



11 August 2026

Our Ref: 5295926
File Ref: MCU2026/0012
Enquiries: Mark Alivio

Simon Perkins and Boronia Errey
PO Box 278
ATHERTON QLD 4883

Sent via email: jane@thedevco.com.au

Dear Mr Perkins and Ms Errey,

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 10 August 2026. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below:

Applicant details

Applicant name: Simon Victor Perkins and Boronia Jane Errey

Location details

Street address: 74 Corinda Avenue, Columbia (Lease C on Lot 5 SP269521)
Real property description: Lot 5 on SP269521
Current lawful use: Air Services (Flying School)

Application details

Application number: MCU2026/0012
Approval type: Development Permit
Development type: Material Change of Use
Category of assessment: Code Assessment
Description of development: Air Services (Flying School)
Definition of use: Air Service
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*.

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		☒	☐

2. Conditions of approval

Condition Number	Condition	Timing															
Approved Plans/Documents																	
1.	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: <table><tr><th>Drawing Title:</th><th>Prepared by:</th><th>Date:</th><th>Ref No.</th><th>Rev.:</th></tr><tr><td>Hangar – Layout Plan</td><td>-</td><td>June 2026</td><td>20260630-01</td><td>1</td></tr><tr><td>Site Plan - Hangar located on Lease – C, within Lot 5 on RP724021 at Charters Towers Airport</td><td>-</td><td>-</td><td>SP-E01</td><td>01</td></tr></table>	Drawing Title:	Prepared by:	Date:	Ref No.	Rev.:	Hangar – Layout Plan	-	June 2026	20260630-01	1	Site Plan - Hangar located on Lease – C, within Lot 5 on RP724021 at Charters Towers Airport	-	-	SP-E01	01	At all times
Drawing Title:	Prepared by:	Date:	Ref No.	Rev.:													
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Site Plan - Hangar located on Lease – C, within Lot 5 on RP724021 at Charters Towers Airport	-	-	SP-E01	01													
General																	
2.	a) Comply with all conditions within this Development Permit with conditions prevailing over the approved plan(s) and document(s) in all instances. b) Meet the cost of all works associated with the development including any alterations, relocations or repairs to damaged Council infrastructure, and c) All repairs, alterations and relocations of Council infrastructure are to be in accordance with the relevant Council policy and/or Australian Standard.	At all times															



Condition Number	Condition	Timing
Environmental		
3.	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
4.	Where contaminated soils are evident, remedial works must be undertaken in accordance with <i>Environmental Protection Act 1994</i> . Where contaminated soils are identified, Council must be notified and provided with an appropriate Contaminated Soil Remedial Plan	As part of operational and/or building works
Special		
5.	The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.	
Plant and Equipment		
6.	All plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened, and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.	At all times
Damages		
7.	The developer is responsible for the repair of any damage that is caused to Council's infrastructure as a result of 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 the completion of those works.	At all times



Advisory Notes	
Scale or Intensity of Use	
A.	Any proposal to increase the scale or intensity of the use/new use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the <i>Planning Act 2016</i> and would have to comply with the requirements of the relevant provisions.
Local and State Heritage	
B.	The Charters Towers Regional Council local government area contains significant Local and State heritage features including stone pitch kerbing and channels and footbridges. Persons damaging or removing Local or State heritage features may be prosecuted and fined with the maximum penalty under the <i>Planning Act 2016</i>. Please contact Council prior to commencing any works, to determine if there are any Local or State heritage features within or adjacent to the premises. NOTE – with reference to Charters Towers Airport: Queensland Heritage Place – Charters Towers Airfield Bore Sight Range & Compass Swinging Platform. Local heritage place – Charters Towers Airport
Aboriginal and Cultural Heritage	
C.	The <i>Aboriginal Cultural Heritage Act 2003</i> and <i>Torres Strait Islander Cultural Heritage Act 2003</i> requires anyone who carries out a land-use activity to exercise a duty of care. Land users must take all reasonable and practicable measures to ensure their activity does not harm Aboriginal or Torres Strait Islander cultural heritage. Prior to carrying out works, it is advised that you contact the Department of Aboriginal and Torres Strait Islander Partnerships on (07) 4799 7470 or by post at PO Box 5620 TOWNSVILLE QLD 4810. For further information on cultural heritage duty of care please visit: https://www.datsip.qld.gov.au/people-communities/aboriginal-torres-strait-islander-cultural-heritage/cultural-heritage-duty-care
Abandoned Mine Shafts	
D.	The city of Charters Towers is subject to a significant number of abandoned mine shafts due to the former gold rush era. It is recommended that all searches be undertaken through the Queensland State Government's Department of Natural Resources Mines and Energy (DNRME) to ensure that the development is not unduly impacted upon by these shafts. The DNRME can be contacted on 13 74 68.
Workplace Health and Safety	
E.	Ensure compliance with the <i>Work Health and Safety Act 2011</i>. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work. It is the principal contractor's responsibility to ensure compliance with the <i>Work Health and Safety Act 2011</i>. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work. It is the responsibility of the person in control of the workplace to ensure compliance with the <i>Work Health and Safety Act 2011</i>. It states that the person



Advisory Notes	
	in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.
Environmental Nuisance	
F.	Ensure compliance with the <i>Environmental Protection Act 1994</i>. It states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use.
Ergon Energy and Telstra Corporation Contact Details	
G.	Where a condition requires connections to reticulated electricity and/or telecommunications or a certificate of supply, please contact the below: a) Ergon Energy Connection Solution's Team – (07) 4931 1012, and/or b) NBN Co – 1800 687 626.

3. Currency period for the development application approval

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of six (6) years.

