

From: "Mary McCarthy" <Mary@northpointplanning.com.au>
Sent: Fri, 19 Dec 2025 12:10:08 +1000
To: "Development" <Development@charterstowers.qld.gov.au>
Cc: "Hello" <hello@northpointplanning.com.au>
Subject: Fw: NP22.099 | Change (Minor) Application - RAL (3 Lots into 11 Lots) - (SARA Ref: 2302-33134 SRA & 2302-33421 SRA) (CTRC Ref: RAL2023/0001)
Attachments: ONP22.099 - Minor Change Application - CTCR.pdf, ONP22.099 - Minor Change Application - SARA.pdf
Categories: Mark;Jodie;Deb

Good afternoon.

As per below, I understand SARA was unable to open the link I sent yesterday for the abovementioned Minor Change application.

Should Council experience the same issue, please find **attached** PDF of the following:

- Change (Minor) Application - CTCR Responsible Entity
- Change (Minor) Application - CTCR Affected Entity

Kind regards,

Mary McCarthy
Senior Town Planner



E mary@northpointplanning.com.au

P (07) 4440 5282

W www.northpointplanning.com.au

A 613 Flinders Street | PO Box 4
Townsville Q 4810

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From: Mary McCarthy <Mary@northpointplanning.com.au>

Sent: Friday, 19 December 2025 11:58 AM

To: NQSARA <NQSARA@dasilgp.qld.gov.au>

Subject: Fw: NP22.099 | Change (Minor) Application - RAL (3 Lots into 11 Lots) - (SARA Ref: 2302-33134 SRA & 2302-33421 SRA) (CTRC Ref: RAL2023/0001)

Hi Laura,

Thank you. Please find **attached** now.

This is my preferred lodgement method as I'm working remotely yesterday/today, alternatively I would use MyDAS.

Many thanks.

Mary McCarthy
Senior Town Planner



E mary@northpointplanning.com.au

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From: NQSARA <NQSARA@dsdilgp.qld.gov.au>
Sent: Friday, 19 December 2025 11:16 AM
To: Mary McCarthy <Mary@northpointplanning.com.au>
Subject: RE: NP22.099 | Change (Minor) Application - RAL (3 Lots into 11 Lots) - (SARA Ref: 2302-33134 SRA & 2302-33421 SRA) (CTRC Ref: RAL2023/0001)

Good morning Mary

I am unable to open the link.

The easiest way to refer or lodge an application is to use [MyDAS2](#). This is the department's online lodgement system. This system allows you to both prepare and lodge online.

Regards

Laura Allen
Planning Support Officer, North and North-West Queensland
Planning Services, Planning Group
Department of State Development, Infrastructure and Planning
P 07 4758 3423 E NQSARA@dsdip.qld.gov.au
Level 11, 445 Flinders Street, Townsville QLD 4810
PO Box 5666, Townsville QLD 4810



From: Mary McCarthy <Mary@northpointplanning.com.au>
Sent: Thursday, 18 December 2025 3:07 PM
To: NQSARA <NQSARA@dsdilgp.qld.gov.au>

Cc: Development@charterstowers.qld.gov.au; Hello <hello@northpointplanning.com.au>
Subject: NP22.099 | Change (Minor) Application - RAL (3 Lots into 11 Lots) - (SARA Ref: 2302-33134 SRA & 2302-33421 SRA) (CTRC Ref: RAL2023/0001)

Good afternoon,

We act on behalf of the Applicant, Goltower Properties, in relation to the abovementioned development application (SARA Ref: 2302-33134 SRA & 2302-33421 SRA) at:

- 60-78 New Queens Road, Queenton - Lot 1 on MPH347
- 60-78 New Queens Road, Queenton - Lot 138 on SP132624
- 9 Goldtower Street, Queenton - Lot 1 SP326358

For SARA's consideration, please find **attached** Change (Minor) Application to stage the approved subdivision.

 [ONP22.099 - Minor Change Application - SARA.pdf](#)

A copy of this application is also CC to Charters Towers Regional Council as the Affected Entity.

We trust this is to your satisfaction. Please don't hesitate to contact our office should you wish to discuss further.

Kind regards,

Mary McCarthy
Senior Town Planner



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Townsville Q 4810

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Our Reference: NP22.099
CTRC Reference: RAL2023/001 - 482784
RB. MM

18 December 2025

Assessment Manager
Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Via: development@charterstowers.qld.gov.au

Attention: Planning and Development

Dear Sir/Madam,

Change (Minor) Application

Development Permit – Reconfiguring a Lot (RAL2023/0001) – (3 Lots into 11 Lots) located at 60-76 and 78-84 New Queens Road, Queenton and formally identified as Lot 1 on MPH347, Lot 138 on SP132624 and Lot 1 on SP326358

Northpoint Planning act on behalf of the applicant, Goldtower Properties, in relation to the abovementioned address and the subsequent development application.

In accordance with s78 of the *Planning Act 2016*, we submit a Change (Minor) application to the abovementioned development approval. Charters Towers Regional Council is identified as the Responsible Entity for the change application.

Background

The subject site is an irregular shaped allotment, located at 60-76 and 78-84 New Queens Road, Queenton, formally described as Lot 1 on MPH347, Lot 138 on SP132624 and Lot 1 on SP326358.

The subject site is subject to a Development Permit for Reconfiguring a Lot (3 Lots into 11 Lots) (RAL2323/0001) dated 4 September 2023. The currency period remains current. A copy of this Decision Notice is provided at **Attachment 2**.

Proposed Change

The applicant is seeking to amend the existing Development Permit to include staging of the approved subdivision. The proposed change involves provision of amended development plans to reflect the proposed staging schedule of the approved subdivision, while maintaining the approved subdivision layout of RAL2023/0001, retaining the approved scale and character of the development (refer **Attachment 3**).

The proposed change is considered to accord with the provisions of a Change (Minor) as specified in Schedule 2 of the *Planning Act 2016* (the Act). Specifically, the proposed change;

- does not result in a substantially different development as it:



- does not involve a new use;
- does not involve a new parcel of land, does not dramatically change the scale, bulk and appearance;
- does not change the ability of the development to operate as intended;
- does not remove any integral components to the operation of the development;
- does not significantly impact on traffic flow and the transport network, such as increasing traffic to the site;
- does not introduce new impacts or increase the severity of known impacts;
- does not remove any incentives or offset components that would balance a negative impact of the development;
- does not impact on infrastructure provisions;
- does not include prohibited development;
- does not trigger referral to any additional referral agency or impact matters assessed in accordance with s55(2) of the Act; and
- does not result in the application requiring public notification that would not otherwise have been required as part of the original development.

In accordance with s80(1)(a) of the Act, there are no Affected Entities to this application. It is however noted, that a separate Change application (Minor) will be required to be submitted to the State Assessment and Referral Agency (SARA) to change Condition 1 (approved plans), in which Council will be the Affected Entity for the same change. This will be submitted under separate cover. It would be appreciated if Council could provide its Affected entity response to SARA within the statutory time frames being fifteen (15) business days.

Proceeding

The following material is submitted as part of this Change (Minor) application:

- Planning Act Form 5 (refer **Attachment 1**);
- Development Permit – Reconfiguring a Lot (RAL2023/0001) (refer **Attachment 2**); and
- Amended proposal plans (refer **Attachment 3**).

In accordance with Council's schedule of fees and charges, the assessment fee for the Change (Minor) application is **\$625**. This fee will be paid directly following lodgement.

We trust the enclosed information is sufficient for Council to decide the Change application. We welcome the opportunity to discuss the application with Council further, should any additional clarification or information be required.

Please do not hesitate to contact the undersigned should you have any queries in relation to this application.

Yours faithfully,

Mary McCarthy

SENIOR PLANNER
Northpoint Planning

Attachment 1 – Planning Act Form 5
Attachment 2 – Decision Notice RAL23/0001
Attachment 3 – Amended Development Plans



Attachment 1

Change application form

Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

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)	Goldtower Properties C/- Northpoint Planning
Contact name (only applicable for companies)	Meredith Hutton
Postal address (P.O. Box or street address)	PO Box 4
Suburb	Townsville
State	Queensland
Postcode	4810
Country	Australia
Email address (non-mandatory)	hello@northpointplanning.com.au
Mobile number (non-mandatory)	0407 574 897
Applicant's reference number(s) (if applicable)	NP22.099

2) Owner's consent - Is written consent of the owner required for this change application?	
Note: Section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input checked="" type="checkbox"/> No	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1 or 3.2), and 3.3 as applicable)				
3.1) Street address and lot on plan				
<input type="checkbox"/> Street address AND lot on plan (all lots must be listed), or				
<input type="checkbox"/> 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
		60-78	New Queens Road	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	1	MPH347	Charters Towers Regional
b)	Unit No.	Street No.	Street Name and Type	Suburb
		60-78	New Queens Road	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	138	SP132624	Charters Towers Regional



**Queensland
Government**

c)	Unit No.	Street No.	Street Name and Type	Suburb
		9	Goldtower Street	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	1	SP326358	Charters Towers Regional

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 the original development approval and the details of these premises have been attached in a schedule to this application

Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

4) Identify the responsible entity that will be assessing this change application

Note: see section 78(3) of the Planning Act 2016

Charters Towers Regional Council (CTRC) AND State Assessment and Referral Agency (SARA)

PART 4 – CHANGE DETAILS

5) Provide details of the existing development approval subject to this change application

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	CTRC: RAL2023/0001	CTRC: 4 September 2023	Assessment Manager
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	SARA: 2302-33134 SRA & 2302-33421 SRA	SARA: 24 July 2023	Referral Agency

6) Type of change proposed

6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Changing a Reconfiguring a Lot approval to include staging.

6.2) What type of change does this application propose?

Minor change application – proceed to Part 5

Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application		
<input type="checkbox"/> No – proceed to Part 7 <input checked="" type="checkbox"/> Yes – list all affected entities below and proceed to Part 7 Note: section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.		
Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
Charters Towers Regional Council	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

Note: To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?
<input type="checkbox"/> No <input type="checkbox"/> Yes

9) Development details
9.1) Is there any change to the type of development, approval type, or level of assessment in this change application? <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.
9.2) Does the change application involve building work? <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?
Note: The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change. <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the Referral checklist for building work is also completed.

11) Information request under Part 3 of the DA Rules
<input type="checkbox"/> I agree to receive an information request if determined necessary for this change application <input type="checkbox"/> I do not agree to accept an information request for this change application Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
 - Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
- Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

- Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and Yes
- for an other change all relevant referral requirement(s) in 10)

Note: See the *Planning Regulation 2017* for referral requirements

- For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application Yes Not applicable

- For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application Yes Not applicable

- Supporting information addressing any applicable assessment benchmarks is attached to this application Yes
- Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

- Relevant plans of the development are attached to this development application Yes
- Note:** Relevant plans are required to be submitted for all relevant aspects of this change application. For further information, see [DA Forms Guide: Relevant plans](#).

