

Our Reference: NP24.140

12 August 2024

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

Attention: Corporate and Community Services

Dear Sir/Madam,

**Application for Reconfiguring a Lot – Two (2) Lots into Two (2) Lots
70 and 70A Phillipson Road, Millchester and formally identified as Lot 4 on SP178288 and
Lot 3 on SP178288**

On behalf of the Applicant, Shane Downes, please accept this correspondence and the accompanying planning report as a properly made development application in accordance with the *Planning Act 2016*.

The application seeks a Development Permit for Reconfiguring a Lot – Two (2) Lots into Two (2) Lots (Boundary Realignment). The land is situated at 70 and 70A Phillipson Road, Millchester and is formally identified as Lot 4 on SP178288 and Lot 3 on SP178288.

In accordance with Council's schedule of fees and charges, the applicable assessment fee is \$950.00. It would be appreciated if payment details for the relevant fee could be provided for payment directly.

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

Yours faithfully,



Mary McCarthy

SENIOR PLANNER

Northpoint Planning

Encl. Development Application

Development Application

Reconfiguring a Lot – 2 Lots into 2 Lots



Northpoint
Planning

70 & 70A Phillipson Road, Millchester
Lot 4 on SP178288 & Lot 3 on SP178288

12 August 2024
Reference: NP24.140

Client: S. Downes

Project: 70 & 70A Phillipson Road, Millchester

Date: 12 August 2024

Project Reference: NP24.140

Contact: Mary McCarthy

Prepared by: Mary McCarthy – Northpoint Planning

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1.0 Executive Summary

In accordance with s 51 of the *Planning Act 2016* (the Act) this development application seeks a development permit for Reconfiguring a Lot – Two Lots into Two Lots (Boundary Realignment), with alteration of the common boundary of Lot 4 on SP178288 and Lot 3 on SP178288.

The subject site is located at 70 & 70A Phillipson Road, Millchester and formally described as Lot 4 on SP178288 and Lot 3 on SP178288. The proposed development is for a boundary realignment only and does not involve the creation of any additional lot.

The proposed development seeks to provide an additional access location to the rear of 70A Phillipson Road via Nagle Street to the west. Specifically, the proposed development involves reconfiguring the rear of the north-south dividing boundary of Lots 4 and 3 in a west-east direction, and ultimately creating a battle-axe configuration for proposed Lot 2 (70A Phillipson Road).

Each of the proposed lots will wholly contain all existing buildings, structures and services. The resultant Lot 1 (70 Phillipson Road) comprises an area of 4,349m², with proposed Lot 2 (70A Phillipson Road) comprising 5,660m². The proposed development requires impact assessment, given the reconfiguration results in proposed Lot 1 not achieving the minimum lot size.

The subject site is connected to Council’s reticulated water network and maintains individual connection to on-site sewer systems and access. No operational work is required, with proposed Lots 1 and 2 maintaining existing servicing arrangements.

The subject site is located within the Rural residential zone of the *Charters Towers Regional Town Plan Version 2.0* (the planning scheme). The site is not identified within any Overlays of the planning scheme.

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 development 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	70 & 70A Phillipson Road, Millchester
Real Property Description	Lot 4 on SP178288 and Lot 3 on SP178288
Easements	Nil
Area of Site	10,009m ²
Applicant	S. Downes
Purpose of Proposal	Reconfiguration of a Lot - 2 Lots into 2 Lots (Boundary Realignment)
Type of Application	Reconfiguring a Lot
Category of Assessment	Impact
SARA Mapping	Water resource planning area boundaries
Referral Agencies	Not applicable
Public Notification	Required
Zoning	Rural residential zone
Overlays	Nil



2.0 Site and Surrounding Environment

2.1 Subject Site and Surrounding Locality

The subject site consists of two (2) allotments and is formally identified as Lot 4 on SP178288 and Lot 3 on SP178288.

The subject site comprises a total site area of 10,009m² and maintains dual frontage to Phillipson Road and Nagle Street. The subject site is utilised for rural residential purposes and has been improved by a dwelling and associated structures. Specifically, the existing built form on Lot 4 on SP178288 is located to the Phillipson Road frontage with accesses provided at both the Phillipson Street and Nagle Street frontages. The existing built form on Lot 3 on SP178288 is considerably setback compared to Lot 4, with the building footprint located central and to the rear of the site. Lot 3 currently gains access from existing crossovers from Phillipson Road.

Overall, the subject site is void of any significant vegetation.

The subject site is serviced by council's reticulated water and on-site sewer system. The site is also serviced by telecommunications and electricity services.

The site maintains a gradual sloping topography, with the site mapped as 300m AHD at the north-western corner of the site, with a sloping gradient down to 297m AHD towards the south, being the rear of the site.

The subject site is located within the Rural residential zone of the planning scheme and accordingly the surrounding land uses include rural residential development. Land zoned General residential, includes lower-density residential dwellings and is located to the far north, west and north-west of the subject site. The site is not included within any overlay areas.

The immediate surrounding area also includes Millchester State School, located diagonally adjacent and north-west to the subject site. The wider locality includes the Charters Towers Rugby Union Football Club and tennis courts to the east and the Historic Cemetery to the north-west.

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

Figure 1: Site Location



Source: Qld Globe



3.0 Proposed Development

3.1 General Overview

The proposed development involves a development application for the Reconfiguring a Lot – Two Lots into Two Lots (Boundary Realignment), with alteration of the common boundary of Lot 4 on SP178288 and Lot 3 on SP178288..

In particular, the proposed development seeks to provide two (2) rural residential allotments as follows:

Table 2: Proposed development

Lot on Plan	Existing Lot Area	Proposed Lot Area (m ²)	Road Frontage
Lot 1	5,009m ²	4,349m	<ul style="list-style-type: none"> ▪ Phillipson Road ▪ Nagle Street
Lot 2	5,000m ²	5,660m ²	<ul style="list-style-type: none"> ▪ Phillipson Road

The existing dwellings, associated structures, services and accesses will be wholly retained within each of the respective allotments.

The proposed development includes the retention of all existing driveways and crossovers to the north and west, along Phillipson Road and Nagle Street respectively.

The proposed lot layout is generally illustrated in Figure 2 below.

Figure 2: Proposed layout



Source: Reconfiguring a Lot Plan



3.2 Development Plans

The proposed reconfiguration plans for the development are illustrated in the following development plan prepared by Northpoint Planning (refer **Appendix 4**):

- NP24.140.D.01, Revision A – Proposed Reconfiguring a Lot –Boundary Realignment

3.3 Infrastructure Services

The subject site currently maintains connection to Council's reticulated water network via property connection to the Phillipson Road frontage of the site. Additionally, each allotment will continue to be serviced by the existing on-site septic systems.

Both resultant lots are appropriately serviced with electrical and telecommunications and will be maintained for the purpose of this proposed Reconfiguring a Lot.

A property search of Dial Before You Dig, indicating the location of existing infrastructure services is included at **Appendix 5**.

3.4 Access

The purpose of the proposed boundary realignment is to provide a secondary rear access to 70A Phillipson Road (proposed Lot 2) via Nagle Street. Specifically, the proposed boundary realignment will provide a 23m frontage along Nagle Street, allowing opportunity for access at this location.

Proposed Lots 1 and 2 will maintain all existing access points along Phillipson Road as shown on the proposal plan.

3.5 Landscaping

The proposal does not involve any physical change to the existing use of the premises. No additional landscaping is proposed.

The proposed development does not involve the removal of, or interference with, a street tree.



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 planning scheme 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. It is considered all matters within the NQRP relevant to assessment of the proposal are generally in alignment with the planning scheme. Therefore, no further assessment against the NQRP is required.

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 not required.

4.4 Local Planning Scheme

In accordance with section 51 of the *Planning Act 2016*, the proposed development requires assessment against the local government planning scheme.

In accordance with Table 5.5.1 of the planning scheme, the proposed development is Impact Assessable given the proposal involves reconfiguration of a lot within the Rural residential zone and:

- all lots created are not more than 0.5ha in area;
- all lots created are less than 2ha in area; and
- all lots created are less than 8ha in area.

4.5 Assessment Benchmarks

The nominated assessment benchmarks relevant to the proposed development are identified as:

- The town plan
- Rural residential zone code
- Reconfiguring a lot code
- Development works code



5.0 Planning Assessment

5.1 Strategic Framework

The strategic framework sets the strategic direction for Charters Towers and ensures development is appropriately located and managed.

The strategic framework provides for five (5) themes that collectively represent the intent of the planning scheme:

- (i) *a New World for economic development and tourism;*
- (ii) *a New World for living, growing and aging in our communities;*
- (iii) *a New World of sustainable infrastructure and services for our communities;*
- (iv) *a New World protecting our heritage and natural resources; and*
- (v) *a New World which is resilient to natural and other hazards.*

It is considered the proposed development furthers the intent of the above five themes and their corresponding strategic outcomes. In particular:

- The proposed development provides for a rural residential living on large-format lots in a rural setting.
- The proposal involves a residential use on residential zoned land.
- The proposed boundary realignment will optimise land use efficiency.
- The proposed development maintains the existing streetscape and maintains the rural character of the locality.

5.2 Rural residential zone code

The proposed development is consistent with the purpose of the Rural residential zone code. The proposed development provides for the reconfiguring of a lot for a boundary realignment only that maintains the existing character of the zone. In particular:

- The proposed development maintains the site for the purpose of two large rural residential lots and does not seek to increase the overall density.
- The proposed development is of a suitable size and configuration to maintain the provision of infrastructure services and access provisions for each lot.
- There are no known natural features on or near the subject site including creeks, gullies, waterways, wetlands, vegetation or bushland.
- The proposed development provides for rear access opportunity for existing Lot 3 on SP178288 in the form of the proposed battle-axe configuration.
- The proposed development does not propose to remove any street trees.
- The proposed development maintains a high level of amenity within the site and does not impact on surrounding areas having regard to noise, air quality, traffic, parking, signage odour, emissions and lighting.
- The subject site is located within an existing and established rural residential site and will not place unreasonable risk to people and property from former mining activities.

Given the nature of the development, it is considered the proposed development is consistent with the purpose and overall outcomes of the Rural residential zone code and does not require further assessment against the code.



5.3 Reconfiguring a lot code

The proposed development is consistent with the purpose of the Reconfiguring a Lot Code. The proposed development provides for a boundary realignment between two properties with the purpose of providing additional access opportunity for existing Lot 3. In particular:

- The proposed development seeks to provide an amended boundary configuration in a manner that is consistent with the purpose of the Rural zone and the established subdivision pattern in the surrounding area.
- The proposed development involves varying the existing lots sizes, with proposed dimensions as follows:
 - Proposed Lot 1 – 4,349m²; and
 - Proposed Lot 2 – 5,660m².
- The resultant area of proposed Lot 1 is below the minimum lot size as prescribed in Table 8.3.3.3(b) *Minimum lot size and dimensions* of the planning scheme, being less than 5,000m² however is considered acceptable given:
 - Proposed Lot 1 maintains an area of 4,349m², according with the intent of the rural residential development.
 - The proposed development provides for lot sizes that are in keeping with the existing development pattern within the locality. Specifically noting subdivision along Phillipson Road resulting in lots under 5,000m², including:
 - 50 Phillipson Road – 4,047m²; and
 - 68 Phillipson Road - 3,279m².
 - The existing dwellings and associated structures are wholly contained within the subject allotments and will maintain appropriate setbacks.
 - Sufficient area is afforded for on-site parking and private open space / outdoor recreation.
 - The resultant lots will maintain appropriate connection to reticulated water, telecommunications and electricity.
 - The resultant lots will maintain connection to existing on-site wastewater systems.
 - The existing access and crossover provisions associated with the dwellings will be retained.
 - The proposed development maintains the minimum frontage dimensions of 50m to Phillipson Road being the primary road frontage.
- An additional 23m access location for proposed Lot 2 is proposed from the Nagle Street frontage, achieving rear access to the subject site.
- The proposed development does not involve any physical change to the existing use of the subject site.

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

5.4 Development Works code

The proposed development is considered consistent with the purpose and overall outcomes of the Development works code. It is considered the proposed development provides appropriate infrastructure, services and stormwater management while avoiding environmental impact to the subject site and surrounds. Specifically:

- The proposed development maintains existing connections to services including reticulated water supply, on-site sewer, electricity and telecommunications.
- The proposed development will maintain all existing access locations from Phillipson Road and Nagle Street.
- Proposed Lot 2 will gain an additional rear access location from Nagle Street.



- Resultant lot sizes, being 4,349m² and 5,660m² are of a suitable size to maintain on-site vehicle movements and car parking.
- The proposed development is for a boundary realignment only and does not propose any changes to the existing stormwater regime.
- The proposed development does not propose any changes to the existing transport network.
- The proposed development does not propose any earthworks.
- The proposed development is appropriate for the location and is not considered to result in any adverse impacts on the environment or amenity of the locality.
- The resultant lots will continue to be serviced by Council's refuse collection.
- The proposed development will maintain the

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



6.0 Conclusion and Recommendations

This town planning report has been prepared by Northpoint Planning on behalf of S. Downes in association with a development application for Reconfiguring a Lot – Two Lots into Two Lots (Boundary Realignment), with alteration of the common boundary of Lot 4 on SP178288 and Lot 3 on SP178288., located at 70 & 70A Phillipson Road, Millchester and formally described as Lot 4 on SP178288 and Lot 3 on SP178288.

The subject site is located within the Rural residential zone of the planning scheme. 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.

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) 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)	Shane Downes C/- Northpoint Planning
Contact name (only applicable for companies)	Mary McCarthy
Postal address (P.O. Box or street address)	PO Box 4
Suburb	Townsville City
State	Queensland
Postcode	4810
Country	Australia
Contact number	(07) 4440 5282
Email address (non-mandatory)	mary@northpointplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	NP24.140

1.1) Home-based business

Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application
 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
		70	Phillipson Road	Millchester
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	4	SP178288	Charters Towers
b)	Unit No.	Street No.	Street Name and Type	Suburb
		70A	Phillipson Road	Millchester
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	3	SP178288	Charters Towers

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<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):*

Reconfiguring a Lot – 2 into 2 Lots (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):*

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

6.4) Is the application for State facilitated development?

- Yes - Has a notice of declaration been given by the Minister?
- No

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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>

8.2) Does the proposed use involve the use of existing buildings on the premises?

