

Our Reference: NP22.100.1
CTRC Reference: RAL2023/0006 & OPW2023/0001

29 April 2024

Assessment Manager
Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Attention: Corporate and Community Services

Dear Sir/Madam,

Change (Other) to RAL2023/0006 & OPW2023/0001

**Combined Development Application for Reconfiguring a Lot – Two Lots into Three Lots and Access Easement and associated Operational Work – Stormwater Infrastructure
Located at 2-14 Cavey Court, Queenton and formally identified as Lots 7 and 8 on SP326358**

On behalf of the Applicant, Goldtower Properties, please accept this correspondence and the accompanying planning report as a change application (Other Change) in accordance with section 78 of the *Planning Act 2016*.

The application seeks a change to existing development permit RAL2023/0006 and relates to altering the approval from a subdivision to a boundary realignment. The change does not relate to any alteration to the approved operational works component associated with OPW2023/0001.

In accordance with Council's current schedule of fees and charges, the assessment fee for the change application is \$900. This fee will be paid directly following lodgement.

Please do not hesitate to contact the undersigned should you have any queries in relation to this application.

Yours faithfully,



Meredith Hutton

DIRECTOR
Northpoint Planning

Encl. Development Application

Development Application

Change (Other)

Reconfiguring a Lot – Two Lots into Two Lots and
Access Easement

and

Associated Operational Works – Stormwater
Infrastructure



Northpoint
Planning

Cavey Court, Queenton
Lot 7 and 8 on SP326358

29 April 2024
Reference: NP22.100.1

Client: Goldtower Properties

Project: Goldtower West Subdivision

Date: 29 April 2024

Project Reference: NP22.100.1

Contact: Meredith Hutton

Prepared by: Meredith Hutton – Northpoint Planning

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- Appendix 1: DA Form 1; DA Form 5 and Land Owner's Consent
- Appendix 2: Survey Plan and Easement B on SP326358
- Appendix 3: SmartMap and SARA Mapping
- Appendix 4: Subdivision Plan
- Appendix 5: Goldtower Development Code
- Appendix 6: Reconfiguring a Lot Code



1.0 Executive Summary

In accordance with s 78 of the *Planning Act 2016* (the Act) this town planning report seeks a Change Application (Other Change) to Development Approval RAL2023/0006 & OPW2023/0001.

The current approval is a combined application for a Reconfiguring a Lot and Operational Works, involving a two into three lot subdivision, creation of an access easement and associated operation works for stormwater infrastructure. It is noted the proposed change does not involve any alteration to the existing operational works approval, noting these works have since been commenced on the property.

The proposed change involves altering the approved subdivision by removing approved Lot 9. The proposed development maintains the previously approved common boundary location between Lot 7 and 8 on the approved plans and associated easement for access. Specifically, the proposed change involves previously approved Lot 9 incorporated into previously approved Lot 8.

Accordingly, the proposed change involves a boundary realignment of existing Lot 7 and 8 on SP326358. The proposed development maintains all associated easements and stormwater infrastructure associated with the site, in accordance with the previously approved plans.

The subject site is located at 2-14 Cavey Court, Queenton and is formally described as Lots 7 and 8 on SP326358. The subject site is currently vacant land and is located within the Goldtower Development Area. Accordingly, the land is subject to assessment against the *Goldtower Development Plan* in accordance with MC15/181.

The proposed change involves retention of all previously approved access arrangements associated with RAL2023/0006 and does not involve any new crossover to State-controlled New Queen Road.

Assessment of the proposed development against the provisions of all relevant benchmarks has been undertaken and outlined in this town planning report. As outlined in this town planning report, the proposed change achieves the nominated assessment criteria.

The proposed development is considered appropriate for the location, and it is therefore requested that the application be approved subject to reasonable and relevant conditions.

Table 1: Application Summary

Application Summary	
Address	2-14 Cavey Court, Queenton
Real Property Description	Lot 7 and Lot 8 on SP326358
Area of Site	Lot 7 on SP326358 – 31,950m ² Lot 8 on SP326358 – 2,848m ²
Current Use	Vacant land
Applicant	Goldtower Properties
Purpose of Proposal	Boundary realignment and access easement.
Type of Application	Change (Other) for Reconfiguring a Lot (Boundary Realignment) and Access Easement and associated Operational Work
Category of Assessment	Code



Application Summary	
SARA Mapping	<ul style="list-style-type: none">▪ Water resource planning area boundaries▪ State-controlled road▪ Area within 25m of a State-controlled road
Referral Agencies	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Development within 25m of a State-controlled transport corridor
Public Notification	Not required



2.0 Site and Surrounding Environment

2.1 Subject Site and Surrounding Locality

The subject site is located adjacent the State-controlled New Queen Road and is formally identified as Lot 7 on SP326358 and Lot 8 on SP326358.

The subject land comprises a combined area of 3.4798ha. The subject site forms part of the Goldtower Development Area, maintaining frontage to Cavey Court to the south, Goldtower Street to the east, and New Queens Road to the north. Lot 7 on SP326358 is burdened by Easement B on SP326358 for the purpose of stormwater drainage.

The site has recently been improved in accordance with an associated operational works approval (Council reference OW20-07) for earthworks to provide for future development of the land. Accordingly, the site maintains generally even topography and is cleared of vegetation.

The Goldtower Development Area has an existing mix of industrial and retail uses to the south and east of the subject site. A Council public rest stop is located on adjoining land to the west.

The wider locality includes residential development to the north and west, and a school to the opposite side of New Queen Road. The Mount Isa Line rail corridor and land identified as within the Emerging Community Zone of the *Charters Towers Regional Town Plan* (the planning scheme) are located to the south of the site. The Charters Towers township centre is located approximately 1.5km to the west.

The subject lot and surrounding locality are illustrated in **Figure 1** below.

Figure 1: Site location



Source: Qld Globe



2.2 Existing Approvals

The following development permits are relevant for the proposed development:

- Material Change of Use (MC15/181) – approved on 20 October 2016 for adoption of site-specific planning instrument, Goldtower Plan of Development.
- Reconfiguring a Lot (RL19/54) – approved on 8 July 2019 for the original (parent) subdivision of the subject site.
- Reconfiguring a Lot and associated Operational Works (RAL2023/0006 & OPW2023/0001) – approved on 28 July 2023 for a two into three lot subdivision, creation of an access easement and associated operational works.
- Minor Change to RAL2023/0006 & OPW2023/0001 – approved 16 October 2023 with provision of additional crossover to Cavey Court.

It is noted the most recent Reconfiguring a Lot application (RAL2023/0006) has not been enacted, while the associated operational work (OPW2023/0001) has commenced on the subject site. The application seeks a change to this latest approval.



3.0 Proposed Development

3.1 Change Overview

The proposed development involves a change to the existing approval to alter the subdivision to a boundary realignment by removing the third allotment to the south (identified as proposed Lot 9 in RAL23/0006 approved plans). The proposed change maintains all physical aspects of the approved development while removing the proposed additional allotment.

The change maintains the existing location of the common boundary between proposed Lots 7 and 8, with proposed Lot 9 incorporated into Lot 8. The change involves the retention of the access easement associated with Lot 7 and 8, easement B on SP326358 and stormwater drainage infrastructure.

We note the purpose of the original application remains, with this being to improve the subject site for future development, and the provision of suitably sized lots that are appropriately serviced and accessible. The proposed changed development involves the following:

- Boundary realignment of existing Lots 7 and 8 on SP326358.
- Resultant lots are as follows:
 - Proposed Lot 7 (located to the eastern side of the subject site) comprising an area of 6,932m²; and
 - Proposed Lot 8 (located to the western side the subject site) comprising an area of 27,866m².
- Retention of proposed Easement C within proposed Lot 8, benefitting proposed Lot 7 for access purposes.
- All resultant lots maintain frontage and access to Cavey Court.
- Retention of Easement B to the western boundary of proposed Lot 8 for the purpose of stormwater drainage.
- Stormwater drainage infrastructure traversing east-west across the subject site, discharging the existing open stormwater drain within proposed Lot 9.

3.2 Easements

The proposed development provides for the creation of the following easements:

- Easement A within proposed Lot 7 for electrical purposes.
- Easement C within proposed Lot 8, benefitting Lot 7 for access purposes (as outlined above).
- Easement E within proposed Lot 8 for electrical purposes.
- Easement G within proposed Lot 8 for stormwater infrastructure.

Existing Easement B on SP326358 to the western boundary of the subject land will be maintained.

3.3 Access

The proposed development provides for appropriate vehicle access, with all lots provided direct road frontage to Cavey Court. No new access points to New Queen Road is proposed.

The proposed development provides an access easement within proposed Lot 8 to Cavey Court. The access easement will burden proposed Lot 8 for the purpose of facilitating shared legal access to proposed Lot 8 and 7.



A new crossover from proposed Lot 7 to Goldtower Street is proposed, with this to a left-out exit only egress point.

All proposed crossovers have been designed to accommodate the anticipated vehicle type generated by future development on the resultant lots.

We note this application does not propose any change to the existing approved access arrangements.

3.4 Infrastructure Services

The subject site is connected to Council's reticulated water and sewer networks, in accordance with previous development permit for operational work associated with the Goldtower Development Area (Council reference OPW17/48).

3.5 Stormwater

The proposed development is designed to minimise impact to the existing stormwater regime, with stormwater conveyed to the lawful point of discharge. The proposed development retains the existing Easement B to the western boundary, and involves the provision of two stormwater drainage easements traversing east-west across the subject site. All stormwater will be discharged to a lawful point of discharge.

3.6 Landscaping

The subject site is currently devoid of vegetation. Landscaping will be provided with future development, consistent with the high level landscaping standard provided throughout the existing Goldtower estate.

3.7 Proposal Plans

The proposed reconfiguration is illustrated in the following proposal plans prepared by Atkinson and Booy Surveys (refer **Appendix 4**):

- P23-092d.dwg – Proposed Boundary Realignment.

Additionally, the proposed operational work is illustrated in the following proposal plans prepared by Northern Consulting Engineers:

- GDTC0100/W701.A – Stormwater Layout Plan.
- GDTC0100/W702.A – Stormwater Longitudinal Section – 18% AEP.
- GDTC0100/W703.A – Construction Details.
- GDTC0100/W704.A – Stormwater Catchment Layout Plan 18% AEP.
- GDTC0100/W705.A – Stormwater Tables.
- GDTC0100/W706.A – Stormwater Design Basis Layout Plan.



4.0 Legislative Framework

4.1 State Planning Policy

In accordance with section 26 of the *Planning Regulation 2017*, assessment against the State Planning Policy (SPP) is required to the extent the provisions of the SPP are not appropriately integrated within the planning scheme.

For the purposes of this development application, it is considered all relevant provisions of the State Planning Policy are appropriately integrated with the Goldtower Development Plan and no additional standalone provisions are relevant for assessment.

4.2 North Queensland Regional Plan

The North Queensland Regional Plan (NQ Regional Plan) provides for the strategic vision for the local government areas of Burdekin, Charters Towers, Hinchinbrook, Palm Island and Townsville. The subject site is located within the Charters Towers Priority Living Area of the NQ Regional Plan.

The NQ Regional Plan will be realised through a series of goals, with the proposed development considered to further these goals. In particular, Goal 1 – A leading economy in regional Australia, and Goal 3 – Liveable, sustainable and resilient communities that promote living in the tropics.

4.3 State Development and Assessment Provisions

In accordance with Schedule 10 of the *Planning Regulation 2017*, referral of the development application is required given the subject site is located within proximity to a State-controlled road. The relevant referral trigger is identified as:

- Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 – Development within 25m of a State-controlled transport corridor.
- Schedule 10, Part 9, Division 4, Subdivision 3, Table 3, Item 1 – Development adjacent a road that intersects with a State-controlled road.

Assessment against the relevant benchmarks is provided in section 5.