14) Applicant declaration

- By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change 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 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date received form sighted by assessment manager			
Name of officer who sighted the form			



Attachment 2

4 September 2023

Our Ref: 4827846
File Ref: RAL2023/0001
Enquiries: Jorja Feldt

Goldtower Properties
C/- Northpoint Planning
PO Box 4
TOWNSVILLE QLD 4810

Sent via email: meredith@northpointplanning.com.au

Dear Meredith,

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 28 August 2023. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below:

Applicant details

Applicant name: Goldtower Properties C/- Northpoint Planning

Location details

Street address: 60-76 and 78-84 New Queen Road, Queenton QLD 4820
Real property description: Lot 1 on MPH347, Lot 138 on SP132624 and Lot 1 on SP326358

Application details

Application number: RAL2023/0001
Approval type: Development Permit
Development type: Reconfiguring a Lot
Category of assessment: Code Assessment
Description of development: Subdivision (Three (3) Lots into 11 Lots)
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		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Conditions of approval

Condition Number	Condition	Timing										
Approved Plans/Documents												
1.	<p>Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:</p> <table border="1" data-bbox="288 981 1251 1205"> <thead> <tr> <th>Drawing Title:</th> <th>Prepared by:</th> <th>Date:</th> <th>Reference No:</th> <th>Revision:</th> </tr> </thead> <tbody> <tr> <td>Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage</td> <td>Atkinson & Booy Surveys</td> <td>4/11/2022</td> <td>P22-2350</td> <td>A</td> </tr> </tbody> </table>	Drawing Title:	Prepared by:	Date:	Reference No:	Revision:	Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage	Atkinson & Booy Surveys	4/11/2022	P22-2350	A	At all times
Drawing Title:	Prepared by:	Date:	Reference No:	Revision:								
Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage	Atkinson & Booy Surveys	4/11/2022	P22-2350	A								
Special												
2.	Any existing structures or buildings located on the subject site must be removed or relocated to be contained wholly within the resultant allotment boundaries.	Prior to the lodgement of survey plan for endorsement										
General												
3.	<p>a) Comply with all conditions within this Development Permit with conditions prevailing over the approved plan(s) and document(s) in all instances.</p> <p>b) Meet the cost of all works associated with the development including any alterations, relocations or repairs to damaged Council infrastructure, and</p> <p>a) All repairs, alterations and relocations of Council infrastructure are to be in accordance with the relevant Council policy and/or Australian Standard.</p>	At all times										
Environmental												
4.	Ensure that erosion and sedimentation control management is undertaken and maintained to prevent soil erosion and sedimentation runoff to watercourses and Council's storm water drainage system. Erosion and sediment control is to be in accordance with <i>International Erosion Control Association – Best Practice Erosion & Sediment Control guidelines</i> and the <i>Queensland Urban Drainage Manual 2017</i> .	At all times										



5.	The construction of the development (not operation) must be limited to 0630—1830 Monday to Saturday and not at all on Sunday and public holidays as per Section 440R of the <i>Environmental Protection Act 1994</i> . Noise generated from construction must be within the limits set by the <i>Environmental Protection Act 1994</i> and the <i>Environmental Protection (Noise) Policy 20019</i> .	At all times
6.	Ensure that: a) Works occur so they do not cause unreasonable interference with the amenity of adjoining premises because of noise, air or other chemical pollutants. b) The premises including the adjoining Council controlled road reserve are kept in a safe, clean and tidy state, and c) All construction materials are contained wholly within the premises.	As part of construction works
Operational Works		
7.	A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include the following: a) Earthworks b) Road works c) Water Infrastructure d) Sewer Infrastructure e) Stormwater Management (quantity, flood and drainage control)	Prior to the lodgement of survey plan for endorsement
8.	The Development Application for Operational Works is to be designed and constructed in accordance with Australian Standards, the Development Works Code inclusive of Schedule 4.2 Development Works Planning Scheme Policy of the Charters Towers Regional Town Plan, <i>STRAT0028/Roads Infrastructure Road Risk Management Strategic Policy</i> and any other applicable standards at the time of lodgement. All Operational Works that relate to this development must be accepted as on maintenance by Council.	As part Operational Works
Transport and Access		
9.	Construct a driveway crossover at the frontage of each proposed lot in accordance with Council's relevant standard drawing <i>CTRC-003 Roads commercial driveway slab</i> .	Prior to commencement of the use
Water and Sewer		
10.	Lodge and have approved, an application for connection to water supply as part of the development's connection into Council's controlled water service infrastructure.	Prior to works on Council's water infrastructure



11.	Provide a water service connection from Council's water supply infrastructure to each proposed lot and pay the full cost of a water meter in the form of a bond for each proposed lot.	Prior to the lodgement of survey plan for endorsement
12.	Lodge and have approved an application for sewer main cut-in for connection to sewer supply as part of connection to Council's controlled sewer service infrastructure.	Prior to works on Council's sewer infrastructure
13.	Provide a sewer service connection from Council's sewer supply infrastructure to each proposed lot with the location and size of the sewer service determined in consultation with Council.	As part of construction
Electricity and Telecommunication		
14.	Submit to Council a Certificate of Electricity Supply demonstrating that supply is provided and available to each proposed lot, unless otherwise specified by the provider.	Prior to the lodgement of survey plan for endorsement
15.	Submit to Council a Provisioning of Telecommunication Services demonstrating that supply is provided and available to each proposed lot, unless otherwise specified by the provider.	Prior to the lodgement of survey plan for endorsement
Survey Plan Endorsement		
16.	Provide at no cost to Council, one copy of the fully executed easement documentation for the following: a) Drainage easement burdening Lots 12, 13, 16 and 17 having a minimum width of 6.08 m.	As part of the lodgement of survey plan for endorsement
17.	Lodge to Council, for approval, an application for Survey Plan Endorsement which includes: a) Payment of application fee in accordance with Council's fees and charges at the time of lodgement b) All survey marks in their correct position in accordance with the Survey Plan c) A compliance report demonstrating compliance with all associated Development Permit(s) d) One copy of the survey plan and/or easement documentation each fully executed for the lodgement with the Titles Office e) Payment of any outstanding rates and charges in accordance with Schedule 18, Item 2(1)(c) of the <i>Planning Regulation 2017</i> , and f) Payment of any outstanding Adopted Infrastructure Charges.	As part of the lodgement of survey plan for endorsement



Advisory Notes	
Scale or Intensity of Use	
	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	
	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.
Aboriginal and Cultural Heritage	
	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	
	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.
Wet Tropics World Heritage Area	
	Land within the Charters Towers Regional Council local government area falls within the Wet Tropics World Heritage Area and is governed by the <i>Wet Tropics World Heritage Protection and Management Act 1993</i> and the <i>Wet Tropics Management Plan 1998</i> . Prior to carrying out works, it is advised that you contact the Wet Tropics Management Authority on (07) 4241 0500 or by post at PO Box 2050 CARINS QLD 4870. For further information including viewing the Act, Management Plan and Interactive Mapping, please visit: http://www.wettropics.gov.au/
Workplace Health and Safety	
	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 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	
	<p>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.</p> <p>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.</p>
Airport Operations	
	Where works may impact on the safety operation of the Charters Towers Airport such as the use of cranes, industrial lighting or involve impacts such as gaseous plumes, it is advised that you contact one of Council's Airport Reporting Officer(s) on (07) 4761 5300 prior to works commencing.
Ergon Energy and Telstra Corporation Contact Details	
	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.
Council Forms, Policies and Drawings	
	In achieving compliance with conditions, the below Council forms will need to be completed for this development: a) F0227 - Application to carry out works on a Council road (including pathways) b) Standard drawings and specifications for driveways and roads c) F0313 – Request for water supply connection or disconnection d) F0347 – Application for sewer main cut-in

3. Currency period for the development application approval

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

4. Further development permits

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

- 1) Operational Works



5. Referral agencies

The referral agencies for this application are:

Agency:	Trigger:	Address:	Date and Ref:
Department of Transport and Main Roads	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 – Reconfiguring a lot near a State transport corridor.	State Assessment Referral Agency North and Central West Office PO Box 5666 TOWNSVILLE QLD 4810 NQSARA@dsmip.qld.gov.au	24 July 2023 (Ref: 2302-3421 SRA)

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

6. Submission(s)

The proposed development did not require impact assessment, and therefore Public Notification was 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 a Development Permit for Reconfiguring a Lot – Subdivision (Three (3) Lots into 11 Lots) located at 60-76 and 78-84 New Queen Road, Queenton QLD 4820 also described as Lot 1 on MPH347, Lot 138 SP132624 and Lot 1 on SP326358		
Reasons for the decision:	The proposed development generally complies with the relevant assessment benchmarks and can be conditioned accordingly to maintain compliance.		
Assessment benchmarks:	The proposed development was assessed against the relevant assessment benchmarks of the Charters Towers Regional Town Plan including the:		
	<ol style="list-style-type: none"> 1) Industry Zone Code 2) Reconfiguring a Lot Code 3) Development Works Code 4) Flood Hazard Overlay Code 		
	The proposed development was assessed against all the assessment benchmarks listed about and complies with all with the exceptions listed and responded to below.		
	Assessment benchmark:	Reasons for the approval despite non-compliance with benchmark:	
	N/a	N/a	
Relevant matters:	N/a		
Matters raised in submissions:	Submission Point:	Council Response:	
	N/a	N/a	



Date: 4 September 2023
Our Ref: 4827846

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 Jorja Feldt; Planner on (07) 4761 5300 or development@charterstowers.qld.gov.au.

