



PLANNING REPORT

DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT
PLANNING ACT 2016

Code Assessable Material Change of Use

37 Ryan Street, Charters Towers QLD 4820

being

Lot 2 on RP709628

for

Dual Occupancy

Report Matrix

APPLICATION SUMMARY	
Applicant:	Heygan Pty Ltd C/- BNC Planning
Application Type:	Development Application for a Development Permit
Development Type:	Material Change of Use
Category of Development (Level of Assessment):	Code Assessable
Proposed Development:	Dual Occupancy
Assessment Manager:	Charters Towers Regional Council
Referral Agencies:	NA
Planning Scheme:	Charters Towers Regional Plan
Planning Scheme Definition(s):	Dual Occupancy
Zoning:	General Residential zone
Precincts/Sub-Precincts:	NA
Overlays:	Heritage overlay
SITE DESCRIPTION	
Property Address:	37 Ryan Street, Charters Towers QLD 4820
Real (Legal) Property Description:	Lot 2 on RP709628
Site Area:	660m ²
Landowner:	HEYGAN PTY LTD
Tenure:	Freehold
Relevant Encumbrances:	NA
Local Government Area:	Charters Towers Regional Council
Road Frontage(s)	Ryans Street and Mary Street
Existing Use(s)	Dwelling House and Office

DOCUMENT CONTROL

Prepared by		Client	File Ref.	Report
BNC Planning		Heygan Pty Ltd	DA194-25	Report No. DA194-25-PR
Version	Date	Author		
1.0	March 2026	SSM:BNC		
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1. EXECUTIVE SUMMARY

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for a material change of use to facilitate an Dual Occupancy. The subject premises is addressed as 37 Ryan Street, Charters Towers QLD 4820 more particularly described as Lot 2 on RP709628. The premises is within the General Residential zone under the Charters Towers Regional Plan (the planning scheme) and has existing use rights for a Dwelling house and Office.

For the purpose of this development application *BNC Planning* act on behalf of the applicant *Heygan Pty Ltd*.

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

Table 1.0: Development application summary

APPLICATION SUMMARY	
Applicant:	Heygan Pty Ltd C/- BNC Planning
Application Type:	Development Application for a Development Permit
Development Type:	Material Change of Use
Category of Development (Level of Assessment):	Assessable Development – Code Assessable
Development Description:	Dual Occupancy
Assessment Manager:	Charters Towers Regional Council
Referral Agencies:	NA
CATEGORISING INSTRUMENTS	
Planning Scheme:	Charters Towers Regional Plan
Planning Scheme Defined Use(s):	Dual Occupancy
Zoning:	General Residential zone
Precincts/Sub-Precincts:	NA
Local Areas:	NA
Overlays:	Heritage overlay
SITE DESCRIPTION	
Property Address:	37 Ryan Street, Charters Towers QLD 4820
Real (Legal) Property Description:	Lot 2 on RP709628
Site Area:	660m ²
Landowner:	HEYGAN PTY LTD
Tenure:	Freehold
Relevant Encumbrances:	NA
Local Government Area:	Charters Towers Regional Council

2. INTRODUCTION

BNC Planning Pty Ltd has been commissioned by *Heygan Pty Ltd* (the Applicant) to prepare this town planning assessment report to support a development application which seeks Charters Towers Regional Council (Council) approval for a Material Change of Use for a dual occupancy as described within this planning report.

The land subject of this development application is addressed as 37 Ryan Street, Charters Towers QLD 4820 (the Site). This report addresses the merits of the development with regard to the provisions of the Charters Towers Regional Plan (the Planning scheme) and relevant sections of the *Planning Act 2016* (the Act) and *Planning Regulation 2017* (the Regulation).

This report is to be read in conjunction with the maps, plans, drawings, technical reports and other supporting information accompanying this development application. The assessment of the application is to be undertaken in accordance with Section 45(3) of the Act and Sections 26 and 27 of the Regulation. This report provides the Applicant's assessment of the proposed development against these provisions.

3. SITE AND LOCALITY

The subject premises is a Freehold land holding addressed as 37 Ryan Street, Charters Towers QLD 4820 more particularly described as Lot 2 on RP709628. The premises is within the General Residential zone under the planning scheme and has existing use rights for a dwelling house and office. The immediate locality consists of a mix of residential, commercial, and community uses.