4.4 Local Planning Instrument

Charters Towers Regional Council is nominated as assessment manager for this development application. In accordance with Preliminary Approval MC15/181, the Goldtower Development Plan varies the effect of the *Charters Towers Regional Plan* pursuant to section 242 of the *Sustainable Planning Act 2009*.

Accordingly, the proposed development requires a code assessable development application assessed against the Goldtower Development Plan.

4.5 Assessment Benchmarks

Pursuant to section 2.3(2) of the Goldtower Development Plan, the development application is subject to code assessment. The relevant assessment benchmarks are identified as:

- Goldtower Development Code (Goldtower Development Plan).
- Reconfiguring a Lot Code (planning scheme).
- Flood Hazard Overlay Code (planning scheme).
- Regional Infrastructure Overlay Code (planning scheme).

Assessment against the relevant benchmarks is provided in section 6.



5.0 State Development Assessment Provisions

5.1 State Code 1: Development in a State-controlled road environment

The purpose of State Code 1 is to *protect the safety, function and efficiency of State-controlled roads, future State-controlled roads, road transport infrastructure, active transport infrastructure and public passenger services on State-controlled roads from adverse impact of development. The code is intended to protect the safety of people using, and living or working near, State-controlled roads.*

Specifically, this code seeks to ensure:

- (1) *Development does not create a safety hazard for users of a State-controlled road, by increasing the likelihood or frequency of fatality or serious injury.*
- (2) *Development does not compromise the structural integrity of State-controlled roads, road transport infrastructure or road works.*
- (3) *Development does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network.*
- (4) *Development does not compromise the State's ability to construct State-controlled roads and future State-controlled roads, or significantly increase the cost to construct state-controlled roads and future State-controlled roads.*
- (5) *Development does not compromise the state's ability to maintain and operate State-controlled roads, or significantly increase the cost to maintain and operate State-controlled roads.*
- (6) *Development does not compromise the structural integrity of public passenger transport infrastructure located on State-controlled roads or compromise the operating performance of public passenger transport services on State-controlled roads.*
- (7) *The community is protected from significant adverse impacts resulting from environmental emissions generated by vehicles using State-controlled roads.*

The proposed development is considered to comply with the propose of State Code 1. In particular:

- The proposed development involves a change to the existing approval, with the extent of the change effectively amalgamating proposed Lots 8 and 9.
- The proposed development is not located within a State-controlled road corridor.
- The proposed development does not involve a new or changed access to a State-controlled road.
- The proposed lots are of sufficient size to accommodate anticipated future development.
- Run-off from the proposed development will discharge to a lawful point of discharge and will not result in new drainage to a State-controlled road.
- The extent of physical works associated with the application primarily involve the provision of crossovers to the local road network and the provision of stormwater infrastructure to the southern part of the subject land.
- Given the extent and location of the proposed works, the proposed development is not anticipated to adversely impact the State-controlled road.

Given the nature of the proposed change, it is considered no impact to the State-controlled transport network occurs as a result of the change. Therefore, additional detail assessment against State Code 1 is not considered necessary.



6.0 Goldtower Development Plan

6.1 Goldtower Development Code

The purpose of the Goldtower Development Code is to *provide for a mixture of development that may include industry and selected business and retail uses. Activities permitted in this area are defined within the level of assessment table.*

The purpose of this code will be achieved through the following overall outcomes:

- a) *the area primarily accommodates a range of generally smaller scale industrial uses that regularly provide goods and services to the general public, and have low levels of potential impacts on surrounding areas;*
- b) *the area also accommodates a mix of business activity groups that are pertinent to the nature of the region;*
- c) *development makes a positive contribution to the public domain, particularly along major roads and near entries; and*
- d) *development avoids significant adverse affects on water quality and the natural environment.*

Response

The proposed change to the approved development furthers the purpose and overall outcomes of the Goldtower Development Code. The proposal involves a lot reconfiguration that is consistent with the intended role, scale and character of the precinct.

The proposed development is considered to meet the overall outcomes of the Goldtower Development Code, particularly given:

- The proposed development provides suitably sized allotments to facilitate future development consistent with that anticipated within the Goldtower Development Area.
- The proposed development provides for a range of lot sizes for future development.
- The proposed development does not involve the clearing of existing natural environment or extensive earthworks on site.
- The proposed development will be adequately serviced by Council reticulated water and sewer network.
- The proposal provides for appropriate conveyance of stormwater to a lawful point of discharge.

Detail assessment against the Goldtower Development Code is provided at **Appendix 5**.

6.2 Reconfiguring a Lot Code

The proposed change development involves a boundary realignment of the existing land, with two (2) lots into two (2) lots within the Goldtower Development Area. The proposed development provides for appropriately sized and serviced lots for future development within the site, consistent with existing development within the surrounding area.

On assessment of the proposal against the Reconfiguring a Lot Code, the proposed development is considered to comply with the purpose and overall outcomes of the code. In particular, it is noted:

- The proposed development involves varying lot sizes, with all resultant lots exceeding the minimum lot size of 1,000m² for lots within the Industry Zone:
 - Lot 7 – 6,932m²; and



- Lot 8 – 27,866m².

- The proposed lots achieve the minimum road frontage of 20m.
- The proposed development is consistent with surrounding development within the Goldtower estate and that anticipated within the Industry Zone of the planning scheme.
- The proposed development does not involve the creation of a rear lot.
- The proposed development does not involve the creation of a lot requiring access to a State-controlled road.
- The proposed development can be afforded direct connection to Council's reticulated water and sewer networks, with these to be appropriately extended to service the subject development.
- The proposed lots can be suitably connected to telecommunications and electrical infrastructure.
- The proposed development incorporates an access easement within proposed Lot 8 to provide lawful access from Cavey Court to proposed Lot 7.
- Stormwater drainage and electrical easements have been incorporated within the proposal for drainage and electrical infrastructure.
- The proposed development does not involve the creation of a new road.

On assessment of the proposed development against the assessment benchmarks of the Reconfiguring a Lot Code, the proposal is considered to be generally consistent with relevant benchmarks and furthers the purpose of the code.

Further assessment against the Reconfiguring a Lot Code is provided at **Appendix 6**.

6.3 Flood Hazard Overlay Code

The subject site is located within the planning scheme's Flood Hazard Overlay as containing area of significant, high and extreme flood hazard area. Accordingly, the proposed development is subject to assessment against the Flood Hazard Overlay Code.

The subject land has been improved as in accordance with associated development permits within the Goldtower Development Area. The provided works involve the provision of Easement B on SP326358 for drainage purposes, benefitting Charters Towers Regional Council (refer **Appendix 2**). It is considered drainage is appropriately dealt with the proposed development, noting:

- Easement B on SP326358 is retained;
- the proposed development involves provision of stormwater draining infrastructure traversing across the subject site east-west; and
- all stormwater is conveyed to a lawful point of discharge.

Given the above, it is considered further assessment against the Flood Hazard Overlay Code is not required.

6.4 Regional Infrastructure Overlay Code

The subject site is located adjoining a State-controlled road identified within the Regional Infrastructure Overlay, and accordingly, is subject to assessment against the corresponding code.

The proposed development does not involve any new or changed access to the State-controlled road, and is not considered to result in any adverse impact to the safety or operation of the State-controlled road.



Given the extent and location of the proposed development, it is considered further assessment against the Regional Infrastructure Overlay Code is not required.



7.0 Conclusion and Recommendations

This town planning report has been prepared by Northpoint Planning on behalf of Goldtower Properties in association with a Change Application (Other Change) to Development Approval (RAL2023/0006 & OPW2023/0001) for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) and Access Easement and associated Operational Work – Stormwater Infrastructure on land formally described as Lot 7 and Lot 8 on SP326358.

The subject site is located within the Goldtower Development Area and is subject to assessment under the Goldtower Development Plan. An assessment against the relevant benchmarks has been undertaken and is outlined in detail in this town planning report.

The proposal is consequently considered appropriate development in the context in which it is located and has been suitably demonstrated to comply with the relevant assessment benchmarks. It is therefore recommended Council approve the proposed development, subject to reasonable and relevant conditions.



Appendix 1

DA Form 1 – Development application details

Approved form (version 1.4 effective 15 December 2023) 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)	Goldtower Properties C/- Northpoint Planning
Contact name (only applicable for companies)	Meredith Hutton
Postal address (P.O. Box or street address)	PO Box 4
Suburb	Townsville
State	Queensland
Postcode	4810
Country	Australia
Contact number	(07) 4440 5282
Email address (non-mandatory)	meredith@northpointplanning.com.au
Mobile number (non-mandatory)	0407 574 897
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	NP22.100.1

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" 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
			Cavey Court	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	7 & 8	SP326358	Charters Towers Regional
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:	

- ☐ 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 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):*

Change application (other change) to RAL2023/0006. Change relates to removing approved new Lot 9, with the resulting development being a boundary realignment.

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):*

No change to existing approved OPW

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 checked="" 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?	
2	
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 checked="" 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)
Lot 7 on SP326358	3.195ha	Lot 7	6932m ²
Lot 8 on SP326358	2848m ²	Lot 8	27866m ²
12.2) What is the reason for the boundary realignment?			
Suitable allotments for future development			

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
Proposed	13.5	57	Access	Proposed Lots 7 and 8
Existing	Irregular shape		Drainage	Charters Towers Regional Council

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 checked="" 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 checked="" type="checkbox"/> No		
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)		
\$not relevant		

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Charters Towers Regional Council
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 checked="" 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
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity
- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – 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)*

☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- 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

☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*

☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

18) Has any referral agency provided a referral response for this development application?

☐ Yes – referral response(s) received and listed below are attached to this development application

☒ 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 *(if applicable)*.

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ 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:*

- *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)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MC15/181	20 October 2016	Charters Towers Regional Council
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	RAL23/0006 & OPW2023/0001	16 October 2023	Charters Towers Regional Council

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input checked="" type="checkbox"/> 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 <input type="checkbox"/> 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?	
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> 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 <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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:			
<input type="checkbox"/> 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 ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> 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:		Place ID:	
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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			

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)	Goldtower Properties C/- Northpoint Planning
Contact name (only applicable for companies)	Meredith Hutton
Postal address (P.O. Box or street address)	PO Box 4
Suburb	Townsville
State	Queensland
Postcode	4810
Country	Australia
Email address (non-mandatory)	hello@northpointplanning.com.au
Mobile number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent - Is written consent of the owner required for this change application?

Note: Section 79(1A) of the *Planning Act 2016* states the requirements in relation to owner's consent.

- ☒ Yes – the written consent of the owner(s) is attached to this change application
☐ 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
		2-14	Cavey Court	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		7 & 8	SP326358	Charters Towers Regional Council
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)



**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	RAL2023/0006	16 October 2023	Charters Towers Regional Council
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	OPW2023/0001	16 October 2023	Charters Towers Regional Council

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):

Change Application (Other Change) to Development Approval RAL2023/0006 & OPW2023/0001

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		
<input type="checkbox"/> No – proceed to Part 7 <input type="checkbox"/> 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?
<input checked="" type="checkbox"/> No <input type="checkbox"/> 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? <input checked="" type="checkbox"/> No <input type="checkbox"/> 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? <input checked="" type="checkbox"/> No <input type="checkbox"/> 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. <input type="checkbox"/> No <input checked="" type="checkbox"/> 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
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this change application <input type="checkbox"/> 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 ☒ Yes
- for an other change all relevant referral requirement(s) in 10)

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 ☒ Yes
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](#).

Relevant plans of the development are attached to this development application ☒ Yes
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](#).

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			

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

GOLDTOWER PTY LTD (ACN 619 207 180)

as owner(s) of premises identified as:

Lot 7 and 8 on SP326358 and located at Cavey Court, Queenton

consent to the making of a development application under the *Planning Act 2016* by Northpoint Planning on the premises described above.



