

BNC Ref. DA032-23
IMPACT:MCU

>> 16 April 2024

ASSESSMENT MANAGER
CHARTERS TOWERS REGIONAL COUNCIL
PO BOX 189
CHARTERS TOWERS QLD 4820
Attention: Planning
Via: mail@charters Towers.qld.gov.au

Dear Assessment Manager,

**RE: LODGEMENT OF A CHANGE APPLICATION UNDER CHAPTER 3, PART 2 OF THE *PLANNING ACT 2016*
DEVELOPMENT PERMIT FOR AN IMPACT ASSESSABLE MATERIAL CHANGE OF USE
19 MOSMAN STREET AND 16 JANE STREET, CHARTERS TOWERS QLD 4820**

BNC Planning acting on behalf of the applicant submits the attached change application to the Charters Towers Regional Council in accordance Chapter 3, Part 2 of the *Planning Act 2016*. The development application is seeking a development permit for a material change of use to facilitate the expansion of an existing Hotel use. The subject premises is addressed as 19 Mosman Street and 16 Jane Street, Charters Towers more particularly described as Lot 53 on SP210857 and Lot 103 on CT18232.

This development application is being made to the Charters Towers Regional Council as the relevant assessment manager under the *Planning Regulation 2017* and has been made in the *approved form* as required under s51 of the *Planning Act 2016*. The common material making up the development application include:

- Relevant development application forms and written consent of the landowner(s), as required.
- A detailed planning report and the relevant site detail.
- Development plans and other relevant supporting information.

Please contact me to confirm receipt of this development application and to confirm the assessment manager application fee amount and payment options. I trust this information is sufficient for acceptance of the development application as *properly made* subject to payment of the application fee. Please contact me should there be any issues or if you require any further information.

Kind regard,



Benjamin Collings, Director
BNC Planning Pty Ltd



BNC PLANNING

town planning & property development consultants



CHANGE APPLICATION (OTHER)

PLANNING ACT 2016

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE

at

**19 MOSMAN STREET AND 16 JANE STREET
CHARTERS TOWERS QLD 4820**

RPD: LOT 53 ON SP210857 & LOT 103 ON CT18232



BNC PLANNING
town planning & property development consultants

PLANNING REPORT

CHANGE APPLICATION FOR A DEVELOPMENT PERMIT
PLANNING ACT 2016

IMPACT ASSESSABLE MATERIAL CHANGE OF USE

19 Mosman Street and 16 Jane Street, Charters Towers QLD 4820
being
LOT 53 ON SP210857 AND LOT 103 ON CT18232
for
HOTEL

Report Matrix

APPLICATION SUMMARY	
Applicant:	North Queensland Hotel Investments PL C/- BNC Planning
Application Type:	Change Application for a Development Permit
Development Type:	Material Change of Use
Category of Development (Level of Assessment):	Impact Assessable
Defined Use:	Hotel
Assessment Manager:	Charters Towers Regional Council
Referral Agencies:	
Planning Scheme:	Charters Towers Regional Town Plan
Planning Scheme Definition(s):	Hotel
Zoning:	Centre Zone and General Residential Zone
Precincts/Sub-Precincts:	
Overlays:	Heritage overlay
SITE DESCRIPTION	
Property Address:	19 Mosman Street and 16 Jane Street, Charters Towers QLD 4820
Real (Legal) Property Description:	Lot 53 on SP210857 and Lot 103 on CT18232
Site Area:	3,035m2 and 1012m2
Landowner:	North Queensland Hotel Investments PL
Tenure:	Freehold
Relevant Encumbrances:	
Local Government Area:	Charters Towers Regional Council
Road Frontage(s)	Mosman Street, Jane Street and Bow Street
Existing Use(s)	Hotel and Dwelling House

DOCUMENT CONTROL

Prepared by		Client	File Ref.	Report
BNC Planning		North Queensland Hotel Investments PL	DA032-23	Report No. DA032-23-PR
Version	Date	Author		
1.0	March 2023	BNC:BNC		
2.0	April 2023	BNC:BNC		
3.0	April 2024	SSM:BNC		

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1. EXECUTIVE SUMMARY

BNC Planning acting on behalf of the applicant and landowner lodge this change application under section 78 of the Planning Act 2016 (the Act) for changes to the assessment managers conditions associated with an existing development approval over the above referenced premises. The subject development approval is in the form of a material change of use development permit to facilitate a Hotel issued by the Charters Towers Regional Council dated 04 October 2024.

As an other change application, this development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for a material change of use to facilitate a Hotel extension onto an adjacent land parcel for the expansion of the approved carpark to benefit the hotel. The subject premises is addressed as 19 Mosman Street and 16 Jane Street, Charters Towers QLD 4820 more particularly described as Lot 53 on SP210857 and Lot 103 on CT18232. The premises is within the Centre Zone and General Residential Zone under the Charters Towers Regional Town Plan (the planning scheme) and is currently used as a Hotel (the Waverley Hotel) and dwelling house. It is noted that the dwelling house has approval for demolition.

For the purpose of this development application *BNC Planning* act on behalf of the applicant *North Queensland Hotel Investments PL*.

Following a detailed assessment of the proposal against the applicable assessment benchmarks it has been determined that the development proposal is consistent with all applicable codes and policies. The development application is therefore required to be approved in accordance with rules of assessment as established under the Act, subject to the imposition of reasonable and relevant conditions and any referral agency responses. A summary of the development application is provided below:

Table 1.0: Development application summary

APPLICATION SUMMARY	
Applicant:	North Queensland Hotel Investments PL C/- BNC Planning
Application Type:	Change Application for a Development Permit
Development Type:	Material Change of Use
Category of Development (Level of Assessment):	Assessable Development – Impact Assessable
Development Description:	Hotel (Car Park extension)
Assessment Manager:	Charters Towers Regional Council
Referral Agencies:	NA
CATEGORISING INSTRUMENTS	
Planning Scheme:	Charters Towers Regional Town Plan
Planning Scheme Defined Use(s):	Hotel
Zoning:	Centre Zone and General Residential Zone
Precincts/Sub-Precincts:	NA
Local Areas:	NA
Overlays:	Heritage overlay
SITE DESCRIPTION	
Property Address:	19 Mosman Street and 16 Jane Street, Charters Towers QLD 4820
Real (Legal) Property Description:	Lot 53 on SP210857 and Lot 103 on CT18232
Site Area:	3,035m ² and 1012m ²

Landowner:	North Queensland Hotel Investments PL
Tenure:	Freehold
Relevant Encumbrances:	NA
Local Government Area:	Charters Towers Regional Council

2. INTRODUCTION

BNC Planning Pty Ltd has been commissioned by North Queensland Hotel Investments PL (the Applicant) to prepare this town planning assessment report to support a change application which seeks Charters Towers Regional Council (Council) approval for a Material Change of Use for a Hotel use as described within this planning report.

The land subject of this development application is addressed as 19 Mosman Street and 16 Jane Street, Charters Towers (the Site).

This report addresses the merits of the development with regard to the provisions of the Charters Towers Region Town Plan (the Planning scheme) and relevant sections of the *Planning Act 2016* (the Act) and Planning Regulation 2017 (the Regulation).

This report is to be read in conjunction with the maps, plans, drawings, technical reports and other supporting information accompanying this development application.

The assessment of the application is to be undertaken in accordance with Section 45(5) of the Act and Sections 31 and 31 of the Regulation. This report provides the Applicant's assessment of the proposed development against these provisions.

3. SITE AND LOCALITY

The subject premises is made up of two Freehold land holdings addressed as 19 Mosman Street and 16 Jane Street, Charters Towers QLD 4820 more particularly described as Lot 53 on SP210857 and Lot 103 on CT18232. The premises is within the Centre Zone and General Residential Zone and the Planning scheme and is currently used as a Hotel (Waverley Hotel) and dwelling house. The site forms part of the entry gateway into the CBD from the north which is a mix of residential, commercial and open space activities.

Any pertinent existing approvals or current applications which may affect the assessment of the proposal are identified in the table below:

APPLICATION REF.	DECISION AND DATE	ASSESSMENT MANAGER
MCU2023/0006	4 October 2023	Charters Towers Regional Council

The following table describes the key characteristics of the site:

Table 2.0: Site characteristics

SITE AND LOCALITY DESCRIPTION	
Property Address:	19 Mosman Street and 16 Jane Street, Charters Towers QLD 4820
Real (Legal) Property Description:	Lot 53 on SP210857 and Lot 103 on CT18232
Site Area:	3,035m ² and 1012m ²
Landowner:	North Queensland Hotel Investments PL
Tenure:	Freehold
Relevant Encumbrances:	NA

Local Government Area:	Charters Towers Regional Council
Zoning:	Centre Zone
Precincts/Sub-Precincts:	NA
Local areas:	NA
Existing Use(s):	Hotel and Dwelling House
Road Frontage:	Mosman Street, Jane Street and Bow Street
Significant Site Features:	The site contains single and double storey commercial building which make up the hotel use with associated site support services including access, parking, landscaping and amenities.
Topography:	The site is fully developed and is generally flat with no notable topographic features.
Surrounding Land Uses:	Residential, commercial, open space

4. PROPOSAL SUMMARY

The applicant is proposing to reinvest in the site by providing additional car parking spaces for the already approved hotel use. No changes are proposed to this hotel component, including its operational processes and built form. No building works are proposed and the car park will involve a new road access point to Jane Street and Bow Street. Mitigating design features including acoustic fencing and landscaping will be installed around the boundary of the new car park to ensure amenity impacts on adjoining residents are managed. The attached Plans of Development include in **Appendix 3** outline the general site layout and function. As the development is for a car park construction only, the existing infrastructure and servicing features of Waverley Hotel will be retained, and are sufficient for the continued operation of the hotel.



Image 1: Proposed New Car Park Plan

The Planning scheme specifically defines the proposed use(s) as follows:

Hotel:

- a) *The use of premises for—*
 - i. *selling liquor for consumption on the premises; or*
 - ii. *a dining or entertainment activity, or providing accommodation to tourists or travellers, if the use is ancillary to the use in subparagraph (i); but*
- b) *does not include a bar.*

The following table describes the key characteristics of the proposed development:

Table 3.0: Proposal summary

ELEMENT	EXISTING USE RIGHTS	PROPOSED
Use rights:	Hotel and Dwelling	Hotel
Building height/ storeys:	Single and double storey	No change
Boundary Setbacks:	Mosman St: Built to boundary Jane St: Built to boundary Bow St: 3m Western Side: ~5m	No change
Site cover:	60%	No change
Gross floor area:	Hotel: GF = 1,020m ² , FF = 320m ² Liquor shop = 360m ²	No change
On-site Car parking:	11 plus on-street parking	33 new spaces – 44 spaces in total.

5. STATUTORY ASSESSMENT

The proposed Hotel extension use is identified as *impact assessable* in the material change of use table of assessment for the Centre Zone and General Residential Zone. There are no other components of the planning scheme or *Planning Regulation 2016* which effect the level of assessment for the proposal. The development application is therefore subject to an unbound assessment against the planning scheme as a whole.

The development application does not trigger referral agency assessment.

5.1 Assessment Benchmarks Pertaining to State Planning Instruments

Matters Prescribed by Regulation

There are no relevant assessment benchmarks prescribed by Regulation which are relevant to the assessment of this development application.

State Planning Policy

Charters Towers Regional Town Plan confirms in section 2.1 *State planning policy* that it has ministerial approval as having adequately integrated the *State Planning Policy July 2017* into the planning scheme. There are no stand-alone components of the State planning policy which are relevant to the assessment of this development application.

Regional Plan

There are no stand-alone components of the North Queensland Regional Plan which are relevant to the assessment of this development application.

State Development Assessment Provisions

Under Schedule 10 of the *Planning Regulation 2017*, the development application does not trigger referral agency assessment.

5.2 Assessment Benchmarks Pertaining to Local Planning Instruments

The applicable planning scheme for the application is the Charters Towers Regional Town Plan and there are no other identified applicable local planning instruments.

Charters Towers Regional Town Plan

The Planning scheme includes tables of assessment which nominate the categories of development and assessment (levels of assessment) and nominate the assessment benchmarks for assessable development and the requirements for accepted development. The applicable tables of assessment for this development application are:

- Categories of development and assessment – Material change of use; and
- Categories of development and assessment – Overlays.

