

17 January 2024

Logan City Council
Attn: Dale Schroeder

Via Email: DaleSchroeder@logan.qld.gov.au

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NOTICE OF CHANGED APPLICATION OVER LAND AT 2-4, 6-8, 10-12, 14-16 & 18-20 ATLANTIC DRIVE, LOGANHOLME, QLD 4129 (COUNCIL REFERENCE: MCUI/47/2023)

Dear Dale,

On behalf of our client, Supreme Renovators Pty Ltd (**Applicant**), we hereby give notice of a changed application to Council in accordance with section 52(1) of the *Planning Act 2016* (**Planning Act**). The proposed change is an 'other change' under Section 27.1 of the Development Assessment Rules (**DA Rules**) where the development assessment process stops on the day of this notice and starts again at the beginning of the assessment manager's confirmation period.

The development application was properly made with Logan City Council (**Council**) on 31 August 2023 seeking a Development Permit for a Material Change of Use under the *Logan Planning Scheme 2015* (**Planning Scheme**) for Caretaker's Accommodation, Food and Drink Outlet, Health Care Service, Low Impact Industry and Shop.

The proposal was made over land at 2-4, 6-8, 10-12 and 14-16 Atlantic Drive, Loganholme, QLD 4129, more formally described as Lots 144 & 143 on Survey Plan 317156 and Lots 142 & 141 on Registered Plan 112172, respectively (**subject site**).

The purpose of this application was to seek retrospective approval for the current unlawful residential and commercial activities over the subject site being:

- Health spa (Health care service);
- Small-scale Mechanic (Low impact industry); and
- Crystal shop (Shop).

In addition, the proposal was seeking development approvals for a Caretaker's accommodation at 10-12 Atlantic Drive and a Food and drink outlet use located at 6-8 Atlantic Drive, which involves a Food Takeaway tenancy.

An Information Request was issued by Council on 21 September 2023, raising issues and concerns principally with the Low Impact Industry aspect of the proposed development. As a consequence, the Applicant has now reviewed in detail Council's position in relation to the Low impact industry use element and has since removed this operation (car mechanic) from the subject site. Therefore, a Low impact industry use is no longer being pursued.

Further to the Applicant's intent to respond to Council's Information Request, a review of all uses previously applied for has been undertaken to ensure the land uses proposed align more specifically with Council's Planning Scheme.

Therefore, the following land uses are now proposed as part of this 'other change' request:

| Address | Proposed Use |
|------------------------|--|
| 2 - 4 Atlantic Drive | Caretaker's accommodation, Shop & Veterinary Service (existing shed to remain ancillary to these uses) |
| 6 - 8 Atlantic Drive | Food and drink outlet (existing shed to remain ancillary to this use) |
| 10 - 12 Atlantic Drive | Health Care Services |
| 14 - 16 Atlantic Drive | Home Based Business |
| 18 - 20 Atlantic Drive | Home Based Business |

Based on the above amendments the application is now described as follows:

- Development Approval for a Development Permit: Material Change of Use for Caretaker's Accommodation, Food and Drink Outlet, Health Care Service, Home Based Business, Shop & Veterinary Service.

This is reflected in the attached revised DA Form 1 (**Attachment 1**) and Architectural Plans (**Attachment 2**).

Substantially Different Development

The proposed change to the application is considered to represent substantially different development and does not meet the requirements for a change application under 26.1 of the Development Assessment Rules as new uses are being introduced and a new parcel of land is being applied over (18-20 Atlantic Drive).

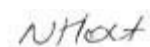
Therefore, this change to the development application is made as an 'other change' under Section 27.1 of the Development Assessment Rules. As stated above, this notice will now stop the development process which starts again at the beginning of the confirmation period. In line with this process, it is noted that Council must give a copy of this notice to each referral agency for the original application and advise each agency of the effect of the change on the development assessment process. In support of this notice to change the application please find attached the following documents:

- Attachment 1 - DA Form 1 and Landowner's consent
- Attachment 2 - Architectural Plans

The supporting reports and technical documents submitted as part of the development application material will be updated on receipt of a revised Information Request from Council relevant to this changed application.

Should you have any questions or wish to discuss any of this information in further detail, please do not hesitate to contact me on 07 3852 3922.

Kind regards,
Place Design Group



Nick Holt
Senior Associate