26TH APRIL 2023

Signature PAUL MCIVER DIRECTOR

Date

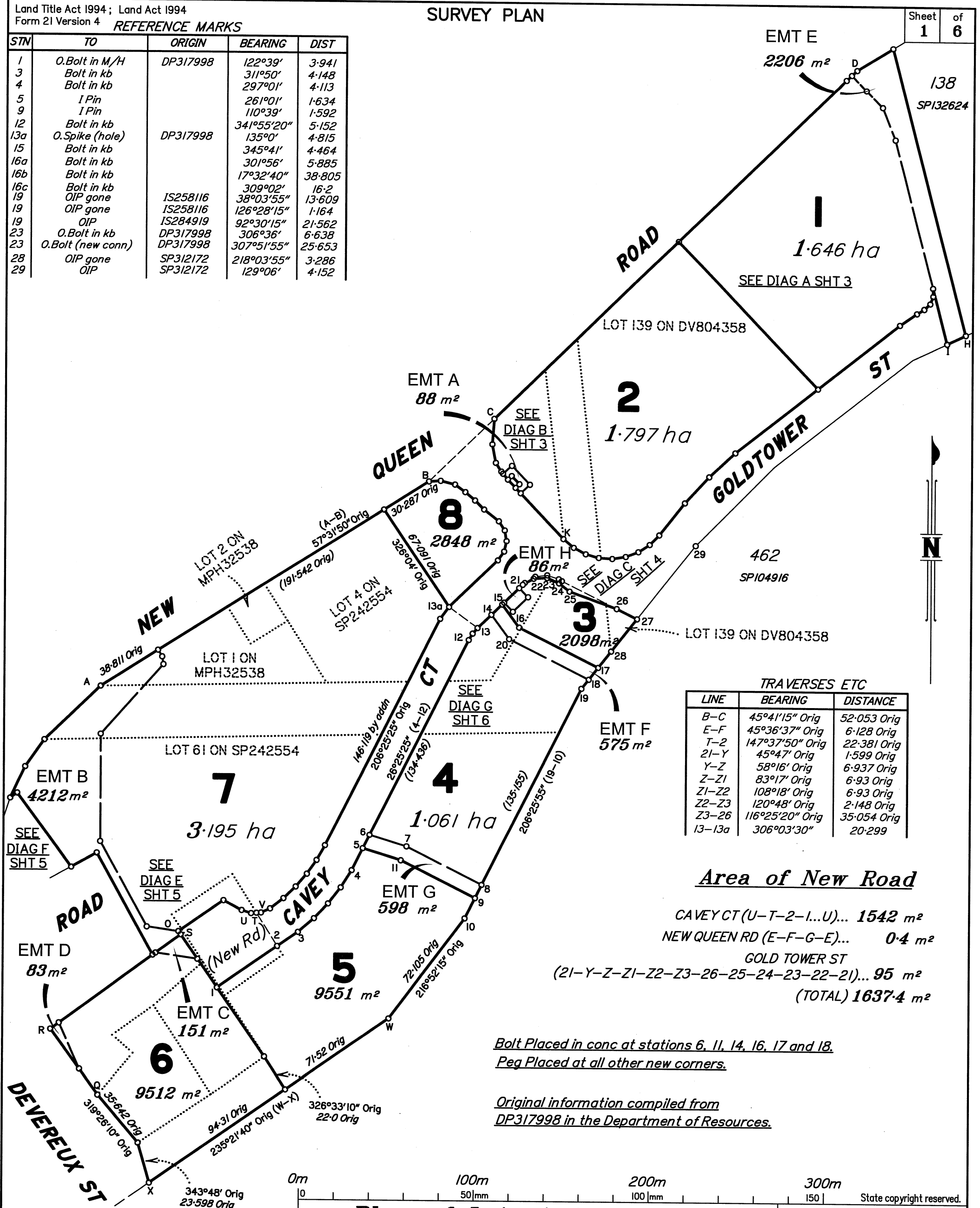
Signature

Date



Appendix 2

STN	TO	ORIGIN	BEARING	DIST
1	O.Bolt in M/H	DP317998	122°39'	3.941
3	Bolt in kb		311°50'	4.148
4	Bolt in kb		297°01'	4.113
5	I Pin		261°01'	1.634
9	I Pin		110°39'	1.592
12	Bolt in kb		341°55'20"	5.152
13a	O.Spike (hole)	DP317998	135°0'	4.815
15	Bolt in kb		345°41'	4.464
16a	Bolt in kb		301°56'	5.885
16b	Bolt in kb		17°32'40"	38.805
16c	Bolt in kb		309°02'	16.2
19	OIP gone	IS258116	38°03'55"	13.609
19	OIP gone	IS258116	126°28'15"	1.164
19	OIP	IS284919	92°30'15"	21.562
23	O.Bolt in kb	DP317998	306°36'	6.638
23	O.Bolt (new conn)	DP317998	307°51'55"	25.653
28	OIP gone	SP312172	218°03'55"	3.286
29	OIP	SP312172	129°06'	4.152



I, Dale Ian ATKINSON hereby certify that the land comprised in this plan was surveyed by me personally and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 12/12/2021.

Dale Atkinson
Cadastral Surveyor

Date 14/12/2021

Plan of Lots 1-8
Cancelling Lots 4, 61 and 139 on SP312172; Lots 1 and 2 on MPH32538; Lot 1 on MPH1502; and Lot 8 on SP319032.
and Easement A in Lot 2; Easement B in Lot 7; Easements C and D in Lot 6; Easement E in Lot 1; Easements F and G in Lot 4; and Easement H in Lot 3
LOCAL GOVERNMENT: Charters Towers R. C. LOCALITY: QUEENTON
Meridian: DP317998 add 10" for MGA z 55 vide GNSS

Scale: 1:2000
Format: STANDARD
SP326358
Survey Records: No

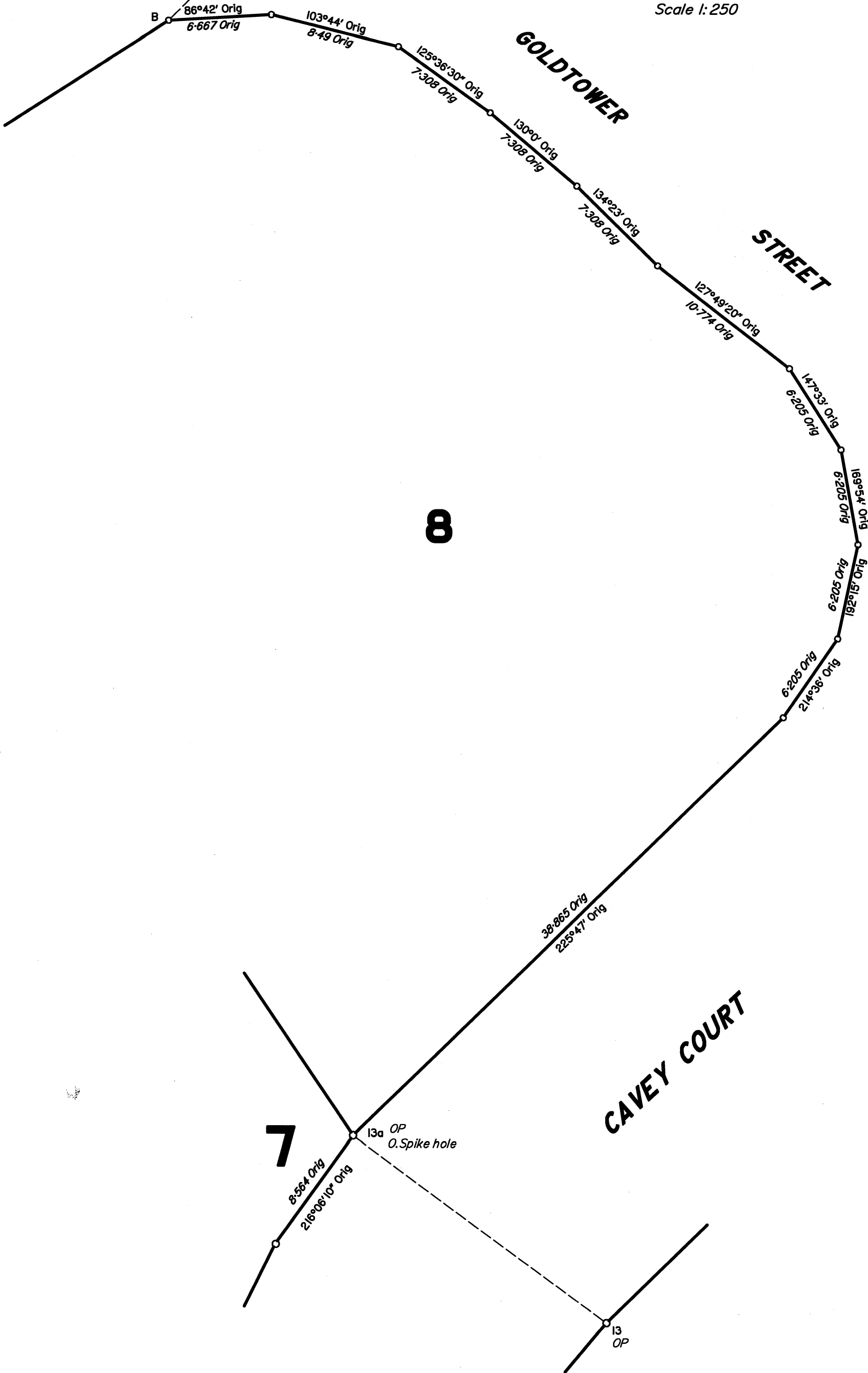
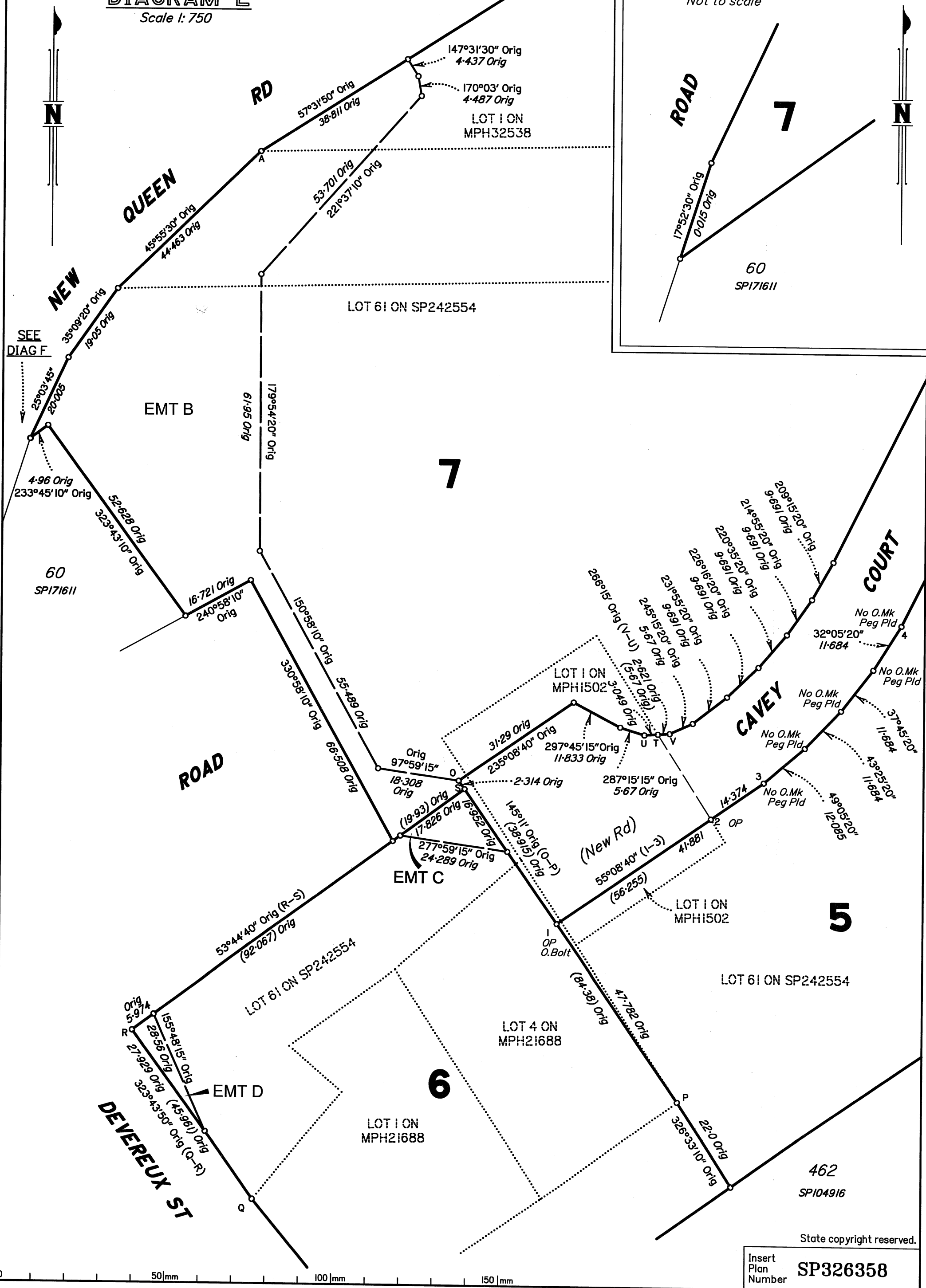


DIAGRAM F

Not to scale



EASEMENT

FORM 9 Version 4

Dealing Number



OFFICE USE ONLY

Privacy Statement

Collection of this information is authorised by the Land Title Act 1994 and the Land Act 1994 and is used to maintain the publicly searchable registers in the land registry. For more information about privacy in DNRM see the department's website.