Local Government Infrastructure Plan

The development will not impact on the delivery of any planned trunk infrastructure in the immediate locality.

Assessment Benchmarks Summary

A summary of the relevant local level assessment benchmarks is provided in the table below:

Local Planning Instruments	
Planning Scheme	<p>The Town plan</p> <p>The most relevant components being:</p> <p>Strategic Framework</p> <p>Centre Zone Code</p> <p>General Residential Zone code</p> <p>Development works code</p> <p>Landscaping code</p> <p>Heritage overlay code</p>

The development application has been assessed against each of the applicable local level assessment benchmarks and found to be:

- compliant with the purpose and applicable outcomes from the relevant codes; and
- consistent with the Strategic Framework for the planning scheme.

Any pertinent issues arising from the assessment against the local level assessment benchmarks are addressed below. For clarity, any codes or outcomes not specifically addressed below or in the proposal justification report are considered to be objectively satisfied.

5.2.1 Strategic Framework

The proposal involves the extension of the car park for an approved Hotel expansion project for the Waverley Hotel. While this will extend the hotel use into the General residential zone, as a car park, amenity impacts to the residential community are marginal. It proposes no built form within the General residential zone, and utility of the lot is limited to vehicle parking, manoeuvring and access. The extension of Waverley Hotel will support a commercial use that is highly patroned by the residential community, and as a local heritage place, reinforces historical heritage values within the local community. The development supports the economic growth of the City, facilitates investment in tourist and recreation based activities, constitutes infill development which consolidates the urban form in the CBD locality and has been designed to compliment and retain the heritage values of the site and City. All while being able to mitigate and manage any potential amenity impacts on near by residential and sensitive receptor uses.

It is considered that the proposed use aligns with the strategic framework for the following reasons:

- The change directly aligns with the overall use of the existing buildings and site.
- The proposal is consistent with past development decisions for the premises.
- Given the premises is an established hotel activity, the proposed use does not change or undermine the planning scheme requirements for development in the Centre zone.
- As no built form is proposed, amenity impacts to the residential community are limited and can be managed.
- No changes are proposed to the heritage character of the site.
- No changes are proposed to the existing services and infrastructure provided to the site.
- The site is not identified as being susceptible to any unacceptable or unmanageable natural hazard or infrastructure constraints.

The Strategic Intent, and the Strategic Framework (the Framework) as a whole is a set of high order strategic outcomes and land use strategies which set the overarching policy intent for the lower order, more detailed components of the planning scheme i.e. zones, codes and policies. The Framework is split into themes which cover the main aspects of land use planning and development governance. Given the level the Framework operates at, it is sometimes difficult to provide a direct, development specific assessment of a proposal against its many components. However, a proposal that satisfies the lower order components of the planning scheme, i.e. zone codes, development codes, overlay codes, planning scheme policies, etc. inherently satisfies the intent of the Framework.

This planning report demonstrates how the proposal satisfies the most applicable lower order components of the planning scheme. This justification demonstrates how the proposal is a good land use outcome for the site and how it has been designed to adequately address any environmental, economic or social impacts. Each Code has been satisfied by addressing each acceptable outcome individually. Where the requirements of an acceptable outcome were impractical or inappropriate to address, the performance outcome was addressed and satisfied. Where the requirements of a performance outcome were impractical or inappropriate to address, the overall outcomes were addressed and satisfied. By satisfying the requirements of the overall outcomes, the purpose of the code was inherently satisfied, as is the Strategic Framework for the planning scheme as a whole.

5.2.2 Centre Zone Code

Purpose

The lot positioned within the centre zone contains the existing hotel. No changes are proposed to this hotel within this lot, including its operational processes and built form. Thus, no changes are proposed within the Centre zone. Compliance with the centre zone code was established as part of the existing development approval and is not affected by the change.

5.2.3 General Residential Zone Code

Purpose

The purpose of the General residential zone is to provide for residential uses and community uses. The proposed development within the General residential zone includes the installation of a car park. As the proposed utility of this lot involves no built form, the amenity impacts of the proposed use on the local residential community are marginal and can be managed.

Any arising amenity impacts can be controlled through the imposition of standard conditions of approval, including limiting the hours of operation for the car park on Lot 103, the installation of acoustic fencing on the boundaries shared with the residential zone and the instruction of screening landscaping. The purpose of the zone is further met through direct and objective compliance with the specific outcomes from the code.

As there is no built form proposed within the General residential zone, there are a number of outcomes within the code which are either objectively satisfied or not applicable. Any outcomes which are pertinent to the assessment of the proposal have been extracted and discussed below:

Performance outcomes	Acceptable outcomes	Justification
Design and streetscape		
PO8 Development has a high-quality appearance and makes a positive contribution to the streetscape.	AO8.1 Landscaping is to be provided at a minimum dimension of 1.5m in width along the full frontage of any road.	As demonstrated in the attached site plan, landscaping of a minimum width of 1.5m is provided to all sides, with 2m of landscaping width to the southern side boundary. Complies with AO8.1.

As demonstrated by the above assessment, the development is able to objectively satisfy the outcomes and purpose of the zone code. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development and through formalising the fencing and landscaping requirements.

5.2.3 Development Codes

Development works code and Landscaping code

The development proposal is for the extension of a car park only. The existing infrastructure and services provided to the hotel are appropriate for the proposed use, as there is no change in the hotel operations occurring on site. Additional landscaping has been provided on all sides of the lot of the new car parking area.

Sufficient detail is provided on the plans of development to confirm compliance with the development codes or that solutions to addressing the servicing and utility needs of the development can be achieved at the detailed design stage. Accordingly, it is requested that conditions of approval be used to allow the material change of use decision to be reached as quickly as possible with any required operational works and/or compliance assessment processes left to confirm the more detailed design solutions. Based on the detail provided in this development application, sufficient confidence can be achieved that solutions will be achievable at these later stages of the development approval process. It is at this stage where application of the development code and demonstration of compliance with the civil/engineering works design standards becomes more relevant and clearly demonstratable.

Car Parking Rationale

The development involves the increase of available on-site car parking, quadrupling from the existing eleven (11) space to a total of 44. There are no proposed changes to the operation of the hotel, nor the built form, and thus there is no anticipated increase in demand in traffic generated by the development.

Accordingly, the development is able to objectively satisfy the outcomes and purpose of the development codes. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development, nomination of the relevant civil works and services design standards and the need for certification prior to works commencing.

5.2.4 Overlay Codes

Heritage overlay code

The purpose of the heritage overlay code is to conserve places of local heritage. Both lots of the subject site are identified as being on the local heritage register which has been the key consideration given to the proposed scope of works by the applicant and their design team. No changes are proposed to Lot 53. Lot 103 has an exemption certificate for the demolition of the Dwelling and shed, which consists of all buildings and structures on the lot. Therefore, Lot 103 does not contain any buildings of local heritage significance. The proposed car park does not present a loss of local heritage, but does present an extension of the Waverley Hotel, which demonstrates typological local heritage values. The extension of the car park demonstrates the continued dedication to the operation of the hotel, and the commitment to improve upon its functionality, while maintaining its contributing historical characteristics. As an increasingly active hotel, Waverley Hotel has a stronger presence within the Charters Towers community and keeps the historical values of Charters Towers alive. The exemption certificate for the demolition of Lot 103 is **attached in Appendix 4**.

Given the extent to which the proposal objectively satisfies the overlay code, a direct assessment against the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the codes can be ensured

through the imposition of standard conditions of approval requiring development to occur in accordance with the plans of development.

5.3 External Referrals

The development application does not trigger referral agency assessment, as discussed in section 5.1 above.

5.4 Public Notification

The application is impact assessable and will undergo public notification in accordance with Part 4 of the Development Assessment Rules.

6. CONCLUSION

This change application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* and is seeking a development permit for a material change of use to facilitate the extension of an approved car parking area for an approved Hotel extension project. The subject premises is addressed as 19 Mosman Street and 16 Jane Street, Charters Towers QLD 4820 more particularly described as Lot 53 on SP210857 and Lot 103 on CT18232. The premises is within the Centre Zone and General Residential Zone under the Charters Towers Regional Town Plan and is currently used as a Hotel (the Waverley Hotel)

An assessment of the proposal was undertaken against the applicable assessment benchmarks which confirms that it is consistent with the provisions of the applicable planning instruments, specifically the local government planning scheme. Council is therefore required to **approve** the development application pursuant to the rules of impact assessment established under the Act and issue a development permit subject to the imposition of reasonable and relevant conditions and any referral agency responses.

STATEMENT OF REASONS

Subject to the imposition of reasonable and relevant conditions, the development is able to comply with the relevant assessment benchmarks against which the application was required to be assessed.

Sufficient justification has been provided and satisfactory grounds have been established to conclude that the proposed development remains consistent with the strategic intent and overall outcomes of the planning scheme. In substantive terms, this conclusion is based on the following reasons:

- The development allows the site to better contribute to the achievement of the Strategic Framework.
- The proposed land use outcome directly aligns with the Purpose of the zone code.
- The development compliments and does not adversely affect the heritage values of the site.
- The development outcome reflects community expectation for land use and development as established by the planning scheme and past development decisions.
- The development can be adequately serviced.

- The development will maintain the existing level and standard of servicing provided by the relevant infrastructure networks.
- The site is not identified as being susceptible to any unacceptable or unmanageable natural hazard or infrastructure constraints.
- The development does not increase the susceptibility of people or property to natural hazards or other health risks.
- The proposal addressed an established planning need for the development
- The proposal does not undermine the planning scheme
- The proposal does not establish precedence that could result in the future undermining of the planning scheme

APPENDIX 1

DEVELOPMENT APPLICATION FORMS

Change application form

Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	North Queensland Hotel Investments Pty Ltd C/- BNC Planning
Contact name (only applicable for companies)	Benjamin Collings
Postal address (P.O. Box or street address)	PO Box 5493
Suburb	Townsville
State	QLD
Postcode	4810
Country	AUS
Email address (non-mandatory)	enquire@bncplanning.com.au
Mobile number (non-mandatory)	
Applicant's reference number(s) (if applicable)	DA032-23

2) Owner's consent - Is written consent of the owner required for this change application?	
Note: Section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input type="checkbox"/> No	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1 or 3.2), and 3.3 as applicable)				
3.1) Street address and lot on plan				
<input checked="" type="checkbox"/> Street address AND lot on plan (all lots must be listed), or				
<input type="checkbox"/> Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).				
a)	Unit No.	Street No.	Street Name and Type	Suburb
		19	Mosman Street	Charters Towers
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	53	SP210857	Charters Towers Regional Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		16	Jane Street	Charters Towers
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	103	CT18232	Charters Towers Regional Council



**Queensland
Government**

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

- ☐ Additional premises are relevant to the original development approval and the details of these premises have been attached in a schedule to this application
- ☒ Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

4) Identify the responsible entity that will be assessing this change application

Note: see section 78(3) of the Planning Act 2016

Charters Towers Regional Council

PART 4 – CHANGE DETAILS

5) Provide details of the existing development approval subject to this change application

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	MCU23/0006	4 October 2023	Charters Towers Regional Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

6) Type of change proposed

6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Expansion of existing car parking area

6.2) What type of change does this application propose?

- ☐ Minor change application – proceed to Part 5
- ☒ Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application

- ☐ No – proceed to Part 7
- ☐ Yes – list all affected entities below and proceed to Part 7

Note: section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.

Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

Note: To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?

- ☐ No
☒ Yes

9) Development details

9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?

- ☒ No
☐ Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.

9.2) Does the change application involve building work?

- ☒ No
☐ Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?

Note: The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change.

- ☒ No
☐ Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the [Referral checklist for building work](#) is also completed.

11) Information request under Part 3 of the DA Rules

- ☒ I agree to receive an information request if determined necessary for this change application
☐ I do not agree to accept an information request for this change application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

- ☒ Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and
- for an other change all relevant referral requirement(s) in 10)

☒ Yes

Note: See the *Planning Regulation 2017* for referral requirements

For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application

☒ Yes

☐ Not applicable

For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application

Note: This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

☒ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all relevant aspects of this change application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

14) Applicant declaration

- ☒ By making this change application, I declare that all information in this change application is true and correct.
- ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the responsible entity and any relevant affected entity or referral agency for the change application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*.

