

13 June 2019

Our Ref: 1266715  
File Ref: 05/APP/02  
Enquiries: Prue Miller

Bradley and Raylea Thomson  
14 Barnes Street  
MILLCHESTER QLD 4820

Sent via email: [Raythomson@bigpond.com](mailto:Raythomson@bigpond.com)

Dear Mr and Mrs Thomson

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

The Assessment Manager acknowledges receipt of development application RL19/75 on 3 June 2019 and wishes to advise that the application was assessed and decided under delegated authority on 13 June 2019 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**

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Applicant name: Bradley and Raylea Thomson

**Location details**

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Street address: 14 Barnes Street and 5 Lea Street, MILLCHESTER QLD 4820  
Real property description: Lot 1 on MPH1409 and Lot 2 on MPH30934  
Current lawful use: Lot 1 on MPH1409 – Dwelling House  
Lot 2 on MPH30934 – Dwelling House and Home Occupation  
Local government area: Charters Towers Regional Council

**Application details**

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Application number: MC19/75  
Approval type: Development Permit  
Development type: Reconfiguring a Lot  
Category of assessment: Code Assessment  
Description of development: Boundary Realignment (two into two lots)  
Categorising instrument: Aligned Charters Towers Planning Scheme 2011

**1. Details of the approval**

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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 plan for this development approval is listed below:

Drawing title:	Prepared by:	Date:	Reference no:
Plan of Lots 1 & 2 Cancelling Lot 1 on MPH1409 & Lot 2 on MPH30934	Dale Atkinson	11 June 2019	SP314312

The approved plan in relation to this approval is included as an attachment.

## 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 four years.

## 5. Further development permits

Please be advised that no further development permits are required to be obtained before the development can be carried out.

## 6. Referral agencies

There were no referral agencies for this application.

## 7. Submission(s)

Properly made submissions were not made in relation this development.

## 8. 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.

<b>Description of the development:</b>	The proposal is for a Reconfiguration of a Lot Boundary Realignment (two into two lots).
<b>Assessment benchmarks:</b>	<p>The proposal was assessed against the State Planning Policy – July 2017 and the Aligned Charters Towers Planning Scheme 2011 including the following assessment benchmarks;</p> <ul style="list-style-type: none"> <li>Residential Zone Code</li> </ul>



	<ul style="list-style-type: none"> <li>• Rural Zone Code, and</li> <li>• Reconfiguring a Lot Code.</li> </ul>	
<b>Relevant matters:</b>	Not applicable.	
<b>Matters raised in submissions:</b>	<b>Submission Point:</b>	<b>Council Response:</b>
	Not applicable.	Not applicable.
<b>Reasons for decision:</b>	The development was assessed against all the assessment benchmarks listed above and complies with all, with the exceptions listed below:	
	<b>Assessment benchmark:</b>	<b>Reasons for the approval despite non-compliance with benchmark:</b>
	Not applicable.	Not applicable.

#### 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 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*.

For further information please contact Council's Planner, Prue Miller on (07) 4761 5526.

