

17 April 2018

Our Ref: 1181402
File Ref: 05/APP/02
Enquiries: Matthew Kelly

Peter and Patricia O'Keefe
PO Box 646
CHARTERS TOWERS QLD 4820

Sent via email: Joypatricia58@hotmail.com

Dear Sir/Madam

Decision Notice
(Given under s63 of the *Planning Act 2016*)

The Assessment Manager acknowledges receipt of the above application on 3 April 2018 and wishes to advise that the application was assessed and decided under delegated authority on 17 April 2018 with a recommendation of approval. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below.

Applicant details

Applicant name: Peter and Patricia O'Keefe

Location details

Street address: 11-17 New Queen Road, QUEENTON QLD 4820
Real property description: Lot 1 on DV836175
Current lawful use: Sport and Recreation and Caretakers Residence
Local government area: Charters Towers Regional Council

Application details

Application number: RL18/44
Approval type: Development Permit
Development type: Reconfiguring a Lot
Category of assessment: Code Assessment
Description of development: One into two lots
Definition of use: N/A
Categorising instrument: Charters Towers Planning Scheme 2011

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		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Conditions of approval

Conditions of this approval are included within **Attachment 1**.

3. Approved plans and specifications

The approved plans and/or documents for this development approval are listed below:

Drawing title:	Prepared by:	Date:	Reference no:	Revision:
Proposed Reconfiguration lots 1 & 2	Atkinson & Booy Surveys	16/04/2018	P18-013(b).dwg	b

The approved plans in relation to this approval are included within **Attachment 2**.

4. Currency period for the development application approval

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of 4 years.

5. Further development permits

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

1. Nil.

6. Referral agencies

The referral agencies for this application are:

1. Nil.

The conditions imposed by the referral agencies are included within **Attachment 1**.

7. Submission(s)

Properly made submissions were not made in relation this development.

8. Notice of reasons

The notice of reasons are included within **Attachment 3**.

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



There are no other requirements.

10. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application 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>.

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- The refusal of all or part of the development application;
- A provision of the development approval;
- The decision to give a preliminary approval when a development permit was applied for; or
- A deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

Appeal by a submitter


A submitter for a development application may appeal to the Planning and Environment Court against:

- Any part of the development application for the development approval that required impact assessment; or
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

For further information please contact Council's Senior Manager Planning and Development, Matthew Kelly on (07) 4761 5522.

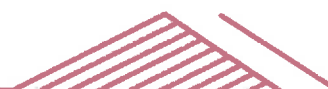
Yours faithfully



David Metcalfe
Assessment Manager
Director Planning & Community Services



Condition Number	Condition	Timing
8.	The applicant is to ensure that the site including the adjoining Council controlled road reserve are kept in a safe, clean and tidy state.	At all times
Transport and Access		
9.	The applicant is to construct a driveway crossover at the frontage of each proposed lot in accordance with Council's standard drawing <i>CTRC-002 Roads urban concrete driveway</i> for Lot one and <i>CTRC-003 Roads commercial driveway slab</i> for Lot two.	Prior to the lodgement of survey plan for endorsement
10.	The applicant shall lodge and obtain approval for an application to carry out public access/footpath work as part of works within the Council controlled road reserve.	Prior to works within Council's road reserve
Water and Sewer		
11.	The applicant shall lodge and have approved a request for water supply connection and an application for connection to water supply as part of connection to Council's controlled water service infrastructure.	Prior to the lodgement of survey plan for endorsement
12.	The applicant is to provide a water service connection from Council's water supply infrastructure to the front property boundary of each proposed lot at no cost to Council. The location and size of the water service (and any associated fire service) is to be determined in consultation with Council.	Prior to the lodgement of survey plan for endorsement
13.	The applicant is to provide a sewer service connection from Council's sewer supply infrastructure to each proposed lot at no cost to Council. The location and size of the sewer service is to be determined in consultation with Council.	Prior to the lodgement of survey plan for endorsement
Electricity and Telecommunication		
14.	The applicant is to submit to Council, either: a) A certificate of supply demonstrating that existing electricity and telecommunication supply is available to each lot proposed; or b) A certificate of supply that the applicant has entered into an agreement with the authorised electricity supplier, Ergon Energy, to provide electricity services to each proposed lot and that payment has been received and the connection will be completed at a date in the future; and c) A certificate demonstrating that the applicant has entered into an agreement with an authorised telecommunications provider, Telstra, to provide telecommunications services to each proposed lot and that payment has been received and the connection will be completed at a date in the future.	Prior to the lodgement of survey plan for endorsement
Survey Plan Endorsement		
15.	Upon lodging a survey plan for endorsement, the applicant is to ensure that: a) All survey marks in their correct position in accordance with the Survey Plan; b) A compliance report demonstrating compliance with all associated development permit(s); c) One copy of the survey plan and/or easement documentation each fully executed for the lodgement with the Titles Office d) Payment of any outstanding rates and charges in accordance with Schedule 18, Item 2(1)(c) of the <i>Planning Regulation 2017</i> ; and e) Payment of any outstanding Adopted Infrastructure Charges.	As part of the lodgement of survey plan for endorsement