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the *DA Rules* except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:

Reference number(s):

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Landowners Consent Form

Planning Act 2016

I,

Steven Shooobridge
Director

Being the delegate representative of NORTH QUEENSLAND HOTEL INVESTMENTS PTY LTD being the owner of the premises identified as follows:

Waverley Hotel, 19 Mosman Street CHARTERS TOWERS QLD 4820

Lot 53 on SP210857

AND

16 Jane Street CHARTERS TOWERS QLD 4820

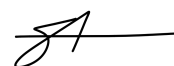
Lot 103 on CT18232

consent to the making of a change application under the *Planning Act 2016* by:

BNC Planning Pty Ltd

on the premises described above for:

Material Change of Use



.....
Signature of Delegate

10 / 04 / 2024

.....
Date

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	
Suburb	
State	
Postcode	
Country	
Contact number	
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

3.1) Street address and lot on plan

- ☐ Street address **AND** lot on plan (all lots must be listed), **or**
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☐ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

- ☐ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

- ☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☐ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

<input type="checkbox"/> Yes – specify number of new lots: _____
<input type="checkbox"/> No

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$ _____

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

--

16) Has the local government agreed to apply a superseded planning scheme for this development application?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government:**

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:
<input type="checkbox"/> Ports – Brisbane core port land (<i>where inconsistent with the Brisbane port LUP for transport reasons</i>)
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits (<i>below high-water mark</i>)
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (more than six vessel berths)</i>)

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

- ☒ Yes – provide details below or include details in a schedule to this development application
☐ No

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MCU23/0006	4 October 2023	Charters Towers Regional Council
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
☒ No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000**?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
☒ No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title
- ☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☒ Yes – details of the heritage place are provided in the table below
☐ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:	Waverley Hotel	Place ID:	
-----------------------------	----------------	-----------	--

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

Note: See guidance materials at www.planning.dsdmip.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☐ Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☐ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☐ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☐ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☐ Not applicable

25) Applicant declaration

☐ By making this development application, I declare that all information in this development application is true and correct

☐ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

APPENDIX 2

SITE DETAILS





Legend

Address

Land parcel

 Parcel

Land parcel - gt 1 ha

 Parcel

Land parcel - gt 10 ha

 Parcel

Easement parcel



Land parcel - gt 1000 ha

 Parcel

Land parcel label

Land parcel label - gt 1 ha

Land parcel label - gt 10 ha

Land parcel label - gt 1000 ha

Road crossing

 Bridge
 Tunnel

Road

 Highway
 Main
 Local
 Private

Railway



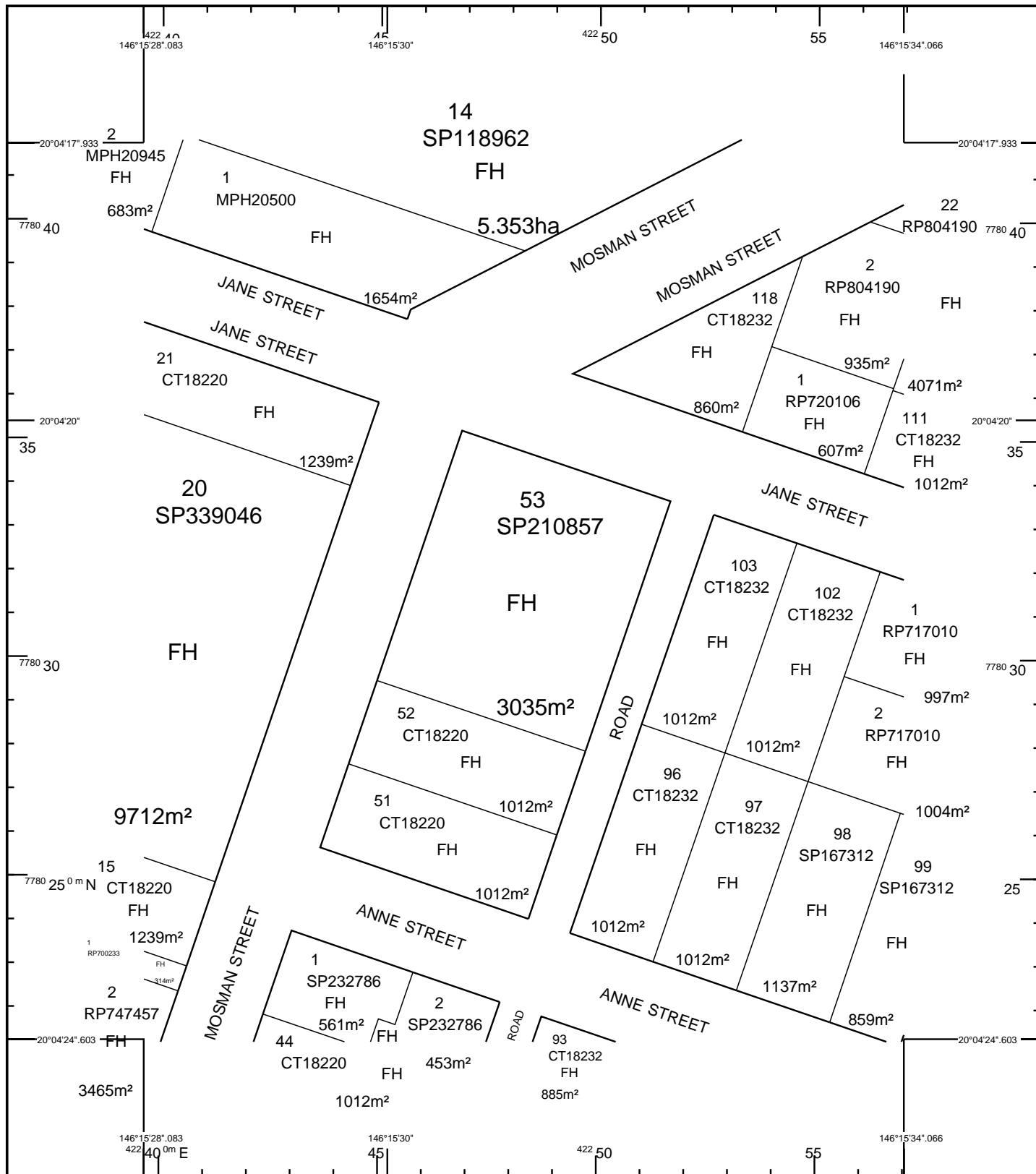


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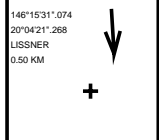
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STANDARD MAP NUMBER
8157-14344

0 25 50 75 100 125 m
HORIZONTAL DATUM:GDA94 ZONE:55 SCALE 1 : 1250

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	53/SP210857
Area/Volume	3035m²
Tenure	FREEHOLD
Local Government	CHARTERS TOWERS REGIONAL
Locality	CHARTERS TOWERS CITY
Segment/Parcel	46770/253

CLIENT SERVICE STANDARDS

PRINTED 22/03/2023

DCDB 21/03/2023

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SmartMap Information Services

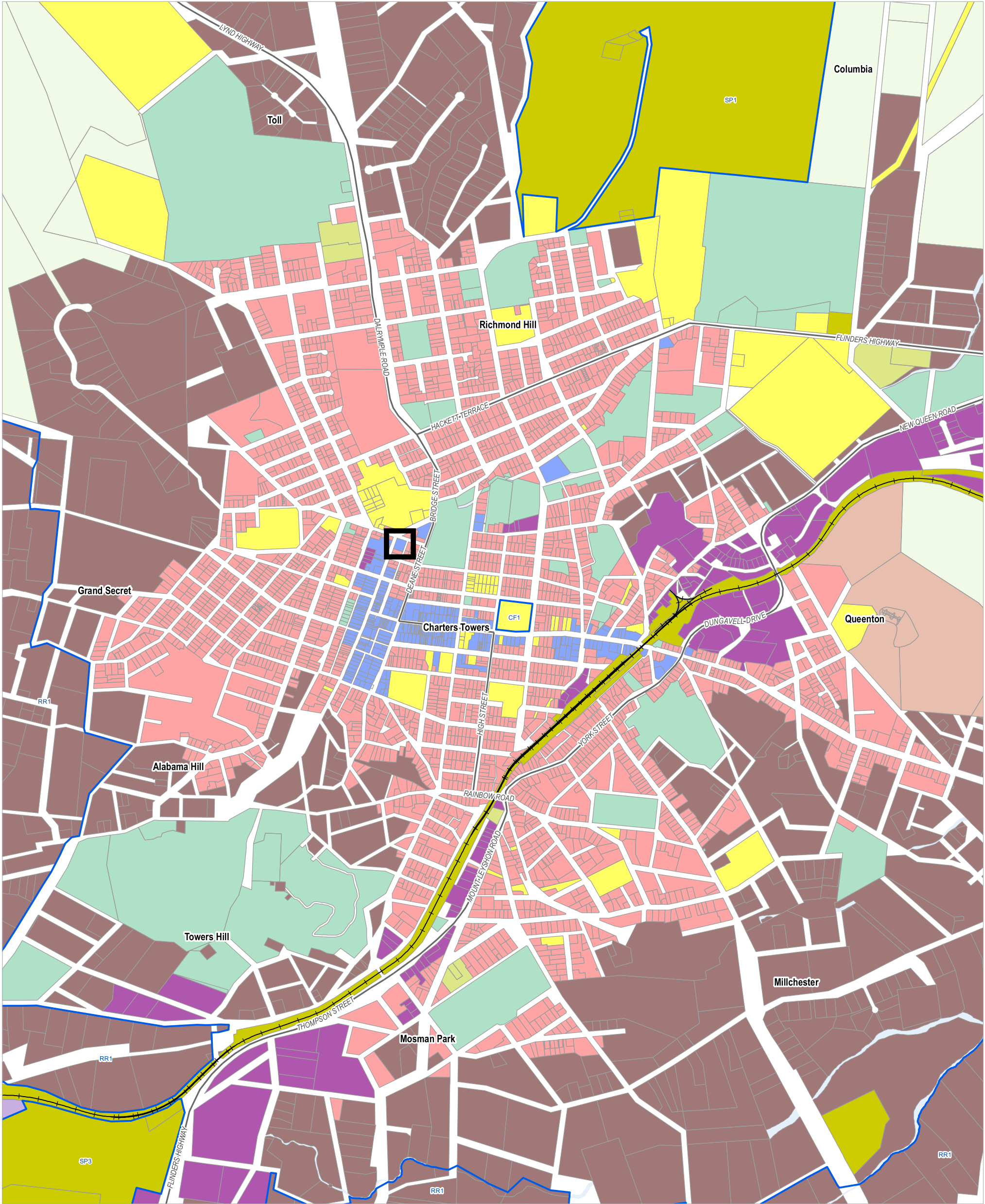
Based upon an extraction from the
Digital Cadastral Data Base



**Queensland
Government**

(c) The State of Queensland,
(Department of Resources) 2023.





**Charters Towers
Regional Town Plan
Zone Map**

- Zone**
- Centre
 - General Residential
 - Industry
 - Industry Investigation
 - Community Facilities
 - Minor Tourism
 - Recreation and Open Space
 - Environmental Management and Conservation
 - Rural Residential
 - Emerging Community
 - Rural
 - Special Purpose
 - Township

- Precinct**
- CF1 - Hospital and Health Care Services Precinct
 - RR1 - Environs Precinct
 - RR2 - Hervey Range Precinct
 - SP1 - Airport Precinct
 - SP2 - Defence Precinct
 - SP3 - Sales Yard Precinct
- Other Map Layers**
- Precinct Boundary
 - Cadastral Boundary
 - Local Government Boundary
 - Waterway
 - Railway Network
 - Major Roads

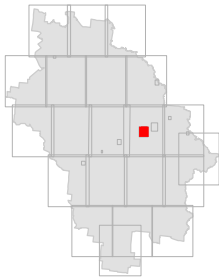
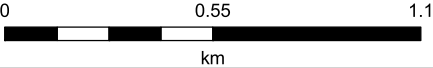
DISCLAIMER
Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines) [2019]. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

Cadastral boundaries as at December 2019 sourced from QSpatial.

