



3 June 2026

Our Ref: 5264317
File Ref: RAL2025/0015
Enquiries: Peter Boyd

Burdekin Clarke Pty Ltd and Burdekin Doonan Pty Ltd
C/- BNC Planning
Attn: Benjamin Collings
PO Box 5493
TOWNSVILLE QLD 4810

Sent via email: enquire@bncplanning.com.au

Dear Ben

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

The assessment manager wishes to advise that the application was approved under delegated authority on 26 May 2026. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below:

Applicant details

Applicant name: Burdekin Clarke Pty Ltd and Burdekin Doonan Pty Ltd

Location details

Street address: 9 Blacks Road, Broughton
Real property description: Lot 4 on SP200726

Application details

Application number: RAL2025/0015
Approval type: Development Permit
Development type: Reconfiguring a Lot
Category of assessment: Code Assessment
Description of development: One lot into seven lots in two stages
Categorising instrument: Charters Towers Regional Town Plan Version 2

1. Details of the approval

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

PO Box 189 Charters Towers Qld 4820

ADMINISTRATION: 12 Mosman Street Charters Towers Qld 4820 Australia

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

www.charterstowers.qld.gov.au



	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Reconfiguring a lot under the <i>Land Title Act 1994</i>	Schedule 10, part 14, division 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Conditions of approval

Condition Number	Condition	Timing												
Approved Plans/Documents														
1.	<p>Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:</p> <table border="1"> <thead> <tr> <th>Drawing Title:</th> <th>Prepared by:</th> <th>Date:</th> <th>Ref No:</th> </tr> </thead> <tbody> <tr> <td>Proposed – Stage 1</td> <td>Atkinson & Booy Surveys</td> <td>14/11/2025</td> <td>P25-002</td> </tr> <tr> <td>Proposed – Stage 2</td> <td>Atkinson & Booy Surveys</td> <td>14/11/2025</td> <td>P25-002</td> </tr> </tbody> </table>	Drawing Title:	Prepared by:	Date:	Ref No:	Proposed – Stage 1	Atkinson & Booy Surveys	14/11/2025	P25-002	Proposed – Stage 2	Atkinson & Booy Surveys	14/11/2025	P25-002	At all times
Drawing Title:	Prepared by:	Date:	Ref No:											
Proposed – Stage 1	Atkinson & Booy Surveys	14/11/2025	P25-002											
Proposed – Stage 2	Atkinson & Booy Surveys	14/11/2025	P25-002											
General														
2.	<p>a) Comply with all conditions within this Development Permit with conditions prevailing over the approved plan(s) and document(s) in all instances</p> <p>b) Meet the cost of all works associated with the development including any alterations, relocations or repairs to damaged Council infrastructure including roads, water, sewer and stormwater services, and</p> <p>c) All repairs, alterations and relocations of Council infrastructure are to be in accordance with the relevant Council policy and/or Australian Standard.</p>	At all times												
Staging														
3.	The development is approved to be carried out in two (2) stages as shown on the approved plans.	As stated												
Environmental														
4.	Ensure that erosion and sedimentation control management is undertaken and maintained to prevent soil erosion and sedimentation runoff to watercourses and Council's storm water drainage system. Erosion and sediment control are to be in accordance with <i>International Erosion Control Association – Best Practice Erosion & Sediment Control guidelines and the Queensland Urban Drainage Manual 2017</i> .	At all times												
5.	The construction of the development must be limited to 0630—1830 Monday to Saturday and not at all on Sunday and public holidays as per Section 440R of the <i>Environmental Protection Act 1994</i> . Noise generated from construction must be within the limits set by the <i>Environmental Protection Act 1994</i> and the <i>Environmental Protection (Noise) Policy 2019</i> .	At all times												