Yours faithfully



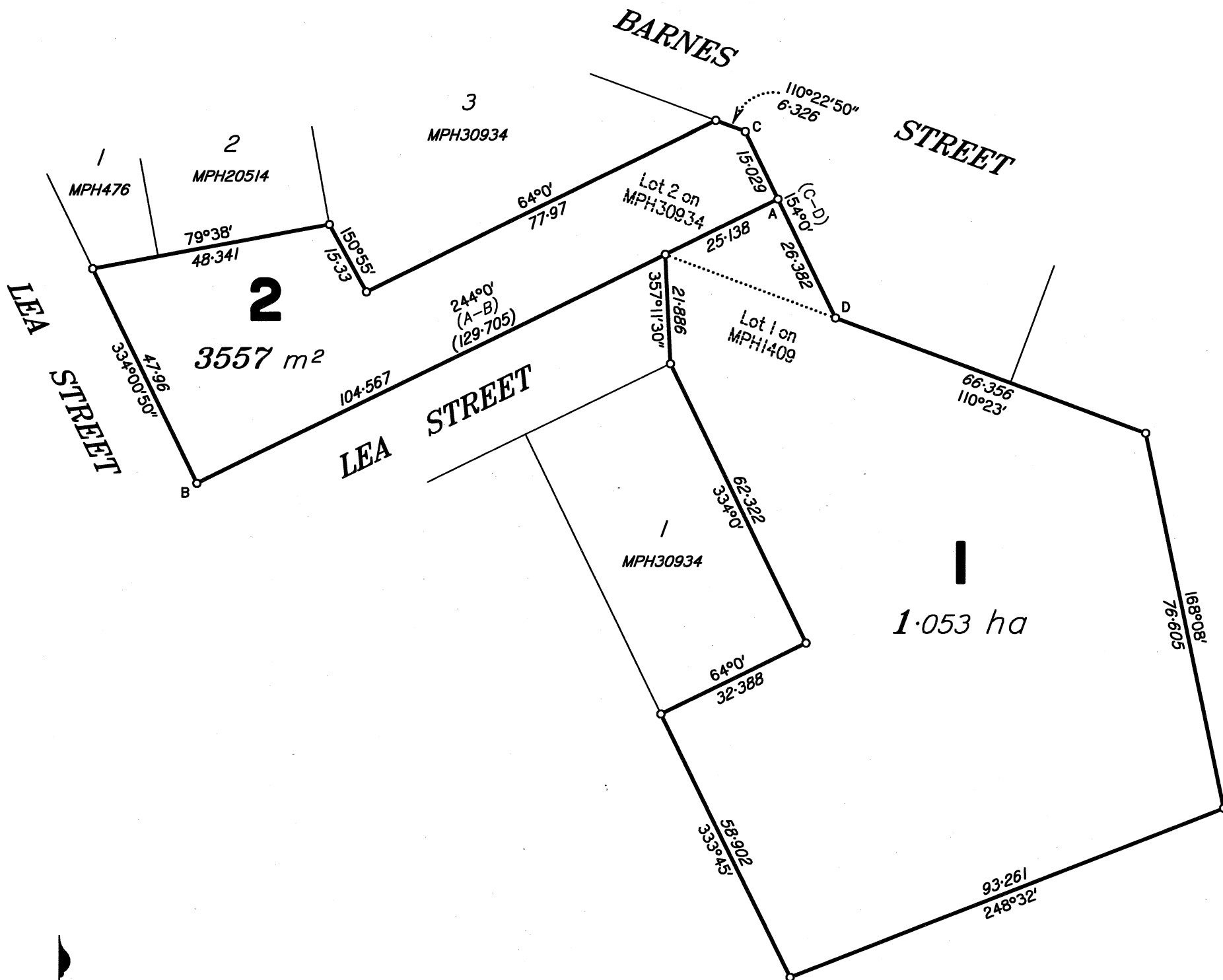
Marnie Taylor  
Director Corporate and Customer Services



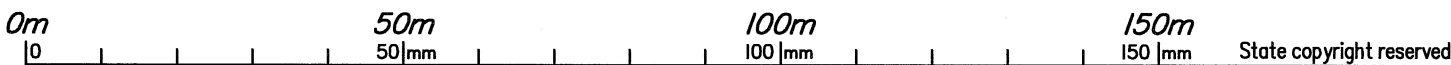
## Attachment 1—Conditions of the approval