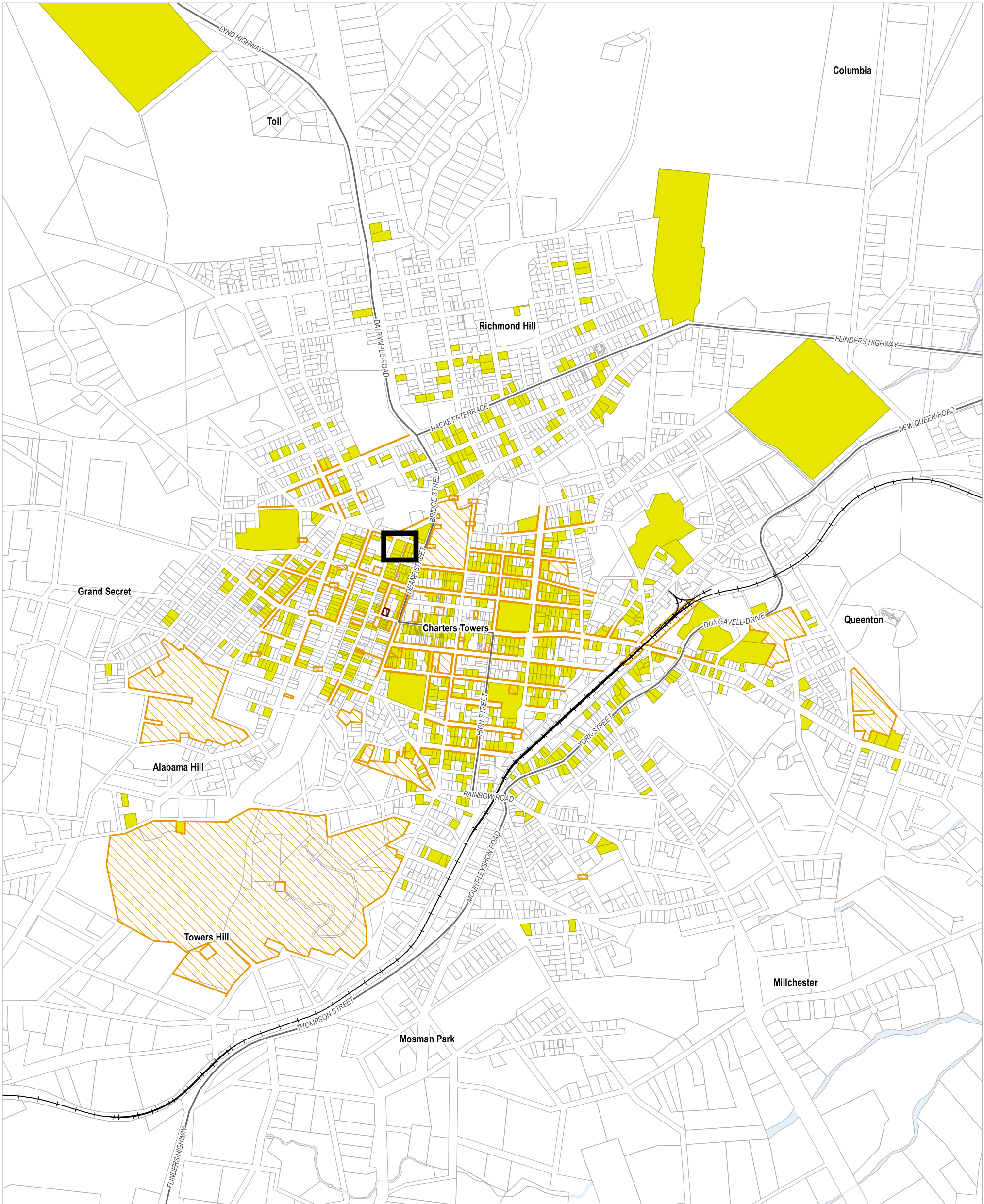
Geocentric Datum of Australia (GDA94)

29/12/2019

Approx Scale @ A3 1:20,000



**Zone - ZM1.2
Charters Towers Urban Area**



**Charters Towers
Regional Town Plan
Heritage Overlay Map**

Cultural Heritage Places

- National Heritage Place
- State Heritage Place
- Local Heritage Place

Other Map Layers

- Cadastral Boundary
- Local Government Boundary
- Waterway
- Railway Network
- Major Roads

DISCLAIMER

Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines) [2019]. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

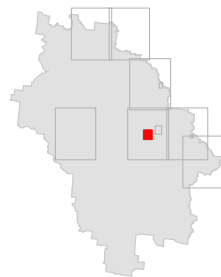
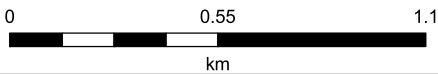
Cadastral boundaries as at December 2019 sourced from QSpatial.
State heritage as at 21/06/2019, sourced from QSpatial. National heritage place as at 29/03/2019.

Refer to State Government mapping for the latest version of the overlay if applicable.

Geocentric Datum of Australia (GDA94)

29/12/2019

Approx Scale @ A3 1:20,000



**Heritage Overlay - OM4.2
Charters Towers Urban Area**

Name of Place	Waverley Hotel
Street Address	19-25 Mosman Street, Charters Towers
Lot/Plan	L1/RP726134, L3/RP745520 and L55/CT18220
Type of Place	Hotel
Construction Date	1889 (Architect: Tunbridge and Tunbridge)
Integrity	Substantially intact
Condition	Good condition
Inspection Date	28 June 2020
References	Michael Brumby, One Square Mile, Charters Towers, Charters Towers Archives, 1997.

Description of Place	
Built for John Robb in 1889. Designed by Tunbridge and Tunbridge.	
Heritage Significance of Place	
Criterion 3	Typological – The place demonstrates the key characteristics of a type or class of place that makes a significant contribution to our understanding of local history.
Statement	The Waverley Hotel is a two storey brick building that was built on the corner of Mosman and Jane Streets in 1889. It is significant as it exemplifies the design, form and construction techniques used to build hotels during the commercial growth of Charters Towers as north Queensland's most prominent goldfield up until 1911.



APPENDIX 3

PLANS OF DEVELOPMENT



1 SITE PLAN - Proposed Car Park
1 : 200

APPENDIX 4

OTHER SUPPORTING DOCUMENTS

04 October 2023

Our Ref: 4842951
File Ref: MCU2023/0006
Enquiries: Jorja Feldt

North Queensland Hotel Investments PL
C/- BNC Planning
PO Box 5463
TOWNSVILLE QLD 4820

Sent via email: enquiries@bncplanning.com.au

Dear Benjamin,

Decision Notice – Approval

(Given under Section 63 of the *Planning Act 2016*)

The assessment manager wishes to advise that the application was approved under delegation on 04 October 2023. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below:

Applicant details

Applicant name: North Queensland Hotel Investments PL C/- BNC Planning

Location details

Street address: 9 Mosman Street, Charters Towers City QLD 4820
Real property description: Lot 53 on SP210857
Current lawful use: Hotel

Application details

Application number: MCU2023/0006
Approval type: Development Permit
Development type: Material Change of Use
Category of assessment: Impact Assessment
Description of development: Hotel (Extension to Existing Hotel) and Partial Demolition of a Local Heritage Place
Definition of use: *A Hotel is defined as the use of premises for—
(i) selling liquor for consumption on the premises; or
(ii) a dining or entertainment activity, or providing accommodation to tourists and travellers, if the use is ancillary to the use in subparagraph (i); but does not include a bar.*
Categorising instrument: Charters Towers Regional Town Plan Version 2



Date: 04 October 2023
Our Ref:4842951

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)	<div>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:</div> <table><tr><th>Drawing Title:</th><th>Prepared by:</th><th>Date:</th><th>Reference No:</th><th>Revision:</th></tr><tr><td>Site Plan-General</td><td>The Design House</td><td>02/06/23</td><td>2023-011-C DD 08</td><td>4</td></tr><tr><td>Floor Plan – Ground Floor</td><td>The Design House</td><td>02/06/23</td><td>2023-011-C DD 09</td><td>4</td></tr><tr><td>Floor Plan – First Floor</td><td>The Design House</td><td>02/06/23</td><td>2023-011-C DD 10</td><td>4</td></tr><tr><td>Elevations</td><td>The Design House</td><td>02/06/23</td><td>2023-011-C DD 11</td><td>4</td></tr><tr><td>Floor Plan – Ground Floor</td><td>The Design House</td><td>02/06/23</td><td>2023-011-C DD 00</td><td>4</td></tr><tr><td>Floor Plan – Ground Floor (Annotated with sewer realignment mark up)</td><td>The Design House</td><td>02/06/23</td><td>2023-011-C DD 00</td><td>4</td></tr><tr><td>Demolition Plan GF</td><td>The Design House</td><td>23/01/23</td><td>2023-011-C DD 06</td><td>1</td></tr><tr><td>Demolition Plan FF</td><td>The Design House</td><td>23/01/23</td><td>2023-011-C DD 07</td><td>1</td></tr></table>	Drawing Title:	Prepared by:	Date:	Reference No:	Revision:	Site Plan-General	The Design House	02/06/23	2023-011-C DD 08	4	Floor Plan – Ground Floor	The Design House	02/06/23	2023-011-C DD 09	4	Floor Plan – First Floor	The Design House	02/06/23	2023-011-C DD 10	4	Elevations	The Design House	02/06/23	2023-011-C DD 11	4	Floor Plan – Ground Floor	The Design House	02/06/23	2023-011-C DD 00	4	Floor Plan – Ground Floor (Annotated with sewer realignment mark up)	The Design House	02/06/23	2023-011-C DD 00	4	Demolition Plan GF	The Design House	23/01/23	2023-011-C DD 06	1	Demolition Plan FF	The Design House	23/01/23	2023-011-C DD 07	1	At all times.
Drawing Title:	Prepared by:	Date:	Reference No:	Revision:																																											
Site Plan-General	The Design House	02/06/23	2023-011-C DD 08	4																																											
Floor Plan – Ground Floor	The Design House	02/06/23	2023-011-C DD 09	4																																											
Floor Plan – First Floor	The Design House	02/06/23	2023-011-C DD 10	4																																											
Elevations	The Design House	02/06/23	2023-011-C DD 11	4																																											
Floor Plan – Ground Floor	The Design House	02/06/23	2023-011-C DD 00	4																																											
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Demolition Plan FF	The Design House	23/01/23	2023-011-C DD 07	1																																											



Date: 04 October 2023

Our Ref:4842951

Condition Number	Condition					Timing
	Site Based Stormwater Management Plan	Northern Consulting Engineers	02/08/2023	MJ2323-SBSM	A	
General						
2)	The development is permitted to operate from 9am to 2am, 7 days per week.					At all times.
3)	a) Comply with all conditions within this Development Permit with conditions prevailing over the approved plan(s) and document(s) in all instance; 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.
Environmental						
4)	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> .					As part of construction works; and Maintained at all times thereafter.
5)	Ensure that: a) Works occur so they do not cause unreasonable interference with the amenity of adjoining premises because of noise, air or other chemical pollutants; b) The premises including the adjoining Council controlled road reserve are kept in a safe, clean and tidy state, and c) All construction materials are contained wholly within the premises.					As part of construction works; and Maintained at all times thereafter.
Operational Works						
6)	A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include the following: a) Driveways and Access; b) Stormwater Management (quantity, flood and drainage control)(only if required); and c) Relocation of sewer infrastructure.					Prior to Development permit of building works.
Building, Plumbing and Drainage Works						



Date: 04 October 2023

Our Ref:4842951

Condition Number	Condition	Timing
7)	Obtain a Development Permit for Building Works in accordance with the <i>Planning Act 2016</i> . Construction is to comply with the <i>Building Act 1975</i> , the <i>National Construction Code</i> and the requirements of other relevant authorities.	Prior to commencement of the use.
8)	Obtain a Permit for Plumbing and Drainage Works in accordance with the <i>Plumbing and Drainage Act 2018</i> and the <i>Plumbing and Drainage Regulation 2019</i> . Construction is to comply with the <i>National Construction Code: Volume Three – Plumbing Code of Australia 2019</i> , the <i>Queensland Plumbing and Waste Water Code 1: 2019</i> and the requirements of other relevant authorities.	Prior to commencement of the use.
9)	All plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.	Prior to commencement of the use; and Maintained at all times thereafter.
10)	Outdoor lighting is to comply with <i>Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting</i> . All lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining the sites.	At all times.
Transport		
11)	A total of twenty-one (21) 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 <i>AS2890.1 Off-Street Car Parking</i> and the <i>Manual of Design Vehicles and Turning Path Templates SAA HB 72 (AUSTRROADS 1995)</i> .	In accordance with a Development Permit for Operational Works; and Maintained at all times thereafter.
12)	Construct two (2) driveway crossovers at the nominated ingress and egress locations along the frontage of Bow Street (as shown on the plans) in accordance with Council's standard drawing <i>CTRC-003 Roads commercial driveway slab</i> . Kerb and channelling is required to be reinstated where existing driveways are being decommissioned.	In accordance with a Development Permit for Operational Works; and Maintained at all times thereafter.
13)	No new access locations are permitted to or from Mosman Street.	At all times.