Condition Number	Condition	Timing
6.	Ensure that: a) Works occur so they do not cause unreasonable interference with the amenity of adjoining premises because of noise, air or other chemical pollutants b) The premises including the adjoining Council controlled road reserve are kept in a safe, clean and tidy state, and c) All construction materials are contained wholly within the premises.	As part of construction works
Damage		
7.	The developer is responsible for the repair of any damage that is caused to Council infrastructure as a result of construction works associated with the proposed development. The developer must make any damage safe and then notify Council immediately. Council will make the decision as to who will carry out the rectification works and the timing for completion of those works.	At all times
Compliance with Council Standards		
8.	All design and construction for the development must be in accordance with Council's Policies, Engineering Design Guidelines, Standard Drawings and Standard Specifications.	At all times
Existing Services		
9.	Written confirmation of the location of existing services for the land must be provided to Council. Arrange registration of necessary easements in favour of Council prior to registration of survey plans.	Prior to registration of survey plans with Queensland Titles
Operational Works		
10.	A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include water infrastructure.	Prior to the lodgement of survey plan for endorsement
11.	The Development Application for Operational Works is to be designed and constructed in accordance with Australian Standards, the Water Reticulation Code of Australia (WSA03-1999) and any other applicable standards at the time of lodgement. All Operational Works that relate to this development must be accepted as on maintenance by Council.	As part operational works
Stormwater		
12.	Stormwater flows from the proposed development are to be reticulated to the lawful point of discharge and not directed onto the adjoining allotments.	At all times
13.	Construct a swale drain along the northern boundary to convey stormwater to the lawful point of discharge	Prior to the lodgement of survey plan for endorsement.
Transport and Access		
14.	All vehicle movements areas contained within Easement A are to be constructed, sealed and maintained with a minimum of two coat bitumen seal based on 150-millimetre deep gravel pavement. The sealed pavement of Easement A is to have a minimum width of 9m in addition to a turning circle which is to allow for the largest anticipated turning vehicle being 53.5m in	As part of construction and prior to the lodgement of



Condition Number	Condition	Timing
	length. The turning circle must be concrete unless otherwise approved by Council.	survey plan for endorsement
15.	The applicant shall lodge and obtain approval for an application to carry out public access work as part of works within the Council controlled road reserve.	Prior to works within Council's road reserve
16.	The applicant is to have approved by Council, a design for a driveway crossover at the frontage of Clara Road having a minimum design width of 9m. Upon approval of the design by Council, the applicant is to construct the driveway crossover.	As part of construction
17.	Traffic signage demonstrating that internal speed limits are not to exceed 15km/h are to be placed within the registered property boundaries of Lot 5 adjacent the driveway crossover. Signage is to be designed in accordance with the Department of Transport and Main Roads Queensland Manual on Uniform Traffic Control Devices July 2019.	As part of construction
Water and Sewer		
18.	The applicant shall lodge and have approved, an application for connection to water supply as part of the development's connection into Council's controlled water service infrastructure.	Prior to works on Council's water infrastructure
19.	The applicant as part of the Operational Works/Private Works Agreement must extend Council's existing 100mm water main located at Blacks Road through the premises and connect through to the existing water main located at Clara Road.	As part of construction
20.	Provide a water service connection from Council's water supply infrastructure to each proposed lot and pay the full cost of a water meter in the form of a bond for each proposed lot.	Prior to the lodgement of survey plan for endorsement
Electricity and Telecommunication		
21.	The applicant is to submit to Council a Certificate of Electricity Supply demonstrating that supply is provided and available to each proposed lot.	Prior to the lodgement of survey plan for endorsement
22.	The applicant is to submit to Council a Provisioning of Telecommunication Services demonstrating that supply is provided and available to each proposed lot.	Prior to the lodgement of survey plan for endorsement
Survey Plan Endorsement		
23.	Provide at no cost to Council, one copy of the fully executed easement documentation for the following; a) Access easement A in favour of Council and Lots 1-7 having a minimum width of 9m along the access handle and turning circle catering for the largest anticipated vehicle turning being 53.5m in length. The easement documentation must clearly state that the maintenance costs of the pavement within the easement is to be shared equally by the registered owners of Lots 1-7; b) Water easement in favour of Council burdening all affected lots having a minimum width of 2m either side (4m in total) from the centreline of	As part of the lodgement of survey plan for endorsement