- Yes
- No

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

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?

Two (2)

9.2) What is the nature of the lot reconfiguration? *(tick all applicable boxes)*

- | | |
|---|---|
| <input type="checkbox"/> Subdivision <i>(complete 10)</i> | <input type="checkbox"/> Dividing land into parts by agreement <i>(complete 11)</i> |
| <input checked="" type="checkbox"/> Boundary realignment <i>(complete 12)</i> | <input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road <i>(complete 13)</i> |



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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

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

- Yes – a copy of the decision notice is attached to this development application
- The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- 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 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 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

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

PART 7 – FURTHER DETAILS

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

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

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

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

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

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

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- No

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

Clearing native vegetation

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

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- No

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

Environmental offsets

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

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

Koala habitat in SEQ Region

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

- Yes – the development application involves premises in the koala habitat area in the koala priority area
- Yes – the development application involves premises in the koala habitat area outside the koala priority area
- No

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

DA templates are available from planning.statedevelopment.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 planning.statedevelopment.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 Resources at www.resources.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, Science and Innovation at www.desi.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.resources.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.desi.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.desi.qld.gov.au for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

Decision under section 62 of the Transport Infrastructure Act 1994

23.14) 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

23.15) 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.statedevelopment.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	

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 50615622	Search Date: 30/07/2024 09:03
Date Title Created: 06/07/2006	Request No: 48819939
Previous Title: 50387583	

ESTATE AND LAND

Estate in Fee Simple

LOT 3 SURVEY PLAN 178288

Local Government: CHARTERS TOWERS

REGISTERED OWNER

Dealing No: 709855929 15/08/2006

SHANE ANTHONY ABBOTT DOWNES

TANYA MAREE DOWNES

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40032358 (Lot 148 on CP 850708)
2. MORTGAGE No 723244196 09/05/2024 at 08:31
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 50615623	Search Date: 30/07/2024 09:03
Date Title Created: 06/07/2006	Request No: 48819939
Previous Title: 50387583	

ESTATE AND LAND

Estate in Fee Simple

LOT 4 SURVEY PLAN 178288

Local Government: CHARTERS TOWERS

REGISTERED OWNER

Dealing No: 720366285 02/11/2020

MARY JOY FLYNN

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40032358 (Lot 148 on CP 850708)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

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

Shane Anthony Abbott Downes and Tanya Maree Downes

as owner of premises identified as:

Lot 3 on SP178288, located at 70A Phillipson Road, Millchester

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

SHANE ANTHONY ABBOTT DOWNES
Name


Signature
1

2/8/2024
Date

Name TANYA MAREE DOWNES


Signature

05/08/2024
Date

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

Mary Joy Flynn

as owner of premises identified as:

Lot 4 on SP178288, located at 70 Phillipson Road, Millchester

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

Name *MARY JOY FLYNN*

Signature *mj Flynn*

Date



Appendix 2

State Assessment and Referral Agency

Date: 22/07/2024

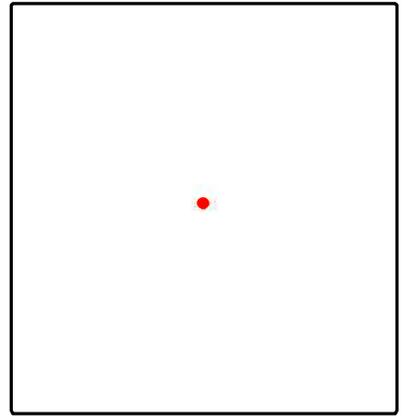


Queensland Government

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Disclaimer:

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Matters of Interest for all selected Lot Plans

Water resource planning area boundaries

Matters of Interest by Lot Plan

Lot Plan: 3SP178288 (Area: 5000 m²)

Water resource planning area boundaries

Lot Plan: 4SP178288 (Area: 5009 m²)

Water resource planning area boundaries



State Assessment and Referral Agency

Date: 22/07/2024



Queensland Government

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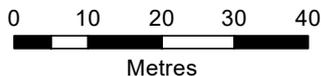
Queensland
Government

Legend

Water resource planning area boundaries

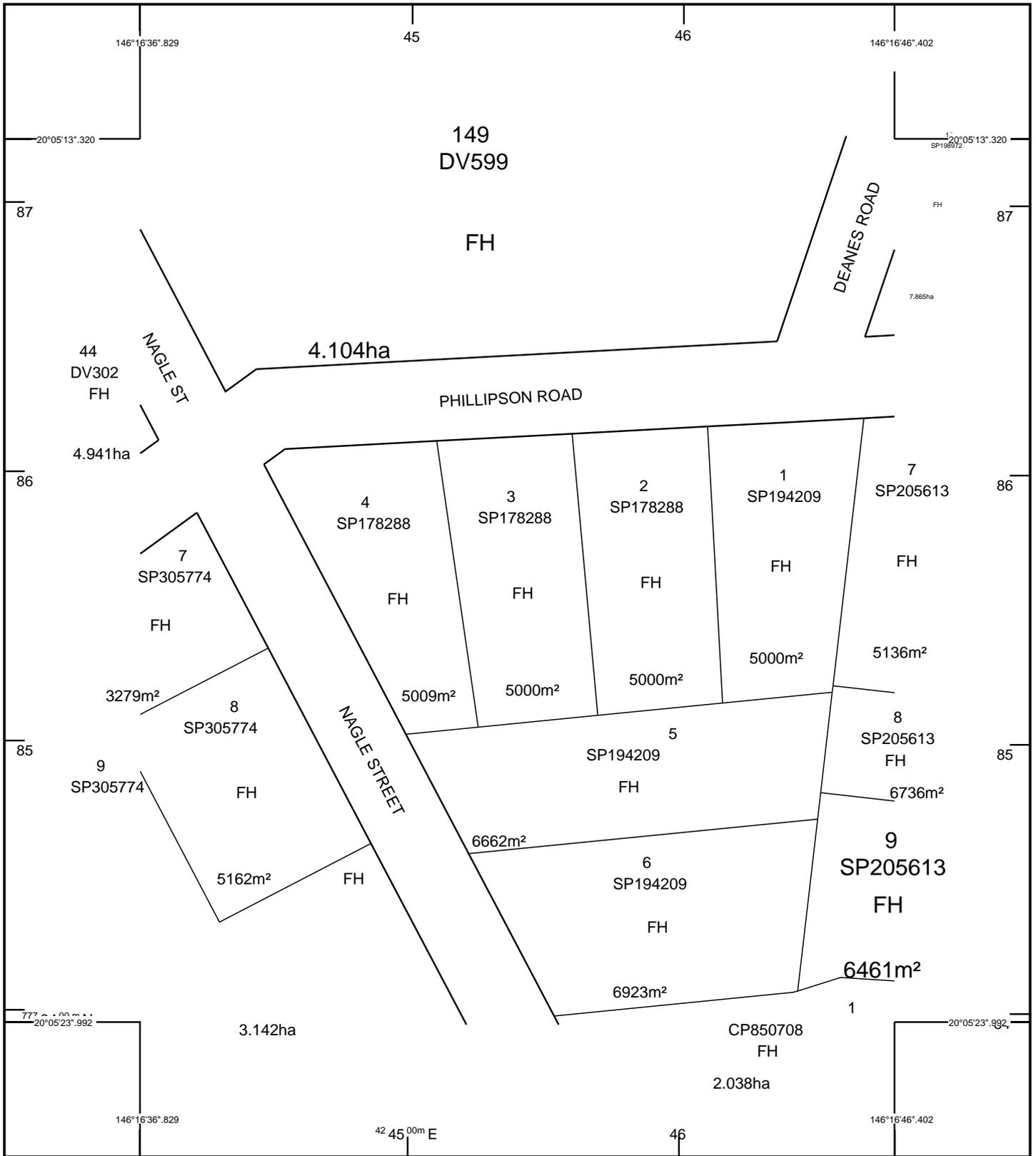


Water resource planning area boundaries



Disclaimer:

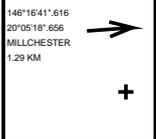
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STANDARD MAP NUMBER
8157-14342



MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	3/SP178288
Area/Volume	5000m²
Tenure	FREEHOLD
Local Government	CHARTERS TOWERS REGIONAL
Locality	MILLCHESTER
Segment/Parcel	46808/812

CLIENT SERVICE STANDARDS

PRINTED 30/07/2024
DCDB 29/07/2024
Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.
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For further information on SmartMap products visit https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps

SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



Queensland
Government
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Appendix 3

Subject Site & Surrounds

70 & 70A Phillipson Road, Millchester

20°5'14"S 146°16'35"E

20°5'14"S 146°16'48"E



Legend located on next page



20°5'23"S 146°16'35"E

20°5'23"S 146°16'48"E



Scale: 1:1163

Printed at: A3

Print date: 12/8/2024

Not suitable for accurate measurement.

Projection: Web Mercator EPSG 102100 (3857)

For more information, visit <https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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Appendix 4



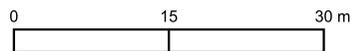
Proposed Reconfiguring a Lot - Boundary Realignment

Proposed Lot 1 & 2
Cancelling Lot 3 and 4 on SP178288



PRELIMINARY PLAN ONLY

Note: dimensions are approximate only and are subject to site survey



Date	7 August 2024	Drawn	TF
Scale	1:600 at A3		
Drawing	NP24.140.D.01	Revision	B
Project Ref.	NP24.140		



Northpoint
Planning



Appendix 5



Mary McCarthy <mary@northpointplanning.com.au>

DBYD JOB:37274274 SEQ:242767522 - 70 Phillipson Rd, Millchester, QLD, 4820

1 message

Relief Officer Utilities <Relief.Officer.Util@charterstowers.qld.gov.au>
To: "mary@northpointplanning.com.au" <mary@northpointplanning.com.au>

Mon, Aug 5, 2024 at 12:54 PM

Hi,

Please find attached a water plan for your requested area. Please note this property is not connected to Charters Towers Regional Council sewer infrastructure.

Should you have any further queries please contact Ross Laffey, Reticulation Coordinator on 4761 5300.

Kind Regards

Relief Administration Officer | Infrastructure Services

CHARTERS TOWERS REGIONAL COUNCIL

A AIRPORT DEPOT | 76 Corinda Avenue | PO Box 189 Charters Towers QLD 4820 Australia

P 07 4761 5300

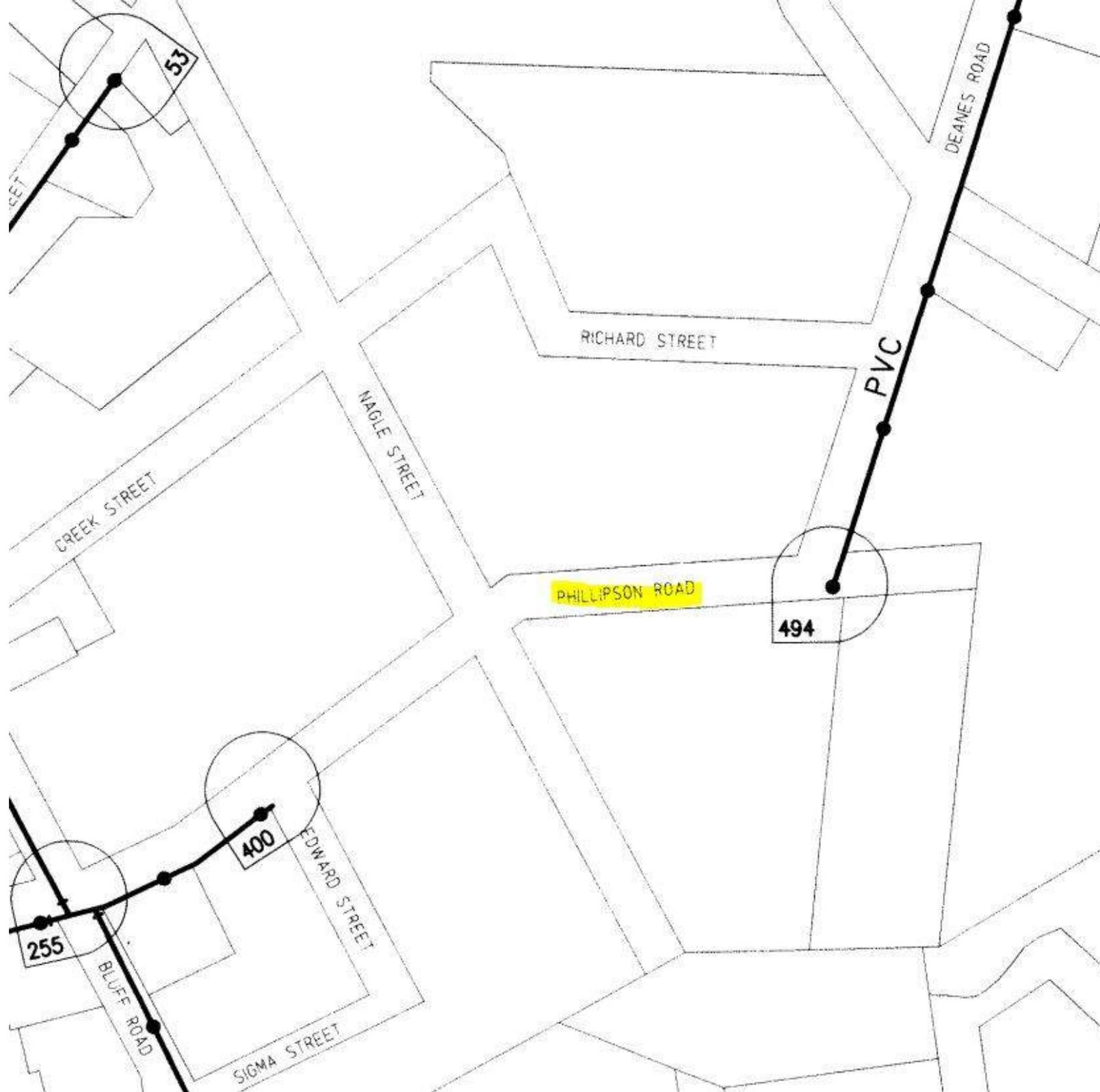
E Relief.Officer.Util@charterstowers.qld.gov.au | **W** www.charterstowers.qld.gov.au



The contents of this email may contain confidential and/or privileged information, and is intended only for the recipient to which it is addressed. If you have received this email by mistake, please immediately notify the sender or send an email to mail@charterstowers.qld.gov.au and delete all copies of this email. The Charters Towers Regional Council does not waive any confidentiality, copyright or privilege attached to this email.