Date: 04 October 2023

Our Ref:4842951

Condition Number	Condition	Timing
14)	<p>A localised Traffic Impact Assessment for Bow Street must be undertaken by an appropriately qualified and experienced Traffic Engineer in accordance with Austroads guidelines.</p> <p>The assessment must (at a minimum):</p> <ul style="list-style-type: none"> a. assess and validate existing traffic conditions in the vicinity of the development (on Bow Street) by patrons of the hotel and other users of the Street; b. analyse the impact that development will have on the use of Bow Street related to pedestrians and vehicle movements; c. provide recommendations in relation to any required ameliorative works or augmentation required (ie. Amending traffic flow to one-way) to ensure Bow Street and the proposed access locations are safe and trafficable for its users; d. provide evidence that Bow Street is an appropriate service street for the purpose of waste collection as required by the waste management plan or relocate the proposed refuse storage location. <p>The Traffic Impact Assessment must be submitted to and approved by Council.</p>	Prior to the issue of a Development Permit for Operational Works.
Stormwater		
15)	All stormwater runoff must be piped from roofed areas and discharged to a kerb and channel drainage system in a Council controlled road, or an approved inter allotment stormwater drainage system, in accordance with <i>Queensland Urban Drainage Manual 2016</i> and <i>AS3500.3:2018 Plumbing and Drainage - Stormwater Drainage</i> .	At all times.
16)	All stormwater works must be carried out in accordance with the approved Site Based Stormwater Management Plan.	Prior to commencement of use.
Waste Management		
17)	Waste storage area/s are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted near the enclosure to ensure the area can be easily and effectively cleaned.	Prior to commencement of the use; and Maintained at all times thereafter.
18)	<p>Waste storage areas shall be:</p> <ul style="list-style-type: none"> a) Situated in locations not visible from the street front, and b) Provided with a 1.8m solid screen fence located around storage areas. 	At all times.



Date: 04 October 2023

Our Ref:4842951

Condition Number	Condition	Timing
19)	Provide a waste management plan prepared by a suitably qualified person, that demonstrates the disposal frequency and methodology and demonstrates that the size and location of the proposed refuse storage location is safe, serviceable, and does not cause unreasonable interference with the amenity of nearby sensitive receptors (ie. The dwellings on Bow Street).	Prior to commencement of use.
Landscaping		
20)	<p>Submit to Council for approval a full Landscaping Plan prepared by a suitably qualified consultant which demonstrates:</p> <ul style="list-style-type: none"> a) All areas proposed to be landscaped; a) The Species used and their suitability for the North Queensland climate, b) The type of irrigation system used; c) The retention of the existing planter boxes and landscaping on Jane Street and the extension of a similar landscaping design for the full length of the site frontage on Jane Street; and d) Landscaping treatment on the building (ie. hanging plants) for the length of the Mosman Street frontage. <p>Upon approval of the Landscaping Plan, construct and maintain the landscaping.</p>	In conjunction with a Development Permit for Operational Works; and Maintained at all times thereafter.
21)	A minimum 1.8m high solid fence is to be constructed/maintained on the entire site frontage to Bow Street and Jane Street (with the exception of the approved access locations and where the built form is built to boundary).	Prior to commencement of the use; and Maintained at all times thereafter.
22)	The existing dividing fence between the Shop and the adjacent dwelling house on Mosman Street must be retained and maintained at all times.	Maintained at all times.
Local Heritage Place		
23)	<p>The works subject to the Building Works for Demolition of a Local Heritage Place include only those works proposed in the approved plans.</p> <p>No demolition works are permitted to the external built form or any façade with the exception of the rear of the site to facilitate access to the proposed extension.</p> <p>Submit to Council for approval an archival record of the premises prepared by a suitable qualified heritage consultant.</p>	Prior to obtaining a development permit for building works and maintained at all times.



Date: 04 October 2023

Our Ref:4842951

Condition Number	Condition	Timing
24)	Details of the proposed colours and materials for the extension are to be submitted to Council for endorsement.	Prior to the issue of a Development Permit for Building Work.
Noise Generation		
25)	The approved development must not generate noise that unreasonably interferes with the use and enjoyment of a nearby residential land use.	At all times.
Lawful Commencement		
26)	Request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.	Prior to the commencement of the use
27)	Notify Council within 20 business days that this approved use has lawfully commenced.	Prior to the commencement of the use

Advisory Notes

Scale or Intensity of Use

- 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 *Planning Act 2016* and would have to comply with the requirements of the relevant provisions.

Local and State Heritage

- 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 *Planning Act 2016*. 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.

Aboriginal and Cultural Heritage

- C. The *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* 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: <https://www.datsip.qld.gov.au/people-communities/aboriginal-torres-strait-islander-cultural-heritage/cultural-heritage-duty-care>

Abandoned Mine Shafts



Date: 04 October 2023

Our Ref:4842951

Advisory Notes	
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 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.
Wet Tropics World Heritage Area	
E.	Land within the Charters Towers Regional Council local government area falls within the Wet Tropics World Heritage Area and is governed by the <i>Wet Tropics World Heritage Protection and Management Act 1993</i> and the <i>Wet Tropics Management Plan 1998</i> . Prior to carrying out works, it is advised that you contact the Wet Tropics Management Authority on (07) 4241 0500 or by post at PO Box 2050 CARINS QLD 4870. For further information including viewing the Act, Management Plan and Interactive Mapping, please visit: http://www.wettropics.gov.au/
Workplace Health and Safety	
F.	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.
Environmental nuisance	
G.	<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>
Airport Operations	
H.	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.
Ergon Energy and Telstra Corporation Contact Details	



Date: 04 October 2023

Our Ref:4842951

Advisory Notes	
I.	Where a condition requires connections to reticulated electricity and/or telecommunications or a certificate of supply, please contact the below: a) Ergon Energy Connection Solution's Team – (07) 4931 1012, and/or b) NBN Co – 1800 687 626.
Council Forms, Policies and Drawings	
J.	In achieving compliance with conditions, the below Council forms will need to be completed for this development: a) F0227 - Application to carry out works on a Council road (including pathways) b) Standard drawings and specifications for driveways and roads c) F0313 – Request for water supply connection or disconnection d) F0347 – Application for sewer main cut-in

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. Development Permit for Building Work.
2. Development Permit for Operational Works (if required).

5. Referral agencies

The development application did not require referral under Schedule 10 of the *Planning Regulation 2017*

6. Submission(s)

Not properly made submissions were received.

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.

Description of the development:	The proposed development is for a Development Permit for Material Change of Use for Extension of existing Hotel and Building Works approval for a partial demolition of a Local Heritage Place.
Reasons for the decision:	The proposal was assessed against the relevant provisions of the North Queensland Plan 2020 and the Charters Towers Regional Town Plan Version 2



Date: 04 October 2023

Our Ref:4842951

	with the proposal found to comply with the applicable codes. Despite the development proposing partial demolition of a local heritage place and presenting a shortfall in carparking, the proposal furthers the strategic framework of the Charters Towers Regional Plan.	
Assessment benchmarks:	The proposed development was assessed against the relevant assessment benchmarks of the Charters Towers Regional Town Plan including the: 1) Heritage Overlay Code; 2) Centre Zone Code; and 3) Development Works Code	
	The proposed development was assessed against all the assessment benchmarks listed about and is considered to comply or can be conditioned to comply.	
	Assessment benchmark:	Reasons for the approval despite non-compliance with benchmark:
	AO8/PO8 Development Works Code	The site is constrained by an existing Local Heritage Place and additional carparking provision is not physically available to be provided on site.
	PO2 Heritage Overlay Code	The application is not supported by a r submission of an Engineering report by a suitably qualified professional (Registered Practicing Engineer of Queensland) that demonstrates the building or structure is structurally unsound, represents a public safety risk and is beyond reasonable repair. Notwithstanding, the extent of demolition is predominantly internal and an archival report has been conditioned.
Relevant matters:	There are no additional matters that were considered.	
Matters raised in submissions:	Submission Point:	Council Response:
	No properly made submissions were received.	N/A

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: 04 October 2023

Our Ref:4842951

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*.

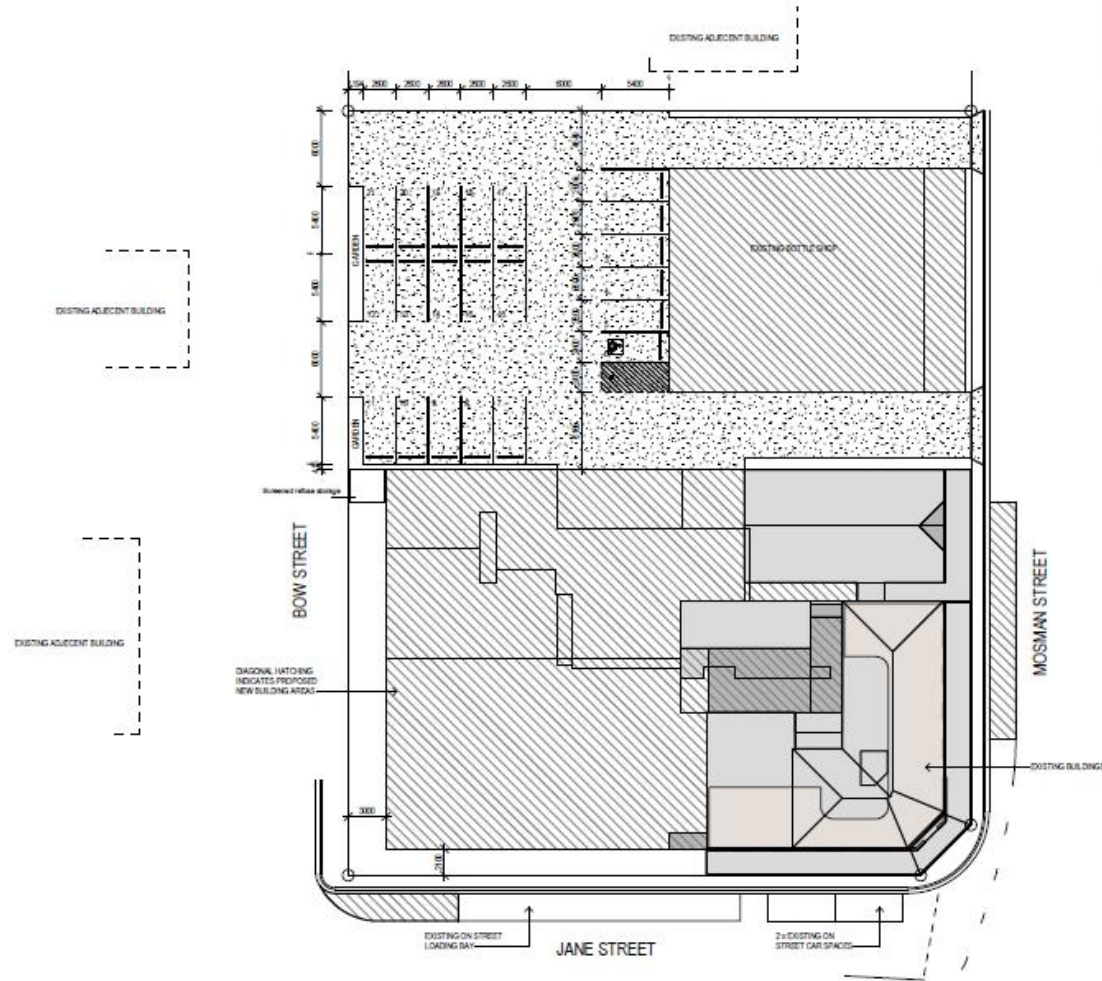
Should you wish to discuss this matter, please contact Paul Want, Manager Planning and Development on (07) 4761 5522.

