



SARA reference: 2309-36610 SRA  
 Council reference: MCUI/47/2023  
 Applicant reference: 1123035

11 October 2023

Chief Executive Officer  
 Logan City Council  
 development@logan.qld.gov.au

Dear Sir/Madam

## SARA referral agency response—2–4, 6–8, 10–12, and 14–16 Atlantic Drive, Loganholme

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 14 September 2023.

### Response

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Outcome:	Referral agency response - No requirements  Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application
Date of response:	11 October 2023
Advice:	Advice to the applicant is in <b>Attachment 1</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b>

### Development details

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Description:	Development Permit for Material change of use for Caretaker's accommodation, Food and drink outlet, Health care service, Low impact industry and Shop
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises within 25 metres of a state transport corridor, within 100 metres of a state-controlled road and is a future state transport (Planning Regulation 2017)
SARA reference:	2309-36610 SRA
Assessment Manager:	Logan City Council

Street address: 2–4, 6–8, 10–12, and 14–16 Atlantic Drive, Loganholme

Real property description: Lot 141 on RP112172, Lot 142 on RP112172, Lot 143 on SP317156 and Lot 144 on SP317156

Applicant name: Supreme Renovators Pty Ltd

Applicant contact details: c/- Place Design Group  
loic.m@placedesigngroup.com / angus.g@placedesigngroup.com

*Human Rights Act 2019* considerations A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Solomon Johnstone, Planning Officer on (07) 3882 8491 or via email SEQSouthPlanning@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Karley Lawler  
**Manager, Planning and Development Services (SEQ South)**

cc Supreme Renovators Pty Ltd c/- Place Design Group, loic.m@placedesigngroup.com / angus.g@placedesigngroup.com

enc Attachment 1–Advice to the applicant  
Attachment 2–Reasons for referral agency response  
Attachment 3–Representations about a referral agency response

## Attachment 1—Advice to the applicant

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<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP), (version 3.0). If a word remains undefined it has its ordinary meaning.

## Attachment 2—Reasons for referral agency response

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(Given under section 56(7) of the *Planning Act 2016*)

### The reasons for SARA's decision are:

The proposed development has been assessed against and complies with State code 1: Development in a state-controlled road environment of the SDAP, without conditions. In particular:

- The proposal utilises the existing building footprint on site and is not considered to impact the structural integrity, operational performance, or safety of the state-controlled road.
- The proposal gains access to a local road and therefore will not impact the operating conditions of the state-controlled road.
- Due to the scale of the development, any increases in traffic generation rates are considered negligible and can be accommodated by the state-controlled road network.
- The proposal does not significantly increase the site's existing impervious footprint and is therefore not expected to result in any adverse stormwater impacts to the state-controlled road network.
- The proposal for a noise sensitive land use is located with sufficient distance from the state-controlled road and is therefore not considered to be adversely impacted by the transport noise corridor.

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The SDAP (version 3.0), as published by SARA
- The Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*.

## **Attachment 3— Representations about a referral agency response**

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# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

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### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.