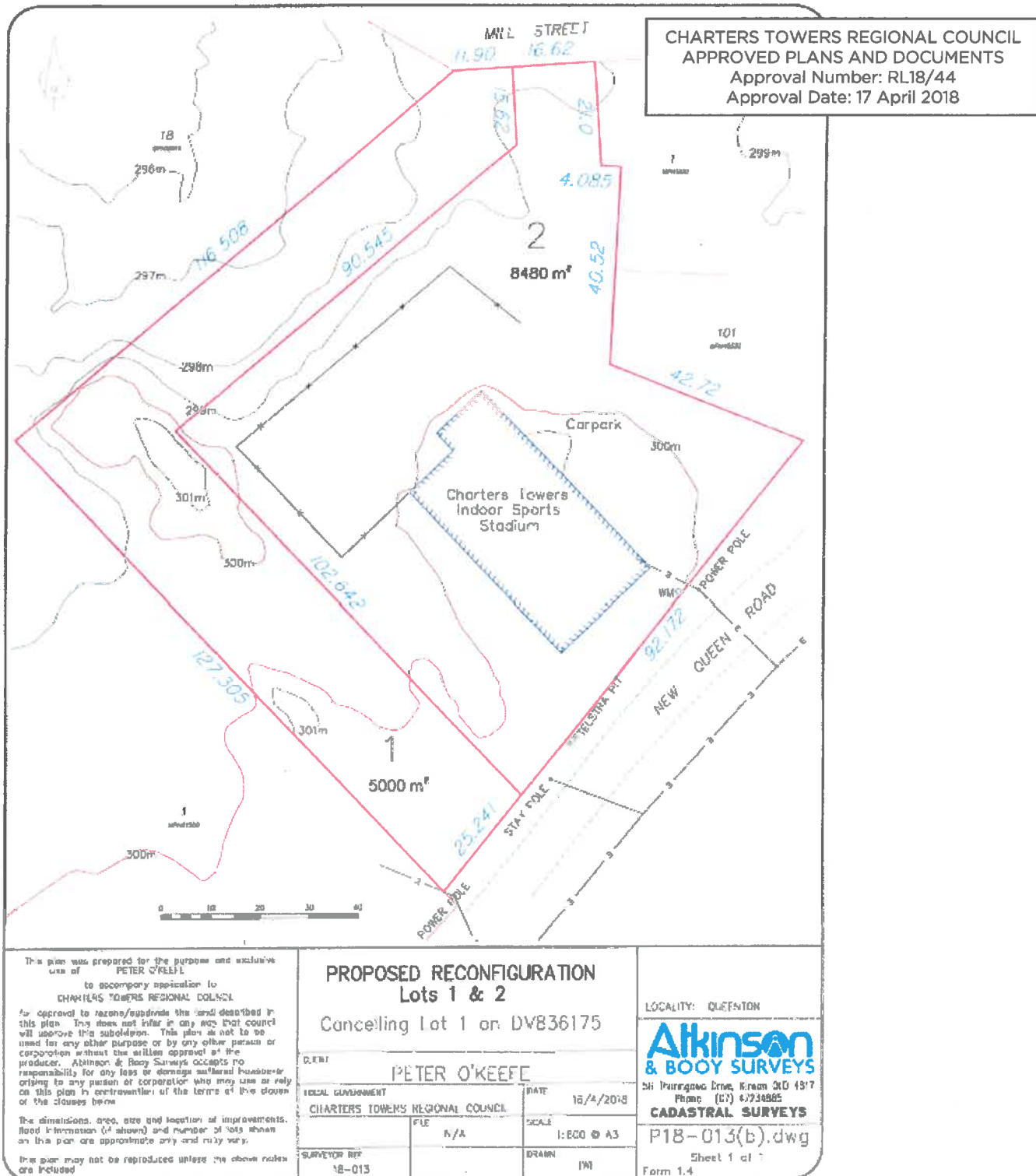


Part 2—Conditions required by the referral agency response

Not applicable.



Attachment 2—Approved Plans



Attachment 3—Notice of reasons

This notice is prepared in accordance with s63(5) of the *Planning Act 2016* to inform the public about a decision that has been made in relation to a development application. The purpose of the notice is to enable a public understanding of the reasons for the planning decision. This includes the relevant parts of the Planning Scheme and assessment benchmarks against which the application was assessed, and any other information, documents or other material Council was either required to, or able to, consider in its assessment. All terms used in this notice have the meanings given them in the *Planning Act 2016*.

Description of the development	Reconfiguring a Lot (one into two lots)	
Assessment benchmarks	The proposed development was assessed against the following assessment benchmarks: <ul style="list-style-type: none"> • Rural Zone Code • Reconfiguring a Lot Code 	
Relevant matters	Not applicable - code assessable	
Matters raised in submissions	Not applicable - code assessable	
Reasons for decision	The development was assessed against all the assessment benchmarks listed above and complies with all, with the exceptions listed below:	
	Assessment benchmark	Reasons for the approval despite non-compliance with benchmark
	Reconfiguring a Lot Code A1 and A13	Whilst the proposal does not meet the 50m frontage requirement for proposed lot one, the proposal meets Specific Outcome by creating additional lots which achieve acceptable levels of utility and amenity for each lot created in terms of size and dimensions.