Condition Number	Condition	Timing
	<p>Council's asset. The easement documentation must clearly state that no buildings and/or structures are to be constructed in or above the zone of influence of Council's asset and that Council will have free and unobstructed access in order to fix, maintain or repair the asset in the event of a failure;</p> <p>c) Drainage easement in favour of Council and benefited lots burdening all affected lots as determined by the drainage swale along the northern boundary. The easement documentation must clearly state that the maintenance costs of the drainage swale is the responsibility of each registered owner as the swale pertains to the extremities of each individual lot. The easement documentation must also clearly state that no buildings and/or structures are to be constructed in or above the drainage swale.</p>	
24.	<p>Lodge to Council, for approval, an application for Survey Plan Endorsement which includes:</p> <p>a) Payment of application fee in accordance with Council's fees and charges at the time of lodgement;</p> <p>b) All survey marks in their correct position in accordance with the Survey Plan;</p> <p>c) A compliance report demonstrating compliance with all associated Development Permit(s);</p> <p>d) One copy of the survey plan and easement documentation each fully executed for the lodgement with the Titles Office;</p> <p>e) Payment of any outstanding rates and charges in accordance with Schedule 18, Item 2(1)(c) of the <i>Planning Regulation 2017</i>; and</p> <p>f) Payment of any outstanding Adopted Infrastructure Charges.</p>	As part of the lodgement of survey plan for endorsement

3. Currency period for the development application approval

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

4. Further development permits

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

1. Operational Works – description of development



5. Referral agencies

The referral agencies for this application are:

Agency:	Trigger:	Address:	Date and Ref:
State Assessment and Referral Agency (SARA)	<i>Planning Regulation 2017</i> , Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 (10.9.4.2.3.1) Development application for reconfiguring a lot adjacent to a road that intersects with a State-controlled road within 100 metres	DSDIP SARA North and Central West Office PO Box 5666 TOWNSVILLE QLD 4810	27 April 2026 2601-50118 SRA

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

6. Submission(s)

Not applicable

7. Notice of reasons

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

Description of the development:	Reconfiguring 1 lot into 7 lots and access easement over 2 stages.		
Reasons for the decision:	The proposed development was assessed against the Charters Towers Regional Town Plan Version 2 and was found to generally comply with the relevant Acceptable Outcomes and Performance Outcomes.		
Assessment benchmarks:	The proposed development was assessed against the relevant assessment benchmarks of the Charters Towers Regional Town Plan Version 2 including the:		
	<ol style="list-style-type: none"> 1) Industry zone code 2) Natural environment overlay code 3) Regional infrastructure overlay code 4) Reconfiguring a lot code 5) Development works code 		
	The proposed development was assessed against all the assessment benchmarks listed about and complies with all with the exceptions listed and responded to below.		
	Assessment benchmark:	Reasons for the approval despite non-compliance with benchmark:	



	N/A	N/A
Relevant matters:	N/A	
Matters raised in submissions:	Submission Point:	Council Response:
	N/A	N/A

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

There are no other requirements.

9. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*). Information about how to proceed with an appeal to the Planning and Environment Court may be found on the Court's website: <http://www.courts.qld.gov.au/courts/planning-and-environment-court>.

