Your Reference: 11320
Enquiry Phone: Customer Service (07) 3412 5269
Property Key: 396146
Document Number: 17260739
File Number: 1314982-1

16 January 2024

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Belivah Pty Ltd
C/- Norris Clarke & O'Brien Pty Ltd
PO Box 3448
NEWMARKET QLD 4051

Dear Sir/Madam

CHANGE APPLICATION DECISION NOTICE – *PLANNING ACT 2016*

APPLICATION NUMBER **COM/5/2023/A**
PROPERTY ADDRESS **LOT 3 JIM DAVIDSON BOULEVARD, BELIVAH QLD 4207**
PROPERTY DESCRIPTION **LOT 3 SP 290608**
APPLICATION DESCRIPTION

- **COMBINED APPLICATION - MINOR CHANGE (RECONFIGURING A LOT (1 LOT INTO 123 LOTS) AND MATERIAL CHANGE OF USE (DWELLING HOUSE))**

1. DECISION

Reference is made to the request received by Council on 11 December 2023 for a Change Application. The application was originally decided by Council as Assessment Manager on 19 May 2023. In accordance with section 81 of the *Planning Act 2016*, the request has been assessed by Council as the Assessment Manager and **approved** on 16 January 2024. Accordingly, this Decision Notice states the nature of the changes made and replaces the Decision Notice previously given.

2. NATURE OF THE CHANGE

The nature of the change is as follows:

- Amend Condition 1.1 and 6.1 (Approved Documents & Plans)

3. APPROVAL TYPE

Development Permit

4. CONDITIONS OF APPROVAL - ASSESSMENT MANAGER

The amended Assessment Manager conditions are attached to this Decision Notice.

5. REFERRAL AGENCIES

There were no Referral Agencies applicable to this development application.

6. OTHER DEVELOPMENT PERMITS OR CERTIFICATES NECESSARY TO ALLOW THE DEVELOPMENT TO BE CARRIED OUT

Operational Works – Civil / Water & Sewer Design

Plumbing and Drainage Works

7. STATEMENT OF REASONS

Description of the development	The proposed development is for a Combined Application - Minor Change (Reconfiguring a Lot (1 Lot into 123 Lots) and Material Change of Use (Dwelling House)).
Assessment benchmarks	The proposed development was assessed against the following assessment benchmarks: • Belivah Development Code • 9.4.2 Filling and excavation code • 9.4.3 Infrastructure code • 9.4.4 Landscape code • 9.4.6 Reconfiguring a lot code • 9.4.7 Servicing, access and parking code • 8.2.1 Acid sulfate soils overlay code • 8.2.2 Biodiversity areas overlay code • 8.2.5 Flood hazard overlay code • 8.2.7 Heritage overlay code • 8.2.12 Waterway corridors and wetlands overlay code
Relevant matters	Not applicable - code assessable.
Matters raised in submissions	Not applicable - code assessable.
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies with them, subject to reasonable and relevant conditions. The proposed development is generally consistent with the originally approved development and minor changes to the orientation to two approved lots.
Matters prescribed by a regulation	Not applicable.

For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Logan City Council Planning and Development Online website at: https://devet.loganhub.com.au. When accessing Council's website please use the following Application Number: COM/5/2023/A

8. CURRENCY PERIOD

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of 6 years from the date of the original approval.

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of 4 years from the date of the original approval.

9. RIGHTS OF APPEAL

This Decision Notice may be appealed in accordance with the following sections of the *Planning Act 2016*:

- Chapter 6 (Dispute Resolution), Part 1 (Appeal Rights); and
- Schedule 1 (Appeals).

Appeals to the Planning and Environment Court

Information about how to proceed with an appeal to the Planning and Environment Court may be found on the Court's website: http://www.courts.qld.gov.au/courts/planning-and-environment-court

For further information about this application please contact the Assessment Manager, Lawson Edward on (07) 3412 5903 or via email to development@logan.qld.gov.au

Yours faithfully,

Dale Schroeder
Acting Principal Planning Officer
Planning Assessment and Technical Services