Phillipson water.JPG
72K



[Review responses online](#) ↗



Received 3 of 4 responses

Waiting for more

70 Phillipson Rd, Millchester QLD 4820

Job dates
05/08/2024 → 09/08/2024

These plans expire on
30 Aug 2024

Lodged by
Mary McCarthy

Authority	Status	Page
✉ BYDA Confirmation		2
🏛️ Charters Towers Regional Council	Waiting	-
🏛️ Ergon QLD	Received	4
🏛️ NBN Co Qld	Received	17
🏛️ Telstra QLD Regional	Received	28

Contact Details

Contact Mary McCarthy	Contact number 0448 979 055	Company Northpoint Planning	Enquirer ID 3588659
Email mary@northpointplanning.com.au		Address 70a Phillipson Road Millchester QLD 4820	

Job Site and Enquiry Details

WARNING: The map below only displays the location of the proposed job site and does not display any asset owners' pipe or cables. The area highlighted has been used only to identify the participating asset owners, who will send information to you directly.

Enquiry date 02/08/2024	Start date 05/08/2024	End date 09/08/2024	On behalf of Private	Job purpose Design	Locations Both Footpath, Road, Nature Strip	Onsite activities Planning & Design
-----------------------------------	---------------------------------	-------------------------------	--------------------------------	------------------------------	--	---



Check that the location of the job site is correct. If not, you must submit a new enquiry.

If the scope of works change or plan validity dates expire, you must submit a new enquiry.

Do NOT dig without plans. Safe excavation is your responsibility. If you don't understand the plans or how to proceed safely, please contact the relevant asset owners.

User Reference NP24.140	Address 70 Phillipson Rd Millchester QLD 4820	Notes/description Please provide the location of the water network
-----------------------------------	--	--

Your Responsibility and Duty of Care

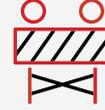
- **Lodging an enquiry does not authorise project commencement.** Before starting work, you must obtain all necessary information from all affected asset owners.
- If you don't receive plans within 2 business days, contact the asset owner & quote their sequence number.
- Always follow the 5Ps of Safe Excavation (page 2), and locate assets before commencing work.
- Ensure you comply with State legislative requirements for Duty of Care and safe digging.
- If you damage an underground asset, you MUST advise the asset owner immediately.
- By using the BYDA service, you agree to the [Privacy Policy](#) and [Term of Use](#).
- For more information on safe digging practices, visit www.byda.com.au

Asset Owner Details

Below is a list of asset owners with underground infrastructure in and around your job site. It is your responsibility to identify the presence of these assets. Plans issued by Members are indicative only unless specified otherwise. Note: not all asset owners are registered with BYDA. You must contact asset owners not listed here directly.

Referral ID (Seq. no)	Authority Name	Phone	Status
242767522	Charters Towers Regional Council	(07) 4761 5300	NOTIFIED
242767521	Ergon QLD	13 10 46	NOTIFIED
242767519	NBN Co Qld	1800 687 626	NOTIFIED
242767520	Telstra QLD Regional	1800 653 935	NOTIFIED

END OF UTILITIES LIST



Plan

Plan your job. Use the BYDA service at least one day before your job is due to begin, and ensure you have the correct plans and information required to carry out a safe project.

Prepare

Prepare by communicating with asset owners if you need assistance. Look for clues onsite. Engage a skilled Locator.

Pothole

Potholing is physically sighting the asset by hand digging or hydro vacuum extraction.

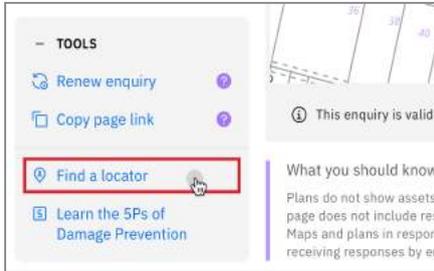
Protect

Protecting and supporting the exposed infrastructure is the responsibility of the excavator. Always erect safety barriers in areas of risk and enforce exclusion zones.

Proceed

Only proceed with your excavation work after planning, preparing, potholing (unless prohibited), and having protective measures in place.

Engage a skilled Locator



When you lodge an enquiry you will see skilled Locators to contact

Visit the Certified Locator website directly and search for a locator near you

bydlocator.com/certified-locating-organisation

Book a FREE BYDA Session



BYDA offers two different sessions to suit you and your organisation's needs. The free sessions are offered in two different formats - online and face-to-face:

1. **Awareness Session:** Understand the role of BYDA, safe excavation practices, complying with asset-owner instructions, and the consequences of damages. Learn how to mitigate and avoid potential damage and harm and ensure a safe work environment.
2. **Plan Reading Session:** Develop the skills to interpret asset owners' plans, legends, and symbols effectively. Understand the complexities of plan interpretation to ensure smooth project execution.

To book a session, visit:

byda.com.au/contact/education-awareness-enquiry-form/

BOOK NOW

Referral
242767521

Member Phone
13 10 46

Responses from this member

Response received Fri 2 Aug 2024 7.36pm

File name	Page
Response Body	5
BYDA Symbology Legend.pdf	8
242767521 - Ergon Energy Detailed Plan.pdf	9
Ergon Energy BYDA Terms and Conditions.pdf	12

Assets found

BYDA Request

Please DO NOT SEND A REPLY to this email as it has been automatically generated and replies are not monitored.

The attached Plan details ERGON ENERGY infrastructure in relation to your nominated search area

Ensure you read and understand the important notes outlined below

You: **BYDA Enquiry No:**

Mary McCarthy 242767521

Company: **Date of Response:**

Mary McCarthy 02 Aug 2024

Search Location: **Period of Plan Validity:**

70 Phillipson Rd 4 Weeks
Millchester
QLD 4820

External Comments (if any):

Please provide the location of the water network

WARNING: When working in the vicinity of ERGON ENERGY's assets you have a legal Duty of Care that must be observed.

It is important that You note:

1. Immediately report life threatening emergencies to Emergency Services on **000** or to ERGON ENERGY on on **13 16 70**.
2. Please read and understand all the information and disclaimers provided - including the Terms and Conditions on the attached pages.
3. We have only searched the area which has been nominated in the request. If this nominated area is not what You require, please resubmit another enquiry with BYDA.
4. Plans provided by ERGON ENERGY are only an indication of the presence of underground assets within the nominated area. Locations provided are approximate and the plans are not suitable for scaling purposes, as exact ground cover and alignments cannot be provided. You must confirm the exact location of underground electrical equipment by use of an electronic cable locator followed by careful, non-mechanical excavation (ie, potholing).
5. Plans provided by ERGON ENERGY do not encompass Ergon's overhead Network.
6. ERGON ENERGY, its servants or agents shall not be liable for any loss or damage caused or occasioned by the use of plans and details supplied pursuant to the BYDA Request and You agree

to indemnify ERGON ENERGY against any claim or demand for any such loss or damage to You, your servants or your agents.

7. You are responsible for any damage to underground electrical equipment caused by works pursuant to or in any way connected with this BYDA Request.
8. In addition to underground cables marked on attached plan, there could be underground earth conductors, underground substation earth conductors, M.E.N conductors, S.W.E.R Substation Earth Conductors, ABS Earth Mats or Consumer Mains in the vicinity or private underground cables (inc. consumers' mains that may run from ERGON ENERGY mains onto private property) in the vicinity of the nominated work area(s) that are not marked on the plans.
9. Independent underground cable locators can be found via the [BYDA Certified Locator website](#)
10. The ERGON ENERGY Dial Before You Dig information map(s) provide the vicinity of underground cable and will not be adequate for conveyancing purposes. A Request for Search (Property Search) can be arranged through ERGON ENERGY.
11. The attached plans are only valid for a period of four weeks from receipt. If excavation does not commence within four weeks, a new plan should be obtained.
12. The Ergon Energy BYDA map (named maps.pdf) may contain shaded area(s), indicating the location of planned work(s). This polygon will note the planned work project number in the centre of the shaded area(s). This number will correspond with additional pdf attachments, if they have been included. Should you find a planned works plan not attached that You believe may affect your planned work(s), please contact the Ergon Energy BYDA team on the details listed below.
13. ERGON ENERGY may contact You to discuss your proposed excavation in the vicinity of feeders identified on the attached plan(s).
14. Do not access or enter the exclusion zone of any underground electrical assets. For example, conduits, cables, pits, cabinets.
15. Your work will need to comply with the [Working near overhead and underground electric lines - Electrical safety code of practice 2020](#).

NOTE: Where your proposed work location contains Ergon Energy 33kV or greater Underground cables please access the Ergon Energy [Working Near Underground Cables 33kV or Higher web page](#) for more information.

General enquiries (7:00am - 5:30pm Mon to Fri) **13 10 46**

Life threatening emergencies only triple zero (000) or **13 16 70**

To re-submit or change the nominated search area please visit smarterwx.1100.com.au

E: safetyadvice@ergon.com.au **W:** ergon.com.au/lualmap
ABN: 40 078 849 055



Part of Energy Queensland

Disclaimer: While reasonable measures have been taken to ensure the accuracy of the information contained in this plan response, neither ERGON ENERGY nor PelicanCorp shall have any liability whatsoever in relation to any loss, damage, cost or expense arising from the use of this plan response or the information contained in it or the completeness or accuracy of such information. Use of such information is subject to and constitutes acceptance of these terms.

If you are unable to launch any of the files for viewing and printing, you may need to download and install free viewing and printing software such as [Adobe Acrobat Reader \(for PDF files\)](#).

PelicanCorp

Compiled with TicketAccess by PelicanCorp





BYDA SYMBOLGY LEGEND

	Cross Bonding Link Box - Critical		Planned Cross Bonding Link Box - New/Updated
	Disconnect Box - Critical		Planned Cross Bonding Link Box - Remove
	Ring Main Unit		Planned Disconnect Box - New/Updated
	Distribution Pad Substation		Planned Disconnect Box - Remove
	Earth		Planned Distribution Pad Substation - New/Updated
	Remote Earth		Planned Distribution Pad Substation - Remove
	Cable Marker		Planned Distribution Ground Substation - New/Updated
	Handhole		Planned Distribution Ground Substation - Remove
	Manhole		Planned Ring Main Unit - New/Updated
	Commercial Industrial Pillar		Planned Ring Main Unit - Remove
	Distribution Cabinet		Planned Earth - New/Updated
	Link Pillar		Planned Earth - Remove
	Service Pillar		Planned Cable Marker - New/Updated
	Feeder Pillar		Planned Cable Marker - Remove
	Pole		Planned Remote Earth - New/Updated
	Streetlight Column		Planned Remote Earth - Remove
	Communication Junction Pillar		Planned Underground Warning Post - New/Updated
	Communication Pit		Planned Underground Warning Post - Remove
	Fibre Patch Panel		Planned Pilot Cubicle - New/Updated
	Pilot Cubicle		Planned Pilot Cubicle - Remove
	Underground Asset 33kV and above		Planned Fibre Patch Panel - New/Updated
	Underground Asset below 33kV		Planned Fibre Patch Panel - Remove
	Underground Conduit with or without cable		Planned Commercial Industrial Pillar - New/Updated
	Pit		Planned Commercial Industrial Pillar - Remove
	Communication Boundary		Planned Distribution Cabinet - New/Updated
	Reserve (RE)		Planned Distribution Cabinet - Remove
	Water Resource (WR)		Planned Link Pillar - New/Updated
	Cadastral Parcels		Planned Link Pillar - Remove
	Planned Jointing Pit - New/Updated		Planned Service Pillar - New/Updated
	Planned Jointing Pit - Remove		Planned Service Pillar - Remove
	Planned Communication Boundary - New/Updated		Planned Pole - New/Updated
	Planned Communication Boundary - Remove		Planned Pole - Remove
	Planned Tunnel/Trench/Bore - New/Updated		Planned Manhole - New/Updated
	Planned Tunnel/Trench/Bore - Remove		Planned Manhole - Remove
			Planned Streetlight Column - New/Updated
			Planned Streetlight Column - Remove
			Planned Handhole - New/Updated
			Planned Handhole - Remove
			Planned Communication Junction Pillar - New/Updated
			Planned Communication Junction Pillar - Remove

All underground cables shall be treated as being energised. Where a cable is located that is not represented on the ERGON ENERGY BYDA map, then ERGON ENERGY shall be contacted immediately.

For Emergency Situations
please call 13 16 70



Sequence: 242767521

Date: 02/08/2024

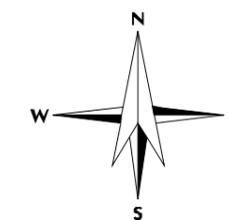
Scale: 1:1025

OVERVIEW



For a full list of Map Symbols, please refer to the supplied BYDA Symbology Legend page

AS5488 Category "D" Plan



DISCLAIMER: While reasonable measures have been taken to ensure the accuracy of the information contained in this plan response, neither Ergon Energy nor PelicanCorp shall have any liability whatsoever in relation to any loss, damage, cost or expense arising from the use of this plan response or the information contained in it or the completeness or accuracy of such information. Use of such information is subject to and constitutes acceptance of these terms.

This output provides details of the ERGON ENERGY electrical network. As variations map exist no responsibility is incurred by ERGON ENERGY for the accuracy or completeness of the information provided. Exact positions of cables and electrical connectivity should be confirmed on site.

All underground cables shall be treated as being energised. Where a cable is located that is not represented on the ERGON ENERGY BYDA map, then ERGON ENERGY shall be contacted immediately.