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

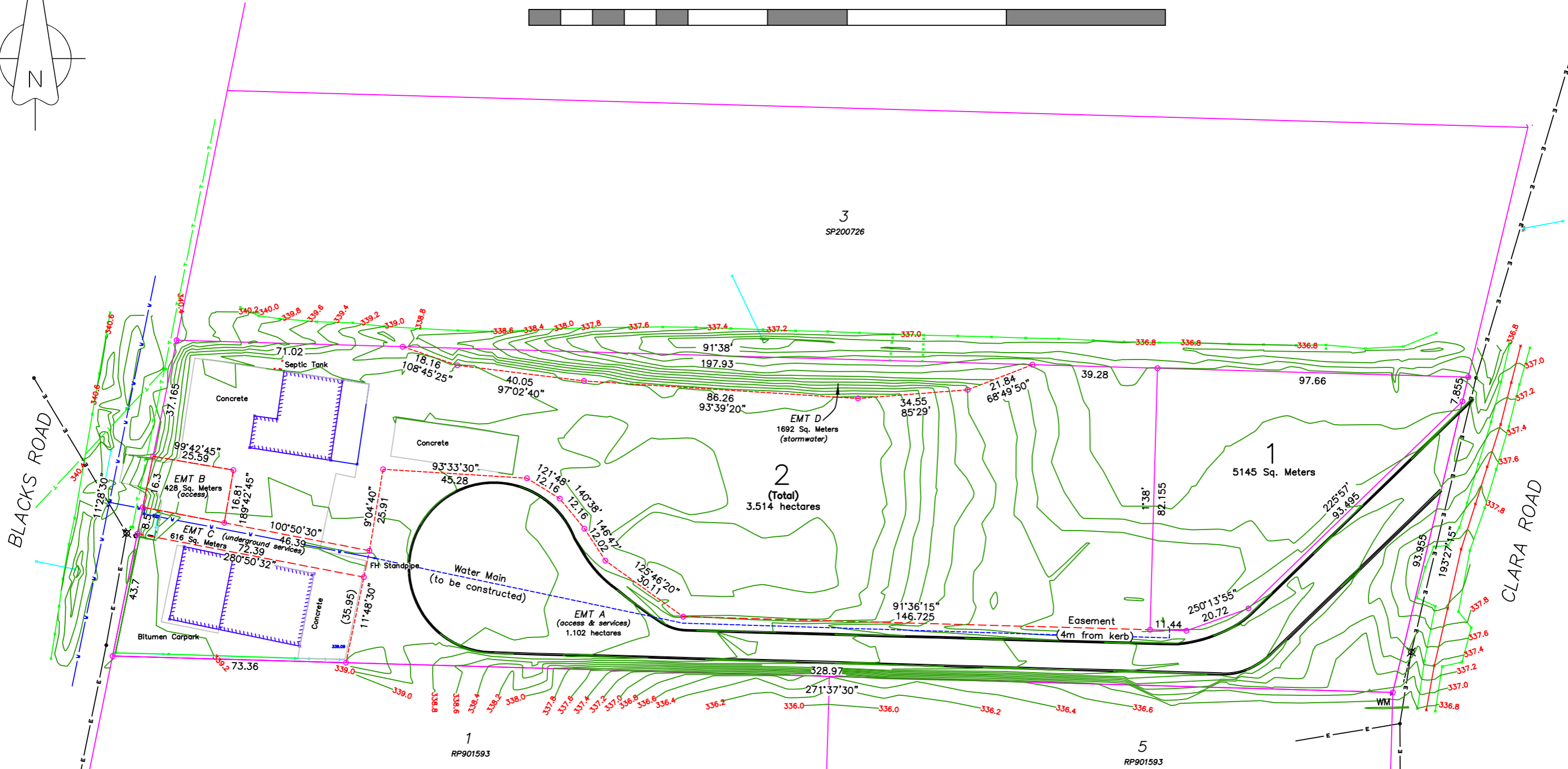
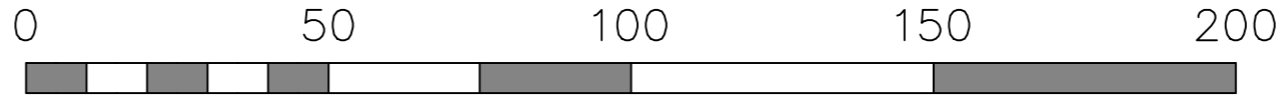
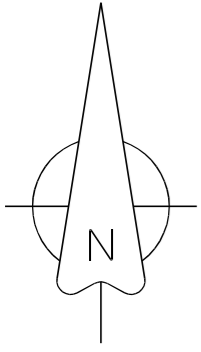
Should you wish to discuss this matter, please contact Council on (07) 4761 5300.

