 5.