Yours faithfully



Paul Want
Manager Planning and Development

WIND CATEGORY C2



REAL PROPERTY DESCRIPTION
LOT 15 ON DP 213857
AREA OF LAND: 328m²
LOCAL GOVERNMENT: CHARTERS TOWERS COUNCIL

NOTES:
1. VERIFY ALL LEVELS & DIMENSIONS BEFORE COMMENCING ANY FABRICATION
2. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED
3. COMPLY WITH LOCAL AUTHORITY, STANDARD BUILDING LAW AND ALL RELEVANT AUSTRALIAN STANDARDS & LEGISLATION
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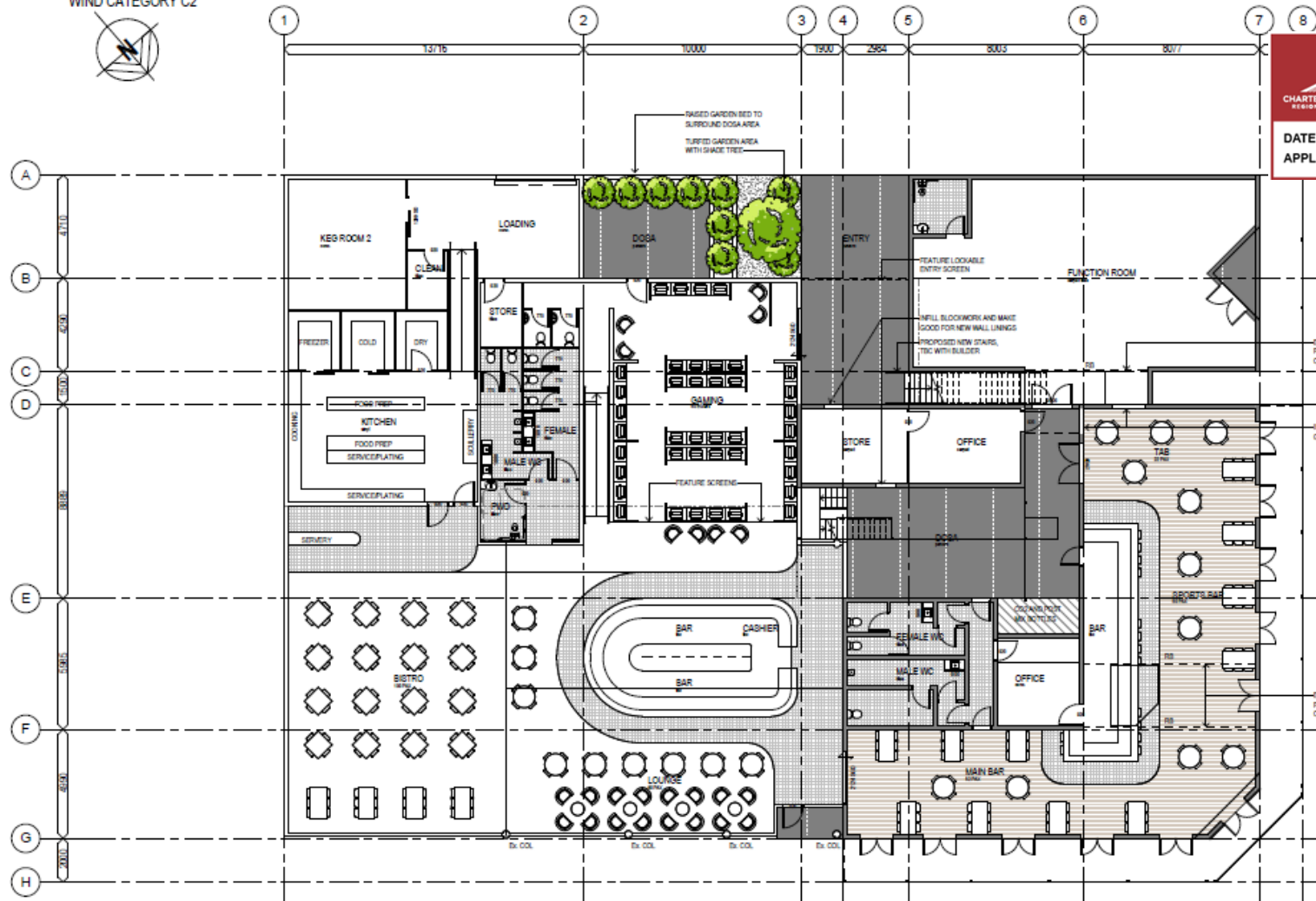
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The
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Project: RENOVATIONS & EXTENSION
Client: WAVERLY HOTEL
Location: 19 MOSMAN STREET, CHARTERS TOWERS

TITLE: SITE PLAN - GENERAL
Date: 02.06.23 Drawn: N.H
Scale: 1 : 200 Designed: N.H
Job No.: 2023-011-C Drawing No.: DD 08 Rev.: 4

WIND CATEGORY C2



**PLANNING &
DEVELOPMENT
APPROVED**

DATE: 04 October 2023

APPLICATION: MCU2023/0006

ENGINEER TO CONFIRM BEAM
REQUIREMENTS FOR DEMOLITION
OF INTERNAL FOSTER WALLS

INFILL BLOCKWORK AND MAKE
GOOD FOR NEW WALL LININGS

ENGINEER TO CONFIRM BEAM
REQUIREMENTS FOR DEMOLITION
OF INTERNAL FOSTER WALLS

FLOOR PLAN - G.F.
1:100

**NOTES:**

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Project: RENOVATIONS &
EXTENSION

Client: WAVERLY HOTEL

Location: 19 MOSMAN STREET,
CHARTERS TOWERS

TITLE: FLOOR PLAN -
GROUND FLOOR

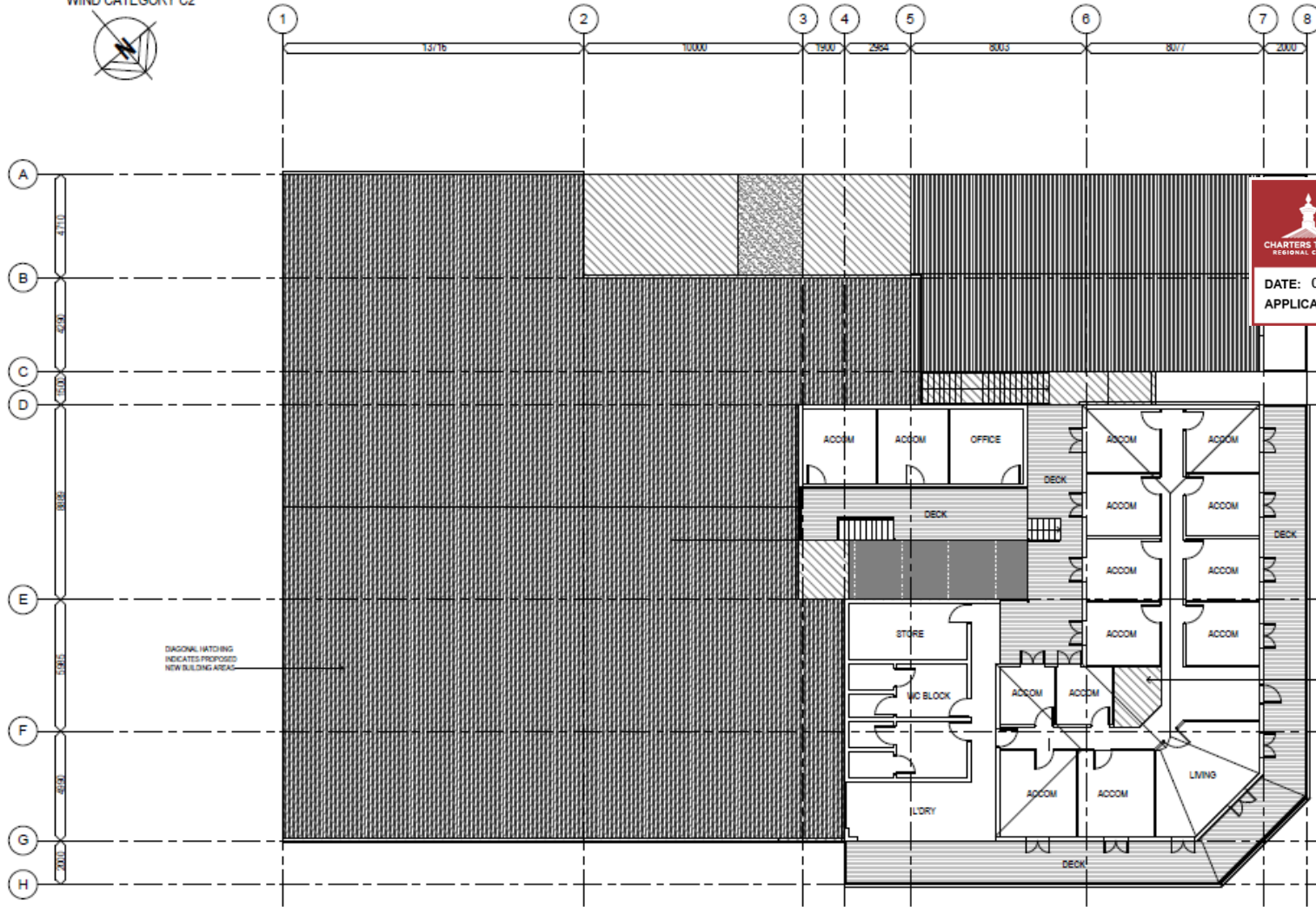
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Scale: 1:100 Designed: N.H

Job No.: Drawing No.: Rev.

2023-011-C DD 09 4

WIND CATEGORY C2



1 FLOOR PLAN - F.F.
1:100



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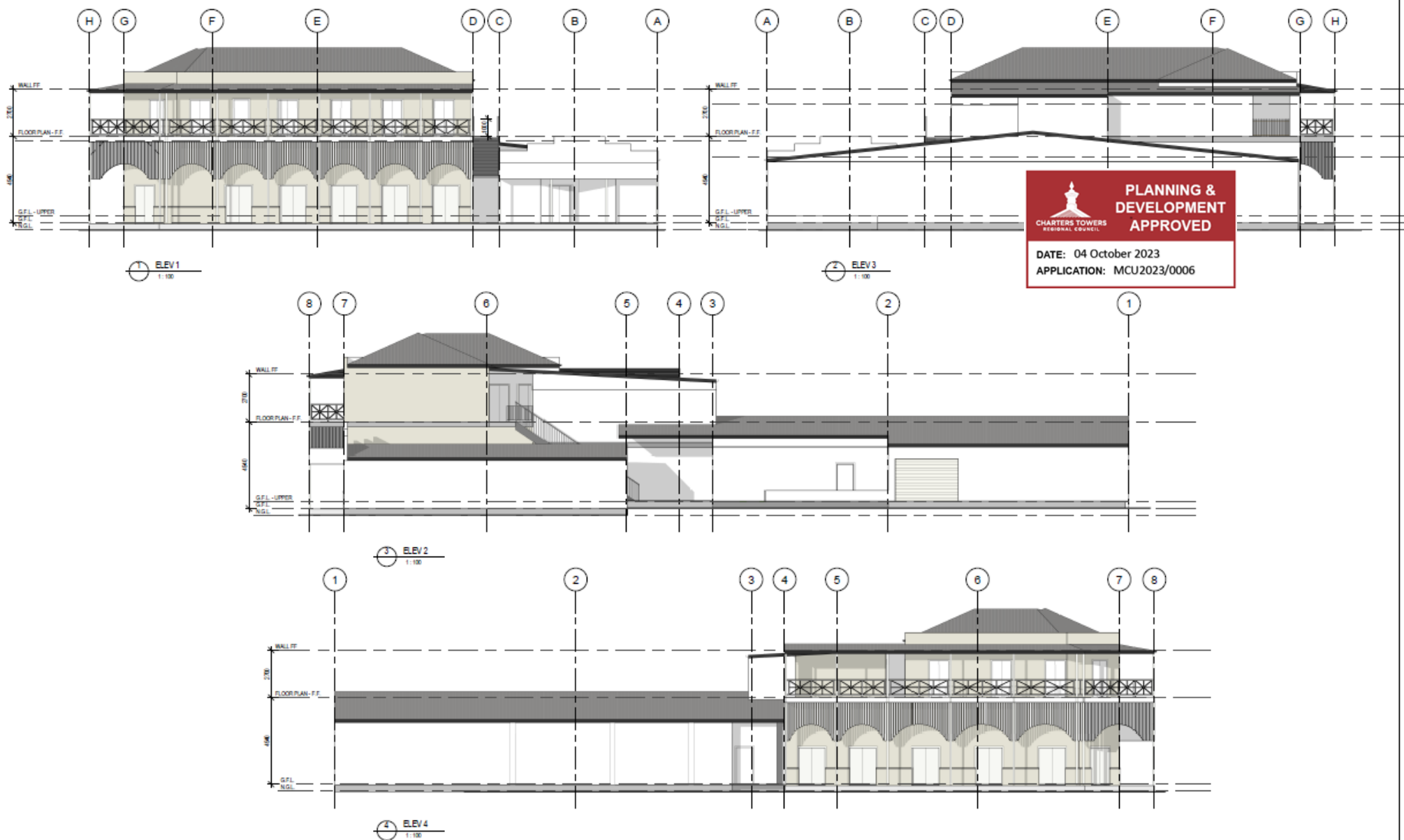
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Project: RENOVATIONS & EXTENSION
Client: WAVERLY HOTEL
Location: 19 MOSMAN STREET, CHARTERS TOWERS