Yours faithfully



Timna Green
Manager Planning & Development





BLACKS ROAD

CLARA ROAD

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

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

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

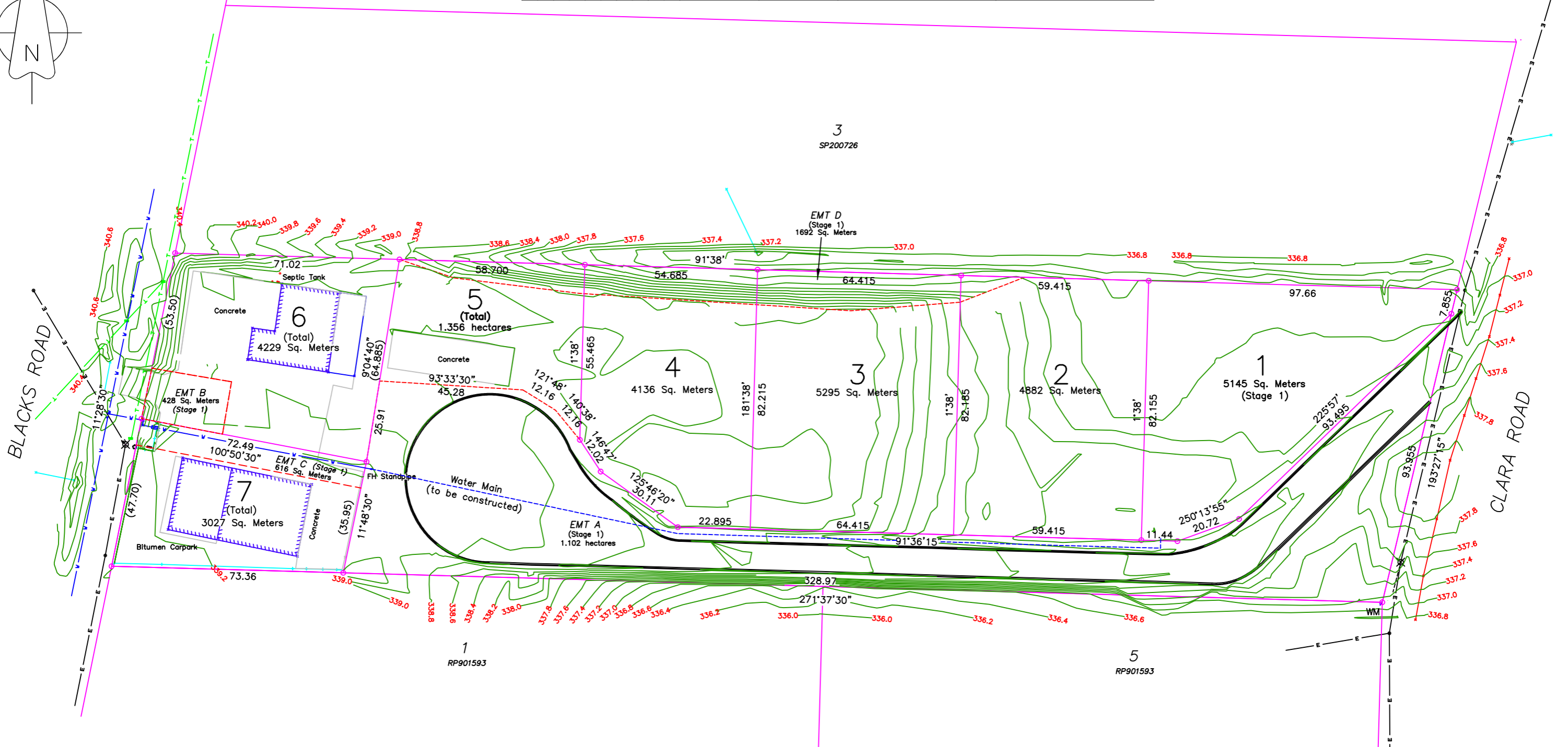
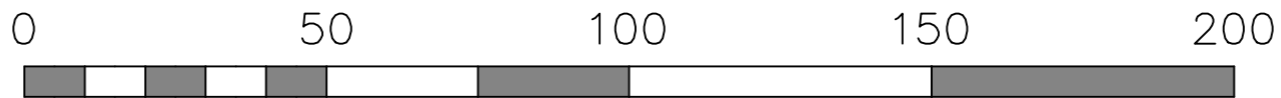
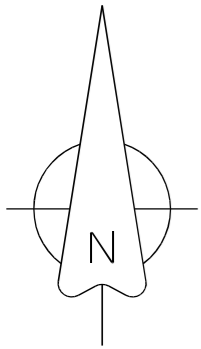
PROPOSED – Stage 1	
CLIENT	PETER DOONAN
LOCAL GOVERNMENT	Charters Towers Regional Council
DATE	24/11/2025
SCALE	1:1250 @ A3
SURVEYOR REF.	25-002
DRAWN:	IWF