Duty Imprint
Client No: 1651154 Page 1 of 80
Transaction No: 523553 360
Duty Paid \$ 111 Exempt ☐
UTI \$ 111
Date: 24/02/2022 Signed: [Signature]

1. Grantor
GOLDTOWER PTY LTD A.C.N. 127 721 957

Lodger (Name, address, E-mail & phone number)
Lodger Code
wilson/ryan/grose Lawyers
007
PO Box 1113
TOWNSVILLE QLD 4810
Email: wmckenzie@wrg.com.au
Ph: 07 4760 0100

2. Description of Easement/Lot on Plan
Servient Tenement (burdened land)
EASEMENT B IN LOT 7 ON SP326358
Dominant Tenement (benefited land)
EASEMENT IN GROSS - NOT APPLICABLE

Title Reference
51182799
18830182

3. Interest being burdened
FEE SIMPLE

#4. Interest being benefited
NOT APPLICABLE

not applicable if easement in gross

5. Grantee Given names

Surname/Company name and number

(include tenancy if more than one)

CHARTERS TOWERS REGIONAL COUNCIL
ABN 67 731 313 583

6. Consideration
\$1.00

7. Purpose of easement
DRAINAGE

8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of the attached schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

.....signature

.....full name

Witnessing Officer

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 e.g., Legal Practitioner, JP, C Dec)

11/02/2022
Execution Date

[Signature]
[Signature]

Grantor's Signature

Director, Goldtower Pty Ltd
Director, Goldtower Pty Ltd
A.C.N. 127 721 957

[Signature]
JENNIFER MARY BROWN

.....signature

.....full name

J.P. Qualified

.....qualification

Witnessing Officer

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 e.g., Legal Practitioner, JP, C Dec)

Charters Towers Regional Council ABN 67 731 313 583

31/1/2022

Execution Date

[Signature]

Chief Executive Officer - Aaron Johansson
Grantee's Signature



Title Reference 51182799 & 18830182

Statement about alteration or minor correction to Land Registry Form

Form being altered or corrected: Form 9 - Easement

Name of authorised person or solicitor:

William McKenzie, Solicitor

Name of authorised person's firm or employer (legal practice, commercial lender or settlement agency):

Wilson/Ryan/Grose Lawyers

Item/s being altered or corrected:


Item 2

Details of alteration or minor correction:

Reinstated the heading 'Dominant Tenement (benefited land)' and inserted 'not applicable' in place of EASEMENT IN GROSS.

Party represented (where signed by solicitor):

Grantor



~~Authorised person's or Solicitor's Signature~~

Title Reference 51182799 & 1883018

1. Definitions and interpretation

1.1 The following definitions and those on the Form 9 apply unless the context requires otherwise.

"Act" means the *Land Act 1994* as amended from time to time.

"Drainage" includes the conveyance, discharge or passing of rainwater, storm water, ground water, overland flow of water and drainage of all kinds.

"Easement" means this easement including the schedules to it and any later amendments or variations made by the parties in writing.

"Fixture or Object" means a fixture or object of whatever nature including but not limited to buildings, structures, watering systems, gazebos, sheds, trees, bores etc constructed, installed or planted by the Grantor on the Servient Tenement.

"Grantee" means the person or entity described at Item 5 of the Form 9 or any party rightfully claiming, an estate or interest in the Land through the Grantee and includes the Grantee's contactors, agents and invitees.

"Grantor" means the person or entity described at Item 1 of the Form 9 their successors, administrators and assigns and any person rightfully claiming or claiming through or under a trust from the Grantor, an estate or interest in the Land.

"Infrastructure" means those facilities, services and equipment above or below ground used in connection with the Permitted Purpose.

"Permitted Purpose" means the full and free right and liberty for the Grantee to use the Servient Tenement for the purpose of locating, installing and supporting Infrastructure for the provision of Drainage.

"Vehicles" means any laden or unladen vehicle, mobile equipment or item of plant or machinery of any description.

"Works" means inspecting, replacing, installing, cleansing, amending, enlarging, repairing, maintaining and removing Infrastructure associated with the Permitted Purpose and includes digging into, sinking shafts on, erecting scaffolding on and opening and breaking up the soil of the Servient Tenement, or any parts thereof, including the subsurface.

"Workmen" means agents, employees, invitees and contractors of the Grantee including but not limited to council officers, engineers, surveyors and labourers.

1.2 In the interpretation of this Easement, unless the context otherwise requires:

- a) Headings are for convenience only and do not affect interpretation.
- b) The singular includes the plural and vice versa.
- c) A person includes an individual and a corporation and any reference to gender includes any other gender.
- d) A reference to any party to this Easement includes its successors and assigns.
- e) A reference to a right or obligation of any party comprising two or more people confers that right, or imposes that obligation, on each of them individually and both (or all) of them together.
- f) A reference to legislation includes an amendment to or substitution for it and any regulation or statutory instrument issued under it.
- g) Unless stated otherwise, one word or provision does not limit the effect of another.
- h) Reference to the whole includes part.
- i) All obligations are taken to be required to be performed properly and punctually.

1.3 This Easement is governed by Queensland Law.

Title Reference 51182799 & 18830182

2. Grant of Easement

2.1 The Grantor hereby grants and transfers to the Grantee the full and free right and liberty to use the Servient Tenement in common with the Grantor for:-

- a) the Permitted Purpose and any other purpose properly and reasonably connected with the Permitted Purpose;
- b) the construction and use of any Infrastructure on, over or under the Servient Tenement connected with the Permitted Purpose.
- c) the right of support from adjoining land for the Permitted Purpose and Infrastructure; and
- d) full free and uninterrupted access to the Easement from the surface of the Servient Tenement for the Permitted Purpose and any Works associated there with.

2.2 For the purposes of clause 2.1 (d) the Grantee's right to access includes a right to enter the Servient Tenement:-

- a) with or without Workmen;
- b) with or without Vehicles;
- c) to bring onto or remove materials, tools and other articles;
- d) to do such Works incidental to the Permitted Purpose as the Grantee in its absolute discretion thinks fit; and
- e) to prevent other persons, including the Grantor, from entering the Servient Tenement whilst Works are being carried out or whilst Vehicles, materials, tools, Infrastructure and other things to be used in completing the Works are on the Servient Tenement.

2.3 In exercising its rights under this Easement the Grantee may use other parts of the Land as may be reasonably required by it in order to carry out, keep or maintain the Works on the Servient Tenement or to gain access to the Servient Tenement.

3. Damage

3.1 In effecting any Works associated with the Permitted Purpose the Grantee will cause as little damage as possible to the Servient Tenement.

3.2 The Grantee is not required to make good or compensate the Grantor for damage sustained by the Grantor unless that damage is sustained by reason of an act or omission on the part of the Grantee in exercising the rights arising pursuant to this Easement.

4. Conditions of Grant

4.1 The grant of Easement is subject to the following:-

- a) any infrastructure installed in or placed upon the said Servient Tenement by the Grantee will become the property and responsibility of the Grantor.
- b) it shall be the duty of the Grantee to reinstate to the reasonable satisfaction of the Grantor all fences and paved surfaces where the same have been damaged by the Grantee in the exercise and performance of any of its rights and liberties granted herein, save for any such surfaces laid down after the date of this easement.
- b) for the purpose of gaining access to the Servient Tenement the Grantee shall be entitled to pull down or break open any fencing on or adjacent to the said Servient Tenement.

4.2 Notwithstanding any other term of this Easement the Grantee is not required to reinstate any Fixture or Object erected or grown on the Servient Tenement by the Grantor if the Grantee has not consented to the Fixture or Object being placed on the Servient Tenement.

4.3 The Grantee is not obliged to use the Servient Tenement for the Permitted Purpose nor to exercise or do any or all the powers or things contained in this Easement but shall be at liberty to do so from time to time as and when and to such extent as it may see fit.

Title Reference 51182799 & 18830182

5. Grantor's warranty

- 5.1 The Grantor warrants that it has the full capacity to enter into this Easement.
- 5.2 The Grantor warrants that it will not knowingly or negligently deal or interfere with the Infrastructure in any way or allow any other person entering the property other than the Grantee to access the Infrastructure.
- 5.3 The Grantee is hereby granted the right to quiet enjoyment of its rights arising pursuant to this Easement and further that the benefit of this Easement is received and taken without interruption or disturbance by the Grantor and free and discharged from or otherwise by the Grantor sufficiently indemnified against all such estates, encumbrances, claims or demands as either before or after the date hereof have been or shall be made occasioned or suffered by the Grantor.

6. Use of the Servient Tenement

- 6.1 The Grantor covenants with the Grantee that it will refrain from any action likely to jeopardise or prejudicially affect the safety or reliable working of the infrastructure installed in or placed upon the Servient Tenement and that it will at all times, refrain from using Servient Tenement in a manner likely to obstruct or unreasonably hinder access thereto by the Grantee.
- 6.2 The Grantor must not use the Easement Area in a way that is inconsistent with the Permitted Purpose or the powers and rights the Grantee has under this Easement.
- 6.3 The Grantor must maintain the Servient Tenement and any infrastructure on it including but not limited to mowing or controlling vegetation and keeping the Servient Tenement clear and free of debris or rubbish.

7. Indemnity

- 7.1 In this clause 'Claim' includes an action suit, proceeding, claim, demand, cost, loss, damage or expense and 'the parties' means the Grantor.
- 7.2 The Grantee indemnifies and agrees to keep indemnified the Grantor against any Claim arising out of or in any way connected with any breach by the Grantee of the Easement or any negligent act or omission by the Grantee in its use of the Land or Servient Tenement from the date of grant or commencement of the Easement, save to the extent that the Claim arises as a result of any negligent act or omission of the Grantor.
- 7.3 The Grantor indemnifies and agrees to keep indemnified the Grantee against any Claim arising out of or in any way connected with any breach by the Grantor of this Easement or any negligent act or omission by the Grantor in its use of the Land or Servient Tenement save to the extent that the Claim arises as a result of any negligent act or omission of the Grantee.

8. Notices

- 8.1 Any notice or other communication given by a party in connection with this Easement is deemed to have been duly given when made in writing and signed by the party or, in the case of a corporation, by any authorised officer of the party and sent by prepaid post or facsimile to:-
- a) the last known residential or business address of the other party (in the case of an individual); or
 - b) the registered office or last known business address of the other party (in the case of a corporation).
- 8.2 Any notice or other communication sent by post shall be deemed to have been received at the expiration of two (2) business days after the date of posting.
- 8.3 Any notice or other communication sent by facsimile shall be deemed to have been received upon production by the sending party's facsimile machine of a transmission report indicating the facsimile has been successfully sent.