TITLE: FLOOR PLAN - FIRST FLOOR
Date: 02.06.23 Drawn: N.H
Scale: 1:100 Designed: N.H
Job No.: 2023-011-C Drawing No.: DD 10 Rev.: 4



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The
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Project: RENOVATIONS & EXTENSION

Client: WAVERLY HOTEL

Location: 19 MOSMAN STREET,
CHARTERS TOWERS

TITLE: ELEVATIONS

Date: 02.06.23 Drawn: Author
Scale: 1 : 100 Designed: Designer

Job No.: 2023-011-C DD 11 Rev. 4



 **PLANNING &
DEVELOPMENT
APPROVED**

DATE: 04 October 2023
APPLICATION: MCU2023/0006

NOTES:

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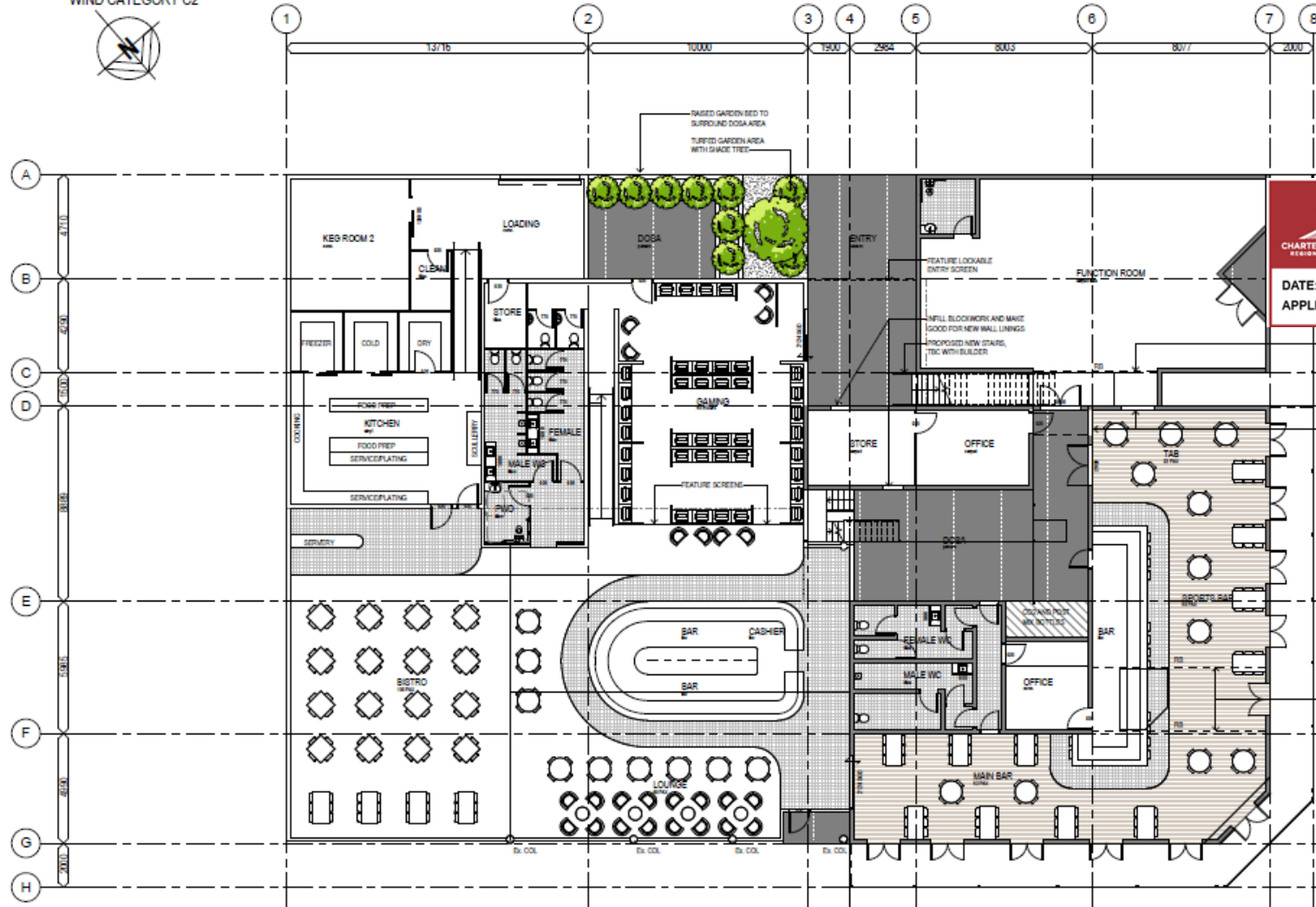


Project: RENOVATIONS & EXTENSION
Client: WAVERLY HOTEL
Location: 19 MOSMAN STREET, CHARTERS TOWERS

Date: 02.06.23 Drawn: N.H
Scale: 1 : 200 Designed: N.H

Job No.:	Drawing No.:	Rev.
2023-011-C	DD 08	4

WIND CATEGORY C2



ENGINEER TO CONFIRM BEAM REQUIREMENTS FOR DEMOLITION OF INTERNAL Foyer WALLS

INFILL BLOCKWORK AND MAKE GOOD FOR NEW WALL LININGS

ENGINEER TO CONFIRM BEAM REQUIREMENTS FOR DEMOLITION OF INTERNAL Foyer WALLS

FLOOR PLAN - G.F.

1:100



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The Design House NQ

Project: RENOVATIONS & EXTENSION

Client: WAVERLY HOTEL

Location: 19 MOSMAN STREET, CHARTERS TOWERS

TITLE: FLOOR PLAN - GROUND FLOOR
 Date: 02.06.23 Drawn: N.H
 Scale: 1 : 100 Designed: N.H

Job No.: Drawing No.: Rev.
 2023-011-C DD 09 4



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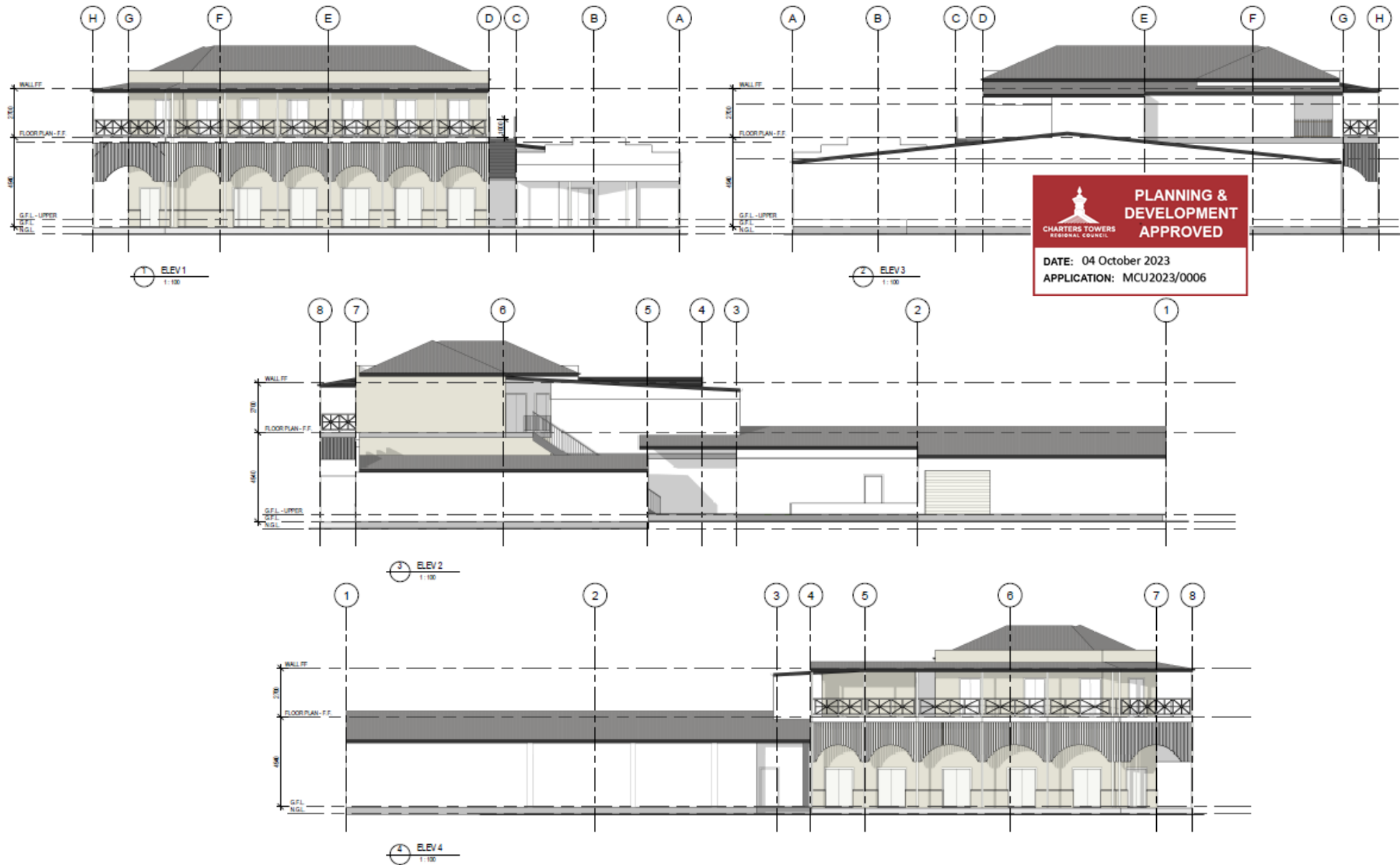
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The
Design
House ^{INC.}

Project: RENOVATIONS & EXTENSION
Client: WAVERLY HOTEL
Location: 19 MOSMAN STREET, CHARTERS TOWERS

TITLE: FLOOR PLAN - FIRST FLOOR		
Date: 02.06.23	Drawn: N.H	
Scale: 1 : 100	Designed: N.H	
Job No.: 2023-011-C	Drawing No.: DD 10	Rev. 4



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Project: RENOVATIONS & EXTENSION