Condition Number	Condition	Timing								
Approved Plans										
1.	<p>Development is to be carried out generally in accordance with the submitted application including the following plan except where amendments are required to satisfy the conditions of this approval:</p> <table><tr><td>Drawing Title:</td><td>Prepared by:</td><td>Date:</td><td>Reference No:</td></tr><tr><td>Plan of Lots 1 &amp; 2 Cancelling Lot 1 on MPH1409 &amp; Lot 2 on MPH30934</td><td>Dale Atkinson</td><td>11 June 2019</td><td>SP314312</td></tr></table>	Drawing Title:	Prepared by:	Date:	Reference No:	Plan of Lots 1 & 2 Cancelling Lot 1 on MPH1409 & Lot 2 on MPH30934	Dale Atkinson	11 June 2019	SP314312	At all times
Drawing Title:	Prepared by:	Date:	Reference No:							
Plan of Lots 1 & 2 Cancelling Lot 1 on MPH1409 & Lot 2 on MPH30934	Dale Atkinson	11 June 2019	SP314312							
General										
2.	The applicant is to comply with all conditions within this Development Permit with conditions prevailing over the approved plan in all instances.	At all times								
Survey Plan Endorsement										
3.	<p>The applicant is to 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 the Development Permit</p> <p>d) One copy of the survey plan fully executed for the lodgement with the Titles Office, and</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>.</p>	As part of the lodgement of survey plan for endorsement								





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USL46809



**Plan of Lots 1 & 2**

Cancelling Lot 1 on MPH1409 & Lot 2 on MPH30934

LOCAL Charters Towers  
GOVERNMENT: Regional

LOCALITY: **MILLCHESTER**

Meridian: **DPI97293**

Survey Records: **No**

Scale: **1:1000**

Format: **STANDARD**



**SP314312**

I, Dale Ian ATKINSON hereby certify that I have made this plan under Section 16 of the Survey and Mapping Infrastructure Regulation 2014 and pursuant to the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the plan is accurate, and compiled from DPI97293 in the Department of Natural Resources, Mines and Energy.

*Dale Atkinson*

Cadastral Surveyor

Date **1<sup>st</sup> June 2019**

**WARNING : Folded or Mutilated Plans will not be accepted.**  
**Plans may be rolled.**  
**Information may not be placed in the outer margins.**

(Dealing No.)

5. Lodged by

(Include address, phone number, reference, and Lodger Code)

**1. Certificate of Registered Owners or Lessees.**

I/We BRADLEY JOHN THOMSON  
RAYLEA THOMSON JOINT TENANTS  
KEVIN CHRISTOPHER IVES  
JOLENE AMBER CALLCOTT JOINT TENANTS

(Names in full)

\* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

\* as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

\* Rule out whichever is inapplicable

**2. Planning Body Approval.**

\*  
hereby approves this plan in accordance with the :  
%

Dated this ..... day of .....  
..... #  
..... #

\* Insert the name of the Planning Body. % Insert applicable approving legislation.  
# Insert designation of signatory or delegation

**3. Plans with Community Management Statement :**  
CMS Number :  
Name :

**4. References :**  
Dept File :  
Local Govt :  
Surveyor : **19-084**

6. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
18815107	Lot 1 on MPH1409	1		
21544052	Lot 2 on MPH30934	1 & 2		

**MORTGAGE ALLOCATIONS**

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
717274565	2	1
717002631		1

2	Lot 2 on MPH30934
1	Lot 1 on MPH1409 & Lot 2 on MPH30934
Lots	Orig

**7. Orig Grant Allocation :**

**8. Passed & Endorsed :**

By : Dale Ian ATKINSON  
Date : 11/6/2019  
Signed : *Dale Atkinson*  
Designation : Cadastral Surveyor

**9. Building Format Plans only.**

I certify that :  
\* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.  
\* Part of the building shown on this plan encroaches onto adjoining \* lots and road

Cadastral Surveyor/Director \* Date  
\*delete words not required

**10. Lodgement Fees :**

Survey Deposit \$ .....  
Lodgement \$ .....  
.....New Titles \$ .....  
Photocopy \$ .....  
Postage \$ .....  
TOTAL \$ .....

II. Insert Plan Number

**SP314312**