

23 August 2022

Our Ref: 4683154  
File Ref: MCU2022/0002  
Enquiries: Paul Want

Taryn Pace  
Moore Developments Pty Ltd C/- Milford Planning  
PO Box 5463  
**TOWNSVILLE QLD 4810**

Sent via email: [Info@milfordplanning.com.au](mailto:Info@milfordplanning.com.au)

Dear Taryn

**Decision Notice – Approval**  
(Given under Section 63 of the *Planning Act 2016*)

The assessment manager wishes to advise that the application was approved by Council at its Ordinary Meeting of 17 August 2022. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below:

**Applicant details**

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Applicant name: Moore Developments Pty Ltd C/- Milford Planning

**Location details**

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Street address: Redbank Drive, 4 and 6 Kylee Court, GREENVALE QLD 4816  
Real property description: Lots 134, 136, and 137 on RP895223  
Current lawful use: Tourist Park

**Application details**

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Application number: MCU2022/0002  
Approval type: Development Permit  
Development type: Material Change of Use  
Category of assessment: Impact Assessment  
Description of development: Extension to Tourist Park and Non-resident Workforce Accommodation  
Definition of use: **Tourist Park means the use of premises for—**  
*(a) holiday, accommodation in caravans, self-contained cabins, tents or other similar structures; or*  
*(b) amenity facilities, a Food and drink outlet, a manager's residence, offices, recreation facilities for the use of occupants and their visitors, or staff accommodation, if the use is ancillary to the use in paragraph (a).*



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**Non-resident workforce accommodation** means the use of the premises for-  
(a) accommodation for nonresident workers; or  
(b) recreation and entertainment facilities for persons residing at the premises and their visitors, if the use is ancillary to the use in paragraph (a).

Categorising instrument:

Charters Towers Regional Town Plan Version 2

## 1. Details of the approval

Details of the approval are listed below in accordance with the *Planning Regulation 2017*.

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 2. Conditions of approval

Condition Number	Condition	Timing																									
Approved Plans/Documents																											
1)	<p>Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:</p> <table><tr><th>Drawing/ Document Title:</th><th>Prepared By:</th><th>Date:</th><th>Reference No:</th><th>Revision</th></tr><tr><td>Cover Page</td><td>Escape Building Design</td><td>24 January 2022</td><td>D100</td><td>A</td></tr><tr><td>Concept Site Plan</td><td>Escape Building Design</td><td>24 January 2022</td><td>DA101</td><td>A</td></tr><tr><td>Proposed Floor Plan – Accommodation Unit</td><td>Escape Building Design</td><td>24 January 2022</td><td>DA200</td><td>A</td></tr><tr><td>Proposed Floor Plan – Laundry Unit</td><td>Escape Building Design</td><td>24 January 2022</td><td>DA201</td><td>A</td></tr></table>	Drawing/ Document Title:	Prepared By:	Date:	Reference No:	Revision	Cover Page	Escape Building Design	24 January 2022	D100	A	Concept Site Plan	Escape Building Design	24 January 2022	DA101	A	Proposed Floor Plan – Accommodation Unit	Escape Building Design	24 January 2022	DA200	A	Proposed Floor Plan – Laundry Unit	Escape Building Design	24 January 2022	DA201	A	At all times
Drawing/ Document Title:	Prepared By:	Date:	Reference No:	Revision																							
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Concept Site Plan	Escape Building Design	24 January 2022	DA101	A																							
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	Greenvale-Proposed Caravan Park and Workers Camps Development-Site Based Stormwater Management Plan	Noble Consulting Engineers	9 June 2022	-	-	
<b>General</b>						
2)	a) Comply with all conditions within this Development Permit with conditions prevailing over the approved plan(s) in all instances. b) Meet the cost of all works associated with the development including any alterations, relocations, or repairs to damaged Council infrastructure, and c) All repairs, alterations and relocations of Council infrastructure are to be in accordance with the relevant Council policy and/or Australian Standard.					At all times
<b>Currency of approval</b>						
3)	This approval, granted under the provisions of the <i>Planning Act 2016</i> , shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of 85 of the Planning Act 2016.					At all times
<b>Maintain the Approved Development</b>						
4)	Maintain the approved development in accordance with the approved plans(s) and document(s), and any other relevant Council engineering or other approval required by the conditions.					At all times
<b>Notice of Intention to Commence Use</b>						
5)	Prior to commence of use at the premises, written notice must be given to Council that the development fully complies with the Development Approval Package.					Prior to the commencement of use.
<b>Limitation of Use</b>						
6)	a) The Non-resident Workforce Accommodation is <u>not</u> permitted to operate concurrently with the “extension” to the Tourist Park (Caravan Park) component of the development proposal.  Whilst the Development is operating as non-resident workforce accommodation, the operation of the Tourist Park (Caravan Park) is limited to the existing Tourist Park operations which is defined as- <ul style="list-style-type: none"><li>• 10 accommodation cabins;</li><li>• 34 “powered” caravan sites and 30 x “unpowered” caravan sites;</li><li>• open camping area;</li><li>• internal access roads;</li><li>• reception facilities for guests;</li></ul>					At all times