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

APPLICATION REF.	DECISION AND DATE	ASSESSMENT MANAGER
NA	NA	NA

The following table describes the key characteristics of the site:

Table 2.0: Site characteristics

SITE AND LOCALITY DESCRIPTION	
Property Address:	37 Ryan Street, Charters Towers QLD 4820
Real (Legal) Property Description:	Lot 2 on RP709628
Site Area:	660m ²
Landowner:	HEYGAN PTY LTD
Tenure:	Freehold
Relevant Encumbrances:	NA
Local Government Area:	Charters Towers Regional Council
Zoning:	General residential zone
Precincts/Sub-Precincts:	NA
Local areas:	NA
Existing Use(s):	Existing use rights for a dwelling house and office
Road Frontage:	Mary Street and Ryan Street
Significant Site Features:	The site contains an existing dwelling house and commercial office.
Topography:	The site is generally flat and clear of vegetation with some landscaping.
Surrounding Land Uses:	Residential, commercial, and community uses

4. PROPOSAL SUMMARY

The applicant proposes to change the use of the site, from the existing dwelling house and office to a dual occupancy use. This involves converting the office to a dwelling, utilising the existing buildings on site. The development requires some internal renovations, but no major or external building works as the existing office has the general form of a dwelling. The attached Plans of Development included in **Appendix 3** outline the general site layout and function.

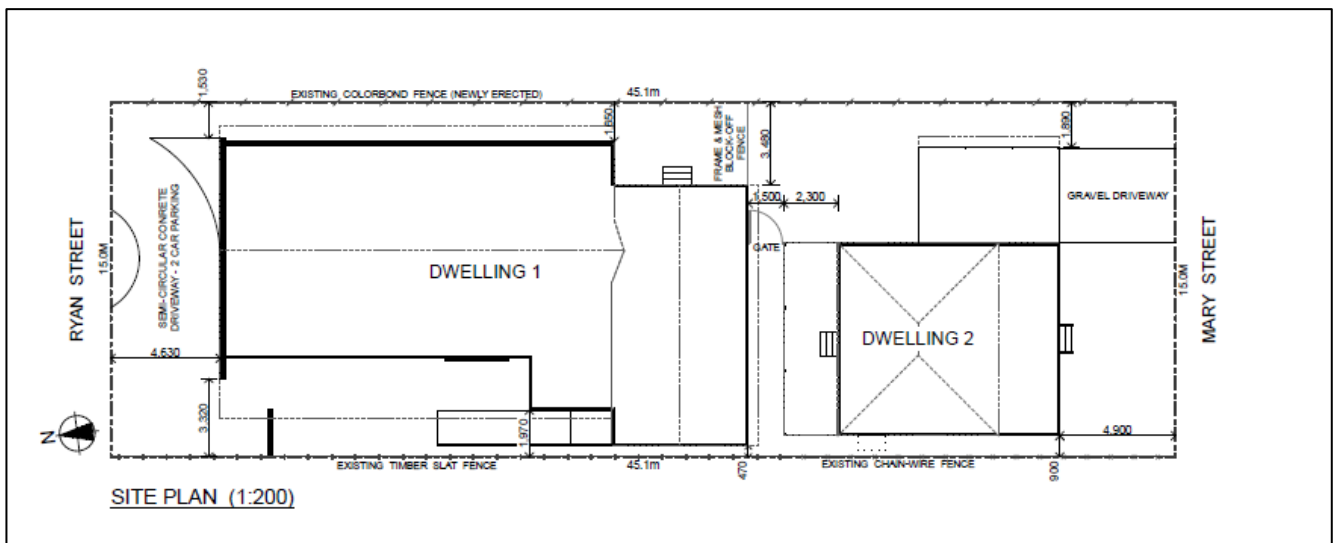


Image 1: Site Layout

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

Dual Occupancy:

- (a) A residential use of premises for 2 households involving —
 - (i) 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; and
 - (ii) any domestic outbuilding associated with the dwellings; but
- (b) does not include a residential use of premises that involves a Secondary dwelling.

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

Table 3.0: Proposal summary – Material Change of Use

ELEMENT	PROPOSED
Use rights:	Dual Occupancy
Building height/ storeys:	One storey
Boundary Setbacks:	No Changes to existing setbacks
Site cover:	~50% (no change)
Gross floor area:	317m ² (no change)
Car parking:	Four (4) (no change)

5. STATUTORY ASSESSMENT

The proposed Dual Occupancy is identified as *code assessable* in the material change of use table of assessment for the General Residential zone. There are no other components of the planning scheme or *Planning Regulation 2016* which effect the level of assessment for the proposal. The development application is therefore subject to a bound code assessment against the specific assessment benchmarks identified in the tables of assessment.

The development application does not triggers referral agency assessment.

5.1 Assessment Benchmarks Pertaining to State Planning Instruments

Matters Prescribed by Regulation

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

State Planning Policy

Charters Towers Regional Plan confirms in section 2.1 *State planning policy* that it has ministerial approval as having adequately integrated the *State Planning Policy July 2014* into the planning scheme. There are no stand-alone components of the State planning policy which are relevant to the assessment of this development application.

