



28 March 2026

Brisbane City Council
266 George Street
BRISBANE QLD 4001



USC Reference: USC154
Council ref: A005788626

Dear Sir/Madam

**MINOR CHANGE APPLICATION TO COUNCIL REF: A005788626
7 HAMILTON STREET, GORDON PARK (LOT 2 ON RP25075)**

On behalf of MJC Properties, please accept this Minor Change application made under *Section 78* of the *Planning Act* 2016 (the *Planning Act*) to the Brisbane City Council Decision Notice and Development Approval Package (Council ref: A005788626) on 7 Hamilton Street, Gordon Park (Lot 2 on RP25075) (the subject site).

The Change Application comprises a Minor Change (as defined by *Schedule 2* of the *Planning Act*) and accordingly must be assessed and decided pursuant to section 81 of the *Planning Act*.

An extension of the currency period of the development approval was issued under section 86 of the *Planning Act*, extended the decision notice until midnight 4 February 2029 (Council ref: A006860961).

Subject Site Details

| | |
|-----------------------------|--|
| Subject Site Address | 7 Hamilton Street, Gordon Park |
| Property Description | Lot 2 on RP25075 |
| Landowner | Vinay Kumar Duddu Rao |
| Local Government | Brisbane City Council |
| Planning Scheme | Brisbane City Council City Plan 2014 |
| Development Approval | Council ref: A005788626 Development Permit for Reconfiguring a Lot (1 into 2) |
| Current zoning | Character (Character CR1) Zone |

Proposed Changes

The proposed reconfiguration involves a minor adjustment to the approved layout for the 1 into 2 subdivision, whereby the lot arrangement is effectively “flipped” to establish a 450 m² standard lot as Lot 1, ultimately accommodating the relocated character dwelling, and a 425 m² vacant lot as Lot 2. This revised configuration has been adopted to facilitate the practical relocation of the existing dwelling on-site and to enable operational works, including servicing and access construction to be undertaken efficiently across both allotments. The amended layout maintains compliance with the relevant lot design outcomes while ensuring a more orderly and achievable delivery of the development.



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Changes to Approval Documentation

The approved plans have been amended as a result of the minor change and the documents listed below are to be updated.

| Approved Drawings and Documents | | |
|---------------------------------|---|---------------|
| Drawing or Document | Number | Plan Date |
| Proposed Reconfiguration Plan | S-2059-001-A (Amended in Red 05 NOV 2021) | 08 Jul 2021 |
| Subdivision Plan | 154.01 | 14 March 2026 |

Changes to Conditions of Approval

There are no changes necessary to the wording of any of the conditions.

Minor Change Criteria

A Change Application under section 78 of the *Planning Act* may be for a 'Minor Change', which is defined in schedule 2 of the *Planning Act* as follows:

minor change means a change that—

- a) for a development application
 - i. does not result in substantially different development; and
 - ii. if the application, including the change, were made when the change is made—would not cause—
 - A. the inclusion of prohibited development in the application; or
 - B. referral to a referral agency if there were no referral agencies for the development application; or
 - C. referral to extra referral agencies; or
 - 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
 - E. public notification if public notification was not required for the development application; or
- b) for a development approval—
 - i. would not result in substantially different development; and
 - 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
 - B. referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or
 - C. referral to extra referral agencies, other than to the chief executive; or

- 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
- E. public notification if public notification was not required for the development application.

The proposal is considered to be a minor change as demonstrated below:

(b)(i) would not result in substantially different development

Schedule 1 of the Development Assessment Rules sets out the circumstances in which a Minor Change would not result in substantially different development.