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	<ul style="list-style-type: none"> <li>recreation amenities including barbecue, outdoor covered areas and playground; and</li> <li>guest amenities including kitchen, laundry, and toilets.</li> </ul> <p><i>Note: This is required to maintain a level of amenity for tourists utilising the facility. The level of amenity for the temporary non-resident workers accommodation is not considered to meet the Scheme requirements for a Tourist Park and compliance with additional conditions is required prior to the commencement of use for the extension of the Tourist Park.</i></p> <p>b) Occupancy of the Non-resident Workforce Accommodation must not exceed 99 persons at any one time.</p>	
<b>Provision of Services (Non-resident Workforce Accommodation)</b>		
7)	<p>The Non-resident Workforce Accommodation must be serviced by independent facilities including –</p> <ul style="list-style-type: none"> <li>a) Communal kitchen and dining hall;</li> <li>b) Common laundry;</li> <li>c) Ablution facilities;</li> <li>d) Utilities and refuse storage;</li> <li>e) Carparking and bus pick up and drop off facilities;</li> <li>f) Site reception.</li> </ul> <p>The Non-resident Workforce Accommodation and existing Tourist Park may share a common indoor and outdoor recreation space.</p>	At all times
8)	<p>Amended plans of development must be provided to Council confirming the location of –</p> <ul style="list-style-type: none"> <li>a) Site reception;</li> <li>b) communal kitchen and dining hall facilities; and</li> <li>c) refuse storage.</li> </ul> <p>The Amended plans must be approved, in writing, by the Chief Executive Office prior to commence of use.</p>	Prior to obtaining a Building Permit
<b>Landscaping Plan (Non-resident Workforce Accommodation)</b>		
9)	<p>A landscape plan must be submitted, to provide:</p> <ul style="list-style-type: none"> <li>a) covered, landscaped entry walkway to each accommodation unit;</li> <li>b) attractive and effective screening to service areas;</li> <li>c) concrete pathway and landscaping along pedestrian link to existing Tourist Park operations;</li> <li>d) concrete pathway and landscaping along pedestrian links from carpark to Non-resident workforce accommodation</li> <li>e) 1.5m wide landscaped buffer around northern, western, and southern boundaries of the proposed carpark;</li> </ul>	Prior to commencement of use (Non-resident workforce accommodation)



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	<p>f) 2m wide landscaped buffer between Non-resident Workforce Accommodation and the areas marked "Existing Camping Area".</p> <p>All approved landscaping works must be completed and endorsed by Council prior to Commencement of Use.</p> <p>All landscaping must be maintained by the applicant/owner at all times.</p>	
<b>Operational Plan/ Site Based Management Plan (Non-resident Workforce Accommodation)</b>		
10)	<p>Develop, implement and comply with an Operational Plan/ Site Based Management Plan for the operation and maintenance of the Non-resident Workforce Accommodation including relevant procedures for the management of human safety, site operations ie. Check in/check out, drop off/pick up, noise, waste storage and collection, servicing, and environmental hazards.</p> <p>The Site Based Management Plan is to be submitted to and approved by Council prior to the Commencement of Use.</p>	At all times
<b>Sewerage (Non-resident Workforce Accommodation)</b>		
11)	<p>The development must connect to council's reticulated sewer system.</p> <p>All approved works must be completed and endorsed by Council before Commencement of Use.</p> <p>All works must be maintained by the applicant/owner at all times.</p>	Prior to the commencement of the use (Non-resident Workforce Accommodation)
<b>Water (Non-resident Workforce Accommodation)</b>		
12)	<p>a) The development must connect to council's reticulated water supply.</p> <p>b) In addition, the applicant must ensure that all water used for potable purposes complies with the Australian Drinking Water Guidelines Version 3.7 or as amended.</p> <p>All works required by the approved Report must be completed and endorsed by Council before Commencement of Use.</p> <p>All works must be maintained in operational condition by the applicant/owner at all times.</p> <p><i>Advisory note: Greenvale is currently on an ongoing Boil Water Alert. Information can be found on Council's website. <a href="https://www.charters Towers.qld.gov.au/news/article/184/public-notice---boiled-water-alert-greenvale">https://www.charters Towers.qld.gov.au/news/article/184/public-notice---boiled-water-alert-greenvale</a></i></p>	Prior to the commencement of the use (Non-resident Workforce Accommodation)
<b>Transport and Access (Non-resident Workforce Accommodation)</b>		
13)	<p>Access to the Non-resident Workforce Accommodation is limited to Kylee Court via Lot 137.</p>	At all times