Regional Plan

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

State Development Assessment Provisions

Under Schedule 10 of the *Planning Regulation 2017*, the development application triggers referral agency involvement and direct assessment against the SDAPs as follows:

Planning Regulation 2017 Trigger	Matters of Assessment
NA	NA

5.2 Assessment Benchmarks Pertaining to Local Planning Instruments

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

Charters Towers Regional Plan

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

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

Local Government Infrastructure Plan

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

Assessment Benchmarks Summary

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

Local Planning Instruments	
Planning Scheme	General Residential zone code Development Works code Landscape code

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

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

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

5.2.1 General Residential Zone Code

PURPOSE

The proposed Dual occupancy use is consistent with the propose and overall outcomes of the General residential zone code. The development proposes a residential use that is low rise and consistent with the low-density character of the local area, while proposing no building works. The site’s existing services and infrastructure are also appropriate to support the proposed use, as well as the existing uses on site and the supporting infrastructure will be retained. This maintains the existing residential amenity and character of the site and local area.

Given the nature of the use, there are a number of outcomes within the code which are either objectively satisfied or not applicable. Any outcomes which are pertinent to the assessment of the proposal have been extracted and discussed below:

Performance outcomes	Acceptable outcomes	Justification
Built form		
PO1 Buildings: (a) are low rise; (b) do not create unreasonable overshadowing on adjoining residential properties; and (c) (c) do not adversely impact on the residential character and amenity of the area.	AO1 Building height does not exceed 8.5m and 2 storeys above ground level.	The existing site contains two one-storey buildings. No building works are proposed. Complies with AO1.
PO2 Residential buildings: (a) are proportionate to the size and street frontage of the site;	AO2.1 AO2.2 Where a Dual occupancy: (a) site cover is a maximum of 50% of the total site area; and (b) minimum street frontage is 30m.	Not Applicable. The development will maintain the existing built form of the site, where the current site coverage is generally than 50%, and a total street frontage of approximately 30m. The existing buildings are detached and maintain a standard residential built

<p>(b) protect residential neighbourhood character;</p> <p>(c) provide setbacks that maintain appropriate levels of light and solar penetration, air circulation, privacy and amenity for adjoining properties;</p> <p>(d) provide for adequate open space and landscape areas;</p> <p>(e) reduce building bulk; and</p> <p>(f) allow casual surveillance of the street.</p>	<p>Editor's note—Setbacks for a Dwelling house and Dual occupancy are regulated in the QDC.</p>	<p>form, being one storey in height with a building face that addresses the road, and are setback by at least 4m from any road. This provides appropriate levels of sunlight, ventilation and casual surveillance while maintaining standard residential privacy.</p> <p>Complies with PO2.</p>
<p>Residential density</p>		
<p>PO3 Residential density reflects the residential character of the area.</p>	<p>AO3.1 Residential density is a maximum of:</p> <p>(a) 1 dwelling per lot where a Dwelling house (including 1 Secondary dwelling); or</p> <p>(b) 1 dwelling per 450m² where Dual occupancy; or</p> <p>(c) 1 dwelling per 240m² where a Multiple dwelling.</p>	<p>The proposed dual occupancy on a 660m² lot is reflective of the residential character of the local area, considering that the site adjoins to a multiple dwelling and nearby to dwelling houses on small lots (less than 400m²).</p> <p>Complies with PO3.</p>
	<p>AO3.2</p>	<p>Not Applicable.</p>
<p>Open space</p>		
<p>PO4 Development must provide sufficient and accessible open space for resident's needs.</p>	<p>AO4.1</p> <p>AO4.2 Private open space is directly adjacent to the main living area.</p>	<p>Not Applicable.</p> <p>Private open space is provided to each dwelling at the front of the site to each dwelling, adjacent to a main living area.</p> <p>Complies with AO4.2.</p>
<p>Design and streetscape</p>		
<p>PO5 Driveways and parking areas including garages must not visually dominate the street.</p>	<p>AO5.1</p> <p>AO5.2 Vehicle access is provided through a:</p> <p>(a) 1 paired driveway for a Dual occupancy (where not on a corner lot);</p> <p>(b) single driveway where a Multiple dwelling, Residential care facility, Retirement facility or Rooming accommodation</p>	<p>Not Applicable.</p> <p>Both dwellings of the dual occupancy have road access via the frontage to Ryan Street and Mary Street and existing cross overs.</p> <p>Complies with PO5.</p>
<p>For all assessable development</p>		
<p>Design and streetscape</p>		
<p>PO8 Development has a high-quality appearance and makes a positive contribution to the streetscape.</p>	<p>AO8.1 Landscaping is to be provided at a minimum dimension of 1.5m in width along the full frontage of any road.</p>	<p>The development maintains the existing landscaping on the frontage of the site, which cannot be extended further along the frontage due to the positioning of existing road access points.</p> <p>Complies with PO8.</p>
	<p>AO8.2</p>	<p>Not Applicable.</p>
<p>PO9 Pedestrian entries:</p> <p>(a) are visible from the street and visitor car parking areas;</p> <p>(b) are separate to vehicle access points;</p> <p>(c) incorporate sun and rain shelter, such as overhangs or awnings; and</p>	<p>No acceptable outcome is nominated.</p>	<p>The development maintains the existing frontage of the site, which cannot be altered further due to the positioning of existing road access point. The existing frontage design provides a high level of design quality to contribute to a high standard for the streetscape. Pedestrian pathways are clearly marked and separated from vehicle manoeuvring areas and pedestrians entries are sheltered by awnings, defined by human scale design elements.</p> <p>Complies with PO9.</p>

