



Our Ref: 26-227  
Council Ref: A004919419

8 June 2026

The Manager  
Brisbane City Council  
GPO Box 1434  
**BRISBANE QLD 4001**

Dear Sir / Madam,

**REQUEST FOR A MINOR CHANGE TO A DEVELOPMENT APPROVAL IN ACCORDANCE WITH SECTION 81 OF THE PLANNING ACT 2016 – A004919419**

**MATERIAL CHANGE OF USE – DEVELOPMENT PERMIT FOR A SHOP, OFFICE AND FOOD AND DRINK OUTLET AT 675 SANDGATE ROAD, CLAYFIELD DESCRIBED AS LOT 1 ON RP94278**

We act on behalf of the Applicant, Bart & Associates Pty Ltd, with respect to the above land.

In accordance with Section 81 of the Planning Act 2016, we request the Assessment Manager responsible for the application make a change to the approval in accordance with the details provided below.

The approval was issued on 9 January 2019 for a Material Change of Use – Development Permit for the purposes of a Shop, Office and Food and Drink Outlet on site.

This Minor Change seeks to amend the approved plans and conditions to facilitate the reallocation of gross floor area between the approved uses on site due to a change of tenant on site.

The proposal does not involve increasing any gross floor area on site, and only involves reallocating the existing approved total gross floor area between the approved Shop, Office and Food and Drink Outlet.

The existing approval involves the following gross floor area for each use as per Condition 7 is as follows:

Use	Approved Gross Floor Area
Food and Drink Outlet:	13.7m <sup>2</sup>
Shop (including amenities)	343.9m <sup>2</sup>
Office	15.4m <sup>2</sup>
Total	373m <sup>2</sup>

We provide a proposed reallocation of gross floor area as follows:

Use	Approved Gross Floor Area
Food and Drink Outlet:	15m <sup>2</sup>
Shop	
Office (including amenities)	348m <sup>2</sup>
Total	363m <sup>2</sup>

The proposed total gross floor area involves a decrease of 10m<sup>2</sup>. We understand that this is as a result of the previous approval involving an incorrect calculation of gross floor area, specifically within the Shop use. Upon reviewing the approved plans, the Shop use on site demonstrates a gross floor area of approximately 332.9m<sup>2</sup> (10m<sup>2</sup> less than the approved gross floor area as per Condition 7).

We confirm that the proposal retains the existing total gross floor area as existing and previously approved (noting that there was a miscalculation as part of the previous approval). The proposal also seeks to retain the existing landscaping, access, carparking and loading zones as approved under A004919419.

The proposed increase in gross floor area for the Office use on site will not increase the parking demand on site, noting that an Office use involves the lowest prescribed car parking rate as per Table 14 under the Transport, Access, Parking and Servicing Planning Scheme Policy with respect to the approved uses on site.

The proposed building envelope and overall appearance of the existing built form on site will remain largely consistent with the approval. However, due to a reallocation of gross floor area on site, the approval is required to be amended.

We have undertaken a review of the relevant conditions of approval over the site and only Condition 7 will need to be amended as part of the proposal. We provide the proposed condition amendment below:

### **7) Limitation of Approval**

*The Food and Drink outlet, Office and Shop as shown on the approved drawings and documents, are limited to the following maximum gross floor area (GFA):*

*Food and Drink outlet and Shop – 15m<sup>2</sup>*

*Office – 348m<sup>2</sup>*

We consider the proposed change consists of a “Minor Change” to the original Development Permit and we make this request to change a development approval under Section 81 as the modification constitutes a minor change under the provisions of the Act.

*A minor change means a change that –*

*(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 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; or*

e. *public notification if public notification was not required for the development application.*

Our assessment of the above is as follows:

In relation to item (b) (i), the proposal would not constitute substantially different development. Substantially different development is outlined in Schedule 1 of the Development Assessment Rules under the Planning Act 2016 as follows:

- 1) *A change may be considered to result in a substantially different development if the proposed change:*
  - a) *involves a new use; or*
  - b) *results in the application applying to a new parcel of land; or*
  - c) *dramatically changes the built form in terms of scale, bulk and appearance; or*
  - d) *changes the ability of the proposed development to operate as intended; or*
  - e) *removes a component that is integral to the operation of the development; or*
  - f) *significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or*
  - g) *introduces new impacts or increase the severity of known impacts; or*
  - h) *removes an incentive or offset component that would have balanced a negative impact of the development; or*
  - i) *impacts on infrastructure provisions.*

The proposal is not substantially different as outlined above on the basis that:

- The proposal does not involve a new use and the uses of the site will remain as originally approved for the purpose of an Office, Shop and Food and Drink Outlet.
- The proposal does not apply to a new parcel of land and continues to apply to Lot 1 on RP94278.
- The proposed change does not dramatically change scale, bulk and appearance of the existing, approved built form.
- The proposal does not change the ability of the development to operate as intended. The premises will continue to operate as originally approved for the purpose of an Office, Shop and Food and Drink Outlet.
- The change does not include removal of any component which would be integral to the operation of the development.
- The proposed changes will not alter traffic flow and the transport network.
- The change will not introduce new impacts or increase the severity of known impacts.
- The changes do not remove an incentive or offset component.
- The changes do not impact on infrastructure provisions.

On the basis of the above, the proposal does not constitute substantially different development.

In relation to item (b) (ii) (a), the proposal does not include prohibited development.

In relation to point (b) (ii) (b), (c) and (d), the original application was not subject to referral and the proposed change would not trigger any additional referral requirement or referral agency assessment.

In relation to point (b) (ii) (e), the original development application was subject to Impact Assessment and the proposed change remains Impact Assessable.

In accordance with the above, we confirm that the change proposed is a *minor change* as outlined in Section 81 of the *Planning Act 2016* and requires amendment approved plan and conditions.

It is requested that Council issue an invoice addressed to our Client such that we can arrange payment of the applicable fee.

Please find attached the completed Planning Act Form for your records.

We trust that the supplied information is sufficient for Council to address this matter.

In the event that you do require clarification, or any further information please do not hesitate to contact the undersigned on (07) 3846 0807.

**Yours faithfully,  
Plan A Town Planning Pty Ltd**



**Oscar Delaney  
Town Planner**