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14)	<p>Upgrade to Kylee Court to a nominated and approved standard and construct a sealed access driveway to the existing sealed edge.</p> <p>Road works including pavement design to be certified by a RPEQ.</p> <p>Prior working on Council Road, relevant permit to work on Council must be applied and obtained.</p>	Prior to commencement of use (Non-resident Workforce Accommodation)
<b>Drainage (Non-resident Workforce Accommodation)</b>		
15)	<p>Stormwater management plan, Stormwater design including RPEQ certified drawings indicating lawful point of discharge and calculations must be submitted to Council and obtain approval.</p> <p>Drainage works must be carried out in accordance with the RPEQ certified and Council approved Stormwater Design.</p>	Prior to commencement of use (Non-resident Workforce Accommodation)
<b>Decommissioning / Lapsing of Approval</b>		
16)	<p>In the event that the Applicant does not commence the Tourist Park use within the area of the site marked "Caravan Park Extension" on the approved plans within twelve (12) months of the cessation of the Non-resident workforce accommodation use-</p> <p>a) the site is to be decommissioned such that:</p> <ul style="list-style-type: none"> <li>i) the visual amenity of the site is restored;</li> <li>ii) the sustainable ecological functioning of the site is maintained or improved; and</li> <li>iii) accommodation and redundant infrastructure is removed from the site.</li> </ul> <p>b) This Approval lapses to the extent the development is not complete.</p>	
<b>Commencement of Use (Extension of Tourist Park)</b>		
17)	<p>a) The Applicant must provide written notice to Council that the Non-resident Workforce Accommodation use has ceased on site prior to commencing the use of a Tourist Park within the area of the site marked "Caravan Park Extension" on the approved plans.</p> <p>b) The Applicant must comply with the additional conditions of approval relating to the "Extension of Tourist Park".</p>	Prior to commencement of use (Extension of Tourist Park)
<b>Amendment to Design</b>		
18)	<p>Amended plans of development must be provided to Council addressing the following-</p> <p>a) increased separation of "accommodation units". This may be achieved by reducing the number of accommodation units on site or</p>	Prior to commencement of use (Extension of Tourist Park)