Yours faithfully



Paul Want
Manager Planning and Development

Enc. Approved Plan
Referral Agency Response
Standard Drawing No. CTRC-003
Appeal Rights

0 40 80 120 160

Scale 1:2000

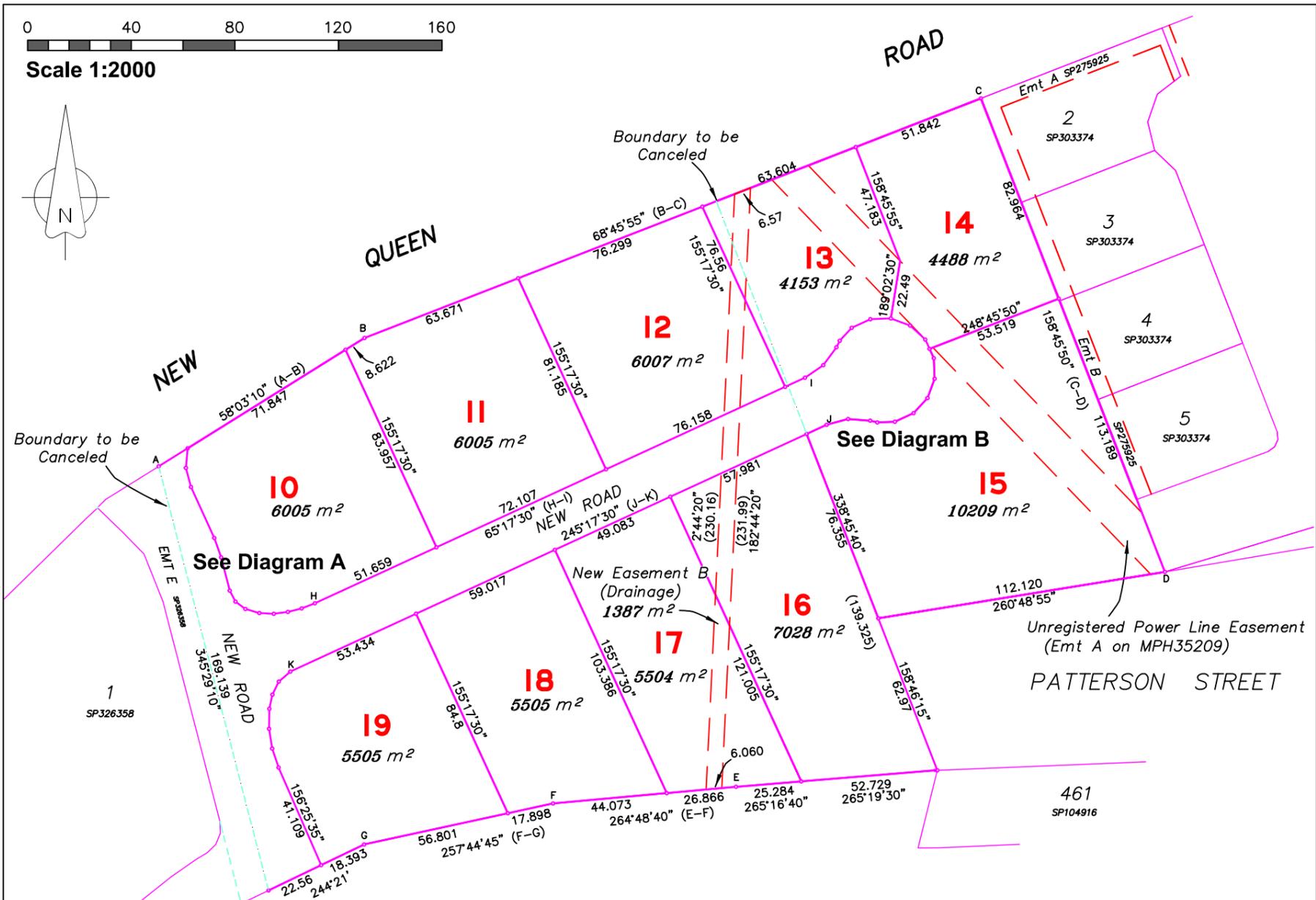
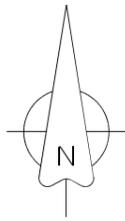


Diagram B

Not to Scale

10

PLANNING & DEVELOPMENT APPROVED

CHARTERS TOWERS REGIONAL COUNCIL

DATE: 4 September 2023
APPLICATION: RAL2023/0001

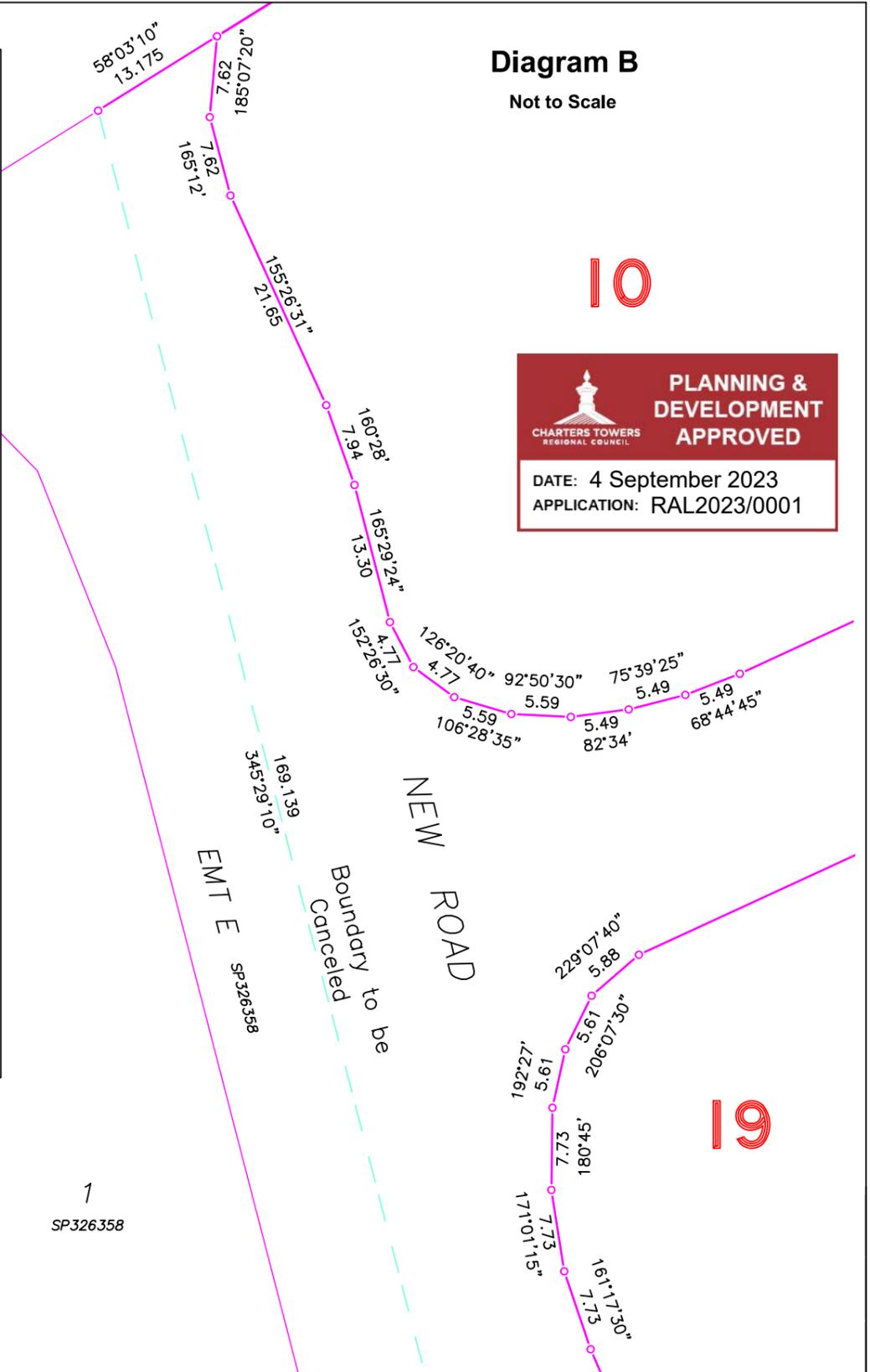
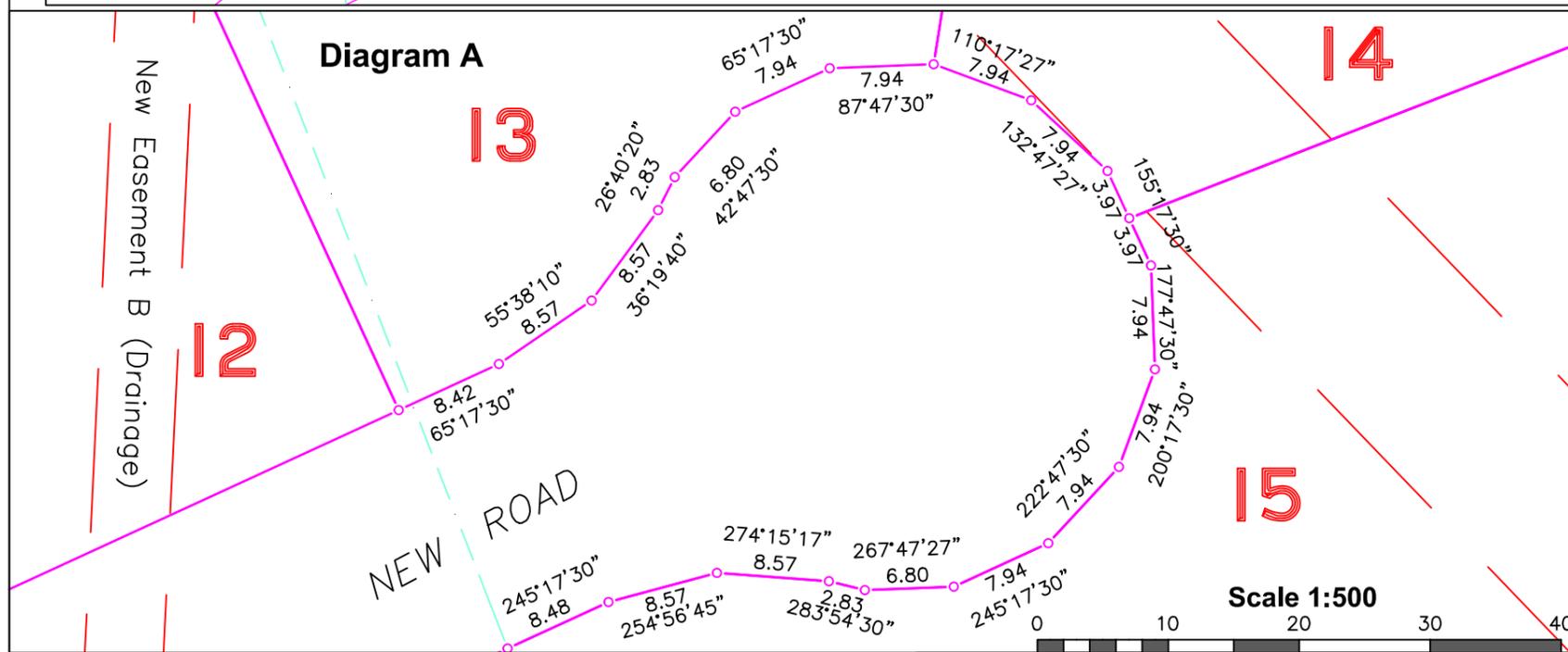


Diagram A



Scale 1:500

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

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

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

PROPOSED RECONFIGURATION OF LOTS 10 - 19 & EMT B for Drainage			
Cancelling LOT 138 on SP132624 & LOT 1 on MPH347			
CLIENT: GOLDTOWER			
LOCAL GOVERNMENT: Charters Towers Regional Council	DATE: 31/10/2022		
TITLE REF: 50329545 & 21500207	MAP REF: 8157-14314	SCALE: AS SHOWN @ A3	
SURVEYOR REF: 22-350 A	FIELDBOOK: N/A	DRAWN: IWF	