(d) are defined by human scale design elements (such as, doors, windows, awnings, a portico, landscaping, etc).		
Amenity		
<p>PO16 Habitable spaces must not directly overlook dwellings on adjacent land.</p>	<p>AO16 Habitable room windows of a dwelling are separated a minimum of 9m from a habitable room window or private open space of another dwelling unless:</p> <ul style="list-style-type: none"> (a) windows have translucent glazing or sill heights of at least 1.5m; or (b) there is a 1.8m high dividing fence at ground level; (c) outlook from windows, balconies, and terraces of a dwelling is screened where screening is; <ul style="list-style-type: none"> (i) a solid translucent screen or perforated panels or trellises which have a maximum of 50% openings; and (ii) permanent and fixed, and designed to complement the development. 	<p>The development will utilise the existing built form of the site, with no proposed building works. The height of the existing buildings on site and adjoining the site, and the existing fencing on the boundaries of the site prevent any overlooking of dwellings on adjacent land.</p> <p>Complies with PO16.</p>
<p>PO17 Landscaping is provided to enhance the appearance of the development, screen unsightly components, create an attractive on site environment and provide shading. Editor's note—Applicants are also referred to the Landscaping code.</p>	<p>No acceptable outcome is nominated.</p>	<p>The existing landscaping is appropriate, effectively reducing the building bulk of the existing buildings on site and supporting the residential amenity of the local area.</p> <p>Complies with PO17.</p>

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

5.2.2 Development Codes

Development works code, and Landscaping code

The site has existing access to all required services, including reticulated sewer and water supply, electricity and telecommunications services, stormwater drainage and road access. The development will maintain the existing infrastructure provided to the site such as landscaping, driveways and parking areas. No changes to the connections to these services or existing infrastructure is proposed, or required to facilitate this development. Sufficient detail is provided on the plans of development to confirm compliance with the development codes or that solutions to addressing the servicing and utility needs of the development can be achieved at the detailed design stage. Accordingly, it is requested that conditions of approval be used to allow the material change of use decision to be reached as quickly as possible.

CAR PARKING RATIONALE

The planning scheme does not provide a minimum car parking rate for a Dual Occupancy use. Development must instead include the provision of adequate and convenient car parking on site to satisfy the anticipated requirements of the land use or activity. The existing site provides two (2) on site car parking spaces for each dwelling, for a total of four (4) car parking spaces. These spaces utilise existing on site infrastructure, including driveways and carport, and are positioned at the front and side of each dwelling. This provided car parking is standard for residential lots, and is adequate for the anticipated requirements of the proposal.

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

5.2.3 Overlay Codes

The attached heritage exemption certificate is provided, allowing for the development to be carried out as described. It was determined that the proposed development has been assessed as having no more than a minor detrimental impact on the cultural heritage significance of the place. As a result, the development is exempt from assessment against the Heritage Overlay Code.

5.3 Public Notification

The application is code assessable and will not be subject to public notification.

6. CONCLUSION

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* and is seeking a development permit for a material change of use to facilitate a Dual Occupancy. The subject premises is addressed as 37 Ryan Street, Charters Towers QLD 4820 more particularly described as Lot 2 on RP709628. The premises is within the General Residential zone under the Planning scheme and has existing use rights for a dwelling house and office.

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

STATEMENT OF REASONS

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

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

- The development allows the site to better contribute to the achievement of the Strategic Framework.
- The proposed land use outcome directly aligns with the Purpose of the zone code.
- The development outcome reflects community expectation for land use and development as established by the planning scheme and past development decisions.
- The development can be adequately serviced.
- The development will maintain the existing level and standard of servicing provided by the relevant infrastructure networks.
- The site is not identified as being susceptible to any unacceptable or unmanageable natural hazard or infrastructure constraints.
- The development does not increase the susceptibility of people or property to natural hazards or other health risks.
- The proposal addressed an established planning need for the development.
- The proposal does not undermine the planning scheme.
- The proposal does not establish precedence that could result in the future undermining of the planning scheme.

Landowners Consent Form

Planning Act 2016

Landowners Consent for

Individual Company

Applicant type

- Select "**Individual**" if you personally own the land and are providing consent as the landowner.
- Select "**Company**" if the land is owned by a business or entity and you are an authorised representative providing consent on behalf of the company.