9. Default

- 9.1 If a party to this Easement is in default of its obligations under it and that default is not remedied within a reasonable time after written notice from the other party specifying the default the non-defaulting party may do anything reasonably necessary to correct the default and recover from the defaulting party the costs which it reasonably and properly incurs in doing so.

- 9.2 For the avoidance of doubt this clause is not intended to limit any other rights the non-defaulting party may have against the other party.

10. Dispute Resolution

- 10.1 Any dispute which arises between the Grantor and the Grantee about this Easement may be determined by a solicitor of the Supreme Court of Queensland appointed by the President at the relevant time of the Queensland Law Society Incorporated at the request of the Grantor or the Grantee.
- 10.2 The solicitor shall act as an expert not as an arbitrator and the solicitor's determination is final and binding on both parties.
- 10.3 The costs of the solicitor's determination shall be borne equally by the Grantor and the Grantee.
- 10.4 This method of determination of any dispute is without prejudice to the right of any party to have the dispute judicially determined by a Queensland Court of competent jurisdiction.
- 10.5 This clause does not limit any other rights the parties may have.

11. Public Liability

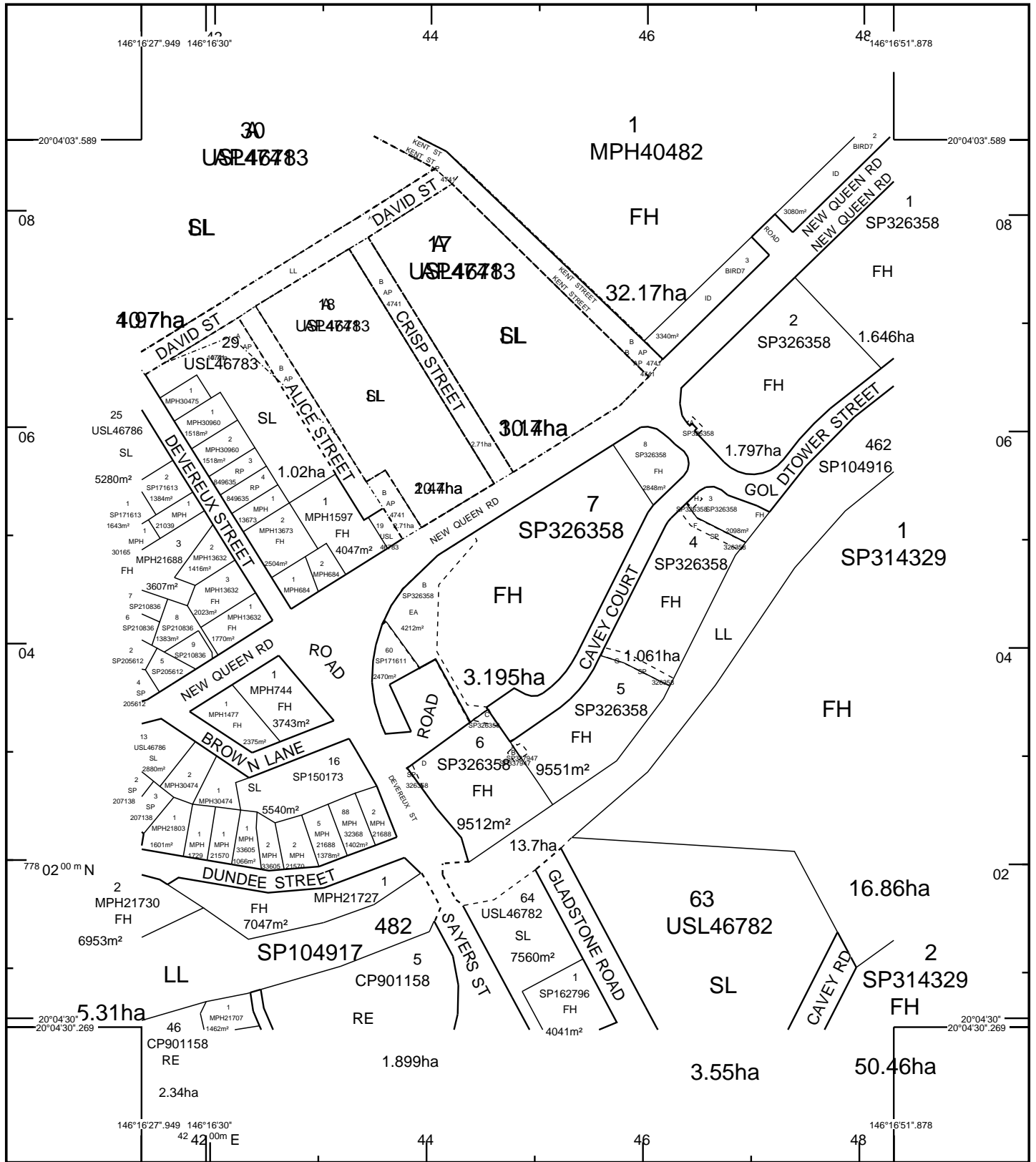
- 11.1 The Grantee must effect a public liability insurance policy covering legal liability for any loss of or damage to any property and for the injury (including death) to any person arising out of anything done or omitted to be done on or about the Servient Tenement, the Grantors land and any improvements thereon. Such policy must:
- (a) be for an amount of not less than twenty million dollars (\$20,000,000.00) in respect of all claims arising out of a single event;
 - (b) be effected on a "claims occurring" basis so that any claim made by under the policy after the expiration of the period of policy cover but relating to an event occurring during the currency of the policy will be covered by the policy subject to the claim meeting the policy's other terms and conditions;
 - (c) be maintained at all times during the currency of the easement.
- 11.4 Upon receipt of a Notice of Cancellation, the Grantee must immediately effect another public liability policy in accordance with the provisions of this condition.

12. General Provisions

- 12.1 No variation, modification or waiver of any provision of this Easement will be of any effect unless it is in writing signed by the parties. Any variation, modification or waiver will be effective only to the extent to or for which it may be made or given.
- 12.2 Tree clearing, in the event the Grantee requires the removal of any trees from the easement or for carrying out works associated with the purposes of the easement it is the responsibility of the Grantee to obtain any and all necessary approvals for such works in accordance with all relevant vegetation management and planning legislation.
- 12.3 No failure, delay, relaxation or indulgences by any party in exercising any legal, equitable, contractual, statutory or other right, power, authority, benefit, privilege, remedy, discretion or cause of action conferred on that party by this Easement will operate as a waiver of it, nor will any single or partial exercise nor any single failure to do so preclude any other or future exercise under this Easement.
- 12.4 The Grantor and Grantee must do all things and sign all deeds and other documents, which may be reasonably required by the other party so as to carry out and give effect to the terms and intentions of this Easement.
- 12.5 Unless otherwise agreed by the parties the Grantor will bear all costs associated with the production of a survey plan of this Easement, stamping and registration thereof and is responsible for any costs incurred by the Grantee in relation to the preparation, negotiation or execution of this Easement.

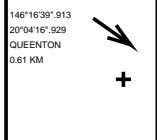


Appendix 3



STANDARD MAP NUMBER
8157-14341

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	7/SP326358
Area/Volume	3.195ha
Tenure	FREEHOLD
Local Government	CHARTERS TOWERS REGIONAL COUNCIL
Locality	QUEENTON
Segment/Parcel	46783/495

CLIENT SERVICE STANDARDS

PRINTED 18/04/2023

DCDB 17/04/2023

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SmartMap

An External Product of
SmartMap Information Services

Based upon an extraction from the
Digital Cadastral Data Base



**Queensland
Government**

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State Assessment and Referral Agency

Date: 18/04/2023

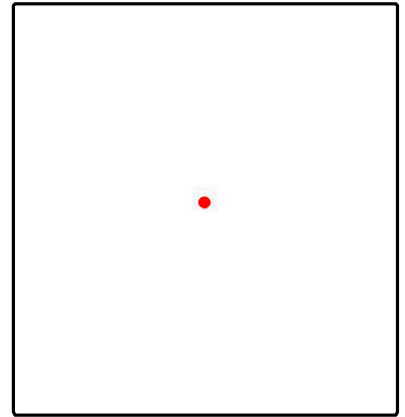


Queensland Government

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Matters of Interest for all selected Lot Plans

Water resource planning area boundaries
State-controlled road
Area within 25m of a State-controlled road

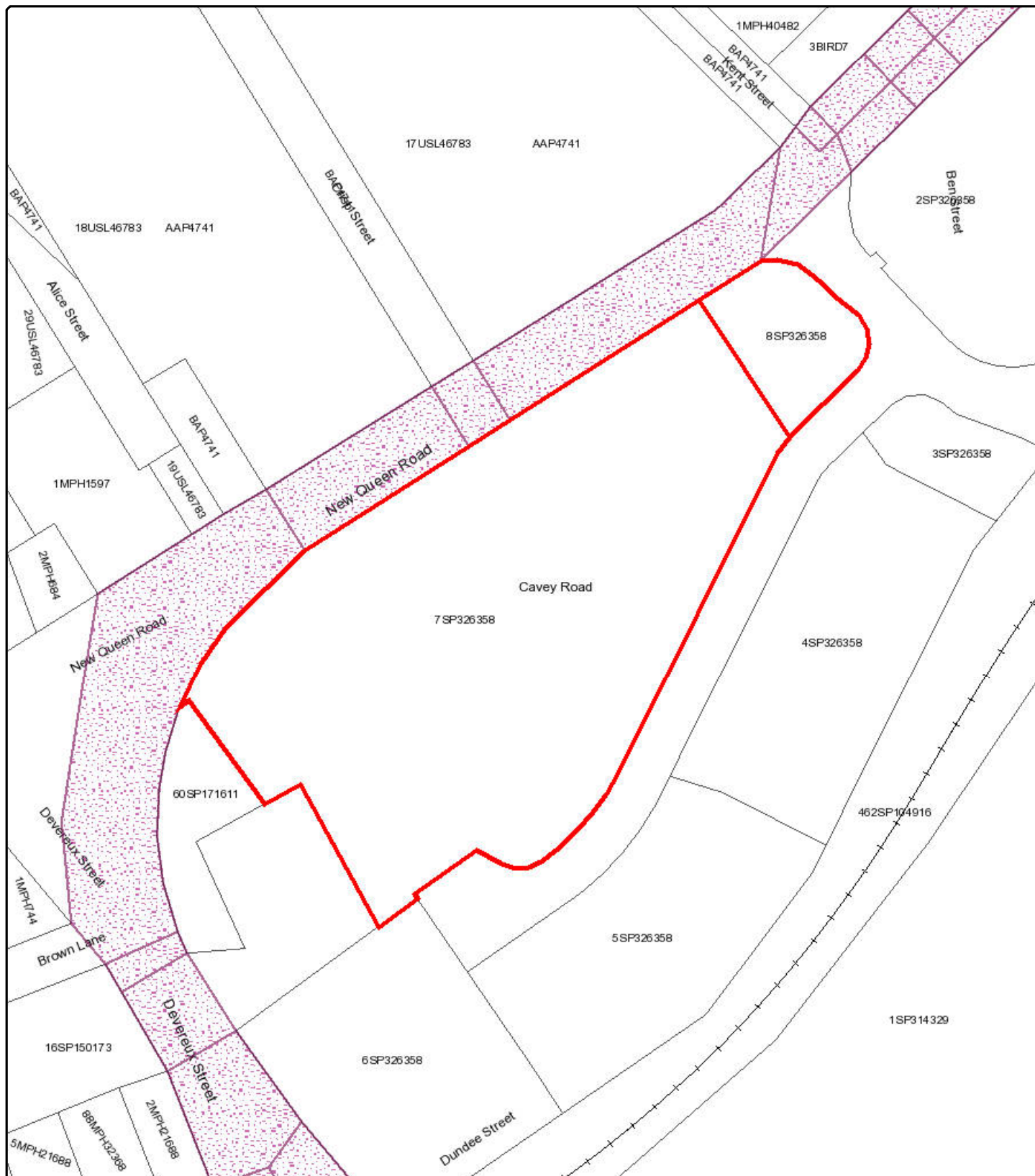
Matters of Interest by Lot Plan

Lot Plan: 7SP326358 (Area: 31950 m²)