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	<p>relocating some accommodation units within the area marked "Caravan Park Extension" on the Approved plans;</p> <p>b) Increased landscaping or privacy buffers between "accommodation units" to improve the amenity of guests to the facility;</p> <p>c) A principal access to the existing Tourist Park off Kylee Court with overflow and guest parking to be provided via Lot 137 (following check-in); and</p> <p>d) Improved integration of the existing Tourist Park and proposed Tourist Park to represent holistic approach to the tourist park.</p> <p><i>Note: This is required to maintain a level of amenity for tourists utilising the facility. The level of amenity for the temporary non-resident Workers Accommodation is not considered to meet the Scheme requirements for a Tourist Park and compliance with additional conditions is required prior to the commencement of use for the extension of the Tourist Park.</i></p>	
<b>Operational Plan/Site Based Management Plan (Extension of Tourist Park)</b>		
19)	<p>Update, implement and comply with the Operational Plan/ Site Based Management Plan developed for the Non-resident Workforce Accommodation for the operation and maintenance of the extension to the Tourist Park noting any specific differences in the check in/check out arrangements, waste storage and collection, and servicing arrangements.</p> <p>The Site Based Management Plan is to be submitted to and approved by Council prior to the Commencement of Use of the Extension of the Tourist Park.</p>	At all times
<b>Sewerage (Extension of Tourist Park)</b>		
20)	<p>Update the engineering report for the Non-resident Workforce Accommodation which demonstrates how the Development will be serviced by either reticulated sewer or an on-site sewerage facility. Specifically, provide details of any changes in demand and servicing requirements for the change in use.</p> <p>The Report must be approved, in writing, by the Chief Executive Officer prior to commence of use.</p> <p>Any additional approved works required by the updated Report must be completed and endorsed by Council before Commencement of Use.</p> <p>All works must be maintained by the applicant/owner at all times.</p>	Prior to the commencement of the use (Extension of Tourist Park)
<b>Water (Extension of Tourist Park)</b>		
21)	<p>Update the engineering report for the Non-resident Workforce Accommodation which demonstrates how the Development will be serviced by either reticulated water or an on-site tank facility. Specifically, provide details of any changes in demand and servicing requirements for the change in use.</p>	Prior to the commencement of the use (Extension of Tourist Park)



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<b>Stormwater (Extension of Tourist Park)</b>		
22)	If required, update the "Greenvale- Proposed Caravan Park and Workers Camps Development- Site Based Stormwater Management Plan" to respond to the "Amendment to Design Condition" and carry out any works associated with the updated Management Plan.	Prior to the commencement of the use (Extension of Tourist Park)
<b>Amalgamation of Lot (All Uses)</b>		
23)	Amalgamate Lots 134, 136, and 137 on RP895223 into one lot and register the plan of amalgamation.	Prior to the commencement of use
<b>Airconditioning, Plant, and Equipment (All Uses)</b>		
24)	Air-Conditioning, Plant and Machinery units located above ground level and visible from external residential properties or the street at the frontage of the land must be screened from view with appropriate materials or landscaping.	At all times
<b>Environmental (All Uses)</b>		
25)	Ensure that erosion and sediment control management is undertaken and maintained to prevent soil erosion and sedimentation runoff to watercourses and Council's storm water drainage system. Erosion and sediment control is to be in accordance with <i>International Erosion Control Association – Best Practice Erosion &amp; Sediment Control guidelines</i> and the <i>Queensland Urban Drainage Manual 2017</i> .	At all times
26)	The construction of the development (not operation) must be limited to 0630—1830 Monday to Saturday and not at all on Sunday and public holidays as per Section 440R of the <i>Environmental Protection Act 1994</i> .  Noise generated from construction must be within the limits set by the <i>Environmental Protection Act 1994</i> and the <i>Environmental Protection (Noise) Policy 2019</i> .	At all times
<b>Lighting (All Uses)</b>		
27)	External lighting must be installed in accordance with <i>AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting</i> . The installation of external lighting must be certified by a suitably qualified person in accordance with the Australian Standard.	At all times
28)	Install and maintain a suitable system of security lighting to operate from dusk to dawn within all areas where the public may gain access, including car parking areas, building entrances and vegetated areas.  All external lighting must be in accordance with <i>AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting</i> so as to not cause nuisance or distraction to nearby residents or passing motorists.  All lighting over publicly accessible pathways covered by permanent awnings must be in accordance with Australian Standard – <i>AS/NZS1158.3.1:2020 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .	At all times