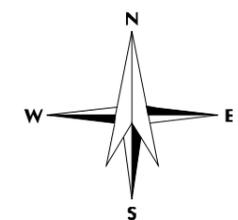
For Emergency Situations
please call 13 16 70



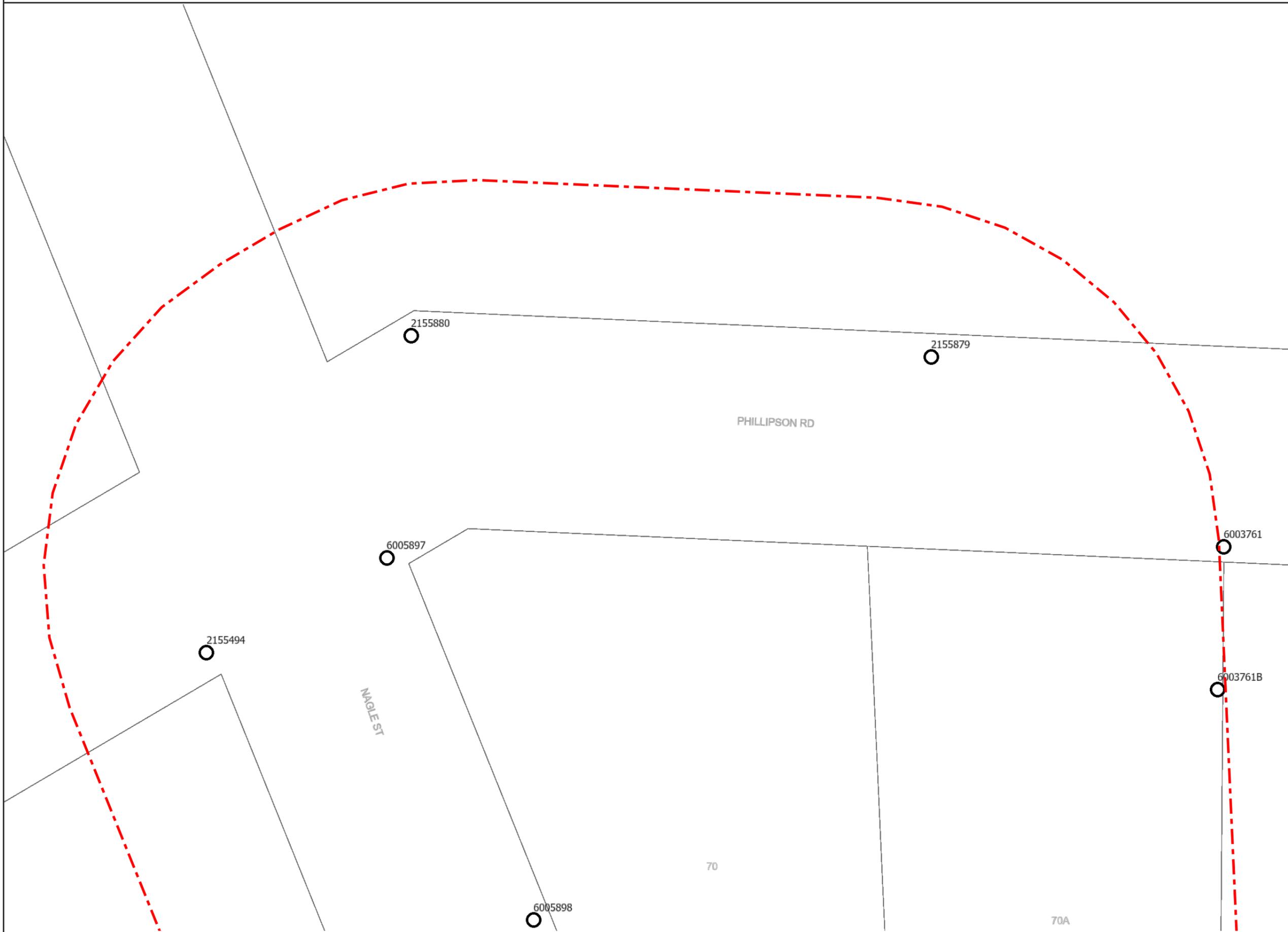
Sequence: 242767521
Date: 02/08/2024
Scale: 1:500
Tile No: 1

For a full list of Map Symbols, please refer to the supplied BYDA Symbology Legend page

AS5488 Category "D" Plan



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All underground cables shall be treated as being energised. Where a cable is located that is not represented on the ERGON ENERGY BYDA map, then ERGON ENERGY shall be contacted immediately.

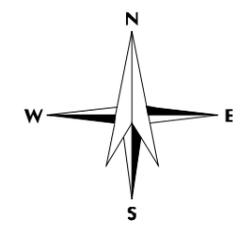
For Emergency Situations please call 13 16 70



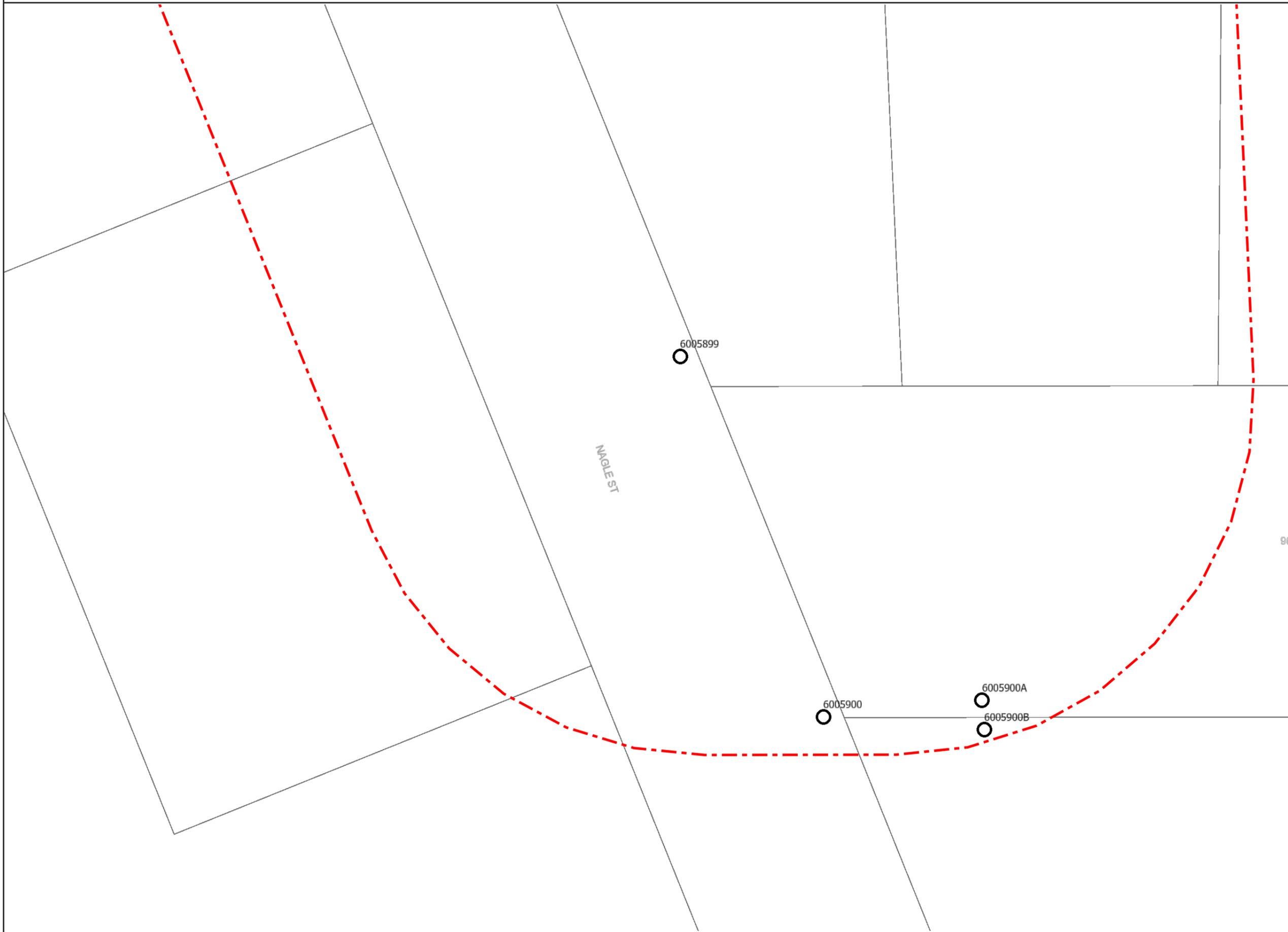
Sequence: 242767521
Date: 02/08/2024
Scale: 1:500
Tile No: 2

For a full list of Map Symbols, please refer to the supplied BYDA Symbology Legend page

AS5488 Category "D" Plan



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This output provides details of the ERGON ENERGY electrical network. As variations map exist no responsibility is incurred by ERGON ENERGY for the accuracy or completeness of the information provided. Exact positions of cables and electrical connectivity should be confirmed on site.

BYDA terms and conditions

Duty of care for everyone

The following matters must be considered when working near Ergon Energy electrical equipment:

The PCBU must ensure, so far as is reasonably practicable, that no person, plant or thing at the workplace comes within an unsafe distance of an underground electric line (see section 68 of the [Electrical Safety Regulation 2013](#))

1. It is the responsibility of the architect, consulting engineer, developer, and head contractor in the project planning stages to design for minimal impact and protection of Ergon Energy electrical equipment.
2. It is the constructor's responsibility to:
 - a) Anticipate and request plans of Ergon Energy electrical equipment for a location at a reasonable time before construction begins.
 - b) Visually locate Ergon Energy electrical equipment by hand or vacuum excavation where construction activities may damage or interfere with Ergon Energy electrical equipment.
 - c) To notify Ergon Energy if the information provided is found to be not accurate or assets are found on site that are not recorded on the Ergon Energy BYDA plans.
 - d) Read and understand all the information and disclaimers provided.

Note: A constructor may include but not limited to a PCBU, Designer, Project Manager, Installer, Contractor or a Civil Contractor

3. Comply with applicable work health and safety and electrical safety codes of practice including but not limited to:
 - a) Working near overhead and underground electric lines – [Electrical safety codes of practice 2020](#)
 - b) Managing electrical risk in the workplace – [Electrical safety code of practice 2013](#)
 - c) Managing the risks of plant in the workplace – [Electrical safety code of practice 2013](#)
 - d) Excavation work – [Electrical safety code of practice 2013](#)

IMPORTANT NOTES:

- As the alignment and boundaries of roadways with other properties (and roads within roadways) frequently change, the alignments and boundaries contained within Ergon Energy plans and maps will frequently differ from present alignments and boundaries "on the ground". Accordingly, in every case where it appears that alignments and boundaries have shifted, or new roadways have been added, the constructor should obtain confirmation of the actual position of Ergon Energy cables and other electrical equipment under the roadways. In no case should the constructor rely on statements of third parties in relation to the position of Ergon Energy cables and pipelines. It is the applicant's responsibility to accurately locate all services as part of the design and/or prior to excavation.
- Ergon Energy does not provide information on private underground installations, including consumers' mains that may run from Ergon Energy mains onto private property. Assets located on private property are the responsibility of the owner for identification and location.
- Ergon Energy plans are circuit diagrams or pipe indication diagrams only and indicate the presence of plant in the general vicinity of the geographical area shown. Exact ground cover and alignments cannot be given with any certainty; as such levels can change over time.
- All underground conduits are presumed to contain asbestos. Refer to "Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC: 2018 (2005)] - https://www.safeworkaustralia.gov.au/system/files/documents/1702/codeofpracticeformanagementcontrolofasbestosintheworkplace_nohsc2018-2005
- Plans provided by Ergon Energy do not show the presence of any Overhead Network.
- In addition to underground cables marked on attached plan there maybe underground Earth Conductors in the vicinity of the nominated work area(s) that are not marked on the plans.
- There may also be other buried assets such as tanks for fluid filled cables that do not appear on GIS plots but are shown on detailed as constructed drawings.
- Being aware of your obligations in [s 304] Excavation work— underground essential services information under the [Work Health and Safety Regulation 2011](#), Chapter 6 Construction work, Part 6.3 Duties of person conducting business or undertaking. This includes but is not limited to taking reasonable steps to obtain the current information and providing this information to persons engaged to carry out the excavation work. For further information please refer to: - <http://www.legislation.qld.gov.au/LEGISLTN/SLS/2011/11SL240.pdf>
- Ergon Energy plans are designed to be printed in colour and as an A4 Landscape orientation

BYDA terms and conditions

Duty of care for everyone

Conditions – (When Working in the Vicinity of Ergon Energy Electrical Equipment)

Records:

The first step before any excavation commences is to obtain records of Ergon Energy electrical equipment in the vicinity of the work. For new work, records should be obtained during the planning and design stage. The records provided by Ergon Energy must be made available to all construction groups on site. Where plant information is transferred to plans for the proposed work, care must be exercised to ensure that important detail is not lost in the process.

Plans and or details provided by Ergon Energy are current for four weeks from the date of dispatch and should be disposed of by shredding or any other secure disposal method after use. A new BYDA enquiry must be made for proposed works/activities to be undertaken outside of the four-week period.

Ergon Energy retains copyright of all plans and details provided in connection with your request. Ergon Energy plans or other details are provided for the use of the applicant, its servants, or agents, and shall not be used for any unauthorised purpose. On receipt of BYDA plans and before commencing excavation work or similar activities near Ergon Energy's electrical equipment, check to see that it relates to the area you have requested and carefully locate this plant first to avoid damage. If you are unclear about any information contained in the plan, please contact Ergon Energy on the General Enquiries number listed above for further advice.

Ergon Energy, its servants or agents shall not be liable for any loss or damage caused or occasioned by the use of plans and or details so supplied to the applicant, its servants and agents, and the applicant agrees to indemnify Ergon Energy against any claim or demand for any such loss or damage.

The constructor is responsible for all plant damages when works commence prior to obtaining Ergon Energy plans, or failure to follow agreed instructions, or failure to demonstrate all reasonable measures were taken to prevent the damage once plans were received from Ergon Energy. Ergon Energy reserves all rights to recover compensation for loss or damage caused by interference or damage, including consequential loss and damages to its cable network, or other property.

NOTE: Where you proposed work location contains Ergon Energy 33kV or greater underground cables please access the Ergon Energy [Working Near Underground Cables 33kV or Higher web page](#) for more information.

Location of Cables:

Examining the records is not sufficient, as reference points may change from the time of installation. Records must also be physically proven when working in close proximity to them. The exact location of electrical equipment likely to be affected shall be confirmed by use of an electronic cable and pipe locator followed by **careful hand or vacuum excavation to the level of cable protection cover strips or conduits**. When conducting locations please be aware that **no** unauthorised access is permitted to Ergon Energy Assets– including Pits, Low Voltage Disconnection Boxes, Low Voltage Pillars or High Voltage Link Boxes.