LOCALITY: QUEENTON
Atkinson & BOOY SURVEYS
56 Thuringowa Drive, Kirwan QLD 4817 Phone: (07) 47234885
CAADSTRAL SURVEYS
P22-350.dwg
Sheet 1 of 1
Form 1.4



SARA reference: 2302-33134 SRA & 2302-33421 SRA
 Council reference: RAL2023/0001
 Applicant reference: NP22.099

24 July 2023

Chief Executive Officer
 Charters Towers Regional Council
 PO Box 189
 Charters Towers QLD 4820
 mail@charterstowers.qld.gov.au

Attention: Ms Jorja Feldt

Dear Ms Feldt

SARA referral agency response—60-76 New Queen Road, Queenton; 78-84 New Queen Road, Queenton

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 6 February 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	24 July 2023
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Reconfiguring a lot for Subdivision - three lots into eleven lots
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017)	

Development application for a Reconfiguring of a Lot within 25m of State transport corridors
 Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017)
 Development application for a Reconfiguring of a Lot triggers Schedule 21 - State transport infrastructure (thresholds)

SARA reference: 2302-33134 SRA

Assessment manager: Charters Towers Regional Council

Street address: 60-76 New Queen Road, Queenton; 78-84 New Queen Road, Queenton

Real property description: 138SP132624; 1MPH347; 1SP326358

Applicant name: Goldtower Properties C/- Northpoint Planning

Applicant contact details: PO Box 4
 Townsville QLD 4810
 hello@northpointplanning.com.au

Human Rights Act 2019 considerations: Considered. The decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Helena Xu, Senior Planning Officer, on 073452 6724 or via email NQSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna
 Manager (Planning)

cc Goldtower Properties C/- Northpoint Planning, hello@northpointplanning.com.au

enc Attachment 1 - Referral agency conditions
 Attachment 2 - Advice to the applicant
 Attachment 3 - Reasons for referral agency response
 Attachment 4 - Representations about a referral agency response provisions
 Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Reconfiguring a lot		
10.9.4.2.1.1 – Reconfiguring a lot near a state transport corridor & 10.9.4.1.1.1 Reconfiguring of a lot triggers threshold under Schedule 20 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The proposed reconfiguring of a lot must be carried out generally in accordance with the following plan:</p> <ul style="list-style-type: none"> • Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage, cancelling Lot 138 on SP132624 & Lot 1 MPH347, prepared by Atkinson & Booy Surveys, reference P22-350 A(2), sheet 1 of 1, dated 4/11/2022. 	At all times.
2.	<p>The sightline clear zone must be protected in accordance with the following plans:</p> <ul style="list-style-type: none"> • Safe Intersection Stopping Distance (SISD) Layout Plan Design Vehicle – Truck, prepared by Northern Consulting Engineers dated 4 April 2023, reference GDTC0101/MRT02 and revision P2 as amended in red by SARA. 	At all times.
3.	Direct access is not permitted between New Queen Road (the Flinders Highway) and proposed lots 10, 11, 12, 13 or 14.	At all times.
4.	<p>(a) The existing vehicular property access located between Lot 138 on SP132634 and Flinders Highway must be permanently closed and removed.</p> <p>(b) The kerb and channelling between the pavement edge and the property boundary must be reinstated in accordance with Charters Towers Regional Council standards for road works at no cost to the Department of Transport and Main Roads’.</p>	Prior to submitting the Plan of Survey to the local government for approval.
5.	<p>(a) Road works comprising an auxiliary left and channelised right (short) turn treatments, must be provided generally in accordance with:</p> <ol style="list-style-type: none"> i. Roadworks & Setout Layout Plan prepared by Northern Consulting Engineers dated 12 May 2023, reference GDTC0101/MR03 and revision C; ii. Linemarking Layout Plan prepared by Northern Consulting Engineers, dated 12 May 2023, reference GDTC0101/MR07 and revision C; <p>(b) The road works must be designed and constructed in accordance with the following:</p> <ol style="list-style-type: none"> i. Department of Transport and Main Roads’ Road Planning and Design Manual, Second Edition; 	Prior to submitting the Plan of Survey to the local government for approval.

	<ul style="list-style-type: none"> ii. Manual of Uniform Traffic Control Devices (MUTCD); iii. Relevant Traffic and Road Use Manuals. 	
6.	Signage, advising vehicles larger than a 26m B-Double are restricted from accessing the Ben Lane intersection is to be installed at the entrance to Ben Lane in accordance with the Department of Transport and Main Roads' Manual of Uniform Traffic Control Devices.	Prior to submitting the Plan of Survey to the local government for approval.
7.	<p>Stormwater management of the development must not cause worsening to the operating performance of the State-controlled road and railway corridor such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) interfere with and/or cause damage to the existing stormwater drainage on the State-controlled road or railway corridor. (ii) surcharge any existing culvert or drain on the State-controlled road or railway corridor. (iii) impede or interfere with any overland flow or hydraulic conveyance from the State-controlled road or railway corridor. 	At all times
8.	<ul style="list-style-type: none"> (a) Register a drainage easement on the titles of proposed lots 12, 13, 16 and 17 in accordance with the Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage, cancelling Lot 138 on SP132624 & Lot 1 MPH347, prepared by Atkinson & Booy Surveys, reference P22-350 A(2), sheet 1 of 1, dated 4/11/2022. (b) The applicant must provide a copy of Registration Confirmation Statement/s and easement registration dealing number/s as evidence of the registration of the easement/s referred to in part (a) of this condition to the North.Queensland.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads. 	<ul style="list-style-type: none"> (a) At the time of survey plan registration (b) Within 20 business days of registration of the easements
9.	Provide fencing along the site boundary with the railway corridor, in accordance with Queensland Rail drawing number QR-C-S3230 – 1.8m High Chain Link Security Fence Without Rails Using 50mm Diamond Mesh General Arrangement.	Prior to submitting the Plan of Survey to the local government for approval
10.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures, batters, road works and other works involving ground disturbance must not encroach or de-stabilise the railway including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.
2.	<p>Works on a railway corridor</p> <p>Pursuant to section 255 of the <i>Transport Infrastructure Act 1994</i>, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.</p> <p>Relevant approvals will need to be obtained from the railway manager for any works in the railway corridor (including the construction of a boundary fence) such as a licence to enter and construct and wayleave agreement, amongst other relevant approvals.</p> <p>Please be advised that this concurrence agency response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i> and that such approvals need to be separately obtained from the relevant railway manager.</p> <p>The applicant should contact Queensland Rail property team at PropertyLeasing@qr.com.au in relation to this matter.</p>
Further Approval for Road Works	
3.	This development approval does not include any works located within the road reserve of the State-controlled Road. Further approval from the Department of Transport and Main Roads is required pursuant to the provisions of the <i>Transport Infrastructure Act 1994</i> .
4.	<p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a State-controlled Road. This includes the conditioned intersection upgrades. Even though a development approval may have been given by a local Council, it is still necessary to obtain approval to construct road works within a State-controlled Road from the Department of Transport and Main Roads.</p> <p>To make an application for road works approval, please contact the Department of Transport and Main Roads via North.Queensland.IDAS@tmr.qld.gov.au, and include a completed Road Works/Road Access Works in a State-controlled road Application Form (Form F5082) available at: https://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Othermatters-requiring-approval#driveways</p> <p>This approval must be obtained <u>prior</u> to commencing any works on the state-controlled road reserve.</p>

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

The development complies with State code 1: Development in a state-controlled road environment (State code 1) of the State Development Assessment Provisions (SDAP) version 3.0. Specifically, the development:

- does not create a safety hazard for users of a state-controlled road
- does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
- does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads
- does not compromise the structural integrity of public passenger transport infrastructure or compromise the operating performance of public passenger transport services
- avoids or mitigates significant adverse impacts resulting from environmental emissions generated by vehicles on the state-controlled road.

The development complies with State code 2: Development in a railway environment (State code 2) of the State Development Assessment Provisions (SDAP) version 3.0. Specifically, the development:

- does not result in an increase in the likelihood or frequency of accidents, fatalities or serious injury for users of a railway
- does not adversely impact the structural integrity or physical condition of railways, rail transport infrastructure or other rail infrastructure within a railway corridor
- does not compromise the operating performance of railway corridors
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate railway corridors, future railway corridors and associated rail transport infrastructure or other rail infrastructure
- does not significantly increase the cost to the state to plan, construct, maintain, upgrade or operate railway corridors, future railway corridors, rail transport infrastructure or other rail infrastructure
- does not compromise pedestrian or cycle access to public passenger transport infrastructure or active transport infrastructure associated with railways
- protects the community from significant adverse impacts resulting from environmental emissions generated by a railway.

The development complies with State code 6: Protection of State Transport Networks (State code 6) of the State Development Assessment Provisions (SDAP) version 3.0. Specifically, the development:

- does not create a safety hazard for users of state transport infrastructure or public passenger services by increasing the likelihood or frequency of a fatality or serious injury;
- does not result in a worsening of the physical condition or operating performance of the state transport network;
- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- *Planning Regulation 2017*
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system

- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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0 40 80 120 160