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<b>Drainage (All Uses)</b>		
29)	The development must not create ponding nuisances and/or a concentration of stormwater flows to adjoining properties, to the satisfaction of the Chief Executive Officer.	At all times
30)	All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream, in accordance with the Queensland Urban Drainage Manual, Fourth Edition (2017), to the requirements and satisfaction of the Chief Executive Officer.	At all times
31)	Drainage Easement(s) in gross must be created over any inter-allotment drainage infrastructure.  A copy of the easement document(s) must be submitted to Council for approval by Council at no cost to Council.	At all times
<b>Minimum Fill and Floor Levels (All Uses)</b>		
32)	All habitable floor levels must be a minimum of 300mm above the 1% AEP flood immunity level.  Compliance with this condition must be confirmed by an RPEQ prior to commencement of use.  <i>Note: As the site is within the QRA Level 1 area which does not nominate flood height, it is the Applicant's responsibility to demonstrate a reasonable determination of the 1%AEP flood level.</i>	At all times
33)	All electrical fixtures within the Kitchen, Dining, and Site Office areas and Laundry are to be located a minimum of 300mm above the 1% AEP flood immunity level.  Compliance with this condition must be confirmed by an RPEQ prior to commencement of use.  <i>Note: As the site is within the QRA Level 1 area which does not nominate flood height, it is the Applicant's responsibility to demonstrate a reasonable determination of the 1%AEP flood level.</i>	At all times
<b>Carparking (All Uses)</b>		
34)	Car parking spaces are to be constructed on site generally in accordance with the approved plans, including designated disabled car parking spaces. These spaces and all vehicle movement areas are to be constructed, sealed, line marked, provided with wheel stops and maintained in accordance with and AS2890.1 Off-Street Car Parking and the Manual of Design Vehicles and Turning Path Templates SAA HB 72 (AUSTROADS 1995).	Prior to the commencement of use
35)	A single bus parking space is to be constructed onsite having a minimum width of 4m, minimum length of 20m and minimum height of 4m. The bus parking space is to be constructed, sealed, line marked, provided with a wheel stop and maintained in accordance with and AS2890.1 Off-Street Car	Prior to the commencement of use



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	<i>Parking and the Manual of Design Vehicles and Turning Path Templates SAA HB 72 (AUSTROADS 1995).</i>	
<b>Electricity and Telecommunication (All Uses)</b>		
36)	Submit to Council a Provisioning of Electricity Services demonstrating that supply is provided and available to the proposed development, unless otherwise specified by the provider.	Prior to the commencement of use
37)	Submit to Council a Provisioning of Telecommunication Services demonstrating that supply is provided and available to the proposed development, unless otherwise specified by the provider.	Prior to the commencement of use
<b>Waste (All Uses)</b>		
38)	The development is to be serviced by a private waste collection contractor and is not entitled to Council's kerbside collection service.	At all times
<b>Operational Works</b>		
39)	A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction.	Prior to the commencement of the use
<b>Building, Plumbing and Drainage Works</b>		
40)	Obtain a Development Permit and Building Final for Building Works and a Permit for Plumbing and Drainage Works and Final Inspection Certificate prior to commencement of construction.	Prior to the commencement of the use

<b>Advisory Notes</b>	
<b>Scale or Intensity of Use</b>	
A	Any proposal to increase the scale or intensity of the use/new use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the <i>Planning Act 2016</i> and would have to comply with the requirements of the relevant provisions.
<b>Local and State Heritage</b>	
B	The Charters Towers Regional Council local government area contains significant Local and State heritage features including stone pitch kerbing and channels and footbridges. Persons damaging or removing Local or State heritage features may be prosecuted and fined with the maximum penalty under the <i>Planning Act 2016</i> . Please contact Council prior to commencing any works, to determine if there are any Local or State heritage features within or adjacent to the premises.
<b>Aboriginal and Cultural Heritage</b>	
C	The <i>Aboriginal Cultural Heritage Act 2003</i> and <i>Torres Strait Islander Cultural Heritage Act 2003</i> requires anyone who carries out a land-use activity to exercise a duty of care. Land users must take all reasonable and practicable measures to ensure their activity does not harm Aboriginal or Torres Strait Islander cultural heritage. Prior to carrying out works, it is advised that you contact the Department of Aboriginal and Torres Strait Islander Partnerships on (07) 4799 7470 or by post at PO Box 5620 TOWNSVILLE QLD 4810. For further information on cultural heritage duty of care please visit: <a href="https://www.datsip.qld.gov.au/people-communities/aboriginal-torresstrait-islander-cultural-heritage/cultural-heritage-duty-care">https://www.datsip.qld.gov.au/people-communities/aboriginal-torresstrait-islander-cultural-heritage/cultural-heritage-duty-care</a>
<b>Abandoned Mine Shafts</b>	
D	The city of Charters Towers is subject to a significant number of abandoned mine shafts due to the former gold rush era. It is recommended that all searches be undertaken through the Queensland State