Hand or vacuum excavation must be used in advance of excavators. In any case, where any doubt exists with respect to interpretation of cable records, contact Ergon Energy on the General Enquires number listed above for further advice.

If the constructor is unable to locate Ergon Energy underground electrical equipment within 5 metres of nominal plan locations, they should contact the Ergon Energy General Enquires number listed above for further advice.

If unknown cables or conduits (i.e. not shown on issued BYDA plans) are located during excavation:

1. Call the ELECTRICITY EMERGENCIES number listed above
2. Treat cables as if alive, post a person to keep all others clear of the excavation until Ergon Energy crew attend to make safe.
3. All work in the vicinity of damaged plant should cease and the area should be vacated until a clearance to continue work has been obtained from an Ergon Energy officer.

Electrical Cable Installation Methods:

Ergon Energy cables are installed with a variety of protection devices including:

- | | |
|---|---------------------------------------|
| 1. Clay paving bricks or tiles marked "Electricity" or similar (also unmarked) | 2. Concrete or PVC cover slabs |
| 3. PVC, A/C or fibro conduit, fibre reinforced concrete, iron or steel pipe | 4. Concrete encased PVC or steel pipe |
| 5. Thin plastic marker tape | 6. Large pipes housing multiple ducts |
| 7. Multiple duct systems, including earthenware or concrete 2-, 4-, and 6-way ducts and shamrocks | |

Note: Some cables are known to be buried without covers and cables may change depth or alignment along the route.

Excavating Near Cables:

For all work within 2.5m of nominal location, the constructor is required to hand or vacuum excavate (pothole) and expose the plant, hence proving its exact location before work can commence.

Cable protection cover strips shall not be disturbed. Excavation below these cover strips, or into the surrounding backfill material is not permitted.

BYDA terms and conditions

Duty of care for everyone

Excavating Parallel to Cables:

If construction work is parallel to Ergon Energy cables, then hand or vacuum excavation (potholing) at least every 4m is required to establish the location of all cables, hence confirming nominal locations before work can commence. *Generally, there is no restriction to excavations parallel to Ergon Energy cables to a depth not exceeding that of the cable. Note: Cable depths & alignment may change suddenly.*

Separation from Cables:

Any service(s) must be located at the minimum separation as per the tables below:

Table 1. Minimum Separation Requirements for Underground Services Running Parallel with Ergon Energy Assets

(Minimum Separation required in mm)							
Voltage Level	Gas	Communication or TV	Water		Sanitary drainage		Storm Water
			≤DN 200	>DN200	≤DN 200	>DN 200	
LV	250	100	500	*1000	500	1000	500
HV		300					
*Contact Ergon Energy/council to obtain specific separation distances							

Table 2. Minimum Separation Requirements for Underground Services Crossing Ergon Energy Assets

(Minimum Separation required in mm)					
Voltage Level	Gas	Communication or TV	Water	Sanitary drainage	Storm Water
LV & HV	100	100	300	300	100

Where the above table does not list a separation requirement for a particular underground service then 300mm shall be used.

Excavating Across Cables:

The standard clearance between services shall be maintained as set down in Table 2 above. If the width or depth of the excavation is such that the cables will be exposed or unsupported, then Ergon Energy shall be contacted to determine whether the cables should be taken out of service, or whether they need to be protected or supported. In no case shall a cable cover be removed without approval. A cable cover may only be removed under the supervision of an Ergon Energy authorised representative. Protective cover strips when removed must be replaced under Ergon Energy supervision. Under no circumstances shall they be omitted to allow separation between Ergon Energy cables and other services.

Heavy Machinery Operation Over Cables:

Where heavy "Crawler" or "Vibration" type machinery is operated over the top of cables, a minimum cover of 450 mm to the cable protective cover mains must be maintained using load bearing protection whilst the machinery is in operation. For sensitive cables (i.e. 33 and 110kV fluid and gas filled cables), there may be additional constraints placed on vibration and settlement by Ergon Energy.

Directional Boring Near Cables:

When boring parallel to cables, it is essential that trial holes are carefully hand or vacuum excavated at regular intervals to prove the actual location of the conduits/cables before using boring machinery. Where it is required to bore across the line of cables, the actual location of the cables shall first be proven by hand or vacuum excavation. A trench shall be excavated one metre from the side of the cables where the auger will approach to ensure a minimum clearance of 500mm above and below all LV, 11kV, 33kV & 110/132kV cables shall be maintained.

Explosives:

Explosives must not be used within 10 metres of cables, unless an engineering report is provided indicating that no damage will be sustained. Clearances should be obtained from Ergon Energy's Planning Engineer for use of explosives in the vicinity of Ergon Energy cables.

Damage Reporting:

All damage to cables, conduits and pipes must be reported no matter how insignificant the damage appears to be. Even very minor damage to cable protective coverings can lead to eventual failure of cables through corrosion of metal sheaths and moisture ingress.

If any Damaged conductor is found:

1. Call the ELECTRICITY EMERGENCIES number listed above
2. Treat cables as if alive, post a person to keep all others clear of the excavation until Ergon Energy crew attend to make safe.
3. All work in the vicinity of damaged plant should cease and the area should be vacated until a clearance to continue work has been obtained from an Ergon Energy officer.

BYDA terms and conditions

Duty of care for everyone

Plant Solutions and Assistance:

If plant location plans or visual location of Ergon Energy plant by hand or vacuum excavation reveals that the location of Ergon Energy plant is situated wholly or partly where the developer or constructor plans to work, then Ergon Energy shall be contacted to assist with your development of possible engineering solutions.

If Ergon Energy relocation or protection works are part of the agreed solution, then payment to Ergon Energy for the cost of this work shall be the responsibility of the principal developer or constructor. Ergon Energy will provide an estimated quotation for work on receipt of the developer's or constructor's order number before work proceeds.

It will be necessary for the developer or constructor to provide Ergon Energy with a written Work Method Statement for all works in the vicinity of or involving Ergon Energy plant. This Work Method Statement should form part of the tendering documentation and work instruction.

Vacuum Excavations (Hydro Vac)

When operating hydro vac equipment to excavate in vicinity of underground electrical assets (cables/conduits):

Fitted with:

- Nonconductive (neoprene rubber or equivalent) vacuum (suction) hose.
- Oscillating nozzle on pressure wand with water pressure adjusted to not exceeding 2000 psi.

Maintain a minimum distance of 200mm between end of pressure wand and underground electrical assets. DO NOT insert the pressure wand jet directly into subsoil.

Ensure pressure wand is not directly aimed at underground electrical assets (cables/conduits).

Safety Notices (Underground Work)

There is no exclusion zone applicable for underground electrical assets – conduits, cables (unless cable is damaged, or conductors or terminations have been exposed) therefore there is **no requirement for a written Safety Advice** to be obtained provided the work location does not contain overhead electric lines or other exposed live parts.

Further information on Working Safely around Ergon Energy assets:

https://www.ergon.com.au/_data/assets/pdf_file/0010/211231/Working-near-OH-UG-lines-BS001405R107ver2.pdf

Thank you for your interest in maintaining a safe and secure Electricity Distribution network. Ergon Energy welcomes your feedback on this document via email to dbyd@energex.com.au.

General enquiries (7am - 5pm Mon to Fri) **13 10 46**

Life threatening emergencies only triple zero (000) or **13 16 70**

E: safetyadvice@ergon.com.au

W: ergon.com.au/lualmap

ABN: 50 087 646 062

To re-submit or change the nominated search area please visit www.BYDA.com.au



Referral
242767519

Member Phone
1800 687 626

Responses from this member

Response received Fri 2 Aug 2024 9.15pm

File name	Page
Response Body	18
4678_NBN_Dial_Before_You_Dig_Poster_20170517.pdf	19
Disclaimer_242767519_20240802_111503418147.pdf	21
242767519_20240802_111503418147_1.pdf	25

Hi Mary McCarthy,

Please find attached the response to your DBYD referral for the address mentioned in the subject line. The location shown in our DBYD response is assumed based off the information you have provided. If the location shown is different to the location of the excavation then this response will consequently be rendered invalid.

Take the time to read the response carefully and note that this information is only valid for 28 days after the date of issue.

If you have any further enquiries, please do not hesitate to contact us.

Regards,
Network Services and Operations
NBN Co Limited
P: 1800626329
E: dbyd@nbnco.com.au
www.nbnco.com.au

Confidentiality and Privilege Notice

This e-mail is intended only to be read or used by the addressee. It is confidential and may contain legally privileged information. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone, and you should destroy this message and kindly notify the sender by reply e-mail. Confidentiality and legal privilege are not waived or lost by reason of mistaken delivery to you. Any views expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of NBN Co Limited

Please Do Not Reply To This Mail



Working near nbn™ cables

nbn has partnered with Dial Before You Dig to give you a single point of contact to get information about **nbn** underground services owned by **nbn** and other utility/service providers in your area including communications, electricity, gas and other services. Contact with underground power cables and gas services can result in serious injury to the worker, and damage and costly repairs. You must familiarise yourself with all of the Referral Conditions (meaning the referral conditions referred to in the DBYD Notice provided by **nbn**).

Practice safe work habits

Once the DBYD plans are reviewed, the Five P's of Excavation should be adopted in conjunction with your safe work practices (which must be compliant with the relevant state Electrical Safety Act and Safe Work Australia "Excavation Work Code of Practice", as a minimum) to ensure the risk of any contact with underground **nbn** assets are minimised.



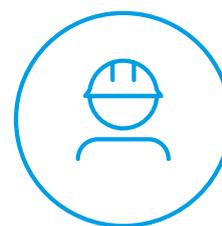
Plan: Plan your job by ensuring the plans received are current and apply to the work to be performed. Also check for any visual cues that may indicate the presence of services not covered in the DBYD plans.



Prepare: Prepare for your job by engaging a DBYD Certified Plant Locator to help interpret plans and identify on-site assets. Contact **nbn** should you require further assistance.



Pothole: Non-destructive potholing (i.e. hand digging or hydro excavation) should be used to positively locate **nbn** underground assets with minimal risk of contact and service damage.



Protect: Protecting and supporting the exposed **nbn** underground asset is the responsibility of the worker. Exclusion zones for **nbn** assets are clearly stated in the plan and appropriate controls must be implemented to ensure that encroachment into the exclusion zone by machinery or activities with the potential to damage the asset is prevented.

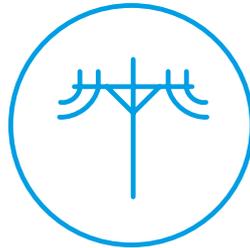


Proceed: Proceed only when the appropriate planning, preparation, potholing and protective measures are in place.

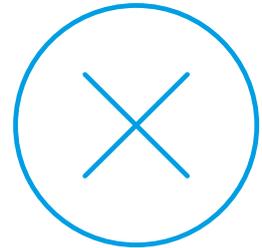
Working near **nbn**TM cables



Identify all electrical hazards, assess the risks and establish control measures.



When using excavators and other machinery, also check the location of overhead power lines.



Workers and equipment must maintain safety exclusion zones around power lines.

Once all work is completed, the excavation should be re-instated with the same type of excavated material unless specified by **nbn**. Please note:

- Construction Partners of **nbn** may require additional controls to be in place when performing excavation activities.
- The information contained within this pamphlet must be used in conjunction with other material supplied as part of this request for information to adequately control the risk of potential asset damage.

Contact

All **nbn**TM network facility damages must be reported online [here](#).
For enquiries related to your DBYD request please call 1800 626 329.

Disclaimer

This brochure is a guide only. It does not address all the matters you need to consider when working near our cables. You must familiarise yourself with other material provided (including the Referral Conditions) and make your own inquiries as appropriate.

nbn will not be liable or responsible for any loss, damage or costs incurred as a result of reliance on this brochure.

This document is provided for information purposes only. This document is subject to the information classification set out on this page. If no information classification has been included, this document must be treated as UNCLASSIFIED, SENSITIVE and must not be disclosed other than with the consent of nbn co. The recipient (including third parties) must make and rely on their own inquiries as to the currency, accuracy and completeness of the information contained herein and must not use this document other than with the consent of nbn co. Copyright © 2021 nbn co limited. All rights reserved.



To: Mary McCarthy
Phone: Not Supplied
Fax: Not Supplied
Email: mary@northpointplanning.com.au

Dial before you dig Job #:	37274274	
Sequence #	242767519	
Issue Date:	02/08/2024	
Location:	70 Phillipson Rd , Millchester , QLD , 4820	

Information

The area of interest requested by you contains one or more assets.

nbn™ Assets	Search Results
Communications	Asset identified
Electricity	No assets

In this notice **nbn™ Facilities** means *underground fibre optic, telecommunications and/or power facilities, including but not limited to cables, owned and controlled by nbn™*

Location of nbn™ Underground Assets

We thank you for your enquiry. In relation to your enquiry at the above address:

- **nbn's** records indicate that there **ARE nbn™** Facilities in the vicinity of the location identified above ("Location").
- **nbn** indicative plan/s are attached with this notice ("Indicative Plans").
- The Indicative Plan/s show general depth and alignment information only and are not an exact, scale or accurate depiction of the location, depth and alignment of **nbn™** Facilities shown on the Plan/s.
- In particular, the fact that the Indicative Plans show that a facility is installed in a straight line, or at uniform depth along its length cannot be relied upon as evidence that the facility is, in fact, installed in a straight line or at uniform depth.
- You should read the Indicative Plans in conjunction with this notice and in particular, the notes below.
- You should note that, at the present time, the Indicative Plans are likely to be more accurate in showing location of fibre optics and telecommunications cables than power cables. There may be a variation between the line depicted on the Indicative Plans and the location of any power cables. As such, consistent with the notes below, particular care must be taken by you to make your own enquiries and investigations to precisely locate any power cables and manage the risk arising from such cables accordingly.
- The information contained in the Indicative Plan/s is valid for 28 days from the date of issue set out above. You are expected to make your own inquiries and perform your own investigations (including engaging appropriately qualified plant locators, e.g DBYD Certified Locators, at your cost to locate **nbn™** Facilities during any activities you carry out on site).

We thank you for your enquiry and appreciate your continued use of the Dial Before You Dig Service. For any enquiries related to moving assets or Planning and Design activities, please visit the [nbn Commercial Works](#) website to complete the online application form. If you are planning to excavate and require further information, please email dbyd@nbnco.com.au or call 1800 626 329.