Scale 1:2000

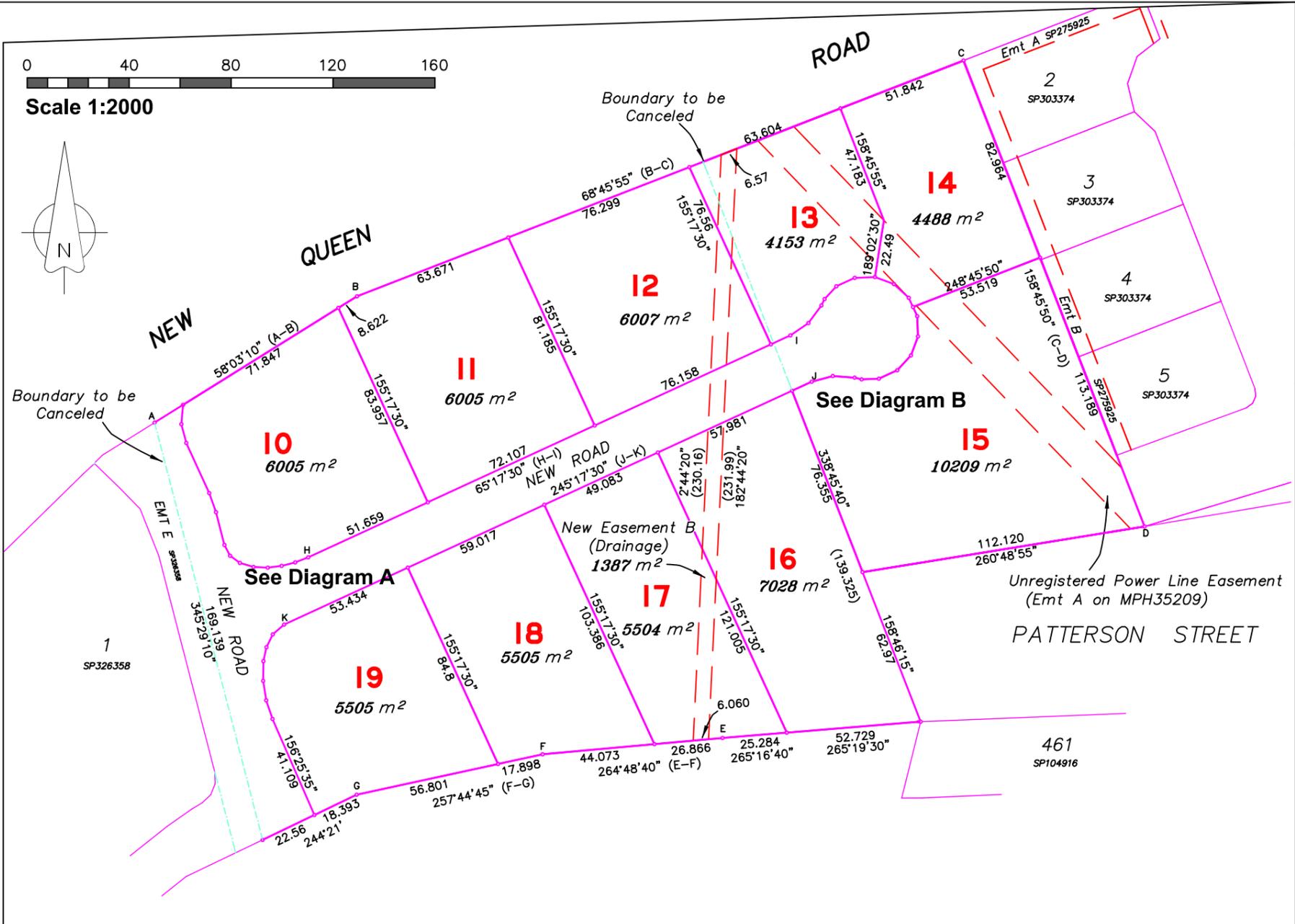
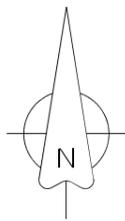


Diagram A

Not to Scale

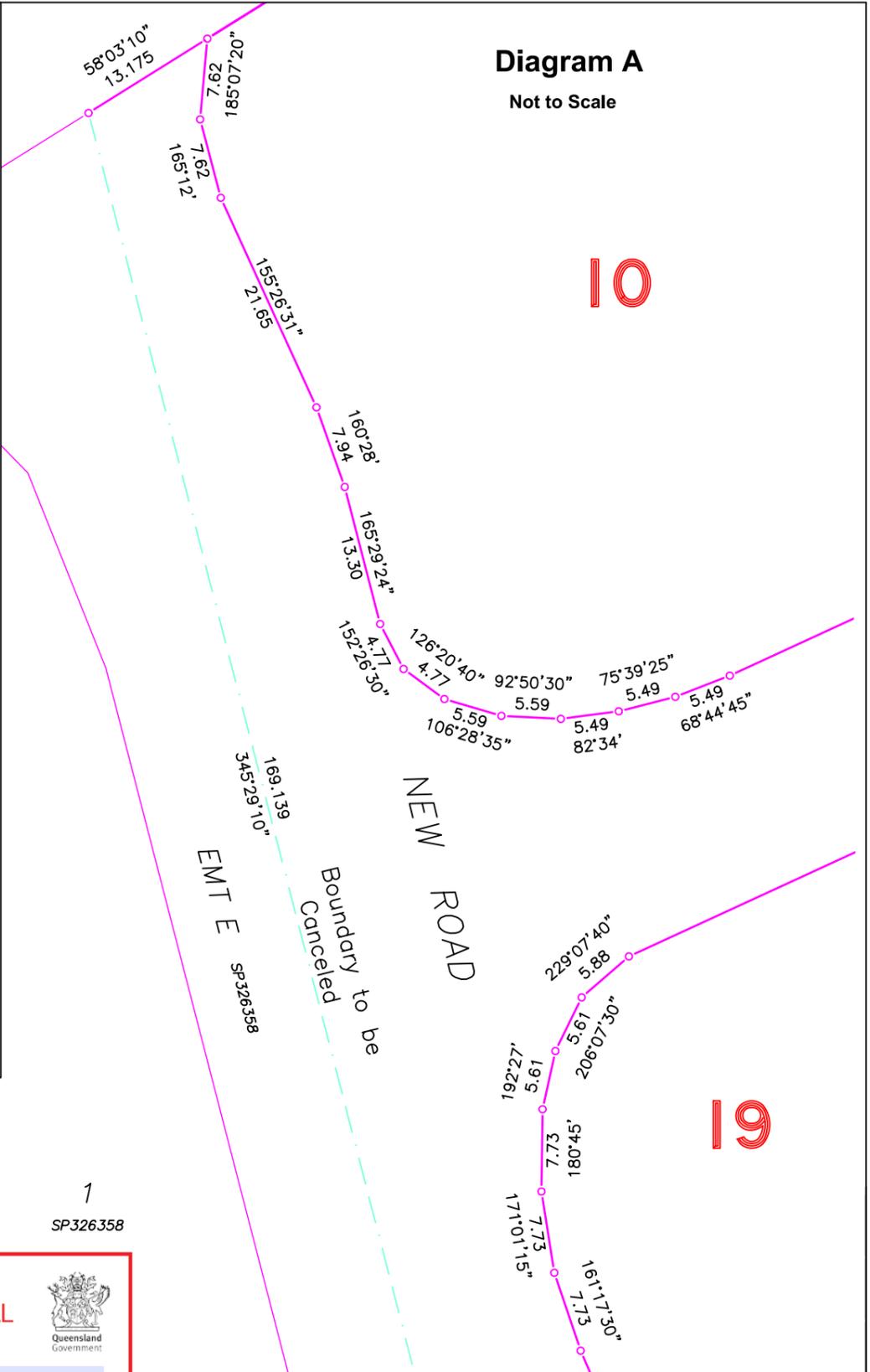
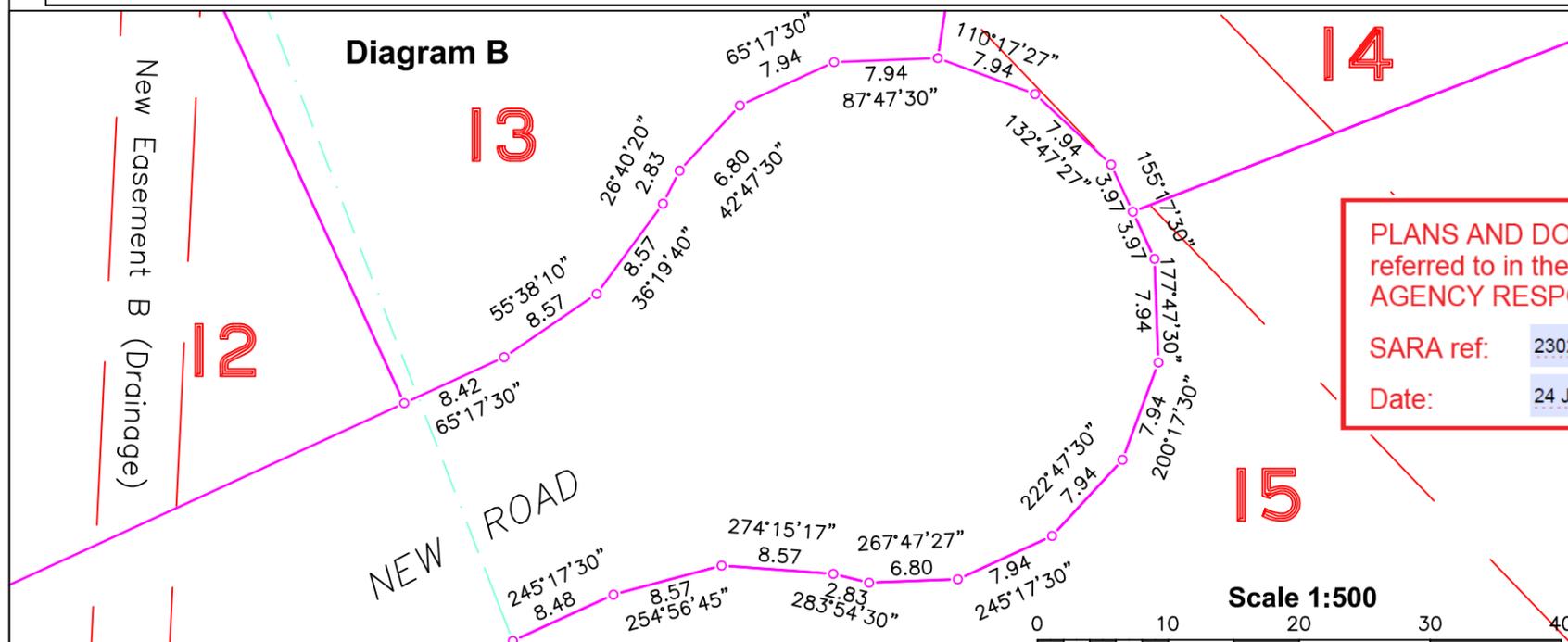


