

Louis Toumbas &lt;ltoumba@gmail.com&gt;

**FW: COM/130/2008 - Approval documentation for Green Valley at Holmview****Jason Wagner** <jason@wdc.net.au>

Mon, Jan 4, 2010 at 7:31 PM

To: "Murrihy, Shane" &lt;ShaneMurrihy@logan.qld.gov.au&gt;, Renay Weir &lt;renay@wdc.net.au&gt;

Cc: "Rohl, Todd" &lt;ToddRohl@logan.qld.gov.au&gt;, Louis Toumbas &lt;toumba@rpcqld.com.au&gt;, Michael Lepelaar &lt;michael@wdc.net.au&gt;

Todd,

Further to our telephone discussion today, concern was raised by the applicant with regard to condition 3.1, 10.1 and 35.1 - Limitations of this Approval, where it is stated that a buffer of 500m is required. As a consequence no development would be permissible although a development permit has been granted for the combined application including Reconfiguration of a Lot, Material change of Use (Preliminary Approval), Material Change of Use (Dwellings) and Operational Works (Change to Ground Level and Vegetation Clearing) and that the requirement for a 500m buffer has been represented incorrectly. The condition currently reads as follows;

Approval is not granted for the development of 'residential' or 'community' uses located within 500 metres of the boundary of the premises to the east, being 150-188 and 190-222 Logan River Road, Holmview (Lots 124 and 127 on SP174628). For clarification purposes, the 'boundary' of 150-188 Logan River Road, Holmview (Lot 124 on SP174628) for the purposes of measuring the 500 metre buffer is to be the eastern side of the road reserve known as Teys Road, Holmview (Lot 15 on MISC62715).

As discussed, it is noted that the condition is in error where the buffer distance should be referred to as 100m and not 500m. For clarification the condition is to be read as follows;

Approval is not granted for the development of 'residential' or 'community' uses located within 100 metres of the boundary of the premises to the east, being 150-188 and 190-222 Logan River Road, Holmview (Lots 124 and 127 on SP174628). For clarification purposes, the 'boundary' of 150-188 Logan River Road, Holmview (Lot 124 on SP174628) for the purposes of measuring the 100 metre buffer is to be the eastern side of the road reserve known as Teys Road, Holmview (Lot 15 on MISC62715).

In accordance with the Integrated Planning Act 1997 ['IPA'] and/or the Sustainable Planning Act 2009, please be advised that the Applicant grants permission for Logan City Council to amend conditions 3.1, 10.1 and 35.1 - Limitations of this Approval as noted above. The applicant looks forward to receiving an amended decision notice at your earliest convenience.

[Quoted text hidden]

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19K

4 January 2010  
Jason Wagner  
Our Reference: 0435  
Your Reference: COM/130/2008  
Checked:

Logan City Council  
PO Box 3226  
**LOGAN CITY DC QLD 4114** (*Sent by Email 4 January 2010*)  
**Attention: Todd Rohl**

**DEVELOPMENT PERMIT FOR A RECONFIGURATION OF A LOT AND MATERIAL CHANGE OF USE (DETACHED, ATTACHED AND MEDIUM DENSITY DWELLINGS), PUBLIC OPEN SPACE AND PUBLIC ROADS AND OPERATIONAL WORKS (CHANGE TO GROUND LEVEL & VEGETATION MANAGEMENT), PRELIMINARY APPROVAL OVERRIDING THE PLANNING SCHEME FOR A MATERIAL CHANGE OF USE (RESIDENTIAL DEVELOPMENT, FRINGE BUSINESS, AND OPEN SPACE PRECINCTS) FOR LAND SITUATED AT TEYS ROAD, HOLMVIEW DESCRIBED AS LOTS 5-10 ON RP10688, LOT 4 ON SP169275 AND LOT 1 ON RP161971**

**GREEN VALLEY, HOLMVIEW**  
**LOGAN CITY COUNCIL REFERENCE: COM/130/2008**

We act for Real Property Consultants Pty Ltd with respect to the abovementioned development application.

Reference is made to the Council Decision Notice dated 23 December 2008.

Further to our telephone discussion today, concern was raised by the applicant with regard to condition 3.1, 10.1 and 35.1 - Limitations of this Approval, where it is stated that a buffer of 500m is required. As a consequence no development would be permissible although a development permit has been granted for the combined application including Reconfiguration of a Lot, Material change of Use (Preliminary Approval), Material Change of Use (Dwellings) and Operational Works (Change to Ground Level and Vegetation Clearing) and that the requirement for a 500m buffer has been represented incorrectly. The condition currently reads as follows;

*Approval is not granted for the development of 'residential' or 'community' uses located within 500 metres of the boundary of the premises to the east, being 150-188 and 190-222 Logan River Road, Holmview (Lots 124 and 127 on SP174628). For clarification purposes, the 'boundary' of 150-188 Logan River Road, Holmview (Lot 124 on SP174628) for the purposes of measuring the 500 metre buffer is to be the eastern side of the road reserve known as Tey's Road, Holmview (Lot 15 on MISC62715).*

As discussed, it is noted that the condition is in error where the buffer distance should be referred to as 100m and not 500m. For clarification the condition is to be read as follows;

***Approval is not granted for the development of 'residential' or 'community' uses located within 100 metres of the boundary of the premises to the east, being 150-188 and 190-222 Logan River Road, Holmview (Lots 124 and 127 on SP174628). For clarification purposes, the 'boundary' of 150-188 Logan River Road, Holmview (Lot 124 on SP174628) for the purposes of measuring the 100 metre buffer is to be the eastern side of the road reserve known as Teys Road, Holmview (Lot 15 on MISC62715).***

In accordance with the Integrated Planning Act 1997 ['IPA'] and/or the Sustainable Planning Act 2009, please be advised that the Applicant grants permission for Logan City Council to amend conditions 3.1, 10.1 and 35.1 - Limitations of this Approval as noted above. The applicant looks forward to receiving an amended decision notice at your earliest convenience.

Should you have any queries, or require any further information, please do not hesitate to contact me on (07) 5562 2844.

Yours faithfully,

**URBAN AUSTRALIA CONSULTING PTY LTD**



Jason Wagner

**DEVELOPMENT MANAGER (URBAN)**

cc: Real Property Consultants Pty Ltd – Louis Toumbas