OASIS
TOWN PLANNING

BCC DS
RECEIVED
12/11/2026
APPLICATION REF
A007150896

12 November 2026

Chief Executive Officer
Development Assessment
Brisbane City Council

Minor Change Application to An Existing Development Approval
Application Reference: A003032910
Address of Site: Unit 29 / 20 Kianawah Road South, Manly West QLD 4179
Property Description: Lot 29 SP254198 (Wondall Park CTS 44569)

Proposal: New patio (Class 10a) at the rear of Unit 29

Dear Sir/Madam,

RE: Minor Change Application to An Existing Development Approval

On behalf of the property owner, Jackt'd Ashby Pty Ltd as trustee for Jackt'd Ashby Trust, we make this application to change the development approval to you as the responsible entity. The approval is A003032910, a Development Permit for a Material Change of Use for a multi-unit dwelling (Stage 1 – 25 units and Stage 2 – 30 units) and a Preliminary Approval for building work, decided by Council on 3 April 2012 for 358 Wondall Road, Manly West (Lot 45 on SP204997). The development is now known as Wondall Park, 20 Kianawah Road South, and Unit 29 is Lot 29 on SP254198. 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**
(a) involves a new use; or	**The use remains a multiple dwelling, as approved. The patio is a Class 10a structure that serves the existing dwelling.**
(b) results in the application applying to a new parcel of land; or	**The change applies to the same approved development. The patio is within the rear courtyard of Unit 29 (Lot 29 SP254198), and the approval is not extended to any new parcel of land.**

(c) dramatically changes the built form in terms of scale, bulk and appearance; or	**The proposed change to the multiple dwellings does not result in dramatic changes to the built form in terms of scale, bulk and appearance. The proposed patio (21.6m²) provides a covered outdoor area for the residents of Unit 29. It is a single-storey, open-sided roof structure with a height of only 2.7m, attached to the rear of the unit, so it will not dramatically change the appearance of the existing building. The roof and posts are in light neutral colours (Off White and Alpine). The patio is set back 900mm from the internal lot fences on each side and 4.55m from the external side boundary of the complex. It will not undermine the built form of the townhouse development or the amenity and privacy of the adjoining units.**
(d) changes the ability of the proposed development to operate as intended; or	**The proposed use remains the same as multiple dwellings. The patio is a private structure for Unit 29 and does not affect how the development operates.**
(e) removes a component that is integral to the operation of the development; or	**The proposed development will not remove any component that is integral to the operation of the intended use. The courtyard remains available as private open space, now with weather protection.**
(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	**The proposed development will not impact on traffic flow. The use remains multiple dwellings, and the change will not increase traffic to the site.**
(g) introduces new impacts or increase the severity of known impacts; or	**A roofed patio over an existing courtyard will not introduce new impacts or increase the severity of known impacts. It adds no traffic, noise or overlooking, and the roof downpipe will be connected to the stormwater system as required by the Body Corporate.**

(h) removes an incentive or offset component that would have balanced a negative impact of the development; or	**The proposed changes will not remove any incentive or offset component that would have balanced a negative impact of the development.**
(i) impacts on infrastructure provisions.	**The proposed changes will not impact on infrastructure provisions. The patio creates no new demand for water, sewerage or transport infrastructure.**

Landowners and Body Corporate's Consent

The owner's consent has been provided by the registered owner of Unit 29, Jackt'd Ashby Pty Ltd as trustee for Jackt'd Ashby Trust (ACN 678 604 085). The Body Corporate for Wondall Park CTS 44569 has also given its consent as the owner of the common property (Lot 0), and its committee has approved the installation under the by-laws.

The proposed patio is located within the rear courtyard of Unit 29, which is common property (Lot 0) set aside for the private use of Unit 29. It is not within a common area used by other residents.

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 29 (Unit 29), with the proposed patio located entirely within the rear courtyard for the private use of Unit 29. Accordingly,

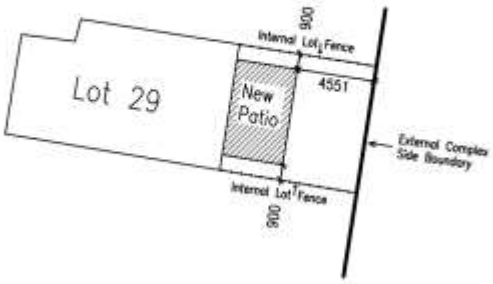
the proposed works will not materially affect any other lots or units within the development.

Given that the approval covers a development of 55 units (Stage 1 – 25 units and Stage 2 – 30 units), it would be impracticable to obtain consent from each individual lot owner.

- **Change to Approved Plans**

The proposed new patio to Unit 29 will trigger an amendment to the approved plans. The patio will be established entirely within the rear courtyard of Unit 29, which is for the private use of the unit, and not within a common area used by other residents.

Proposed Minor Change:





Key details for Patio

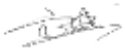
Building height	2.7m
Setbacks	• Side boundaries (internal lot fences): 900mm each side • External complex side boundary: 4,551mm
Materials and finishes	Attached flat-roof patio with Cooldek insulated roof (Off White), steel posts and beam (Alpine) and Birch gutter
Size	21.6m² (6.0m × 3.6m, including a 600mm overhang)

The proposed patio has achieved appropriate boundary setbacks. At 2.7m high, it will not result in any adverse impact on the adjoining units. It is a small, single-storey, open-sided roof structure at the rear of the unit, and it provides additional covered private open space for the residents. It will not undermine the existing built form or appearance of the townhouse development. It is set back 900mm from each internal lot fence, so it will not undermine the amenity or privacy of the adjoining units or their ability to receive natural light, sunlight and breezes.

The proposal also has the approval of the Body Corporate committee, subject to conditions that the colours blend with the existing scheme, the work complies with Council requirements and is done by a licensed tradesperson, and the downpipes are connected to stormwater. The Body Corporate's approval and consent are attached to this application.

In summary, we form the view that the proposed patio is minor building work only and it will not adversely impact the existing multiple dwelling development 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



Jerome Fang | Lead Urban Planner
BUrbEnvPlan . DipBusMan, Registered Planner RPIA. 48043
M: 0430 113 189
OASIS TOWN PLANNING PTY LTD
enquiry@oasistownplanning.com.au
www.oasistownplanning.com.au