Diagram B



Scale 1:500

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 2302-33134 SRA

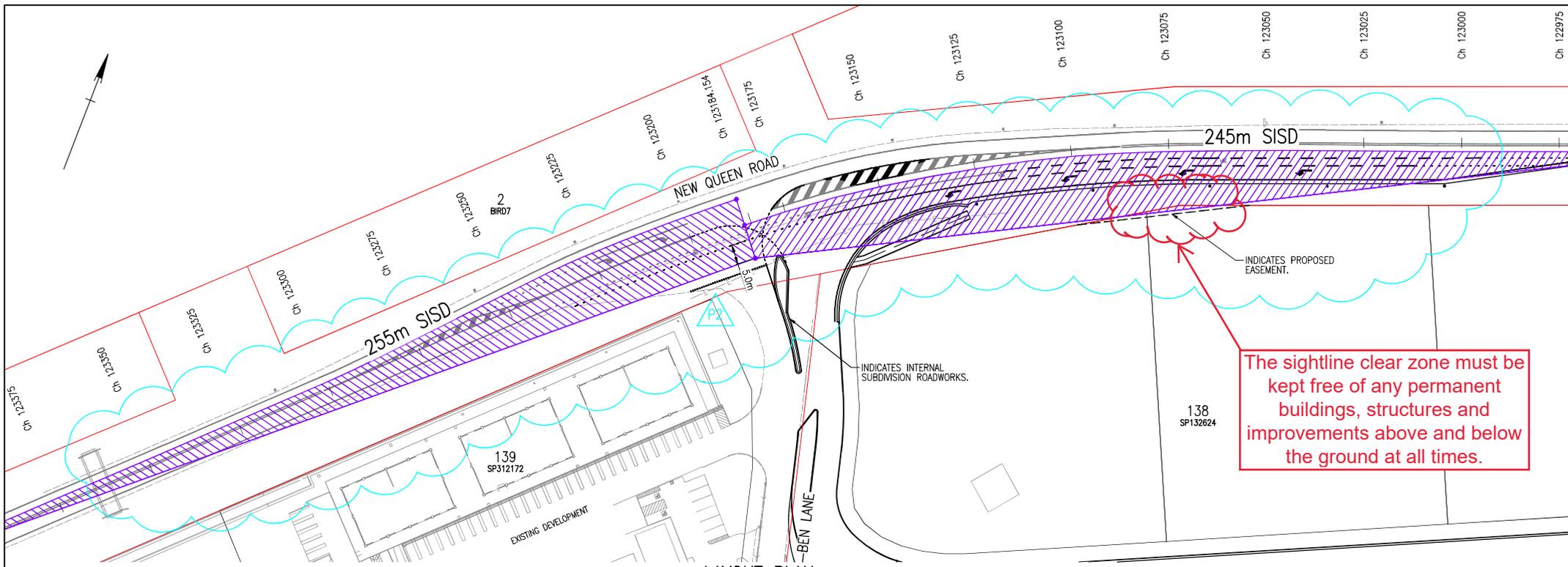
Date: 24 July 2023



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

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

PROPOSED RECONFIGURATION OF LOTS 10 – 19 & EMT B for Drainage				LOCALITY: QUEENTON
Cancelling LOT 138 on SP132624 & LOT 1 on MPH347				 56 Thuringowa Drive, Kirwan QLD 4817 Phone: (07) 47234885 CADASTRAL SURVEYS
CLIENT: GOLDTOWER		DATE: 4/11/2022		
LOCAL GOVERNMENT: Charters Towers Regional Council	MAP REF: 8157-14314	SCALE: AS SHOWN @ A3		
TITLE REF: 50329545 & 21500207	SURVEYOR REF: 22-350 A(2)	FIELDBOOK: N/A	DRAWN: IWF	
P22-350.dwg				Sheet 1 of 1
				Form 1.4



LAYOUT PLAN
Scale 1:500 @ A1

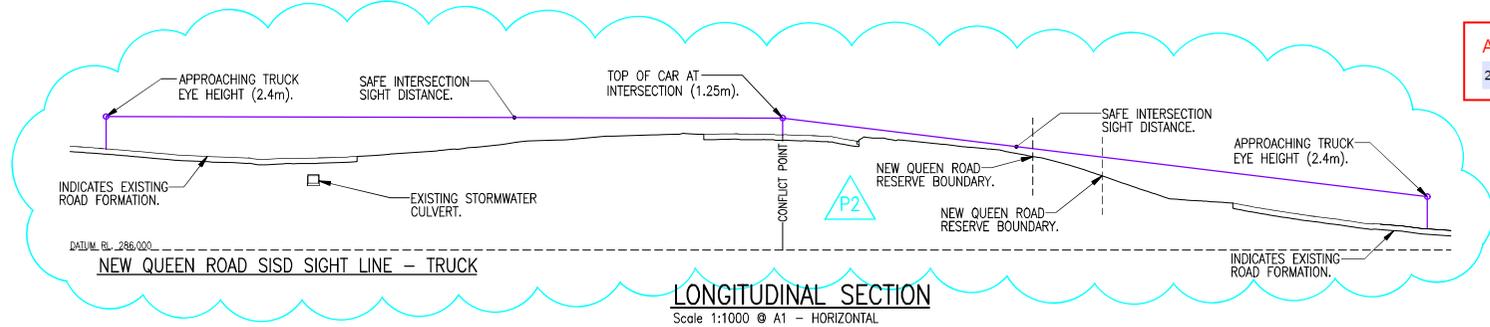
The sightline clear zone must be kept free of any permanent buildings, structures and improvements above and below the ground at all times.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2302-33134 SRA

Date: 24 July 2023

Amended in red by SARA on 24 July 2023



LONGITUDINAL SECTION
Scale 1:1000 @ A1 - HORIZONTAL
Scale 1:200 @ A1 - VERTICAL

REAL PROPERTY DESCRIPTION
Lot 139 on SP312172
Lot 138 on SP132624
Portion of CHARTERS TOWERS
County of SANDSHOFT
NEW QUEEN ROAD - Charters Towers

In Association with:-

Atkinson & BOOY SURVEYS
PO Box 5690 Townsville Qls 4810
Phone: 5152460 7 234 885

LEVEL DATUM A.H.D.
Horizontal Datum MGA'94 Zone 55
Refer PSM 52172 RL 289.279
NEW QUEEN ROAD

Full Size (A1)

ENGINEERING CERTIFICATION

Signed: DEREK ROBERT CONLEY SAW - RPEQ No. 7363

THE ORIGINAL OF THIS DOCUMENT IS COMPLETED TO THE SCALE NOTED. NO REPRODUCTION CAN DISTORT SIZE & SHAPE. USE ONLY THE DIMENSIONS PROVIDED ON ARCHITECTURAL &/OR ENGINEERING DRAWINGS. VERIFY DIMENSIONS ON SITE BEFORE CONSTRUCTION.

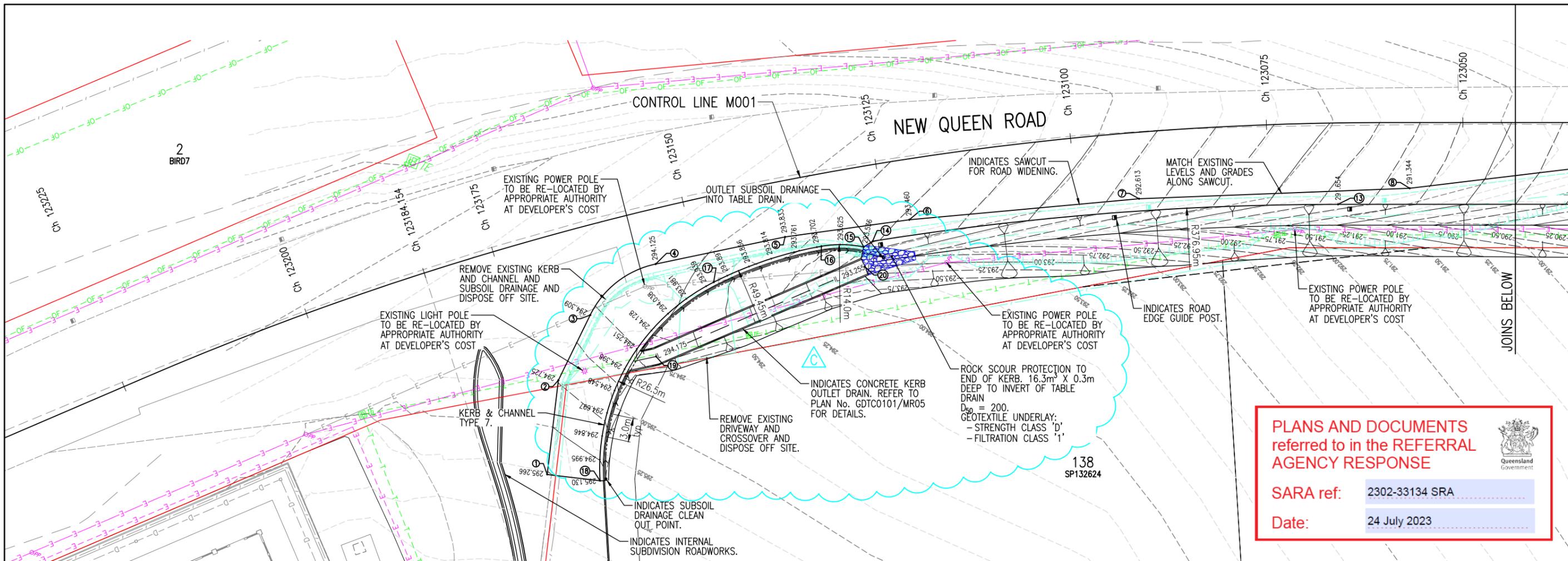
All work is to be carried out in accordance with DEPARTMENT OF MAIN ROADS standard details.

NORTHERN CONSULTING engineers

Civil | Structural | Forensic
Traffic | Flood Modelling

TOWNSVILLE | SUNSHINE COAST | BRISBANE
GLADSTONE | NEW ZEALAND
T: +617 4725 5550 E: mail@nceng.com.au
W: www.nceng.com.au

P2	PRELIMINARY - NOT FOR CONSTRUCTION - RESPONSE TO FURTHER INFORMATION REQUEST. (RAL)	02/05/2023
P1	PRELIMINARY - NOT FOR CONSTRUCTION - RESPONSE TO INFORMATION REQUEST. (RAL)	04/04/2023
Issue	Description	Date
Drawn DC	In Association With GOLDTOWER Pty Ltd	
Date 04/04/2023	SAFE INTERSECTION STOPPING DISTANCE (SISD) LAYOUT PLAN DESIGN VEHICLE - TRUCK	
Checked DS		INTERSECTION UPGRADE NEW QUEEN ROAD CHARTERS TOWERS
Approved DS		
COPYRIGHT ©		Brawing Number GDTC0101/MRT02