Water resource planning area boundaries
State-controlled road
Area within 25m of a State-controlled road

Lot Plan: 8SP326358 (Area: 2848 m²)

Water resource planning area boundaries
State-controlled road
Area within 25m of a State-controlled road



State Assessment and Referral Agency

Date: 18/04/2023



Queensland Government

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Legend

State-controlled road



State-controlled road

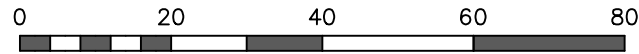
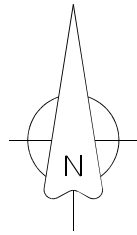
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Metres

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Appendix 4



Scale 1:1000

QUEEN

ROAD

GOLDTOWER ST

7
6932 m²
(TOTAL)

ERGON
EMT A
87 m²

EMT C
745 m²

ERGON
EMT E
108 m²

8
27866 m²
(TOTAL)

STORM WATER
4.0m WIDE
EMT G
847 m²

COURT

CAVEY

NEW

EMT B
SP326358

60
SP171611

ROAD

This plan was prepared for the purpose and exclusive use of
GOLDTOWER
to accompany application to
CHARTERS TOWERS REGIONAL COUNCIL
for approval to rezone/subdivide the land described in this plan. This does not infer in any way that council will approve this subdivision. This plan is not to be used for any other purpose or by any other person or corporation without the written approval of the producer. Atkinson & Booy Surveys accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this clause or the clauses below.

The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.

This plan may not be reproduced unless the above notes are included.

**PROPOSED BOUNDARY REALIGNMENT
OF LOTS 7, 8 & EMT A in lot 7,
EMT C, E & G in Lot 8.**

Cancelling LOTS 7 & 8 ON SP326358

CLIENT		GOLDTOWER	
LOCAL GOVERNMENT	Charters Towers Regional Council	DATE	24/4/2024
TITLE REF:	51277225 & 51277226	MAP REF:	8157-14314
SURVEYOR REF.	23-092	FIELDBOOK	N/A
		SCALE	AS SHOWN @ A3
		DRAWN:	IWF

LOCALITY: QUEENTON

Atkinson & BOOY SURVEYS

56 Thuringowa Drive, Kirwan QLD 4817
Phone: (07) 47234885

CADASTRAL SURVEYS

P23-092d.dwg
Sheet 1 of 1
Form 1.4



Appendix 5



Goldtower Development Code – Goldtower Development Code

Purpose

The purpose of the Goldtower Development Code is to *provide for a mixture of development that may include industry and selected business and retail uses. Activities permitted in this area are defined in the level of assessment table.*

The particular purpose of the code is to *facilitate the safe, efficient and attractive mix of uses which do not detract from the function and viability of other centres, and minimises impacts on the amenity of nearby sensitive areas.*

The purpose of the code will be achieved through the following overall outcomes:

- a) *the area primarily accommodates a range of generally smaller scale industrial uses that regularly provide goods and services to the general public, and have low levels of potential impacts on surrounding areas;*
- b) *the area also accommodates a mix of business activity groups that are pertinent to the nature of the region;*
- c) *development makes a positive contribution to the public domain, particularly along major roads and near centres; and*
- d) *development avoids significant adverse affects on water quality and the natural environment.*

Performance Outcome/Acceptable Outcomes		Response
For Self-assessable and Assessable Development		
Built Form		
PO1: Development is consistent with the height and scale of surrounding buildings and includes features that contribute to an attractive streetscape.	AO1.1: Site cover does not exceed 90%.	Not applicable The proposed development is limited to a boundary realignment of the land and associated operational works for drainage infrastructure. The proposed development does not involve any new buildings within the site.
	AO1.2: Walls that have frontage to a street or road are articulated so that they do not exceed a length of 15m without: <ul style="list-style-type: none"> a) a change in material and colour; or b) a change in plane of at least 0.75m depth; or c) an appropriate landscaping treatment. 	
	AO1.3: New building and structure height does not exceed 15m.	
	AO1.4: Buildings (except where for a service station use) are set back from street and road frontages: <ul style="list-style-type: none"> a) within 20% of the average front setback of adjoining buildings; or b) where there are no adjoining buildings, 4m. 	
	AO1.5: Vehicle manoeuvring and delivery areas are located to the site or	



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	behind the building, and are not located in front of the building.	
PO2: Building entrances are legible and safe.	AO2.1: Pedestrian entries to buildings are visible from the street and visitor car parking areas, and separate to vehicle access points. AO2.2: Each building or tenancy is provided with a highly visible street and unit number respectively. AO2.3: Premises are provided with external lighting sufficient to provide safe ingress and egress for site users.	Not applicable The proposed development is limited to a boundary realignment of the land and associated operational works for drainage infrastructure. The proposed development does not involve any new buildings within the site.
Amenity		
PO3: Utility elements (including refuse areas, outdoor storage, plant and equipment, delivery areas) are screened from view from the street and land within other zones.	AO3: Utility elements are: <ul style="list-style-type: none"> a) located within or behind the building; or b) screened by a 1.8m high solid wall or fence; or c) behind landscaping having the same screening effect as a 1.8m screen fence. 	Not applicable The proposed development involves a boundary realignment of the land only and does not involve utility elements.
PO4: Any part of the development located within 25m of a State-controlled road or future State-controlled road minimises the potential to distract drivers and cause a safety hazard.	AO4: Advertising devices proposed to be located within 25m of a State-controlled road are designed to meet the relevant standards for advertising outside the boundaries of, but visible from, a State-controlled road, outlined within the <i>Roadside advertising guide</i> , Department of Transport and Main Roads 2013.	Not applicable The proposed development does not involve an advertising device.
PO5: Landscaping is provided to create streetscapes which contribute positively to the city image, particularly along major roads and streets.	AO5: Landscaping is provided along all road frontages of the site for a minimum depth of: <ul style="list-style-type: none"> a) 4m along any arterial or sub-arterial road; or b) 2m along any other road or street frontage. 	Not applicable The proposed development is limited to a boundary realignment of the land and associated operational works for drainage infrastructure. Additional landscaping will be addressed with future development on the resultant lots.
PO6: Construction activities do not encroach into a railway or State-controlled road corridor.		Complies The proposed development does not involve development within State-controlled transport corridors.
Parking and Access		
PO7: Parking and access arrangements are appropriate for: a) the capacity of the parking area;	AO7: The design of the car park, its accesses and associated aisles are to be in accordance with <i>Australian Standards AS/NZ2890 – Parking Facilities</i> .	Complies The proposed development is limited to a boundary realignment of the land and associated operational works for drainage infrastructure. On-site car



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<p>b) the volume, frequency and type of vehicle usage;</p> <p>c) the function and characteristics of the access road and adjoining road network; and</p> <p>d) the safety and efficiency of the road network.</p>		<p>parking will be addressed with future development on the resultant lots.</p>
<p>PO8: Provision is made for on-site vehicle parking to meet the demand likely to be generated by the development and to avoid on street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.</p>	<p>AO8.1: Car parking is provided at the rates set out in Appendix 3 <i>Parking Rates Policy</i>. OR AO8.2: Where a change of use of existing premises is proposed and involves not more than minor building work, the existing standard of on-site car parks is maintained or improved.</p>	<p>Complies The proposed development is limited to a boundary realignment of the land and associated operational works for drainage infrastructure. On-site car parking will be addressed with future development on the resultant lots.</p>
<p>PO9: Where vehicle queuing is expected, an adequate queuing area is provided that enables vehicles to stand without obstructing the free flow of moving traffic or unduly conflicting with pedestrian movement.</p>		<p>Not applicable The proposed development will not involve vehicle queuing.</p>
<p>PO10: Provision is made for the on-site loading, un-loading, manoeuvring and access by service vehicles that:</p> <p>a) are adequate to meet the demands generated by the development;</p> <p>b) are able to accommodate the design service vehicle requirements; and</p> <p>c) does not unduly impede vehicular and pedestrian safety and convenience both within the site and external to the site.</p>	<p>AO10: Servicing is provided in accordance with the provisions of <i>Australian Standards AS/NZS 2890.2 – Parking Facilities – Off-street Commercial Vehicle Facilities</i>.</p>	<p>Complies The proposed development provides for appropriately sized lots to facilitate future development.</p>
General		
<p>PO11: Development is consistent with the intended role, scale and character of the precinct and does not compromise the role or successful functioning of the principal town centre.</p>		<p>Complies The proposed development is consistent with the intended role, scale and character of the precinct, and will not compromise the principal town centre. In particular:</p> <ul style="list-style-type: none"> ▪ The proposed development involves a boundary realignment of the land and does not involve the creation of a new lot. ▪ The proposed development provides for appropriately sized allotments to provide



Performance Outcome/Acceptable Outcomes		Response
		<p>opportunity for future uses within the Goldtower Development Area.</p> <ul style="list-style-type: none"> The proposed allotment arrangement is consistent with the surrounding area.
<p>PO12: The site layout and design:</p> <ul style="list-style-type: none"> a) minimises earthworks; b) maximises retention of natural drainage patterns; and c) ensures existing drainage capacity is not reduced. 	<p>AO12: Development does not involve earthworks involving more than 100m³.</p>	<p>Complies Earthworks associated with the proposed development are limited to provision of the associate stormwater drainage infrastructure.</p>
<p>PO13: Development ensures that the hours of operation, including activities or operations associated with rubbish trucks, delivery vehicles, patrons, plant, motors, exhaust fans and other equipment, are:</p> <ul style="list-style-type: none"> a) consistent with reasonable community expectations for the use and consistent with the purpose of the zone or precinct; b) controlled so that the use does not impact on the amenity of residences within the building within which the use is located, and nearby sensitive uses. 	<p>AO13: Development limits the hours of operation and service of delivery vehicles to between 7am and 6pm, excluding public holidays.</p>	<p>Not applicable The proposed development involves a boundary realignment of the land and associated operational works only.</p>
<p>PO14: Development provides a composition of uses which minimise competition impacts on the surrounding centres network by supporting drive-to-door type centre uses.</p>	<p>AO14: Development provides for centre activities such as:</p> <ul style="list-style-type: none"> bulky goods retail; light to medium industry; supply stores; warehouses; and limited small-scale uses. 	<p>Not applicable The proposed development involves a boundary realignment of the land and associated operational works only.</p>
For Food and Drink Uses		
<p>PO15: Food and drink uses are of a scale which supports the catchment of the Goldtower Development Area and the surrounding industrial precinct, and avoids detracting from the role and function of food and drink premises with the principal town centre</p>	<p>AO15: The gross floor area of a food and drink premises does not exceed 150m².</p>	<p>Not applicable The proposed development does not involve a food and drink use.</p>
For Assessable Development only		
Crime Prevention Through Environmental Design		
<p>PO16: Site layout facilitates the security of people and property having regard to:</p> <ul style="list-style-type: none"> a) opportunities for casual surveillance and sight lines; 		<p>Not applicable The proposed development involves a boundary realignment</p>



Performance Outcome/Acceptable Outcomes		Response
b) exterior building designs which promote safety and deter graffiti; c) adequate definition of uses and ownership; d) adequate lighting; e) appropriate signage and way finding; f) minimisation of entrapment locations; and g) building entrances, loading and storage areas being well lit and lockable after hours.		of the land and associated operational works only.
Community and Environmental Risk		
PO17: Development minimises impacts on surrounding land having regard to noise, vibration, odour, dust, light or other emissions. Adverse impacts on the health, safety or amenity of nearby residential zoned land or other sensitive land uses are minimised.	AO17.1: Development achieves the noise generation levels set out in the <i>Environment Protection (Noise) Policy 2008</i> . AO17.2: Development achieves the air quality objectives set out in the <i>Environment Protection (Air) Policy 2008</i> . AO17.3: Materials that are capable of generating air contaminants are wholly enclosed in storage bins. AO17.4: All external areas are sealed, turfed or landscaped. AO17.5: Light emanating from any source complies with <i>Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting</i> . AO17.6: Outdoor lighting is provided in accordance with <i>Australian Standards AS11581.1 – Road Lighting – Vehicular Traffic (Category V) Lighting – Performance and Installation Design Requirements</i> .	Complies The proposed development involves a boundary realignment of the land and associated operational work for the provision of stormwater infrastructure. The lots are sufficiently sized for future development consistent with that of the Goldtower Development Area.
PO18: Development provides for the collection, treatment and disposal of liquid wastes or sources of contamination, such that off-site releases of contaminants do not occur.	AO18.1: Areas where potentially contaminating substances are stored or used are roofed and sealed with concrete, asphalt or similar impervious substance and bunded. AO18.2: Roof water is piped away from areas of potential contamination.	Complies The proposed development does not involve the manufacture, storage or use of potentially contaminating substances.
PO19: Development is designed and managed to provide appropriate protection for community health and safety, and avoid unacceptable risk to life and property.		Complies The proposed development is designed and managed to protect community health and safety and avoid unacceptable risk to life and property.