I/We

Oliver Heymans- Director
HEYGAN PTY LTD

Name(s) of Landowner(s) or Authorized Representatives

- If you are an **individual landowner**, enter your full legal name (or all names if multiple owners).
- If the land is owned by a **company**, enter the full legal name(s) and position(s) of all authorised representatives signing on behalf of the company (e.g., John Smith, Co-Director; ABC Property).

Being the owner(s) of the premises identified as follows:

Street Address: 37 Ryan Street CHARTERS TOWERS QLD 4820

Real Property Description: Lot 2 on RP709628

consent to the making of a development application under the Planning Act 2016 care of BNC Planning Pty Ltd.

on the premises described above for:

Material change of use and/or Reconfiguring a lot.

Oliver

Heymans

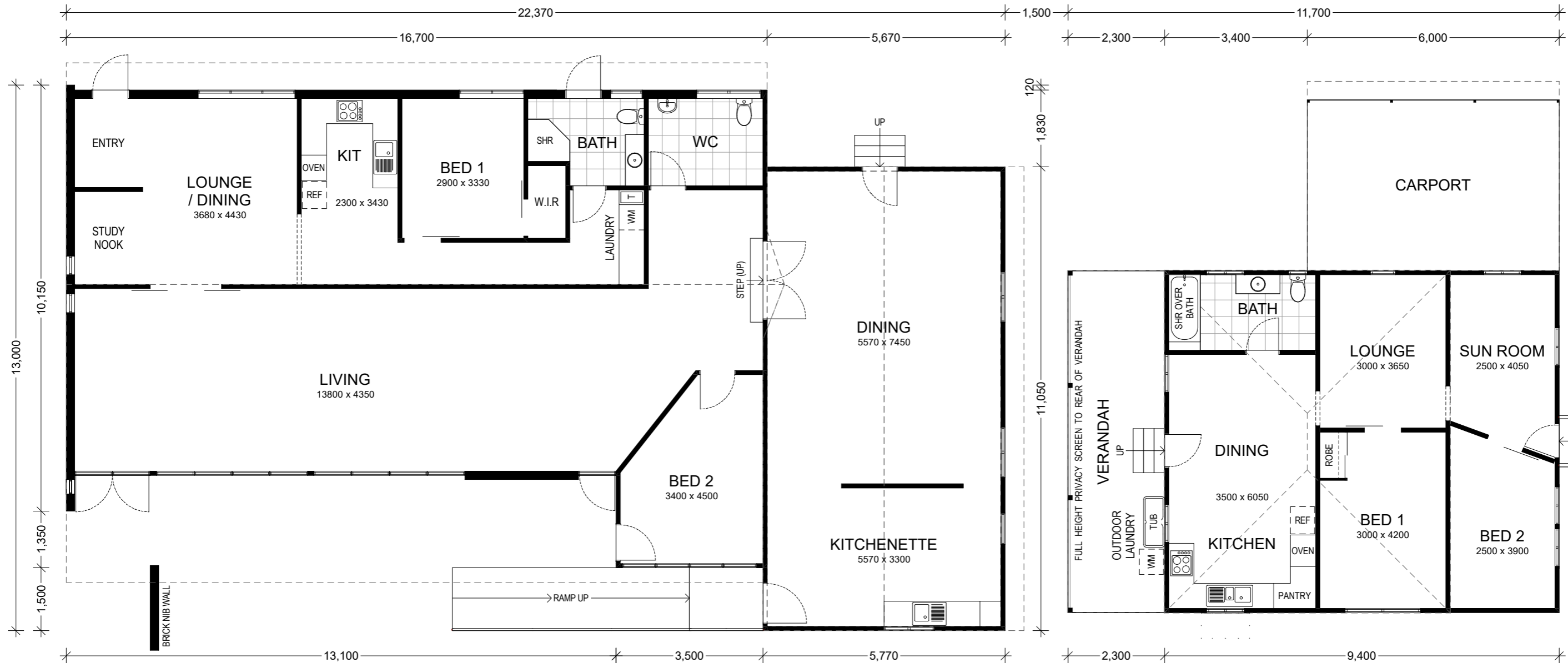
Signature

Oliver Heymans

Digitally signed by Oliver Heymans

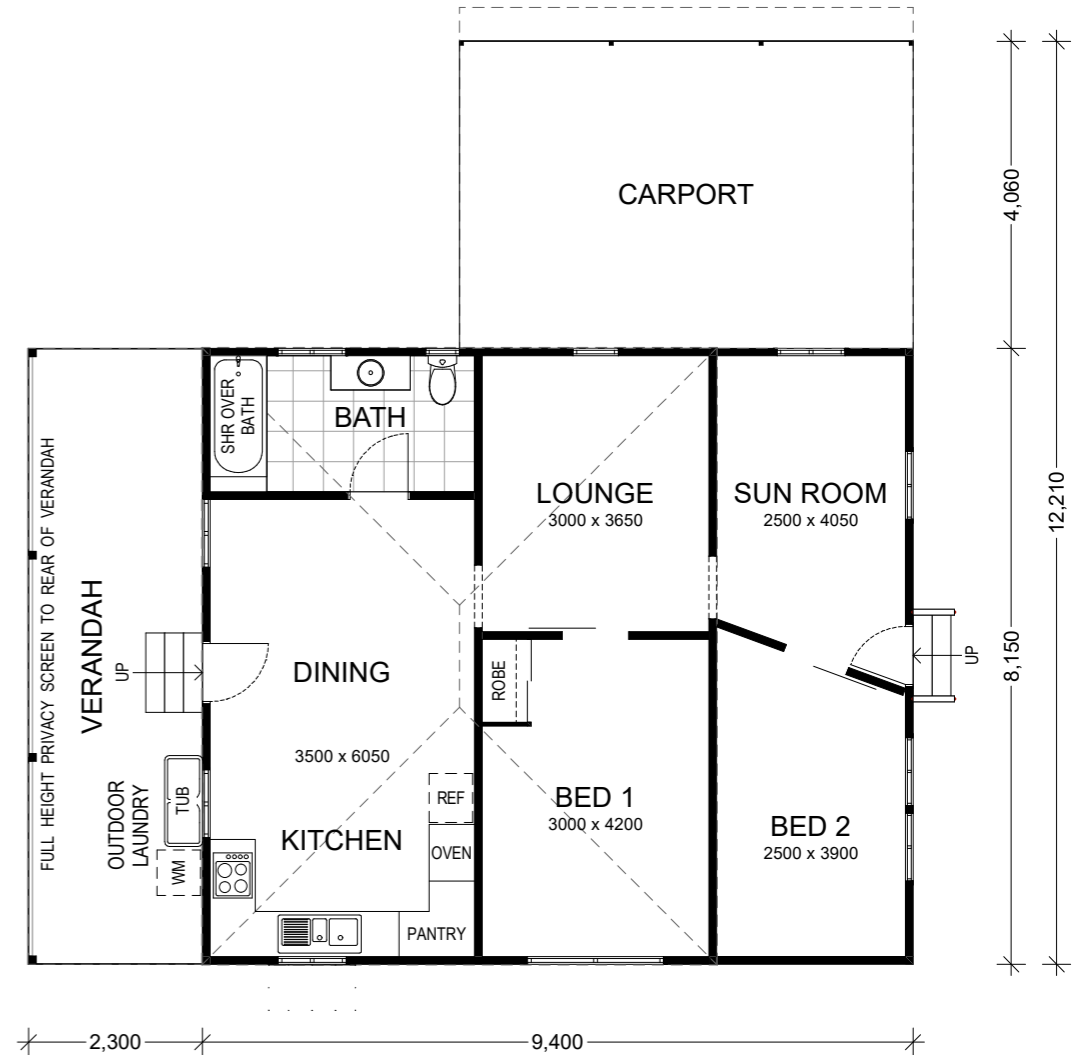
Date and time: 16/12/2025, 2:32:22 pm AEST

IP address: 211.27.5.154



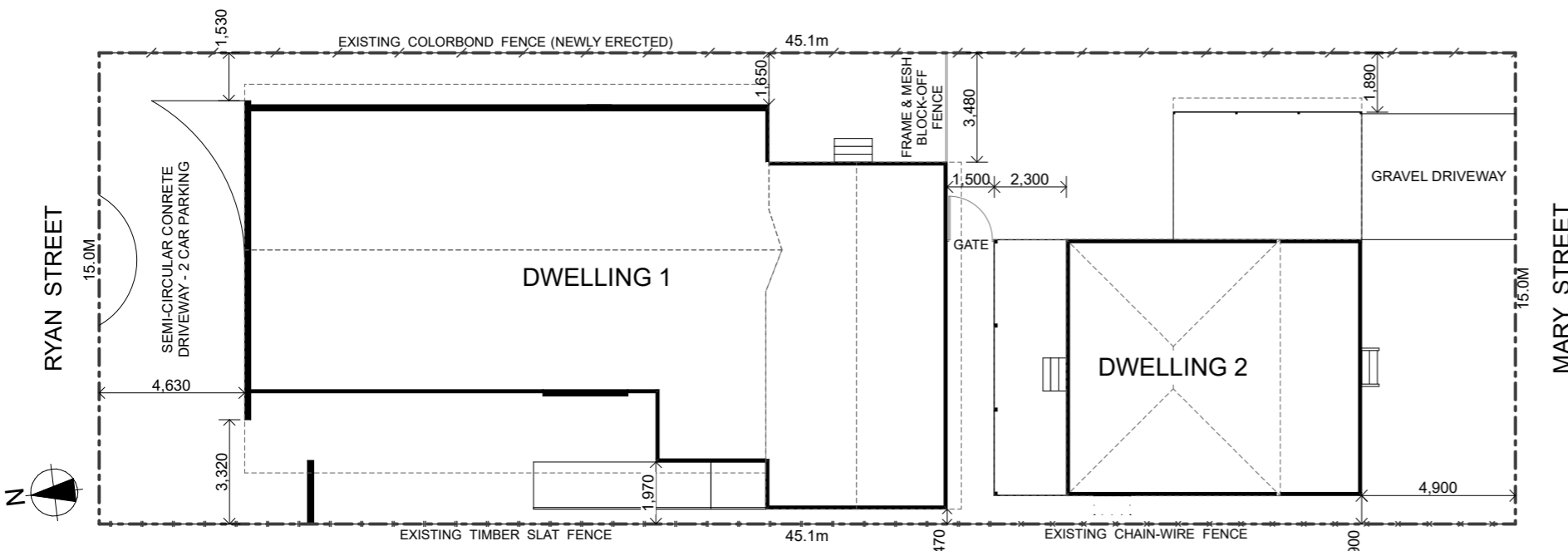
FLOOR PLAN: DWELLING 1 (1:100)