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2302-33134 SRA

Date: 24 July 2023

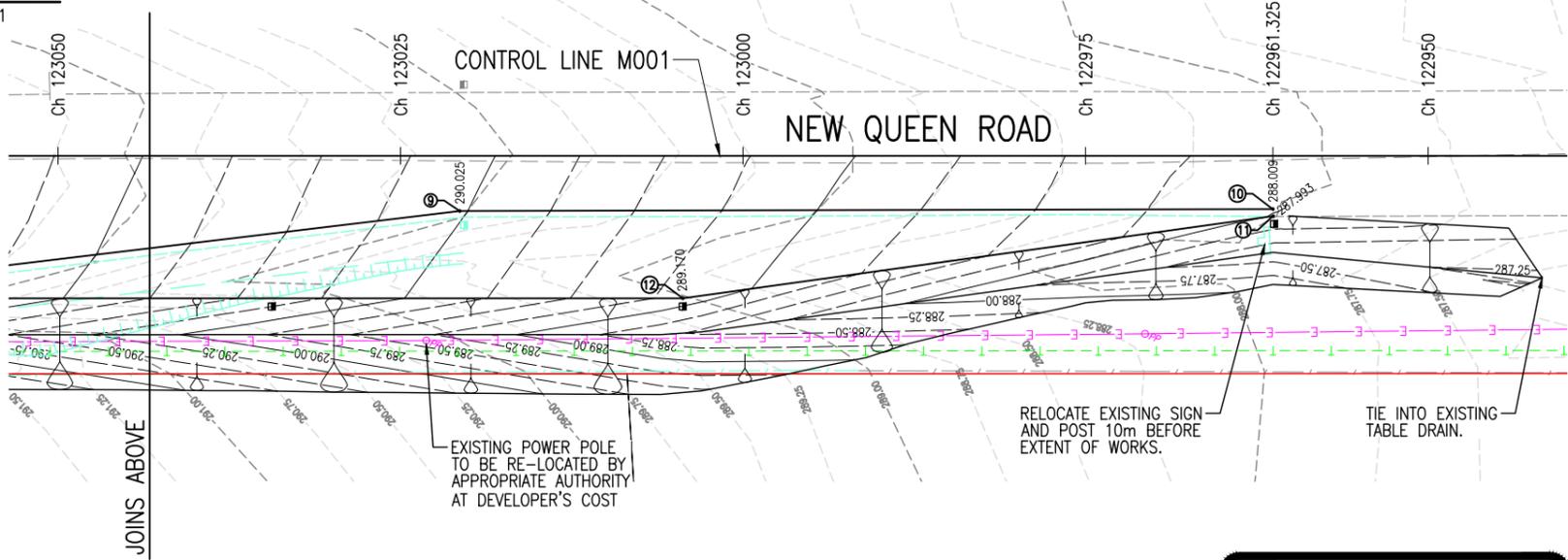
LAYOUT PLAN
Scale 1:250 @ A1

SETOUT POINTS			SETOUT POINTS		
Point #	Easting	Northing	Point #	Easting	Northing
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2	424856.948	7780852.838	12	424998.660	7780931.833
3	424857.726	7780862.028	13	424941.339	7780909.572
4	424863.142	7780871.074	14	424887.836	7780883.777
5	424877.251	7780880.249	15	424887.041	7780882.678
6	424891.195	7780888.005	16	424881.992	7780880.823
7	424917.481	7780901.073	17	424870.860	7780871.595
8	424949.111	7780914.773	18	424866.515	7780842.847
9	424981.190	7780931.864	19	424867.436	7780860.147
10	425036.471	7780953.473	20	424888.070	7780880.398

NOTE:
1. FOR PAVEMENT TIE-IN DETAIL REFER TO PLAN No. GDTC0101/MR05.

CAUTION
OPTIC FIBRE within NEW QUEEN ROAD reserve. Location & depth of optic fibre cables must be confirmed on site before construction commences.

CAUTION
OVERHEAD POWER LINES within NEW QUEEN ROAD reserve.



PRELIMINARY NOT FOR CONSTRUCTION

REAL PROPERTY DESCRIPTION
Lot 138 on SP132624
Parish of CHARTERS TOWERS
County of DAVENPORT
NEW QUEEN ROAD - Charters Towers

In Association with:-

Atkinson & BOOY SURVEYS
PO Box 5690 Townsville Qld 4810
Phone / Fax (07) 47 234 885

LEVEL DATUM A.H.D.
Horizontal Datum MGA'94 Zone 55
Refer PSM 52172 RL 289.279
NEW QUEEN ROAD

Full Size (A1)
1:250

All work is to be carried out in accordance with DEPARTMENT OF MAIN ROADS standard details.

ENGINEERING CERTIFICATION

Signed:
DEREK ROBERT CONLEY SAW - RPEQ No. 7363

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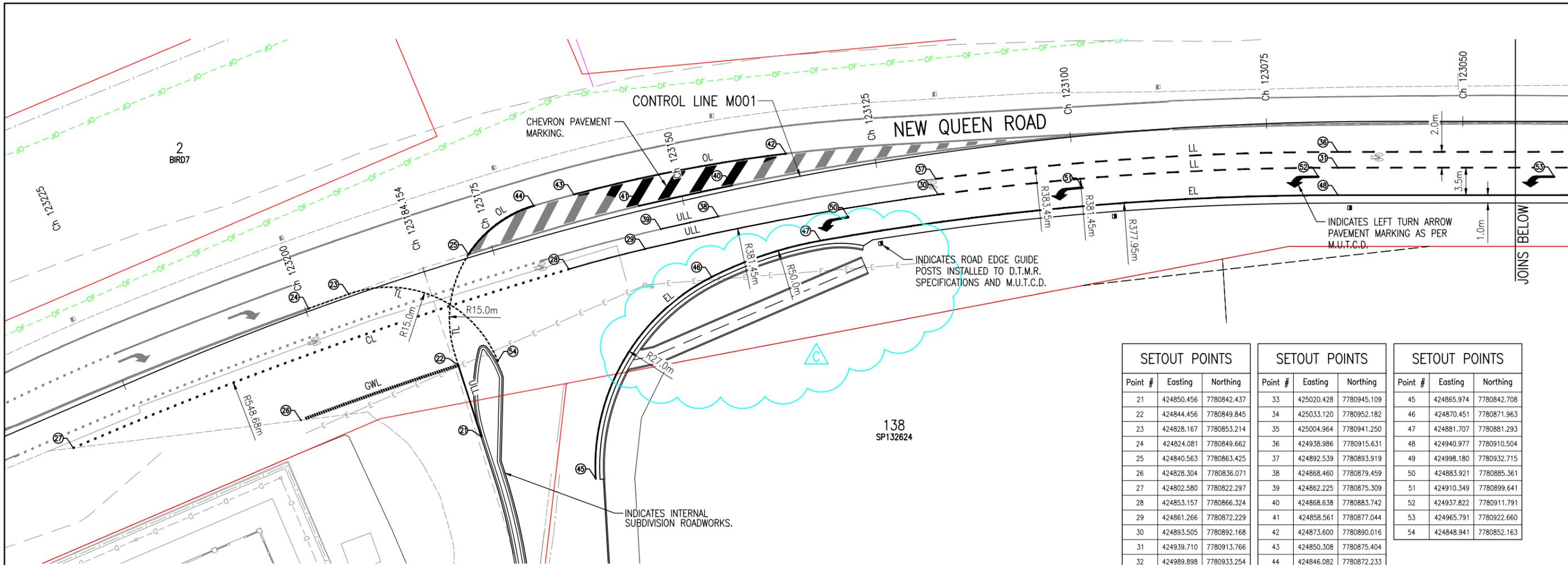
NORTHERN CONSULTING
engineers

Civil | Structural | Forensic
Traffic | Flood Modelling

TOWNSVILLE | SUNSHINE COAST | BRISBANE
GLADSTONE | NEW ZEALAND
T: +617 4725 5550 E: mail@nceng.com.au
W: www.nceng.com.au

Issue	Description	Date
C	PRELIMINARY - ISSUED FOR APPROVAL - KERB OUTLET DRAIN ADDED.	12/05/2023
B	PRELIMINARY - ISSUED FOR APPROVAL - INTERNAL SUBDIVISION ROADWORKS SHOWN.	04/04/2023
A	ISSUED FOR CONSTRUCTION - "IFC"	14/01/2022
P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR CLIENT APPROVAL.	30/08/2021

Drawn KJM Date 30/08/2021	In Association With GOLDTOWER Pty Ltd	ROADWORKS & SETOUT LAYOUT PLAN
Checked DS Approved DS	INTERSECTION UPGRADE NEW QUEEN ROAD CHARTERS TOWERS	
COPYRIGHT ©		Drawing Number GDTC0101/MR03
		Issue C



LAYOUT PLAN
Scale 1:250 @ A1

SETOUT POINTS			SETOUT POINTS			SETOUT POINTS		
Point #	Easting	Northing	Point #	Easting	Northing	Point #	Easting	Northing
21	424850.456	7780842.437	33	425020.428	7780945.109	45	424865.974	7780842.708
22	424844.456	7780849.845	34	425033.120	7780952.182	46	424870.451	7780871.963
23	424828.167	7780853.214	35	425004.964	7780941.250	47	424881.707	7780881.293
24	424824.081	7780849.662	36	424938.986	7780915.631	48	424940.977	7780910.504
25	424840.563	7780863.425	37	424892.539	7780893.919	49	424998.180	7780932.715
26	424828.304	7780836.071	38	424868.460	7780879.459	50	424883.921	7780885.361
27	424802.580	7780822.297	39	424862.225	7780875.309	51	424910.349	7780899.641
28	424853.157	7780866.324	40	424868.638	7780883.742	52	424937.822	7780911.791
29	424861.266	7780872.229	41	424858.561	7780877.044	53	424965.791	7780922.660
30	424893.505	7780892.168	42	424873.600	7780890.016	54	424848.941	7780852.163
31	424939.710	7780913.766	43	424850.308	7780875.404			
32	424989.898	7780933.254	44	424846.082	7780872.233			

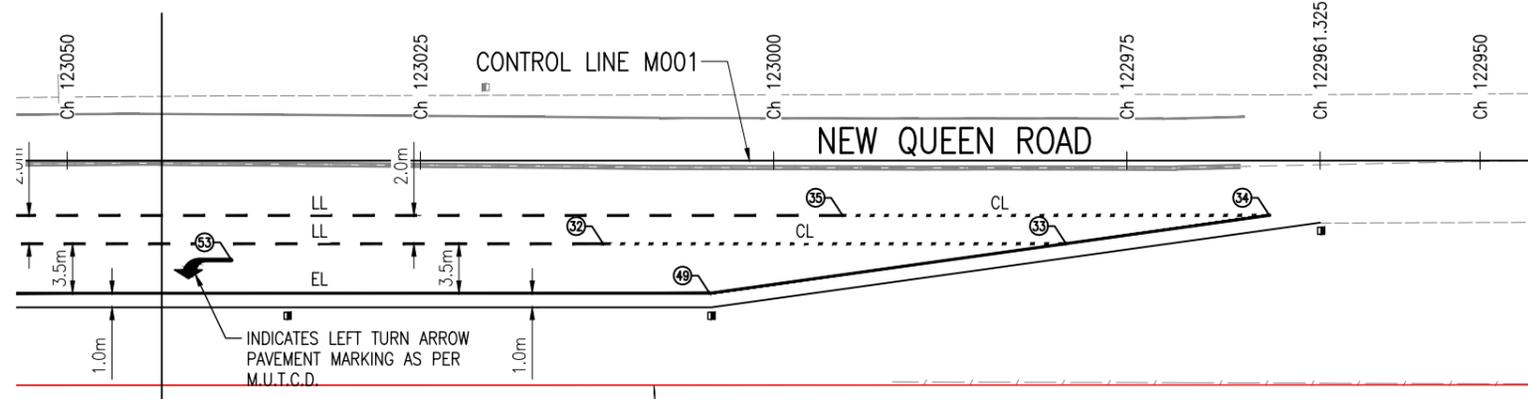
LINEMARKING LEGEND

EL	150	Edge Line.
OL	150	Outline marking.
ULL	100	Unbroken Lane Line.
LL	3000mm-9000mm Stripe & Gap	100 Lane Line.
TL	600mm Stripe & Gap	100 Turn Line.
GWL	600mm-600mm Stripe & Gap	300 Give way line.
CL	1000mm-3000mm Stripe & Gap	200 Continuity Line.