Notes:

1. You are now aware that there are **nbn™** Facilities in the vicinity of the above property that could be damaged as a result activities carried out (or proposed to be carried out) by you in the vicinity of the Location.
2. You should have regard to section 474.6 and 474.7 of the *Criminal Code Act 1995* (CoA) which deals with the consequences of interfering or tampering with a telecommunications facility. Only persons authorised by **nbn** can interact with **nbn's** network facilities.
3. Any information provided is valid only for **28 days** from the date of issue set out above.

Referral Conditions

The following are conditions on which **nbn** provides you with the Indicative Plans. By accepting the plans, you are agreeing to these conditions. These conditions are in addition, and not in replacement of, any duties and obligations you have under applicable law.

1. **nbn** does not accept any responsibility for any inaccuracies of its plans including the Indicative Plans. You are expected to make your own inquiries and perform your own investigations (including engaging appropriately qualified plant locators, e.g DBYD Certified Locators, at your cost to locate **nbn™** Facilities during any activities you carry out on site).
2. You acknowledge that **nbn** has specifically notified you above that the Indicative Plans are likely to be more accurate in showing location of fibre optics and telecommunications cables than power cables. There may be a variation between the line depicted on the Indicative Plans and the location of any power cables.
3. You should not assume that **nbn™** Facilities follow straight lines or are installed at uniformed depths

along their lengths, even if they are indicated on plans provided to you. Careful onsite investigations are essential to locate the exact position of cables.

4. In carrying out any works in the vicinity of **nbn**™ Facilities, you must maintain the following minimum clearances:
 - 300mm when laying assets inline, horizontally or vertically.
 - 500mm when operating vibrating equipment, for example: jackhammers or vibrating plates.
 - 1000mm when operating mechanical excavators.
 - Adherence to clearances as directed by other asset owner's instructions and take into account any uncertainty for power cables.
5. You are aware that there are inherent risks and dangers associated with carrying out work in the vicinity of underground facilities (such as **nbn**™ fibre optic, copper and coaxial cables, and power cable feed to **nbn**™ assets). Damage to underground electric cables may result in:
 - Injury from electric shock or severe burns, with the possibility of death.
 - Interruption of the electricity supply to wide areas of the city.
 - Damage to your excavating plant.
 - Responsibility for the cost of repairs.
6. You must take all reasonable precautions to avoid damaging **nbn**™ Facilities. These precautions may include but not limited to the following:
 - All excavation sites should be examined for underground cables by careful hand excavation. Cable cover slabs if present must not be disturbed. Hand excavation needs to be undertaken with extreme care to minimise the likelihood of damage to the cable, for example: the blades of hand equipment should be aligned parallel to the line of the cable rather than digging across the cable.
 - If any undisclosed underground cables are located, notify **nbn** immediately.
 - All personnel must be properly briefed, particularly those associated with the use of earth-moving equipment, trenching, boring and pneumatic equipment.
 - The safety of the public and other workers must be ensured.
 - All excavations must be undertaken in accordance with all relevant legislation and regulations.
7. You will be responsible for all damage to **nbn**™ Facilities that are connected whether directly, or indirectly with work you carry out (or work that is carried out for you or on your behalf) at the Location. This will include, without limitation, all losses expenses incurred by **nbn** as a result of any such damage.
8. You must immediately report any damage to the **nbn**™ network that you are/become aware of. Notification may be by telephone - 1800 626 329.
9. Except to the extent that liability may not be capable of lawful exclusion, **nbn** and its servants and agents and the related bodies corporate of **nbn** and their servants and agents shall be under no liability whatsoever to any person for any loss or damage (including indirect or consequential loss or damage) however caused (including, without limitation, breach of contract negligence and/or breach of statute) which may be suffered or incurred from or in connection with this information sheet or any plans (including Indicative Plans) attached hereto. Except as expressly provided to the contrary in this information sheet or the attached plans (including Indicative Plans), all terms, conditions, warranties, undertakings or representations (whether expressed or implied) are excluded to the fullest extent permitted by law.

All works undertaken shall be in accordance with all relevant legislations, acts and regulations applicable to the particular state or territory of the Location. The following table lists all relevant documents that shall be considered and adhered to.

State/Territory	Documents
National	Work Health and Safety Act 2011
	Work Health and Safety Regulations 2011
	Safe Work Australia - Working in the Vicinity of Overhead and Underground Electric Lines (Draft)

	Occupational Health and Safety Act 1991
NSW	Electricity Supply Act 1995
	Work Cover NSW - Work Near Underground Assets Guide
	Work Cover NSW - Excavation Work: Code of Practice
VIC	Electricity Safety Act 1998
	Electricity Safety (Network Asset) Regulations 1999
QLD	Electrical Safety Act 2002
	Code of Practice for Working Near Exposed Live Parts
SA	Electricity Act 1996
TAS	Tasmanian Electricity Supply Industry Act 1995
WA	Electricity Act 1945
	Electricity Regulations 1947
NT	Electricity Reform Act 2005
	Electricity Reform (Safety and Technical) Regulations 2005
ACT	Electricity Act 1971

Thank You,

nbn DBYD

Date: 02/08/2024

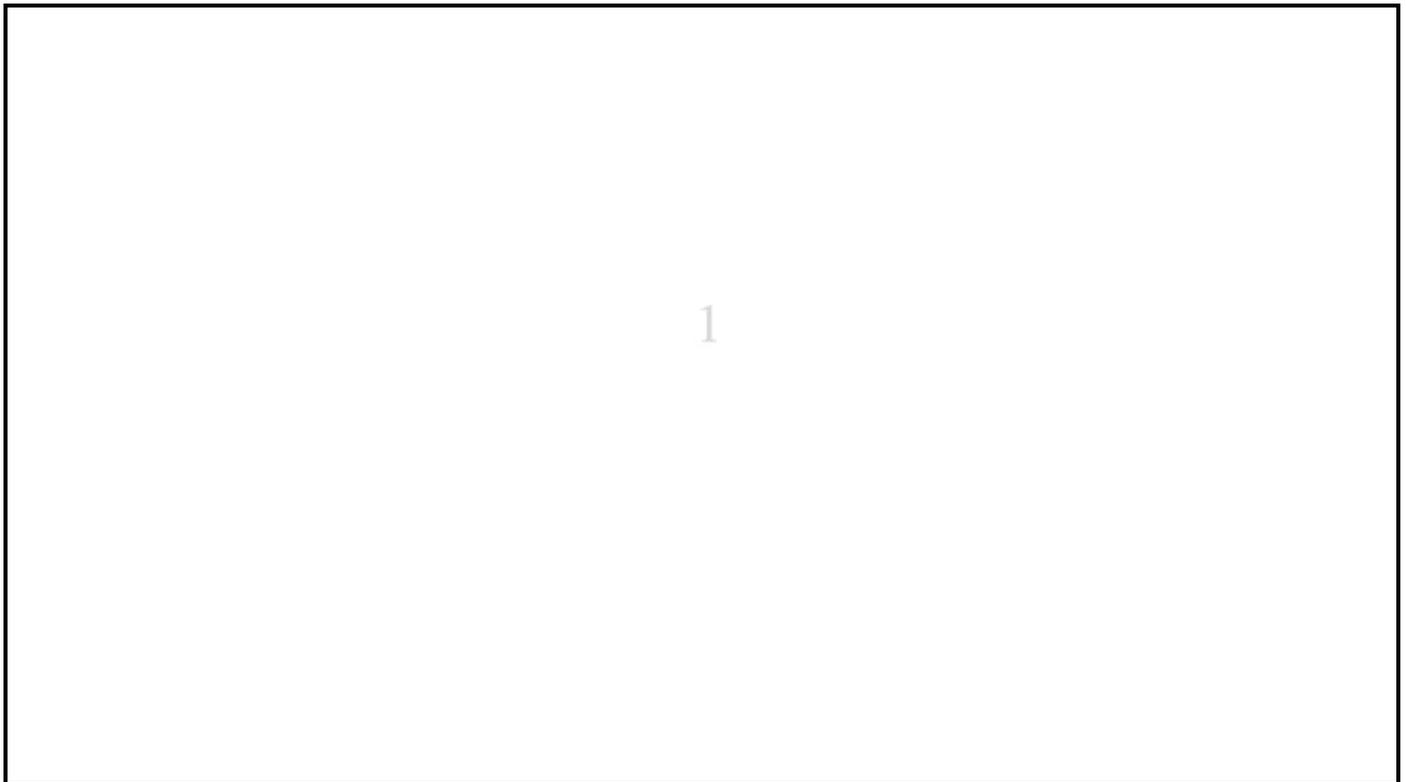
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To: Mary McCarthy
Phone: Not Supplied
Fax: Not Supplied
Email: mary@northpointplanning.com.au

Dial before you dig Job #:	37274274	
Sequence #	242767519	
Issue Date:	02/08/2024	
Location:	70 Phillipson Rd , Millchester , QLD , 4820	

Indicative Plans are tiled below to demonstrate how to layout and read nbn asset plans

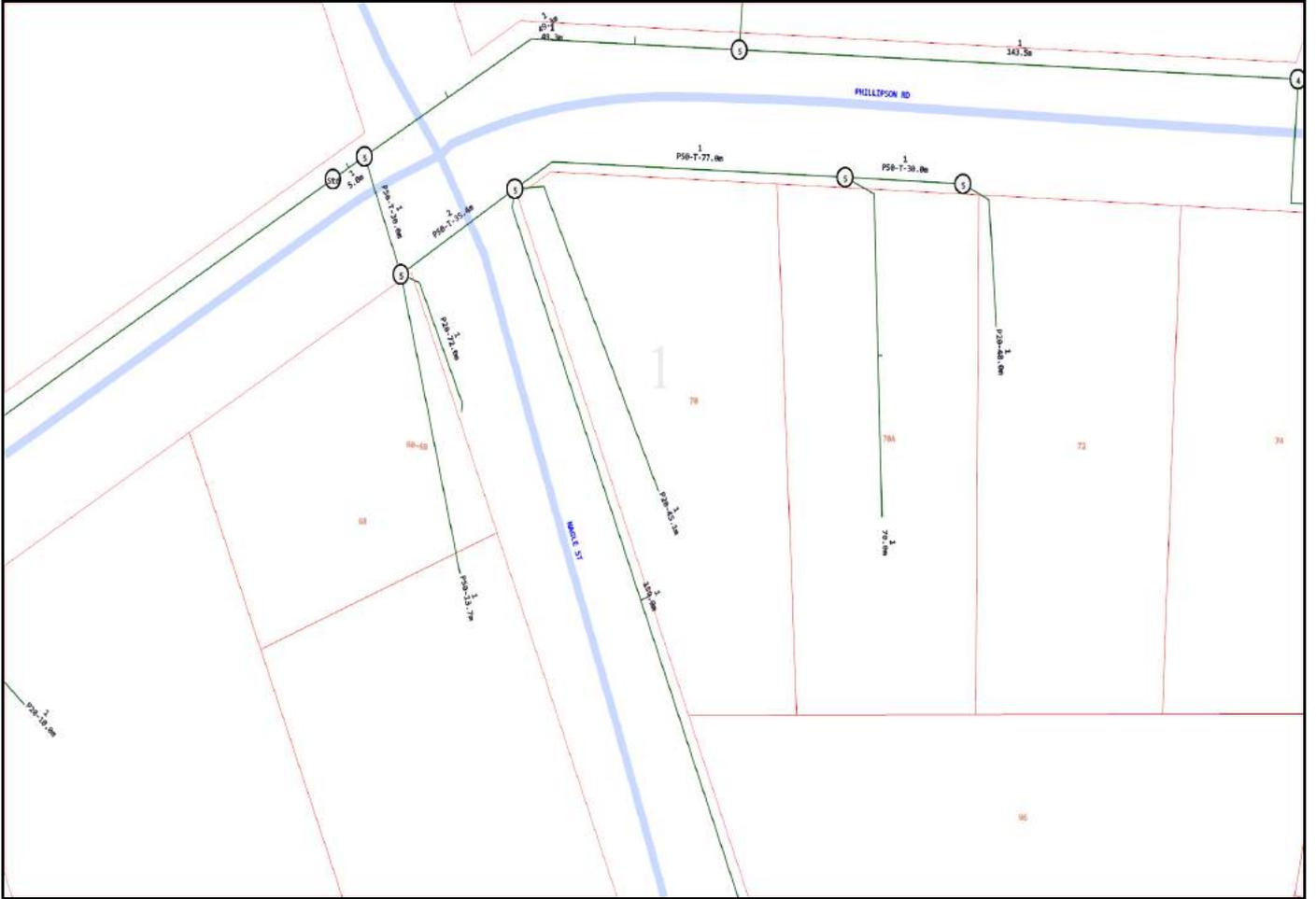




LEGEND



	Parcel and the location
	Pit with size "5"
	Power Pit with size "2E". Valid PIT Size: e.g. 2E, 5E, 6E, 8E, 9E, E, null.
	Manhole
	Pillar
	Cable count of trench is 2. One "Other size" PVC conduit (PO) owned by Telstra (-T-), between pits of sizes, "5" and "9" are 25.0m apart. One 40mm PVC conduit (P40) owned by NBN, between pits of sizes, "5" and "9" are 20.0m apart.
	2 Direct buried cables between pits of sizes, "5" and "9" are 10.0m apart.
	Trench containing any INSERVICE/CONSTRUCTED (Copper/RF/Fibre) cables.
	Trench containing only DESIGNED/PLANNED (Copper/RF/Fibre/Power) cables.
	Trench containing any INSERVICE/CONSTRUCTED (Power) cables.
	Road and the street name "Broadway ST"
Scale	0 20 40 60 Meters 1:2000 1 cm equals 20 m



Emergency Contacts

You must immediately report any damage to the **nbn**™ network that you are/become aware of. Notification may be by telephone - 1800 626 329.

Referral
242767520

Member Phone
1800 653 935

Responses from this member

Response received Fri 2 Aug 2024 4.00pm

File name	Page
Response Body	29
242767520.pdf	30
Telstra Map Legend 4.0a.pdf	31
Telstra Duty of Care v32.0a.pdf	32
AccreditedPlantLocators 2024-06-21a.pdf	34

Attention: Mary McCarthy

Site Location: 70 Phillipson Rd, Millchester, QLD 4820

Your Job Reference: NP24.140

Please do not reply to this email, this is an automated message -

Thank you for requesting Telstra information via Before You Dig Australia (BYDA).