GFA = 240m²



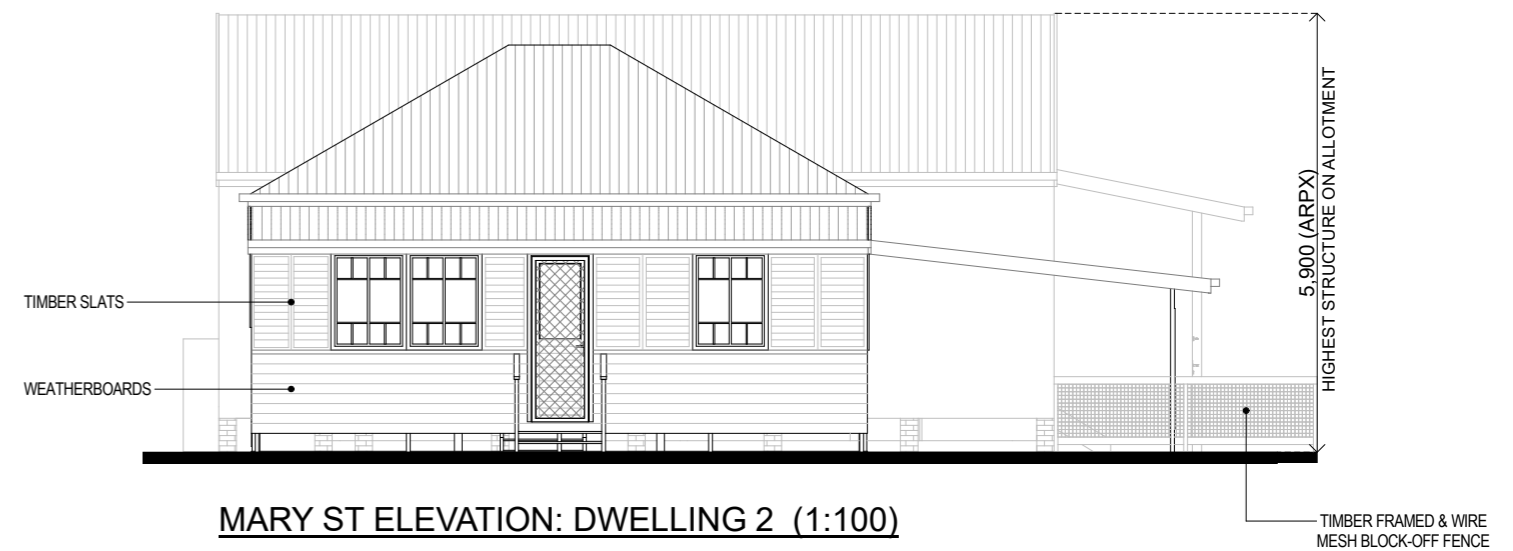
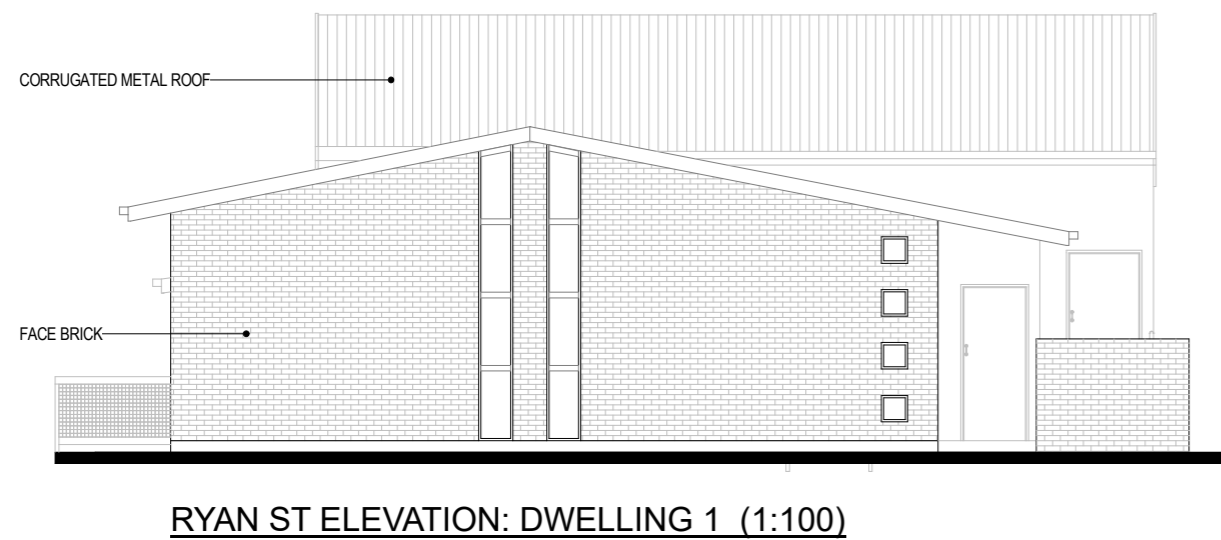
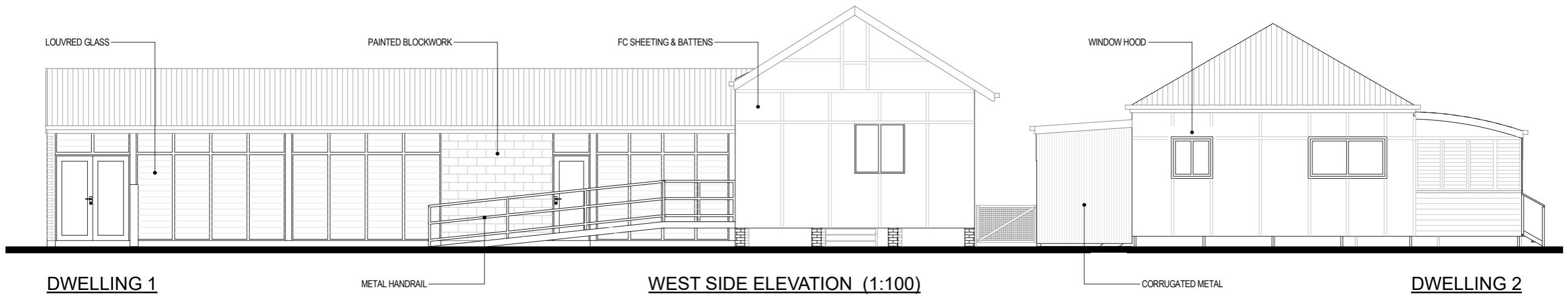
FLOOR PLAN: DWELLING 2 (1:100)