Performance Outcome/Acceptable Outcomes		Response
PO20: The site layout and design responds sensitively to on-site and surrounding drainage patterns and ecological values by: a) maximising retention of natural drainage patterns; and b) ensuring drainage capacity is not impeded.		Complies The proposed development is consistent with existing subdivision pattern of the Goldtower Development Area. The proposed stormwater infrastructure provides for appropriate conveyance of stormwater, with all stormwater conveyed to a lawful point of discharge.
PO21: Provision is made for waste management that is appropriate to the use, and protects the health and safety of people and the environment.	AO21.1: The development provides a bin container storage area that has an imperviously sealed pad and is screened to the height of the bins	Not applicable The proposed development is limited to boundary realignment of the land and associated operational work.
	AO21.2: On sites that are greater than 2,000m ² in area, provision is made for refuse collection vehicles to: a) access the collection area; b) undertake the collection activity; and c) enter and leave the site in a forward direction without having to make more than a 3-point turn.	
PO22: The drainage network has sufficient capacity to safely convey stormwater run-off from the site. Development does not cause a drainage nuisance to a downstream or adjoining property.	AO22: Post development discharge of stormwater from the subject land does not exceed predevelopment peak flows and no change to flows across a downstream or adjoining property is created.	Complies The proposed development discharges stormwater to a lawful point of discharge and does not adversely impact upstream, downstream or adjoining properties.
PO23: The proposed stormwater management system or site works does not adversely affect flooding or drainage characteristics of properties that are upstream, downstream or adjacent to the development site	AO23.1: The development does not result in an increase in flood level of flood duration on upstream, downstream or adjacent properties.	Complies The proposed development discharges stormwater to a lawful point of discharge. Development of the subject site does not adversely impact upstream, downstream or adjoining properties.
	AO23.2: Roof and surface water is conveyed to the kerb and channel or an inter-allotment drainage system in accordance with <i>Australian Standard AS/NZS 3500.3 – Plumbing and Drainage – Stormwater Drainage</i> .	
Service and Utilities		
PO24: A potable water supply is provided that is adequate for the needs of the intended use.	AO24.1: The development is connected to Council's reticulated water supply system.	Complies The resultant Lots of the proposed development are able to be connected to Council's reticulated water network.
	AO24.2: Water supply systems and connections are designed and constructed in accordance with	



Performance Outcome/Acceptable Outcomes		Response
	Section 4.3.4 of the Goldwater Development Plan.	
PO25: Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm	AO25.1: The development is connected to Council's reticulated sewerage system. AO25.2: Waste water systems and connections are designed and constructed in accordance with Section 4.3.4 of the Goldtower Development Plan.	Complies The resultant lots of the proposed development are able to be connected to Council's reticulated wastewater network.
For Service Station Uses		
PO26: Service station buildings complement the streetscape and are in keeping with the scope and intensity of development in the locality.	AO26: The built form and design of service stations, while accommodating corporate design parameters, generally reflect the local architectural vernacular and is in keeping with and sympathetic to the scale and intensity of adjacent buildings.	Not applicable The proposed development does not involve a service station use.
PO27: Service station sites are of sufficient dimensions to accommodate the use without adverse impacts on adjoining properties or the road system in the locality	AO27: Service Station sites have frontages of: a) 40m to a road; or b) on a corner site, 30m to one frontage and 40m to the other frontage.	Not applicable The proposed development does not involve a service station use.
PO28: Buildings, driveways, structures, above and belowground tanks, advertising devices and other features of a service station are designed and sited to maximise operational efficiency, public safety and amenity.	AO28.1: Minimum setbacks are: a) 14m to the principle road frontage and 6m to any other boundary from any main building; b) 8m to a road frontage and 6m to any other boundary from a fuel pump; or c) 6m to any other boundary from any fuel storage tank. AO28.2: Vehicular accesses to a service station site are: a) At least 10m wide; and b) Not less than 15m apart.	Not applicable The proposed development does not involve a service station use.
PO29: Service station are developed to achieve a high standard of amenity and environmental safety in terms of: a) containment of surface drainage to prevent contamination of surface water resources;	AO29.1: All trafficked areas are drained to a controlled point so that drainage, waste water, wash-down water and fire retardants can be collected and removed for treatment and disposal to an approved facility. AO29.2: Aboveground fuel storage tanks are protected from vehicle impact	Not applicable The proposed development does not involve a service station use.



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b) the storage and removal of wastes; and c) controlled and safe sale of fuels, especially bottled gas and kerosene.	by kerbing, crash rails, bollards or other devices suitable for the task.	



Appendix 6



Charters Towers Regional Town Plan – Reconfiguring a Lot Code

Purpose

The purpose of the Reconfiguring a Lot Code is to:

- a) ensure that new lots are configured in a manner that facilitates the achievement of the sustainable urban and rural outcomes expressed in the relevant zone codes;*
- b) ensure that new lots are provided with infrastructure and access appropriate for their intended use and zone;*
- c) minimise adverse environmental impacts and protect the productive capacity and landscape character of the region's natural resources; and*
- d) ensure that stock routes are maintained and protected from inappropriate development.*

The purpose of the zone will be achieved through the following overall outcomes:

- a) lots are of a size and shape appropriate for their intended use and the character of the applicable zone;*
- b) new lot reconfiguration is responsive to topography, natural drainage systems, vegetation and habitat corridors and protects the landscape character of the locality;*
- c) each new lot is provided with a suitable level of infrastructure, services and access;*
- d) greenfield development is characterised by walkability, housing choice and conveniently located centres providing enhanced opportunities for social interaction;*
- e) neighbourhoods are designed to allow development to incorporate climate responsive, energy efficient design principles;*
- f) streets are legible, safe, highly interconnected and designed to achieve enhanced streetscapes;*
- g) rural areas are not fragmented to the detriment of productive grazing, agricultural, horticultural or other rural uses;*
- h) open space meets the active and passive recreational needs of the community and protects the biodiversity of natural areas and systems; and*
- i) development does not conflict with the ongoing efficient and safe use of the stock route network by travelling stock.*



Performance Outcome/Acceptable Outcomes		Response
Table 8.3.3.3(a) — Assessable development		
Lot design		
<p>PO1: Reconfiguration creates lots that are of a sufficient size, shape and dimension:</p> <ul style="list-style-type: none"> (a) that are consistent with the character of the zone; (b) to accommodate development commensurate with the required building footprint, setbacks, private open space, vehicle access and parking and servicing areas for the zone; (c) that does not future development compromise potential of the in the Emerging community zone and Industry investigation zone for urban purposes; and land (d) are sufficient to protect areas with significant ecological values. 	<p>AO1: Lots comply with the minimum lot size and dimensions specified for its zone in Table 8.3.3.3(b) Minimum lot size and dimensions.</p>	<p>R1: Complies The development proposes varying lot sizes consistent with the surrounding locality, ranging between 6,644m² and 27,866m². All proposed lots exceed the minimum lot size requirement of 1,000m² for lots within the Industry Zone. All lots achieve the minimum road frontage requirement of 20m.</p>
<p>PO2: Rear lots are only created where:</p> <ul style="list-style-type: none"> (a) they are for the purpose of a single Dwelling house; (b) the topography of the land or other physical features ensure that the amenity of adjoining lots would not be detrimentally affected; (c) the circumstances of the particular case are such that it would not be desirable or practical to provide full frontage lots; and (d) the function and safety of the road frontage road is not adversely affected and allows for waste collection. 	<p>AO2.1: Only one rear lot is provided behind each full frontage lot.</p> <p>AO2.2: The minimum size of a rear lot, excluding its access handle is:</p> <ul style="list-style-type: none"> (a) the same as the minimum lot size for the relevant zone in accordance with Table 8.3.3.3 (b) Minimum lot size and dimensions; and (b) is capable of containing a building envelope having minimum dimensions of 15m x 20m. <p>AO2.3: The access handle of the rear allotment has a minimum width of 4m.</p>	<p>R2: Not applicable The proposed development does not involve the creation of rear allotments.</p>
<p>PO3: Any boundary realignment must:</p> <ul style="list-style-type: none"> (a) improve the shape or utility of the existing lot; (b) be consistent with the character of the zone; and (c) not create additional lots. 	<p>AO3.1: No additional lots are created.</p>	<p>R3: Complies The proposed boundary realignment is for the purpose of improving the subject site for future development. The proposed change involves the creation of additional allotments within the site, and provides for resultant allotments of consistent</p>



Performance Outcome/Acceptable Outcomes		Response
	<p>AO3.2: The boundary realignment meets the minimum lot size and dimensions in accordance with Table 8.3.3.3(b)–Minimum lot size and dimensions.</p>	scale and character to the surrounding subdivision layout.
<p>PO4: Any boundary realignment must:</p> <ul style="list-style-type: none"> (a) be an improvement on the existing situation; (b) avoid encumbering existing physical features such as dams and waterways; and (c) not create a situation where, as a result of the reconfiguration any buildings or structures become unlawful. 		<p>R4: Complies The proposed boundary realignment improves the existing arrangements of the site, particularly given:</p> <ul style="list-style-type: none"> - The proposal creates better opportunity for future access to development on the site; and - creates more appropriately sized allotments for the intended scale of development within the Goldtower Development Area.
General design		
<p>PO5: The layout of lots, streets and infrastructure avoids or minimises impacts on environmental features by:</p> <ul style="list-style-type: none"> (a) following the natural topography and minimising earthworks; (b) avoiding crossing or otherwise fragmenting waterways, wetlands, habitat areas, ecological corridors or steep land; and (c) maintaining natural drainage features and hydrological regimes. 		<p>R5: Complies The proposed development is considered to minimise potential impact to environmental features. In particular:</p> <ul style="list-style-type: none"> ▪ The proposed site is not located within proximity to any waterways, wetlands, habitat areas, ecological corridors or steep land. ▪ The site is currently clear of vegetation and the proposed development does not involve the clearing or removal of existing natural environment features.
<p>PO6: Lot design does not increase risks to people and property through:</p> <ul style="list-style-type: none"> (a) natural hazards; and (b) unreasonable impacts from noise dust, odour or other nuisance from existing lawful uses. 		<p>R6: Complies The proposed development provides for appropriately sized and serviced lots for future development within the Goldtower Development Area. The proposal is not considered to increase risk to people or property.</p>
<p>PO7: Reconfiguration is designed to ensure integration with the surrounding locality, having regard to:</p> <ul style="list-style-type: none"> (a) connections to surrounding streets, pedestrian and cycle networks and other infrastructure networks; (b) open space networks, habitat areas or corridors; (c) connections to centres, employment areas and recreation areas; 		<p>R7: Complies The proposed development is considered to appropriately integrate with the surrounding locality, given:</p> <ul style="list-style-type: none"> ▪ The proposal provides for suitably sized lots that are afforded appropriate