This response contains Telstra information relating to your recent BYDA request.

Information for opening Telstra Asset Plans as well as some other useful contact information is listed in the attached **Telstra Map Legend attached.**

Please refer to all enclosed attachments for more information.

Please Report Damage to Telstra Equipment: [Report damages to Telstra equipment - Telstra](#)

Please note:

When working in the vicinity of telecommunications plant you have a 'Duty of Care' that must be observed. Please ensure you read the 'Telstra Duty of Care' document (attached) - it contains important information including essential steps that must be undertaken prior to commencing construction activities.

WARNING: Telstra plans and location information conform to Quality Level 'D' of the Australian Standard AS 5488 - Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing them. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy. Further on site investigation is required to validate the exact location of Telstra assets prior to commencing work. A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the assets are protected during construction works. See the [Steps - Working Near Telecommunications Assets \(attached Telstra Duty of Care\)](#).

Please note that:

- it is a criminal offence under the *Criminal Code Act 1995* (Cth) to tamper or interfere with telecommunications infrastructure.
- Telstra will take action to recover compensation for damage caused to property and assets, and for interference with the operation of Telstra's networks and customers' services.

Telstra's plans contain Telstra's confidential information and are provided on the basis that they are used solely for identifying the location or vicinity of Telstra's infrastructure to avoid damage to this infrastructure occurring as part of any digging or other excavation activity. You must not use Telstra's plans for any other purpose or in a way that will cause Telstra loss or damage and you must comply with any other terms of access to the data that have been provided to you by Telstra (including Conditions of Use or Access).

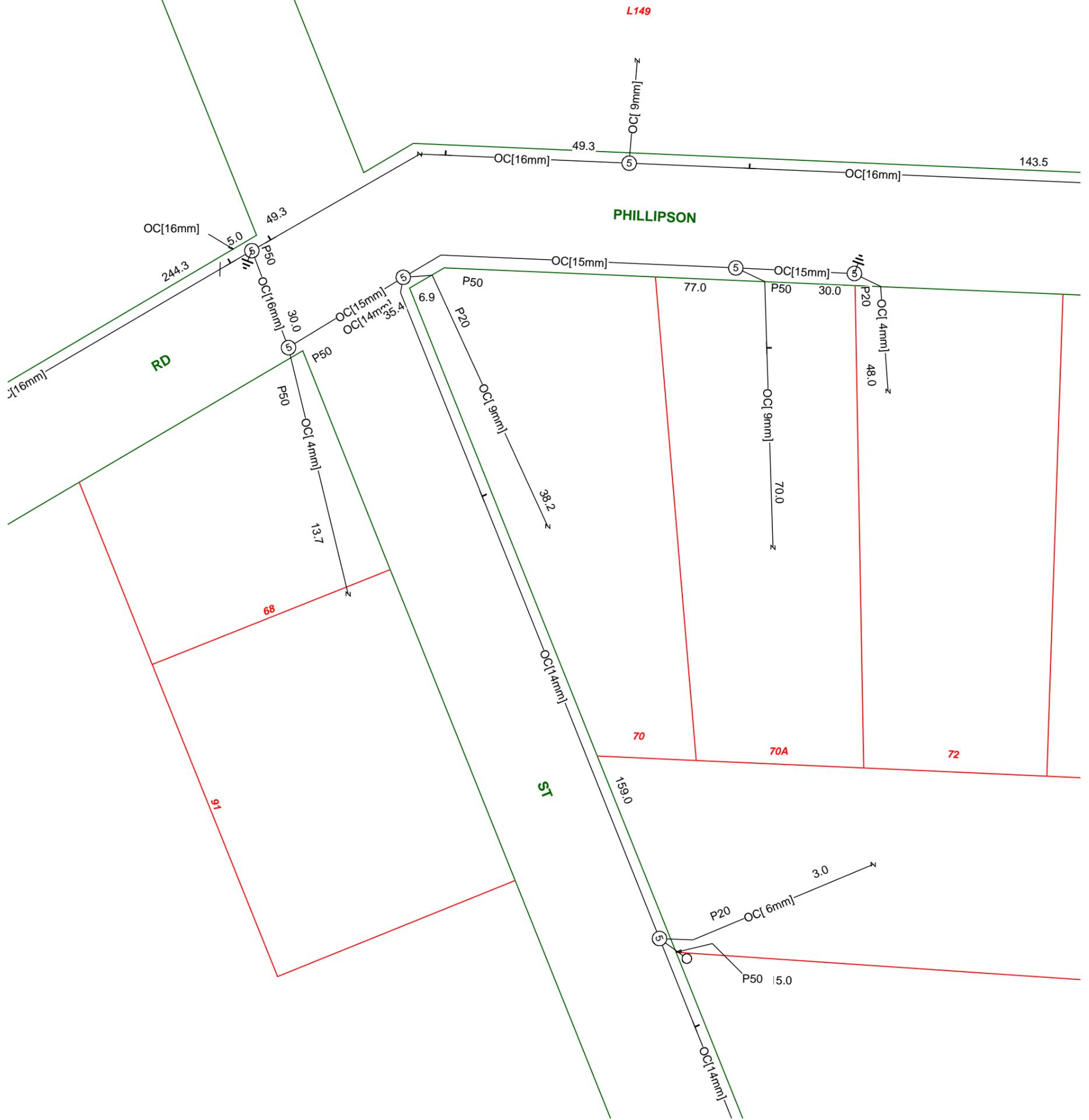
(See attached file: Telstra Duty of Care v32.0a.pdf)

(See attached file: Telstra Map Legend 4.0a.pdf)

(See attached file: AccreditedPlantLocators 2024-06-21a.pdf)

(See attached file: 242767520.pdf)

Cable Plan



Report Damage: <https://service.telstra.com.au/customer/general/forms/report-damage-to-telstra-equipment>
 Ph - 13 22 03
 Email - Telstra.Plans@team.telstra.com
 Planned Services - ph 1800 653 935 (AEST bus hrs only) General Enquiries

Sequence Number: 242767520

Please read Duty of Care prior to any excavating

TELSTRA LIMITED A.C.N. 086 174 781

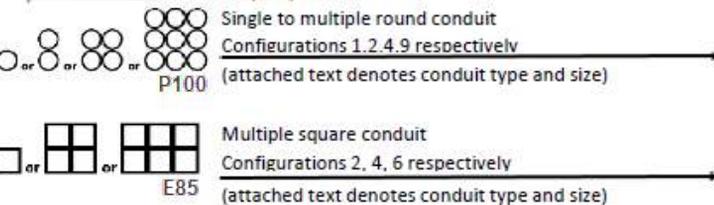
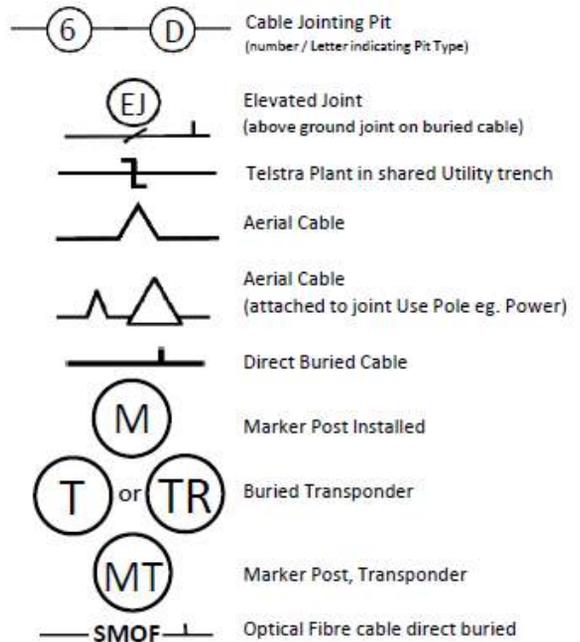
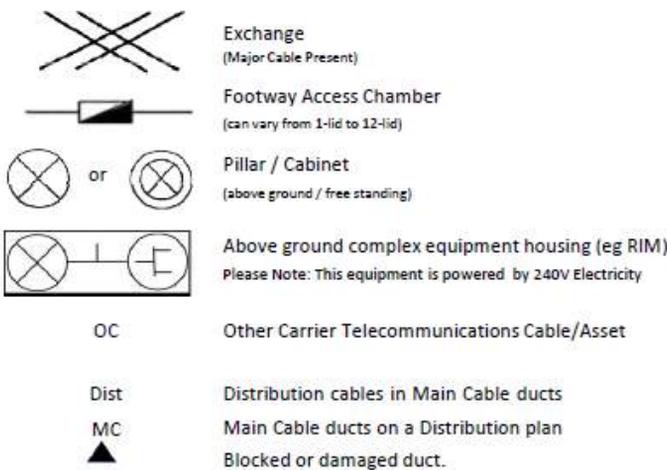
Generated On 02/08/2024 15:57:54

WARNING

Telstra plans and location information conform to Quality Level "D" of the Australian Standard AS 5488-Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing it. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy. Further on site investigation is required to validate the exact location of Telstra plant prior to commencing construction work. A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the asset is protected during construction works.

See the Steps- Telstra Duty of Care that was provided in the email response.

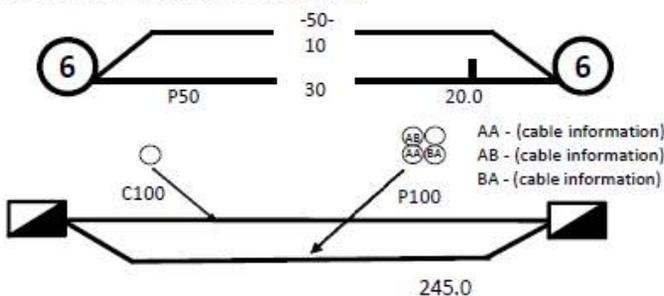
LEGEND



Some examples of conduit type and size:

A - Asbestos cement, P - PVC / Plastic, C - Concrete,
GI - Galanised iron, E - Earthenware
Conduit sizes *nominally* range from 20mm to 100mm
P50 50mm PVC conduit
P100 100mm PVC conduit
A100 100mm asbestos cement conduit

Some Examples of how to read Telstra Plans



One 50mm PVC conduit (P50) containing a 50-pair and a 10-pair cable between two 6-pits, approximately 20.0m apart, with a direct buried 30-pair cable along the same route

Two separate conduit runs between two footway access chambers (manholes) approximately 245m apart A nest of four 100mm PVC conduits (P100) containing assorted cables in three ducts (one being empty) and one empty 100mm concrete duct (C100) along

Protect our Network:

by maintaining the following distances from our assets:

- 1.0m Mechanical Excavators, Farm Ploughing, Tree Removal
- 500mm Vibrating Plate or Wacker Packer Compactor
- 600mm Heavy Vehicle Traffic (over 3 tonnes) not to be driven across Telstra ducts or plant.
- 1.0m Jackhammers/Pneumatic Breakers
- 2.0m Boring Equipment (in-line, horizontal and vertical)

For more info contact a [Certified Locating Organisation](#) or [Telstra Plan Services 1800 653 935](#)



Before You Dig Australia

Think before you dig

This document has been sent to you because you requested plans of the Telstra network through Before You Dig Australia (BYDA).

If you are working or excavating near telecommunications cables, or there is a chance that cables are located near your site, you are responsible to avoid causing damage to the Telstra network.

Please read this document carefully. Taking your time now and following the steps below can help you avoid damaging our network, interrupting services, and potentially incurring civil and criminal penalties.

Our network is complex and working near it requires expert knowledge. Do not attempt these activities if you are not qualified to do so.

Disclaimer and legal details



*Telstra advises that the accuracy of the information provided by Telstra conforms to Quality Level D as defined in AS5488-2013.

It is a criminal offence under the Criminal Code Act 1995 (Cth) to tamper or interfere with telecommunications infrastructure.

Telstra will also take action to recover costs and damages from persons who damage assets or interfere with the operation of Telstra's networks.

By receiving this information including the indicative plans that are provided as part of this information package you confirm that you understand and accept the risks of working near Telstra's network and the importance of taking all the necessary steps to confirm the presence, alignments and various depths of Telstra's network. This in addition to, and not in replacement of, any duties and obligations you have under applicable law.

When working in the vicinity of a telecommunications plant you have a "Duty of Care" that must be observed. Please read and understand all the information and disclaimers provided below.

The Telstra network is complex and requires expert knowledge to interpret information, to identify and locate components, to pothole underground assets for validation and to safely work around assets without causing damage. If you are not an expert and/or qualified in these areas, then you must not attempt these activities. Telstra will seek compensation for damages caused to its property and losses caused to Telstra and its customers. Construction activities and/or any activities that potentially may impact on Telstra's assets must not commence without first undertaking these steps. Construction activities can include anything that involves breaking ground, potentially affecting Telstra assets.

If you are designing a project, it is recommended that you also undertake these steps to validate underground assets prior to committing to your design.

This Notice has been provided as a guide only and may not provide you with all the information that is required for you to determine what assets are on or near your site of interest. You will also need to collate and understand all of the information received from other Utilities and understand that some Utilities are not a part of the BYDA program and make your own enquiries as appropriate. It is the responsibility of the entities undertaking the works to protect Telstra's network during excavation / construction works.

Telstra owns and retains the copyright in all plans and details provided in conjunction with the applicant's request. The applicant is authorised to use the plans and details only for the purpose indicated in the applicant's request. The applicant must not use the plans or details for any other purpose.

Telstra plans or other details are provided only for the use of the applicant, its servants, agents, or Certified Locating Organisation. The applicant must not give the plans or details to any parties other than these and must not generate profit from commercialising the plans or details.

Telstra, its servants or agents shall not be liable for any loss or damage caused or occasioned by the use of plans and or details so supplied to the applicant, its servants and agents, and the applicant agrees to indemnify Telstra against any claim or demand for any such loss or damage.

Please ensure Telstra plans and information provided always remains on-site throughout the inspection, location, and construction phase of any works.

Telstra plans are valid for 60 days after issue and must be replaced if required after the 60 days.