4. Further development permits

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

1. Building Works

5. Referral agencies

Not applicable.

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:	The proposed development is for Material Change of Use for Air Services (Flying School).	
Reasons for the decision:	The application for the Material Change of Use (MCU) Air Services (Flying School) has been assessed against the relevant provisions of the Charters Towers Regional Town Plan Version 2. It is considered that the proposal is reasonable and is recommended for approval and has complied with the relevant Acceptable 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: 1) Special Purpose Zone Code 2) Development Works Code 3) Bushfire Overlay Code 4) Flood Hazard Overlay Code	
	The proposed development was assessed against all the assessment benchmarks listed above 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:		
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*.

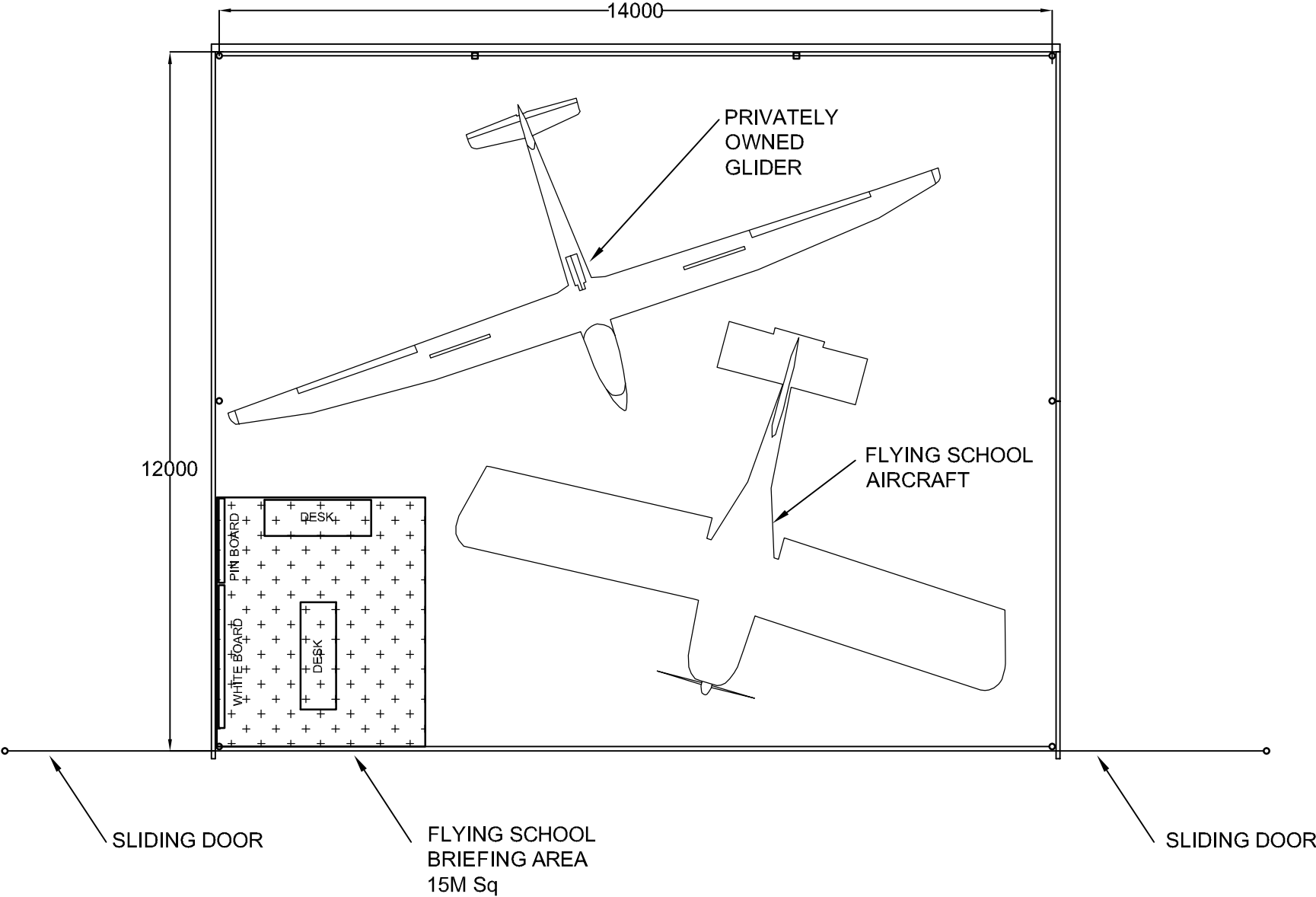
Should you wish to discuss this matter, please contact Mark Alivio on (07) 4761 5300.

Yours faithfully



Timna Green
Manager Planning & Development
Enc. Approved Documentation





FLOOR PLAN

LEASE C - LOT 5 SO296521 CHARTERS TOWERS



APPROVED PLAN

Planning and Development

DATE:

10 August 2026

APPLICATION:

MCU2026/0012

1	30-06-2026	INITIAL ISSUE	SP
Code	Date	Description	Auth
HANGAR		Date	JUNE 2026
		Scale	1:100
		Drawn	SP
DRAWING TITLE LAYOUT PLAN		Approved	JE
		Drawing Number 20260630-01	
		Revision 1	





APPROVED PLAN
Planning and
Development

DATE:

10 August 2026

APPLICATION:

MCU2026/0012

			HANGAR LOCATED ON LEASE - C WITHIN LOT 5 ON RP724021 AT CHARTERS TOWERS AIRPORT	Drawing Title SITE PLAN	Scale	1:250
					Drawing Number	Revision
Code	Date	Description			SP-E01	01

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 and 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.