



26/08/2026

Brisbane City Council

To whom it may concern,

**RE: Minor Change Justification - Development Approval A003387317- 2105 Sandgate Road, Boondall QLD 4034**

**1. Introduction**

This statement has been prepared in support of a proposed change to Development Approval A003387317 applying to the Hungry Jack's restaurant at 2105 Sandgate Road, Boondall QLD 4034.

The proposed change relates to refurbishment and associated alterations to the existing Hungry Jack's premises. The proposal generally comprises internal refurbishment and associated external works to modernise and improve the existing restaurant, together with the removal of one existing car parking space to facilitate the proposed site arrangement.

The proposed works do not seek to introduce a new use, materially intensify the approved use or alter the fundamental nature of the development. The premises will continue to operate as an established Hungry Jack's restaurant.

Accordingly, the proposed change is considered to constitute a minor change to the development approval pursuant to the Planning Act 2016.

**2. Legislative Framework**

Section 79 of the Planning Act 2016 provides for a person to make an application to change a development approval. A change application may be assessed as a minor change where the proposed change satisfies the definition of a "minor change" contained within Schedule 2 of the Act.

For a development approval, a minor change is a change which:

1. would not result in substantially different development; and
2. if a development application for the development, including the change, were made when the change application is made, would not cause:
  - the inclusion of prohibited development;
  - referral to a referral agency where there were no referral agencies for the original development application;
  - referral to additional referral agencies;
  - a referral agency to assess the application against additional matters; or
  - public notification where public notification was not previously required.

The assessment of whether a change constitutes substantially different development is undertaken having regard to the individual circumstances of the development and the context of the proposed change. Matters relevant to this assessment include whether the change introduces a new use,

significantly alters the built form, changes the ability of the development to operate as intended, significantly affects traffic or the transport network, introduces new impacts or removes an integral component of the development.

### **3. Assessment Against Minor Change Criteria**

#### **3.1 The change would not result in substantially different development**

The proposed works do not result in substantially different development when considered in the context of the existing approved development.

The fundamental use and purpose of the premises remain unchanged. The site will continue to operate as a Hungry Jack's restaurant, with the proposed works representing a refurbishment and modernisation of the existing operation rather than the establishment of a new use or a material change to the approved development.

The proposed refurbishment does not involve:

- the introduction of a new land use;
- the application of the approval to a new parcel of land;
- a substantial change to the scale, bulk or appearance of the development;
- a material change to the established operation of the restaurant;
- the removal of a component that is integral to the operation of the development;
- a significant increase in traffic generation or adverse impact on the transport network; or
- the introduction of new material planning impacts or an increase in the severity of existing impacts.

The proposed works are therefore appropriately characterised as improvements and alterations to an existing commercial development rather than a materially different development outcome.

#### **3.2 Continuation of the approved use and operation**

The proposed development will maintain the established Hungry Jack's restaurant use and its existing operational function.

The refurbishment is intended to improve the presentation, functionality and efficiency of the existing premises and does not alter the fundamental nature of the use approved under Development Approval A003387317.

The removal of one car parking space is also not considered to affect the ability of the development to operate as intended. The change is minor in scale and is ancillary to the refurbishment works. It does not result in a material change to vehicle access, circulation or the overall operation of the site.

Accordingly, the proposed change does not represent a change to the operational character of the approved development.

#### **3.3 Built form and physical changes**

The proposed works are limited to refurbishment and associated alterations to the existing development.

The changes do not dramatically alter the built form in terms of scale, bulk or appearance. The proposal retains the existing commercial development and its established relationship with the surrounding locality.

The proposed works therefore do not constitute a substantial change to the physical character of the approved development.

### **3.4 Removal of one car parking space**

The proposal includes the removal of one existing car parking space.

The removal of a single parking space is considered minor in the context of the overall development and does not materially alter the site's established parking arrangement or its ability to accommodate the approved use.

Importantly, the proposed removal of the parking space does not contradict or conflict with the conditions of Development Approval A003387317. The proposed change does not seek to disregard, remove or undermine any existing condition of approval, and the development will otherwise continue to be undertaken in accordance with the relevant conditions of the existing approval.

The parking change is therefore appropriately considered an incidental component of the broader refurbishment rather than a change to the fundamental nature or intensity of the approved development.

Further, the removal of one space does not result in a significant impact on traffic flow or the transport network. It does not increase traffic generation or introduce a new transport-related impact. Rather, it represents a minor modification to the existing site layout associated with the refurbishment.

### **3.5 Prohibited development**

The proposed change does not introduce any prohibited development.

The established Hungry Jack's restaurant use remains the same, and no new use or development component is proposed that would alter the development's fundamental planning character.

Accordingly, the proposed change would not result in prohibited development if the development application, including the change, were made at the present time.

### **3.6 Referral agency requirements**

The proposed change does not introduce a new aspect of development that would reasonably give rise to referral to a new or additional referral agency.

The proposal remains confined to the existing developed site and established use, with the works representing a refurbishment and minor modification to the existing development.

The proposed removal of one car parking space does not introduce a new State interest or materially alter the development such that additional referral considerations would arise.

Accordingly, the proposed change satisfies this component of the minor change test.

### **3.7 Public notification**

The proposed change does not introduce a material change to the nature, scale or impacts of the approved development that would result in public notification being required where it was not required for the original development application.

The proposal retains the existing Hungry Jack's use and does not introduce a new use, substantial built form change, material intensification or significant new impact.

The proposed change therefore does not give rise to a circumstance requiring public notification under the minor change provisions.

#### **4. Consistency with Existing Approval Conditions**

The proposed refurbishment has been designed having regard to Development Approval A003387317 and does not seek to materially alter the approved development or circumvent the requirements of the existing approval.

In particular, the removal of one car parking space does not contradict the conditions of the approval. The proposed works can continue to comply with the existing conditions of consent, subject to the minor amendment sought through this application.

The change therefore represents an appropriate mechanism to update the existing approval to reflect the proposed refurbishment without altering the fundamental planning outcome established by Development Approval A003387317.

## 5. Conclusion

Having regard to the nature and extent of the proposed works, the proposed change is considered to satisfy the definition of a minor change under Schedule 2 of the Planning Act 2016.

The proposal:

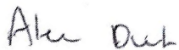
- retains the existing Hungry Jack's restaurant use;
- does not result in substantially different development;
- does not materially alter the scale, bulk or appearance of the development;
- does not materially change the operation of the approved use;
- does not introduce new or materially increased planning impacts;
- involves only the minor removal of one car parking space;
- does not significantly affect traffic flow or the transport network;
- does not introduce prohibited development;
- does not trigger additional referral agency requirements; and
- does not introduce circumstances requiring public notification.

The proposed change is therefore appropriately characterised as a minor modification to the existing approved development, rather than a substantially different development.

On this basis, it is considered that the proposed refurbishment and associated removal of one car parking space can appropriately be considered and approved as a Minor Change to Development Approval A003387317 pursuant to the Planning Act 2016. The change will allow the existing Hungry Jack's development to be appropriately refurbished and modernised while maintaining the fundamental planning outcome and intent of the existing approval.

Please do not hesitate to contact the undersigned on the below details for further discussion.

Kind regards,



**Alec Duck** *BURbanEnvPlan*  
Town Planner  
Platinum Planning Solutions

**M:** 0408 195 450  
**E:** [alec@platinumplanning.com.au](mailto:alec@platinumplanning.com.au)  
**W:** [www.platinumplanning.com.au](http://www.platinumplanning.com.au)