Client: WAVERLY HOTEL

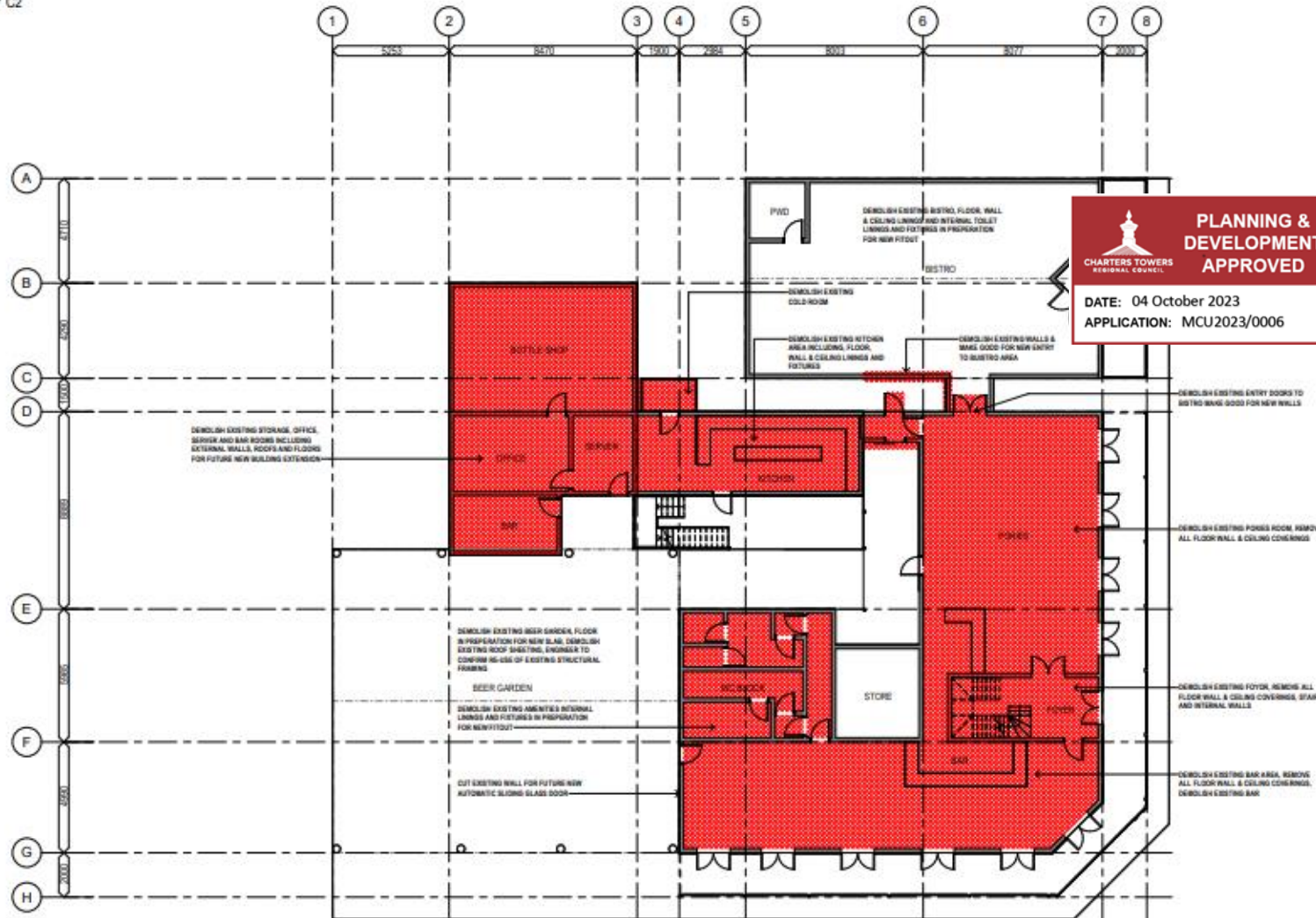
Location: 19 MOSMAN STREET,
CHARTERS TOWERS

TITLE: ELEVATIONS

Date: 02.06.23 Drawn: Author
Scale: 1 : 100 Designed: Designer

Job No.:	Drawing No.:	Rev.
2023-011-C	DD 11	4

WIND CATEGORY C2



PLANNING & DEVELOPMENT APPROVED
 DATE: 04 October 2023
 APPLICATION: MCU2023/0006

DEMOLITION PLAN - G.F.
 1:100



NOTES:

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The
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Project: RENOVATIONS & EXTENSION

Client: WAVERLY HOTEL

Location: 19 MOSMAN STREET,
 CHARTERS TOWERS

TITLE: DEMOLITION PLAN - GF

Date: 23.01.23 Drawn: N.H

Scale: 1 : 100 Designed: N.H

Job No.:	Drawing No.:	Rev.
2023-011-C	DD 06	1

WIND CATEGORY C2



DEMOLITION PLAN - F.F.
1:100



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House^{NO}

Project: RENOVATIONS & EXTENSION

Client: WAVERLY HOTEL

Location: 19 MOSMAN STREET,
CHARTERS TOWERS

TITLE: DEMOLITION PLAN - FF

Date: 23.01.23 Drawn: N.H.
Scale: 1:100 Designed: N.H.

Job No.: Drawing No.: Rev.
2023-011-C DD 07 1

29 August 2023

Our Ref: 4830418
File Ref: EXE2023/0010
Enquiries: Jorja Feldt

AU Contracting Pty Ltd
49 Northern Link Circuit
SHAW QLD 4818

Sent via email: lloyd@aucontracting.com.au

Dear Lloyd,

Exemption Certificate
(Given under Section 46 of the *Planning Act 2016*)

The assessment manager has considered your request for an exemption certificate for assessable development at the below mentioned property and has determined that an exemption certificate should be given for the reasons stated below;

Applicant details

Applicant name: AU Contracting Pty Ltd

Location details

Street address: 16 Jane Street, Charters Towers City QLD 4820
Real property description: Lot 103 on CT18232

Development to which the exemption certificate relates

Approval sought: Development Permit
Development type: Building Works Assessable
Description of development: Demolition of Class 1a Dwelling and Class 10a Shed
Categorising instrument: Charters Towers Regional Town Plan Version 2
Reason for giving exemption certificate: Section 46(3)(b)(i) the effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development.

Approved plans and documents

Development stated in this exemption certificate must be generally in accordance with the below approved plans/documents:

Drawing title:	Prepared by:	Date:	Reference no:	Revision:
Demolition Plan	AU Contracting Pty Ltd	25/08/2023	273 SK 018	1

The approved plans and/or documents in relation to this approval are included as an attachment.

PO Box 189 Charters Towers Qld 4820

ADMINISTRATION: 12 Mosman Street Charters Towers Qld 4820 Australia

PH. (07) 4761 5300 | **F.** (07) 4761 5344 | **E.** mail@charters Towers.qld.gov.au | **ABN.** 67 731 313 583

www.charters Towers.qld.gov.au



Date: 29 August 2023
Our Ref: 4830418

When development must start or be completed

Development stated in this exemption certificate must be completed by 29 August 2025.

Advice

This exemption certificate is attached to the premises and benefits each of the owners, the owners' successors in title and any occupiers of the premises. To the extent development does not comply with a requirement stated above, the exemption certificate has no effect.

Should you wish to discuss this matter, please contact Jorja Feldt, Planner on (07) 4761 5300 or email development@charters Towers.qld.gov.au.

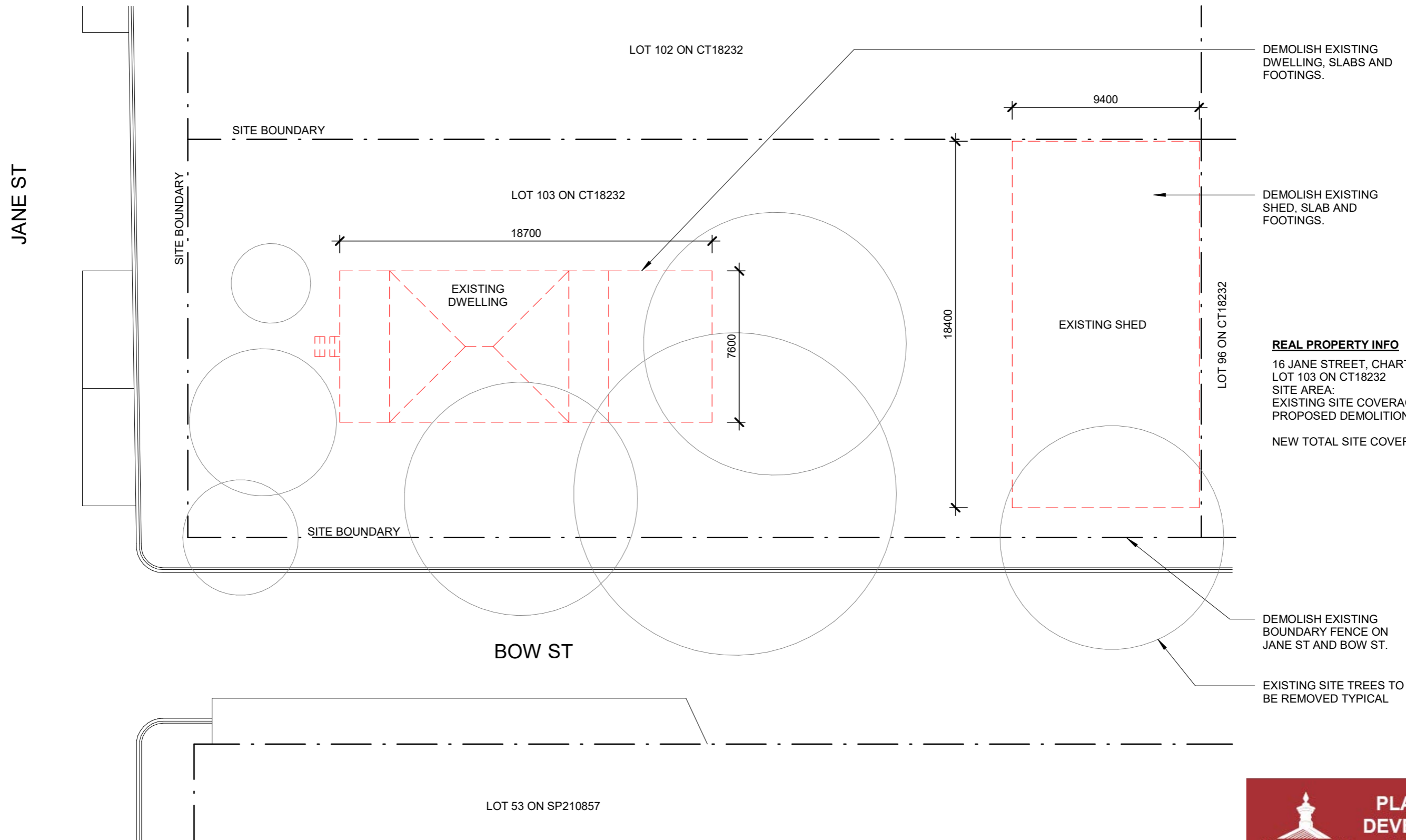
Yours faithfully



Paul Want
Manager Planning & Development

Enc. Approved Plans







REAL PROPERTY INFO
16 JANE STREET, CHARTERS TOWERS 4820
LOT 103 ON CT18232
SITE AREA: 1012m²
EXISTING SITE COVERAGE : 315m²
PROPOSED DEMOLITION: 315m²

NEW TOTAL SITE COVERAGE: 0m²
0%

1 SITE PLAN
A06 1 : 200 @ A3

PLANNING & DEVELOPMENT APPROVED
CHARTERS TOWERS REGIONAL COUNCIL

DATE: 28 August 2023
APPLICATION: EXE2023/0010

GENERAL NOTES		PROJECT DEMOLITION OF EXISTING DWELLING CLIENT - LOCATION 16 JANE STREET CHARTERS TOWERS 4820	 AU CONTRACTING PTY LTD QBCC 15038245 ABN 65 651 010 310 49 Northern Link Circuit Shaw QLD 4818	 0112...	COPYRIGHT THIS DRAWING REMAINS THE PROPERTY OF AU CONTRACTING PTY LTD AND MUST NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE PRIOR APPROVAL OF THE AUTHOR	<table><tr><th colspan="3">AMENDMENTS</th></tr><tr><th>No</th><th>Description</th><th>Date</th></tr><tr><td>1</td><td>FOR APPROVAL</td><td>25/08/2023</td></tr></table>	AMENDMENTS			No	Description	Date	1	FOR APPROVAL	25/08/2023	<table><tr><td>DESIGNED</td><td>AJ</td></tr><tr><td>DRAWN</td><td>AJ</td></tr><tr><td>CHECKED</td><td></td></tr><tr><td>SCALE</td><td>A3</td></tr><tr><td>ISSUED</td><td>1 : 200</td></tr><tr><td></td><td>25/08/2023</td></tr></table>	DESIGNED	AJ	DRAWN	AJ	CHECKED		SCALE	A3	ISSUED	1 : 200		25/08/2023	<table><tr><td>16 JANE ST SITE DEMOLITION PLAN</td></tr><tr><td>273 SK 018</td></tr><tr><td>1</td></tr></table>	16 JANE ST SITE DEMOLITION PLAN	273 SK 018	1
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1. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS																																
2. VERIFY ALL DIMENSIONS BEFORE COMMENCING ANY WORK																																