GFA = 77m²



SITE PLAN (1:200)

Proposed Change of Use Plans
37 Ryan Street, Charters Towers
For Mr Oliver Heymans



RYAN ST ELEVATION: DWELLING 1 (1:100)

MARY ST ELEVATION: DWELLING 2 (1:100)

**Proposed Change of Use Plans
37 Ryan Street, Charters Towers
For Mr Oliver Heymans**

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)	Heygan Pty Ltd C/- BNC Planning
Contact name (only applicable for companies)	Benjamin Collings
Postal address (P.O. Box or street address)	PO Box 5493
Suburb	Townsville
State	QLD
Postcode	4810
Country	Australia
Contact number	(07) 4724 1763
Email address (non-mandatory)	da.corro@bncplanning.com.au & bnc@bncplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	DA194-25

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
		37	Ryan Street	Charters Towers
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	2	RP709628	Charters Towers Region
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

Name of port authority for tidal area (if applicable)

<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):*

Two (2) detached dwellings for Dual Occupancy

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 checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument |
| Reconfiguring a lot | <input type="checkbox"/> Yes – complete division 2 |
| Operational work | <input type="checkbox"/> Yes – complete division 3 |
| Building work | <input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i> |

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition <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>
Two (2) detached dwellings	Dual Occupancy	Two (2)	317m ²

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?

--

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 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> |

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

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

10.2) Will the subdivision be staged?

- Yes – provide additional details below
 No

How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

12) Boundary realignment

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

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

12.2) What is the reason for the boundary realignment?

--

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

- Yes – specify number of new lots: _____
- No

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

PART 4 – ASSESSMENT MANAGER DETAILS

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

Charters Towers Regional Council

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:	37 Ryan Street, Charters Towers City	Place ID:	Lot 2 on RP709628
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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	