Data Extraction Fees

In some instances, a data extraction fee may be applicable for the supply of Telstra information. Typically, a data extraction fee may apply to large projects, planning and design requests or requests to be supplied in non-standard formats. For further details contact Telstra Planned Services.

Telstra does not accept any liability or responsibility for the performance of or advice given by a Certified Locating Organisation. Certification is an initiative taken by Telstra towards the establishment and maintenance of competency standards. However, performance and the advice given will always depend on the nature of the individual engagement.

Neither the Certified Locating Organisation nor any of its employees are an employee or agent for Telstra. Telstra is not liable for any damage or loss caused by the Certified Locating Organisation or its employees.

Once all work is completed, the excavation should be reinstated with the same type of excavated material unless specified by Telstra

The information contained within this pamphlet must be used in conjunction with other material supplied as part of this request for information to adequately control the risk of potential asset damage.

When using excavators and other machinery, also check the location of overhead power lines.

Workers and equipment must maintain safety exclusion zones around power lines

WARNING: Telstra plans and location information conform to Quality Level 'D' of the Australian Standard AS 5488 - Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy shown on the plans. **FURTHER ON SITE INVESTIGATION IS REQUIRED TO VALIDATE THE EXACT LOCATION OF TELSTRA PLANT PRIOR TO COMMENCING CONSTRUCTION WORK.** A plant location service is an essential part of the process to validate the exact location of Telstra assets and to ensure the assets are protected during construction works. The exact position of Telstra assets can only be validated by physically exposing them. Telstra will seek compensation for damages caused to its property and losses caused to Telstra and its customers.

Privacy Note

Your information has been provided to Telstra by BYDA to enable Telstra to respond to your BYDA request. Telstra keeps your information in accordance with its privacy statement. You can obtain a copy at www.telstra.com.au/privacy or by calling us at 1800 039 059 (business hours only).

OPENING ELECTRONIC MAP ATTACHMENTS –

Telstra Cable Plans are generated automatically in either PDF or DWF file types.
Dependent on the site address and the size of area selected.
You may need to download and install free viewing software from the internet e.g.



DWF Map Files (all sizes over A3)
Autodesk Viewer (Internet Browser) <https://viewer.autodesk.com/> or
Autodesk Design Review <http://usa.autodesk.com/design-review/> for
DWF files. (Windows PC)



PDF Map Files (max size A3)
Adobe Acrobat Reader <http://get.adobe.com/reader/>



Telstra BYDA map related enquiries email
Telstra.Plans@team.telstra.com
1800 653 935 (AEST Business Hours only)



REPORT ANY DAMAGE TO THE TELSTRA NETWORK IMMEDIATELY
Report online - <https://www.telstra.com.au/forms/report-damage-to-telstra-equipment>
Ph: 13 22 03
If you receive a message asking for a phone or account number say:
“I don’t have one” then say “Report Damage” then press 1 to speak
to an operator.



Telstra New Connections / Disconnections
13 22 00



Telstra asset relocation enquiries: 1800 810 443 (AEST business
hours only).
NetworkIntegrity@team.telstra.com
<https://www.telstra.com.au/consumer-advice/digging-construction>



Telstra Aerial Assets Group (overhead network)
1800 047 909



Certified Locating Organisation (CLO)
<https://dbylocator.com/certified-locating-organisation/>



End of document

i This document may exclude some files (eg. DWF or ZIP files)

This document was automatically generated at a point-in-time. Be aware that the source information from which this document was created may have changed since it was produced. This document may contain incomplete or out-of-date information. Always check your enquiry details in the BYDA Referral Service for the most recent information. For copyright information refer to individual responses.



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 	<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.</p> <p>The proposed development is for a boundary realignment only and proposes Lot 1 (4,349m²) and Lot 2 (5,660m²).</p>



Performance Outcome/Acceptable Outcomes		Response
<p>space, vehicle access and parking and servicing areas for the zone;</p> <p>(c) that does not future development compromise potential of the in the Emerging community zone and Industry investigation zone for urban purposes; and land</p> <p>(d) are sufficient to protect areas with significant ecological values.</p>		<p>The proposed development results in lots that are suitably sized and dimensioned to maintain the existing dwellings, associated structures, private-open space, on-site parking, access, connection to infrastructure services and on-site sewer system.</p> <p>Both resultant lots achieve the minimum road frontage to Phillipson Road, being over 50m.</p>
<p>PO2: Rear lots are only created where:</p> <p>(a) they are for the purpose of a single Dwelling house;</p> <p>(b) the topography of the land or other physical features ensure that the amenity of adjoining lots would not be detrimentally affected;</p> <p>(c) the circumstances of the particular case are such that it would not be desirable or practical to provide full frontage lots; and</p> <p>(d) the function and safety of the road frontage road is not adversely affected and allows for waste collection.</p>	<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> <p>(a) the same as the minimum lot size for the relevant zone in accordance with Table 8.3.3.3</p> <p>(b) Minimum lot size and dimensions; and (b) is capable of containing a building envelope having minimum dimensions of 15m x 20m.</p> <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> <p>(a) improve the shape or utility of the existing lot;</p> <p>(b) be consistent with the character of the zone; and</p> <p>(c) not create additional lots.</p>	<p>AO3.1: No additional lots are created.</p>	<p>R3: Complies No additional lots are created.</p> <p>Although proposed Lot 2 does not achieve AO3.2, it is considered that the proposed development complies with PO3 as follows:</p>
	<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>	<ul style="list-style-type: none"> ▪ The proposed development is for a boundary realignment, 2 Lots into 2 Lots. ▪ The purpose of the proposed development is to improve the utility of Lot 3 on SP178288 by providing an additional frontage and access via Nagle Street. ▪ The proposed development maintains the character of the Rural residential zone,



Performance Outcome/Acceptable Outcomes		Response
		<p>providing for two (2) rural residential allotments.</p> <ul style="list-style-type: none"> The proposed development results in lots that are suitably sized and dimensioned to maintain the existing dwellings, associated structures, private-open space, on-site parking, access, connection to infrastructure services and on-site sewer system.
<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 development provides for an improvement on the existing situation by providing an additional access location for proposed Lot 2.</p> <p>The proposed development does not encumber any physical features.</p> <p>The proposed development does cause existing buildings or structures to become unlawful.</p>	
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 by:</p> <ul style="list-style-type: none"> Retaining the general topography of the site, with no earthworks proposed. The proposed site is not located within proximity to any waterways, wetlands, habitat areas, ecological corridors or steep land. 	
<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 within the Rural residential zone.</p> <p>The proposal is not considered to increase risk to people or property.</p> <p>The proposed development for a boundary realignment is not considered to cause nuisance from the existing lawful use as it relates to noise, dust, odour etc.</p>	
<p>PO7: Reconfiguration is designed to ensure integration with the surrounding locality, having regard to:</p>	<p>R7: Complies The proposed development is considered to appropriately</p>	



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<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; (d) surrounding landscaping and streetscape treatments; and (e) the interface between adjoining land uses. 	<p>integrate with the surrounding locality, given:</p> <ul style="list-style-type: none"> ▪ The proposed development maintains all existing connections to frontages and in turn connections to surrounding streets and other infrastructure networks. ▪ The proposal provides for suitably sized lots that are afforded appropriate access and servicing arrangements for existing rural residential purposes within the Rural residential zone.
Neighbourhood design in the General Residential Zone	
<p>PO8: Reconfigurations are designed to ensure:</p> <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. 	<p>R8: Not applicable Proposed development is not located within a general residential zone.</p>
<p>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.</p>	<p>R9: Not applicable Proposed development is not located within the General Residential Zone.</p>
<p>PO10: Neighbourhood design provides for safer communities by maximising opportunities for casual surveillance and minimising opportunities for crime and vandalism.</p>	<p>R10: Not applicable Proposed development is not located within the General Residential Zone.</p>
<p>PO11: Movement and open space networks are:</p> <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. 	<p>R11: Not applicable Proposed development is not located within the General Residential Zone.</p>
<p>PO12: Movement networks prioritise walking and cycling within neighbourhoods.</p>	<p>R12: Not applicable Proposed development is not located within the General Residential Zone.</p>
<p>PO13: Movement networks prioritise walking and cycling within neighbourhoods.</p>	<p>R13: Not applicable Proposed development is not located within the General Residential Zone.</p>
Climate responsive design	
<p>PO14: Neighbourhood layouts are designed to respond to local climate conditions and enable energy efficient dwellings.</p>	<p>R14: Not applicable The proposed development is for a boundary realignment only, of which both sites contain existing dwellings.</p> <p>The proposed development maintains large lots, promoting access to breezes.</p>



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Lot reconfiguration in the Industry Zone		
<p>PO15: Reconfiguration facilitates all types of industrial activities through:</p> <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. 		<p>R15: Not applicable Proposed development is not located within the General Residential Zone.</p>
<p>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.</p>		<p>R16: Not applicable Proposed development is not located within the General Residential Zone.</p>
Lot reconfiguration in the Rural Zone		
<p>PO17: Reconfiguration:</p> <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. 	<p>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.</p>	<p>R17: Not applicable Proposed development is not located within the Rural Zone.</p>
<p>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.</p> <p><small>Editor's note–Class A and B agricultural land is identified in the Agriculture overlay map OM1.</small></p>	<p>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.</p>	<p>R18: Not applicable Proposed development is not located within the Rural Zone.</p>
Infrastructure and services		
<small>Editor's note–Refer also to the Development works code.</small>		
<p>PO19: Development is located, designed and operated so that adverse impacts on privacy and amenity on nearby land in a residential zone are minimised.</p>	<p>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.</p> <p>AO19.2: Lots created outside the Priority Infrastructure Area are designed and configured to:</p> <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 	<p>R19: Complies The proposed development maintains existing connections to Council's reticulated water supply and on-site wastewater supply.</p> <p>No changes are proposed to the existing stormwater regime. Stormwater will be discharged to a lawful point of discharge. Specifically, no earthworks are proposed.</p> <p>The proposed lots will maintain existing connection to</p>



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	<p>(b) treat waste water on site in accordance with the Development works Town plan policy.</p> <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>	<p>telecommunications and electrical infrastructure.</p>
<p>PO20: Where reconfiguration proposes individual on site waste water disposal, it must be demonstrated that:</p> <ul style="list-style-type: none"> (a) the soil type and permeability, slope, and hydrology of the land is capable of accommodating the proposed loads within the lot; (b) there is sufficient area within the lot for an alternative disposal area should it be required; and (c) individually and collectively, the impacts of the existing and proposed systems do not adversely impact on the groundwater quality of the locality. 		<p>R20: Complies The existing dwellings are serviced by existing on-site wastewater systems. The on-site wastewater systems will be wholly contained within each of the individual allotments.</p>
<p>Access and road design Editor's note—refer also to the Development Works Code.</p>		
<p>PO21: Lots have safe access for vehicles and pedestrians through:</p> <ul style="list-style-type: none"> (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 (b) providing access appropriate for the type of vehicle associated with development. 	<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 All existing residential access locations will be maintained for the purpose of the proposed development.</p> <p>A new access location for Lot 2 is proposed via Nagle Street. The proposed access will be provided in accordance with Council's standard design drawings.</p>
<p>PO22: Reconfiguration involving the creation of new roads must:</p> <ul style="list-style-type: none"> (a) provide for the safe, efficient and convenient movement for all modes of transport; (b) are designed and constructed to support their intended function for all relevant design vehicle types; (c) provide safe and easy access to the frontage of lots; (d) are designed and constructed to give priority to pedestrian and bicycle pathways at intersections; 		<p>R22: Not applicable No roads are proposed as part of this development application.</p>



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<p>(e) where practicable, align with open space corridors and waterways; and</p> <p>(f) where appropriate provide connections to adjoining land.</p>	
<p>PO23: New roads ensure streetscape and landscape treatments are provided that:</p> <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. 	<p>R23: Not applicable No roads are proposed as part of this development application.</p>
<p>PO24: Reconfiguration includes appropriate pedestrian and cycle infrastructure that:</p> <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. 	<p>R24: Not applicable The proposed development involves a boundary realignment of rural residential land only and therefore does not include pedestrian and cycle infrastructure.</p>
<p>Stormwater management Editor's note—Refer also to the Development works code.</p>	
<p>PO25: Reconfiguring a lot development:</p> <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. 	<p>R25: Complies The proposed development maintains the topography of the site. No earthworks are proposed as part of this development application.</p> <p>No changes are proposed to the existing stormwater management of the site.</p> <p>Stormwater will continue to flow to the lawful point of discharge.</p>



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<p>Parks and open space</p> <p>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.</p>		
<p>PO26: Reconfiguring a lot provides parkland or open space which:</p> <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. 	<p>AO26: Parkland is provided in accordance with the Local Government Infrastructure Plan.</p>	<p>R26: Not applicable The proposed development is for a Boundary Realignment of Rural Residential land only. It is considered provision of parkland or open space is not required.</p>
<p>PO27: The design of parkland or open space:</p> <ul style="list-style-type: none"> (a) contributes to the character neighbourhood or area; (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. 		<p>R27: Not applicable The proposed development is for a Boundary Realignment of Rural Residential land only. It is considered provision of parkland or open space is not required.</p>
<p>PO28: The location of parkland or open space is conveniently located to residential neighbourhoods.</p>		<p>R28: Not applicable The proposed development is for a Boundary Realignment of Rural Residential land only. It is considered provision of parkland or open space is not required.</p>
<p>PO29: Open space for conservation purposes protects riparian corridors, significant vegetation and wildlife habitat and movement corridors.</p>		<p>R29: Not applicable The proposed development is for a Boundary Realignment of Rural Residential land only. It is considered provision of parkland or open space is not required.</p>
<p>Volumetric reconfiguration</p>		
<p>PO30: Volumetric reconfiguration (subdivision of space above or below the surface of land):</p> <ul style="list-style-type: none"> (a) facilitates efficient development that is consistent with the intent for the zone; or (b) is consistent with a development approval. 		<p>R30: Not applicable The proposed development does not involve a volumetric reconfiguration.</p>



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Access easement		
<p>PO31: The access easement must:</p> <ul style="list-style-type: none"> (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. 	<p>AO31: The access easement is designed in accordance with the design requirements of the Development works Town plan policy.</p>	<p>R31: Not applicable The proposed development does not involve an access easement.</p>
Stock routes		
<p>PO32: 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.</p>		<p>R32: Not applicable The proposed development does not impact a stock route network.</p>