| Substantially different development | |
|---|--|
| (a) involves a new use; or | The approved development is for a 1 into 2 lot subdivision and the proposed minor change is to slightly amend the boundaries. Therefore, the proposal does not involve a new use. |
| (b) results in the application applying to a new parcel of land; or | The proposal continues to apply over the land to which the original development application and approval applies. |
| (c) dramatically changes the built form in terms of scale, bulk and appearance; or | The development is for a subdivision and does not involve built form. The existing dwelling house on the site is to be relocated and no changes to built form are required. |
| (d) changes the ability of the proposed development to operate as intended; or | The development will continue to operate as originally intended. |
| (e) removes a component that is integral to the operation of the development; or | The proposed minor change does not remove 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; or | The approved development was for a 1 into 2 lot subdivision and the minor change will remain a 1 into 2 lot subdivision which will not impact on the traffic flow and transport network. |
| (g) introduces new impacts or increase the severity of known impacts; or | The proposed minor change will not alter any existing impacts or introduce new impacts. |
| (h) removes an incentive or offset component that would have balanced a negative impact of the development; or | The proposed minor change does not remove an incentive or offset component that would have balanced a negative impact of the development. |
| (i) impacts on infrastructure provisions. | The minor change will not impact on infrastructure provisions. |

(b)(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

The proposed Minor Change is for the extension of the existing building for commercial use which is a consistent use with the zoning in accordance with the approved Preliminary Approval.

(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or

The original application did not require referral.

(C) referral to extra referral agencies, other than to the chief executive; or

The original development application did not require referral and no additional referral agencies would be triggered due to the change.

(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

Not applicable.

(E) public notification if public notification was not required for the development application.

Public notification was undertaken for the original development application in accordance with the *Planning Act 2016*. There were no properly made submissions received during the public notification period.

Responsible Entity

Section 78A of the *Planning Act* states:

- 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. *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.*
- 4) *Further, the chief executive is the responsible entity for the change application instead of the person under subsection (1) if the change application is for a change to a development approval given or changed by the chief executive under part 6A.*
- 5) *If the P&E Court is the responsible entity for the change application, the court—*
 - a) *must assess and decide the change application under this subdivision; but*
 - b) *is not otherwise bound by the requirements of this subdivision for administering the change application.*
- 6) *If the change application is made to the Minister as the responsible entity under subsection (3) and the Minister is satisfied the change does not affect a State interest, the Minister may refer the change application to the assessment manager.*
- 7) *If the change application is made to the chief executive as the responsible entity under subsection (4) and the chief executive is satisfied the change would not result in substantially different development, the chief executive may refer the change application to the assessment manager.*
- 8) *If the Minister or chief executive refers the change application to the assessment manager, the assessment manager is the responsible entity for the application instead of the Minister or chief executive.*

In accordance with section 78A of the *Planning Act*, the responsible entity for this Minor Change is the assessment manager, being Brisbane City Council.

Assessment against Minor Change Criteria

Section 81 of the *Planning Act* prescribes the matters which the responsible entity must have regard to in assessing the request as follows:

- 1) *This section applies to a change application for a minor change to a development approval.***
- 2) *In assessing the change application, the responsible entity must consider—***
 - a. *the information the applicant included with the application; and***

The information submitted as part of this Minor Change request should be sufficient to allow Brisbane City Council, as the responsible entity, to assess and approve the Minor Change. If additional information and supporting documentation are required for assessment, this can be provided on request.

- 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***

Public notification was undertaken for the original development application and no properly made submissions were received.

- 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 - The responsible entity for the Minor Change is Brisbane City Council.

e. if the responsible entity is, under section 78A(4), the chief executive—all matters the chief executive would or may assess against or have regard to, if the change application were a development application declared to be an application for State facilitated development under section 106D; and

Not applicable - The responsible entity for the Minor Change is Brisbane City Council.

f. if paragraphs (d) and (e) do 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

All information has been provided as part of this Minor Change to inform the responsible entity assessment.

g. another matter that the responsible entity considers relevant.

All information has been provided as part of this Minor Change to inform the Responsible entity assessment.

Conclusion

I trust the information provided in this letter is sufficient to allow Brisbane City Council to approve the Minor Change to the Brisbane City Council Decision Notice and Approval Package (Council Ref: A005788626) as detailed within this letter.

If you have any questions regarding the above, please do not hesitate to contact the undersigned

Yours sincerely,

URBAN SPACE CONSULTING



TOWN PLANNING DIRECTOR

Encl: Change Application Form – Form 5
Land Owner Consent Form
Subdivision Plan