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	Government's Department of Natural Resources Mines and Energy (DNRME) to ensure that the development is not unduly impacted upon by these shafts. The DNRME can be contacted on 13 74 68.
<b>Workplace Health and Safety</b>	
E	Ensure compliance with the <i>Work Health and Safety Act 2011</i> . It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work. It is the principal contractor's responsibility to ensure compliance with the <i>Work Health and Safety Act 2011</i> . It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work. It is the responsibility of the person in control of the workplace to ensure compliance with the <i>Work Health and Safety Act 2011</i> . It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.
<b>Environmental nuisance</b>	
F	<p>Ensure compliance with the <i>Environmental Protection Act 1994</i>. It states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.</p> <p>Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use.</p>
<b>Airport Operations</b>	
G	Where works may impact on the safety operation of the Charters Towers Airport such as the use of cranes, industrial lighting or involve impacts such as gaseous plumes, it is advised that you contact one of Council's Airport Reporting Officer(s) on (07) 4761 5300 prior to works commencing.
<b>Ergon Energy and Telstra Corporation Contact Details</b>	
H	<p>Where a condition requires connections to reticulated electricity and/or telecommunications or a certificate of supply, please contact the below:</p> <p>a) Ergon Energy Connection Solution's Team – (07) 4931 1012, and/or</p> <p>b) NBN Co – 1800 687 626.</p>
<b>Council Forms, Policies and Drawings</b>	
I	<p>In achieving compliance with conditions, the below Council forms will need to be completed for this development:</p> <p>a) <a href="#">F0227 - Application to carry out works on a Council road (including pathways)</a></p> <p>b) <a href="#">Standard drawings and specifications for driveways and roads</a></p> <p>c) <a href="#">SRAT0028 – Road risk management</a></p> <p>d) <a href="#">F0313 – Request for water supply connection or disconnection</a>, and</p> <p>e) <a href="#">F0347 – Application for sewer main cut-in.</a></p>



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### 3. Currency period for the development application approval

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of six (6) years.

### 4. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Plumbing and Drainage Works
2. Operational Works – Civil works

### 5. Referral agencies

The referral agencies for this application are:

Agency:	Trigger:	Address:	Date and Ref:
State Assessment Referral Agency	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1(b)(ii) – development is for a tourist park that exceeds the nominated threshold of a premises designed to accommodate 75 people.	North and Central West Office PO Box 5666 TOWNSVILLE QLD 4810 <a href="mailto:NQSARA@dsdmip.qld.gov.au">NQSARA@dsdmip.qld.gov.au</a>	24 June 2022 2202-27227 SRA

The conditions imposed by the referral agencies are included as an attachment.

### 6. Submission(s)

There were no properly made submissions made in relation this development.

### 7. Notice of reasons

This notice is prepared in accordance with Section 63(5) of the *Planning Act 2016* to inform the public about a decision that has been made in relation to a development application.

<b>Description of the development:</b>	Material Change of Use Extension of Tourist Park and Non-resident Workforce Accommodation
<b>Reasons for the decision:</b>	The proposed development was assessed against the Charters Towers Regional Town Plan Version 2 and was found to generally comply with the relevant Acceptable and Performance Outcomes. Where compliance was not achieved, the development demonstrated compliance with the Strategic Framework. The development results in the provision of a temporary facility that is potentially required to service major infrastructure



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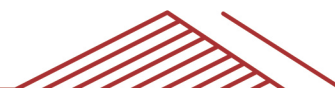
	projects in the region and is intended to provide holiday accommodation options for visitors to the region into the future.	
<b>Assessment benchmarks:</b>	The proposed development was assessed against the relevant assessment benchmarks of the Charters Towers Regional Town Plan Version 2 including the:	
	1) Strategic Framework 2) Overlay Codes 3) Zone Code 4) Development Codes	
	The proposed development was assessed against all the assessment benchmarks listed about and complies with all with the exceptions listed and responded to below.	
	<b>Assessment benchmark:</b>	<b>Reasons for the approval despite non-compliance with benchmark:</b>
	Development Works Code A08	The Carparking numbers do not meet the requirement for Table 8.3.1.3(b) for a Tourist Park. Notwithstanding, the carparking numbers are considered appropriate to accommodate the use at maximum occupancy based on current use trends.
<b>Relevant matters:</b>	<ul style="list-style-type: none"> <li>Charters Towers Region is currently set to experience growth as a result of major regional infrastructure projects and initiatives being announced/approved.</li> <li>These projects require accommodation opportunities for non-resident workers.</li> <li>There is limited remaining housing capacity within the established township urban footprint.</li> <li>The subject site is located in close proximity to existing facilities within the township which will support established community and retail uses.</li> <li>The development provides accommodation opportunities to support future tourists and visitors to the region once decommissioned as non-resident workforce accommodation.</li> </ul>	
<b>Matters raised in submissions:</b>	<b>Submission Point:</b>	<b>Council Response:</b>
	Not Applicable	Not Applicable

## 8. Other requirements under section 43 of the *Planning Regulation 2017*

There are no other requirements.