Performance Outcome/Acceptable Outcomes	Response
(d) surrounding landscaping and streetscape treatments; and (e) the interface between adjoining land uses.	access and servicing arrangements for future development. <ul style="list-style-type: none"> The proposal is generally consistent with existing subdivision development within the Goldtower Development Area.
Neighbourhood design in the General Residential Zone	
PO8: Reconfigurations are designed to ensure: <ul style="list-style-type: none"> (a) the creation of seamless interlinked neighbourhoods with residential character and identity; (b) pedestrian movement is encouraged; and (c) neighbourhoods are concentrated around community focus points such as centres and parks. 	R8: Not applicable Proposed development is not located within the General Residential Zone.
PO9: A variety of lot sizes are provided in close proximity to centres and parks to promote a wider housing choice and mix that are consistent with zone outcomes.	R9: Not applicable Proposed development is not located within the General Residential Zone.
PO10: Neighbourhood design provides for safer communities by maximising opportunities for casual surveillance and minimising opportunities for crime and vandalism.	R10: Not applicable Proposed development is not located within the General Residential Zone.
PO11: Movement and open space networks are: <ul style="list-style-type: none"> (a) safe, clearly legible and have a high degree of connectivity; and (b) interconnected through a grid or modified grid pattern. 	R11: Not applicable Proposed development is not located within the General Residential Zone.
PO12: Movement networks prioritise walking and cycling within neighbourhoods.	R12: Not applicable Proposed development is not located within the General Residential Zone.
PO13: Movement networks prioritise walking and cycling within neighbourhoods.	R13: Not applicable Proposed development is not located within the General Residential Zone.
Climate responsive design	
PO14: Neighbourhood layouts are designed to respond to local climate conditions and enable energy efficient dwellings.	R14: Not applicable The proposed development is located within an industrial area.
Lot reconfiguration in the Industry Zone	
PO15: Reconfiguration facilitates all types of industrial activities through: <ul style="list-style-type: none"> (a) the creation of functional activity areas and building footprints; (b) a range of lot sizes; (c) accommodating appropriate waste water management capabilities; and (d) maximising access to significant roads, highways and railways. 	R15: Complies The proposed development provides for lots that are suitable for future development. In particular: <ul style="list-style-type: none"> The proposed lots exceed the minimum lot size of 1,000m², with lot areas comprising 6,932m² – 27,866m². The proposed lots are afforded appropriate access arrangements.



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		<ul style="list-style-type: none"> The proposed lots will be afforded connection to Council's wastewater and water network.
PO16: Where reconfiguration adjoins land in another zone, lots are of a sufficient size to mitigate any noise, air quality and visual impacts on that adjoining land.		R16: Not applicable The subject site does not adjoin land in a Zone other than the Industry Zone.
Lot reconfiguration in the Rural Zone		
PO17: Reconfiguration: <ul style="list-style-type: none"> (a) maintains rural, open space and landscape character; (b) protects the productive capacity of rural land resources; (c) allows for the efficient operation of rural activities and viable farming and grazing practices; and (d) development does not adversely impact extractive and mining operations. 	AO17: Lots comply with the minimum lot size and dimensions for the rural zone specified in Table 8.3.3.3(b)–Minimum lot size and dimensions.	R17: Not applicable Proposed development is not located within the Rural Zone.
PO18: Reconfiguration of land identified as Class A and B Agricultural land does not: (a) adversely impact on the viability of land for productive agricultural purposes; and (b) constrain existing farming activities. <small>Editor's note–Class A and B agricultural land is identified in the Agriculture overlay map OM1.</small>	AO18: Lots comply with the minimum lot size and dimensions for the rural zone specified in Table 8.3.3.3(b)–Minimum lot size and dimensions.	R18: Not applicable Proposed development is not located within the Rural Zone.
Infrastructure and services		
<small>Editor's note–Refer also to the Development works code.</small>		
PO19: Development is located, designed and operated so that adverse impacts on privacy and amenity on nearby land in a residential zone are minimised.	AO19.1: Lots created within the Priority Infrastructure Area are designed and configured to connect to a reticulated water supply and a reticulated sewerage in accordance with the Development works Town plan policy. AO19.2: Lots created outside the Priority Infrastructure Area are designed and configured to: <ul style="list-style-type: none"> (a) connect to a potable on site water supply in accordance with the Development works Town plan policy; and (b) treat waste water on site in accordance with the Development works Town plan policy. 	R19: Complies The proposed development provides for appropriately sized and serviced lots for future development within the Goldtower Development Area. In particular: <ul style="list-style-type: none"> The proposed new crossovers will be undertaken in accordance with relevant standards. Stormwater will be discharged to a lawful point of discharge. The proposed development will be connected to Council's reticulated water and sewer network. Proposed lots can be suitably connected to



Performance Outcome/Acceptable Outcomes		Response
	<p>AO19.3: Lots are designed and configured to provide for stormwater infrastructure in accordance with the design requirements of the Development works Town plan policy.</p> <p>AO19.4: Lots are connected to electricity and telecommunications infrastructure in accordance with the standards of the relevant regulatory authority prior to the commencement of any use of the site.</p>	telecommunications and electrical infrastructure.
PO20: Where reconfiguration proposes individual on site waste water disposal, it must be demonstrated that:	<p>(a) the soil type and permeability, slope, and hydrology of the land is capable of accommodating the proposed loads within the lot;</p> <p>(b) there is sufficient area within the lot for an alternative disposal area should it be required; and</p> <p>(c) individually and collectively, the impacts of the existing and proposed systems do not adversely impact on the groundwater quality of the locality.</p>	<p>R20: Not applicable The proposed development will be serviced via Council's reticulated network.</p>
Access and road design Editor's note—refer also to the Development Works Code.		
<p>PO21: Lots have safe access for vehicles and pedestrians through:</p> <p>(a) direct frontage to a properly constructed public road or to common property having a direct frontage to a properly constructed public road created under a community management statement; and</p> <p>(b) providing access appropriate for the type of vehicle associated with development.</p>	<p>AO21: Lots are designed to achieve safe vehicle and pedestrian access in accordance with the Development works Town plan policy.</p>	<p>R21: Complies The proposed development has been designed to provide for appropriate and safe access arrangements for the resultant lots, in accordance with relevant provisions.</p> <p>All lots are provided direct road frontage with appropriate access to the local road network. Proposed access arrangements are appropriate for vehicle types anticipated with future development. It is noted Easement C is for the purpose of shared access between the site.</p>
<p>PO22: Reconfiguration involving the creation of new roads must:</p> <p>(a) provide for the safe, efficient and convenient movement for all modes of transport;</p> <p>(b) are designed and constructed to support their intended function for all relevant design vehicle types;</p> <p>(c) provide safe and easy access to the frontage of lots;</p> <p>(d) are designed and constructed to give priority to pedestrian and bicycle pathways at intersections;</p> <p>(e) where practicable, align with open space corridors and waterways; and</p>		<p>R22: Not applicable The proposed development does not involve creation of a new road.</p>



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(f) where appropriate provide connections to adjoining land.		
PO23: New roads ensure streetscape and landscape treatments are provided that: <ul style="list-style-type: none"> (a) create an attractive and legible environment which establishes character and identity; (b) maintain important views and vistas where possible; (c) enhance safety and comfort, and meet user needs; (d) complement the function of the street in which they are located by reinforcing desired traffic speed and behaviour; (e) support safe pedestrian and cycling movement; (f) maximise infiltration of stormwater runoff wherever practicable; (g) provide shade through street trees along road frontages; and (h) minimise maintenance and whole of lifecycle costs. 		R23: Not applicable The proposed development does not involve creation of a new road.
PO24: Reconfiguration includes appropriate pedestrian and cycle infrastructure that: <ul style="list-style-type: none"> (a) provides a high level of connectivity and permeability that links residential areas with schools; centres, community activity uses; parks and employment areas; (b) provides for safe street crossings and for safety between pedestrians and cyclists; (c) is designed taking into account topography and convenience for users; and (d) meets disability access standards. 		R24: Complies The proposed development involves a boundary realignment to provide for future development within the Goldtower Development Area, and is consistent with existing surrounding development. Pedestrian and cyclist infrastructure will be addressed with future development on the lots.
Stormwater management Editor's note—Refer also to the Development works code.		
PO25: Reconfiguring a lot development: <ul style="list-style-type: none"> (a) manages the stormwater quality, quantity and velocity flow characteristics from the lot to maintain or improve the pre-development levels; and (b) where practicable incorporates stormwater reuse. 		R25: Complies The proposed development generally maintains the topography of the site, with provision of stormwater drainage infrastructure east-west across the subject land.
Parks and open space Editor's note—Where acceptable outcomes are set out in this section, it is acknowledged that they may primarily be practicable in greenfield developments in the Emerging community zone or large lots within the General residential zone. Alternative outcomes are likely to be appropriate in existing developed areas. This may include works and embellishments to existing parks or recreational corridors to meet the development's demand, infrastructure charges or as part of an infrastructure agreement.		
PO26: Reconfiguring a lot provides parkland or open space which: <ul style="list-style-type: none"> (a) meets the needs of the community for a range of active and passive uses; and (b) is of a sufficient size and shape to accommodate recreation activities with associated equipment and facilities. 	AO26: Parkland is provided in accordance with the Local Government Infrastructure Plan.	R26: Alternative solution The proposed development provides for creation of appropriately sized and serviced lots within the Industry Zone for future development. It is considered provision of parkland or open space is not required.
PO27: The design of parkland or open space: <ul style="list-style-type: none"> (a) contributes to the character neighbourhood or area; 		R27: Alternative solution The proposed development provides for creation of



Performance Outcome/Acceptable Outcomes		Response
(b) is safe and functions as a focal point for the neighbourhood or community; (c) minimise the interface between residential lots and open space treatments including through alignment, and landscaping; (d) maximises road frontage to facilitate casual surveillance; (e) incorporates natural areas including important local vegetation, waterways, ridgelines and wetlands; (f) preserves landscape features important to the scenic amenity of a locality; (g) is linked to existing parkland or open space networks wherever possible; (h) offers a broad range of informal and formal experiences to the community; (i) is cost effective to maintain; and (j) provided in the early stages of staged developments.		appropriately size and serviced lots within the Industry Zone for future development. It is considered provision of parkland or open space is not required.
PO28: The location of parkland or open space is conveniently located to residential neighbourhoods.		R28: Alternative solution The proposed development provides for creation of appropriately size and serviced lots within the Industry Zone for future development. It is considered provision of parkland or open space is not required.
PO29: Open space for conservation purposes protects riparian corridors, significant vegetation and wildlife habitat and movement corridors.		R29: Alternative solution The proposed development provides for creation of appropriately size and serviced lots within the Industry Zone for future development. It is considered provision of parkland or open space is not required.
Volumetric reconfiguration		
PO30: Volumetric reconfiguration (subdivision of space above or below the surface of land): (a) facilitates efficient development that is consistent with the intent for the zone; or (b) is consistent with a development approval.		R30: Not applicable The proposed development does not involve a volumetric reconfiguration.
Access easement		
PO31: The access easement must: (a) be of adequate width; (b) be constructed to a standard appropriate to the situation; and (c) not result in unreasonable detriment or nuisance to neighbours.	AO31: The access easement is designed in accordance with the design requirements of the Development works Town plan policy.	R31: Complies The proposed access easement is designed in accordance with relevant standards.



Performance Outcome/Acceptable Outcomes	Response
Stock routes	
P032: The stock route network identified in the State planning policy mapping – agriculture, development and construction, mining and extractive resources is protected from encroachment by sensitive and incompatible land uses and access works are robust, fit-for-purpose and provide for the safe passage of stock traversing the stock route.	R32: Not applicable The proposed development does not impact a stock route network.