LOCALITY: BROUGHTON

Atkinson & BOOY SURVEYS
 56 Thuringowa Drive, Kirwan QLD 4817
 Phone: (07) 47234885
 CADASTRAL SURVEYS

P25-002b.dwg
 Sheet 1 of 1
 Form 1.4





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

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

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

PROPOSED – Stage 2	
CLIENT PETER DOONAN	
LOCAL GOVERNMENT Charters Towers Regional Council	DATE 24/11/2025
SURVEYOR REF. 25-002	SCALE 1:1250 @ A3
	DRAWN: IWF

LOCALITY: BROUGHTON

Atkinson & BOOY SURVEYS
56 Thuringowa Drive, Kirwan QLD 4817
Phone: (07) 47234885
CADASTRAL SURVEYS

P25-002b.dwg
Sheet 1 of 1
Form 1.4



DATE: 3 June 2026
APPLICATION: RAL2025/0015

Minister: Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations

Agency: Department of State Development, Infrastructure and Planning

Minister: Minister for Housing and Public Works and Minister for Youth

Agency: Department of Housing and Public Works

Planning Act 2016

Reprint current from 18 July 2025 to date (accessed 4 August 2025 at 10:33)

[Chapter 6](#) > Part 1

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

Note—

For limitations on appeal rights in relation to a development approval for development requiring social impact assessment, see [section 106ZJ](#).

- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under [chapter 7, part 4](#), to register premises or to renew the registration of premises—20 business days after a notice is published under [section 269\(3\)\(a\)](#) or (4); or
 - (d) for an appeal against a decision of the Minister, under [chapter 7, part 4](#), to amend the registration of premises to include additional land in the affected area for the

premises—20 business days after the day a notice is published under section 269A(2)(a); or

- (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (f) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (g) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court’s power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency’s response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government’s charges resolution.

s 229 amd 2018 No. 17 s 178; 2022 No. 11 s 38; 2024 No. 13 s 77; 2025 No. 14 s 86 sch 1

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and

- (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department’s website for this purpose.

s 230 amd 2017 No. 12 s 50; 2019 No. 11 s 172

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

s 231 and 2017 No. 12 s 51; 2019 No. 11 s 173; 2020 No. 28 s 74A

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.