## 9. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*). 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>.



Date: 23 August 2022  
Our Ref: 4683154

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*. The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 and Schedule 1 of the *Planning Act 2016*.

Should you wish to discuss this matter, please contact Paul Want, Manager Planning & Development on (07) 4761 5522.

Yours faithfully



Martin Drydale  
**Chief Executive Officer**





SARA reference: 2202-27227 SRA  
Council reference: MCU2022/0002  
Applicant reference: M1840

24 June 2022

Chief Executive Officer  
Charters Towers Regional Council  
PO Box 189  
Charters Towers Qld 4820  
mail@charters Towers.qld.gov.au

Attention: Prue Miller

Dear Prue

## SARA response — Redbank Drive, 4 and 6 Kylee Court, Greenvale

(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 10 February 2022.

### Response

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Outcome:	Referral agency response – with conditions.
Date of response:	24 June 2022
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

### Development details

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Description:	Development permit	Material Change of Use for Tourist Park and Non-resident Workforce Accommodation
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017) Development impacting on State transport infrastructure	
SARA reference:	2202-27227 SRA	

Assessment Manager: Charters Towers Regional Council  
Street address: Redbank Drive, 4 and 6 Kylee Court, Greenvale  
Real property description: Lots 134, 136 and 137 on RP895223  
Applicant name: Moore Development Pty Ltd C/- Milford Planning  
Applicant contact details: PO Box 5463  
TOWNSVILLE CITY QLD 4810  
info@milfordplanning.com.au

## 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 4**.

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

For further information please contact Mac Haque, Senior Planning Officer, on 47583414 or via email NQSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna  
Manager (Planning)

cc Moore Development Pty Ltd C/- Milford Planning, info@milfordplanning.com.au

enc Attachment 1 – Referral agency conditions  
Attachment 2 – Advice to the applicant  
Attachment 3 – Reasons for referral agency response  
Attachment 4 – Change representation provisions

## Attachment 1 — Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition Timing
<b>Material Change of Use</b>		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017) – Development impacting on State transport infrastructure – The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport & Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
1.	<p>(a) Road works comprising the following must be provided:</p> <ul style="list-style-type: none"> <li>i. BAL treatment at the Gregory Developmental Road - Hervey Range Road intersection</li> <li>ii. CHR (short) treatment at the Gregory Developmental Road - Redbank Drive intersection</li> <li>iii. Pavement markings indicating the 80km/hr speed zone on the ground between chainage 205.5 to 207 of Gregory Developmental Road.</li> </ul> <p>(b) The road works must be designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>i. Department of Transport and Main Roads' Road Planning and Design Manual, Second Edition</li> <li>ii. Manual on Uniform Traffic Control Devices (MUTCD)</li> <li>iii. Relevant Traffic and Road Use Manuals.</li> </ul>	Prior to the commencement of use

## Attachment 2 — Advice to the applicant

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General advice	
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) v2.6. If a word remains undefined it has its ordinary meaning.
2.	<p><b>Road works approval</b></p> <p>Written approval is required from the Department of Transport and Main Roads to carry out road works that are on a state-controlled road in accordance with section 33 of the TIA.</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The road works approval process takes time – to make an application please contact the department at <a href="mailto:North.Queensland.IDAS@tmr.qld.gov.au">North.Queensland.IDAS@tmr.qld.gov.au</a> as soon as possible to ensure that gaining approval does not delay construction.</p>

## Attachment 3 — Reasons for referral agency response

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

**The reasons for the department's decision are:**

- To ensure the development does not create a safety hazard for users of state transport infrastructure or public passenger services.
- To ensure the development does not result in a worsening of the physical condition or operating performance of the state transport network.
- To ensure the development does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure.

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

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.6), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system

## **Attachment 4 — Change representation provisions**

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