CAUTION
OPTIC FIBRE within NEW QUEEN ROAD reserve. Location & depth of optic fibre cables must be confirmed on site before construction commences.

CAUTION
OVERHEAD POWER LINES within NEW QUEEN ROAD reserve.

- NOTE:**
- ALL ROAD SIGNAGE, LINEMARKING AND R.R.P.M. ARE TO COMPLY WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D).
 - ALL LINEMARKING IS TO BE REFLECTORIZED WHITE.
 - GUIDE POSTS TO BE INSTALLED IN ACCORDANCE WITH D.T.M.R. SPECIFICATION AND THE M.U.T.C.D.
 - FOR SIGN POST DETAILS, REFER TO THE D.T.M.R. STANDARD DRAWINGS 1364 & 1368.
 - ALL SUPERFLUOUS PAVEMENT MARKINGS ARE TO BE REMOVED BY WATER BLASTING IN ACCORDANCE WITH TMR SPECIFICATIONS.



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2302-33134 SRA

Date: 24 July 2023

PRELIMINARY NOT FOR CONSTRUCTION

REAL PROPERTY DESCRIPTION
Lot 138 on SP132624
Parish of CHARTERS TOWERS
County of DAVENPORT
NEW QUEEN ROAD - Charters Towers

In Association with:-

Atkinson & BOOY SURVEYS
PO Box 5690 Townsville Qld 4810
Phone / Fax (07) 47 234 885

LEVEL DATUM A.H.D.
Horizontal Datum MGA'94 Zone 55
Refer PSM 52172 RL 289.279
NEW QUEEN ROAD

Full Size (A1)
1:250

All work is to be carried out in accordance with DEPARTMENT OF MAIN ROADS standard details.

ENGINEERING CERTIFICATION

Signed:
DEREK ROBERT CONLEY SAW - RPEQ No. 7363

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Issue	Description	Date
C	PRELIMINARY - ISSUED FOR APPROVAL - KERB OUTLET DRAIN ADDED.	12/05/2023
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Drawn KJM Date 30/08/2021	In Association With GOLDTOWER Pty Ltd	LINEMARKING LAYOUT PLAN
Checked DS Approved DS	INTERSECTION UPGRADE NEW QUEEN ROAD CHARTERS TOWERS	
COPYRIGHT ©	Drawing Number GDTC0101/MR07	Issue C

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

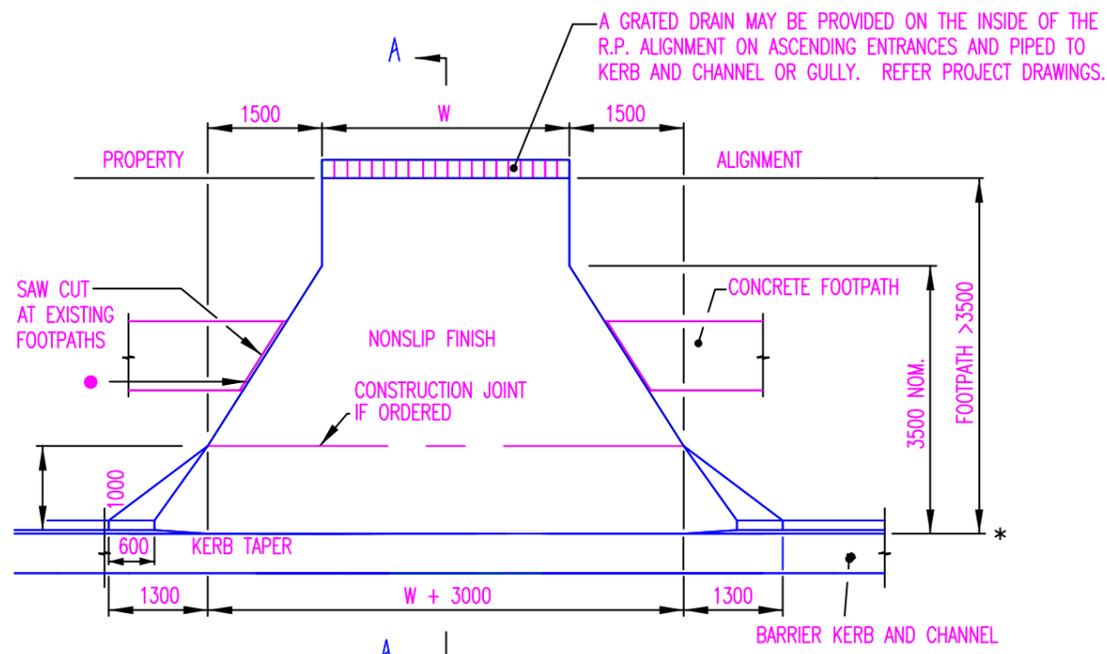
² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

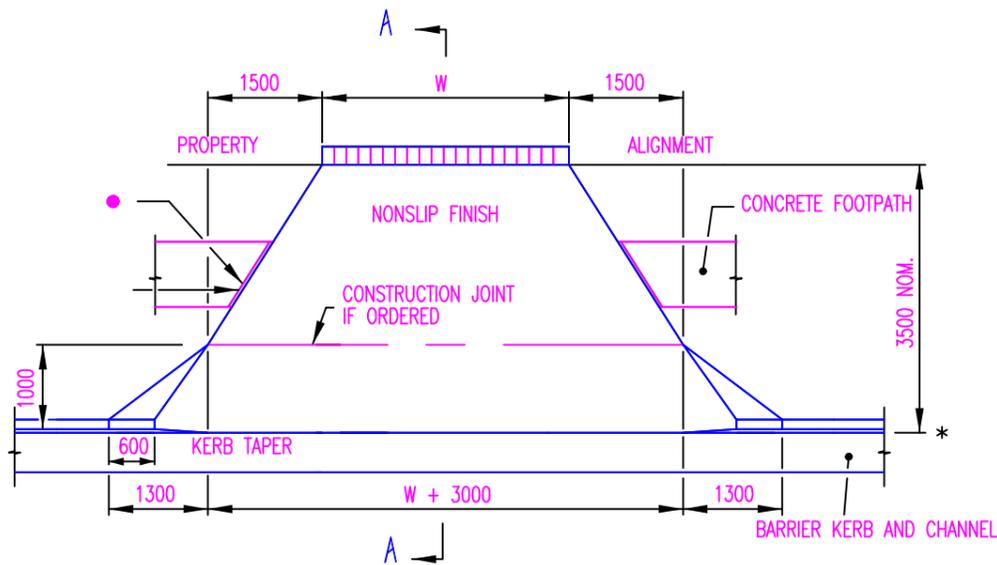
30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

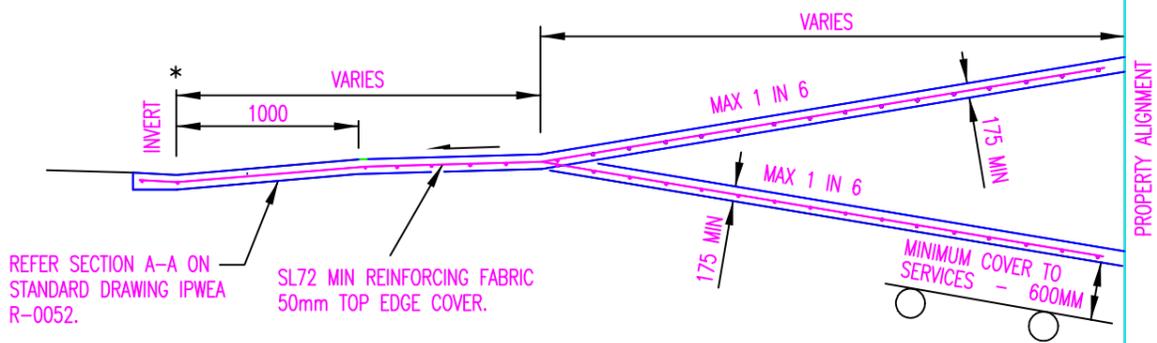
³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.



PLAN - WIDE FOOTPATHS



PLAN - 3.5m FOOTPATH



SECTION A - A

LEGEND

- * NOM KERB LINE
- ⊙ EXPANSION JOINTS TO BE 10 THICK, FULL DEPTH CLOSED CELL CROSS LINKED POLYETHYLENE FOAM (85 - 150 KG/m³) OR 10mm THICK COMPRESSED GRANULATED CORKBOARD, INSTALLATION TO MANUFACTURERS' INSTRUCTIONS.

NOTES

1. CONCRETE N32 IN ACCORDANCE WITH AS 1379 AND AS 3600.
2. REINFORCING FABRIC TO AS 1304. LAP FABRIC 250mm.
3. DEPTHS OF CONCRETE AND REINFORCING STEEL SHOWN ARE THE MINIMUM REQUIREMENTS FOR GOOD FOUNDATION CONDITIONS, AND AVERAGE TRAFFIC LOADING. WHERE THIS DOES NOT APPLY, DEPTHS OF CONCRETE AND REINFORCING SHALL BE INCREASED TO SUIT SPECIFIC CONDITIONS.
4. DESIGN OF CROSSINGS MAY VARY, REFER PROJECT DRAWINGS.
5. DIMENSION W, 3.0m ONE WAY, 5.5m TWO WAY, REFER SPECIFICATION OR PROJECT DRAWINGS.
6. REPROFILE ADJACENT FOOTPATH TO MATCH DRIVEWAY. FOOTPATH EARTHWORKS ADJOINING CONCRETE MUST BE WELL COMPACTED.
7. EXISTING FOOTPATH PROFILE TO BE MAINTAINED WHERE POSSIBLE.
8. COMPACTION FOR SUBGRADE 95% STANDARD TO AS 1289.5.1.1.
9. WHERE SUBGRADE IS LESS THAN CBR 5 EXCAVATE AND PROVIDE IMPORTED MATERIAL TO SATISFACTION OF THE SUPERINTENDENT.
10. CONCRETE DRIVEWAY UNLESS OTHERWISE APPROVED
11. PAVER AND/OR PROPRIETARY CONCRETE SURFACE FINISHES TO DRIVEWAY SHALL ONLY BE USED WHEN APPROVED BY LOCAL AUTHORITY.
12. REFER PROJECT DRAWINGS OR LOCAL AUTHORITY STANDARD DRAWINGS FOR VERGE TYPE CROSS SECTIONS.
13. ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE STATED.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* 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-
 - (c)
 - (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.

(Refer to Schedule 1 of the Planning Act 2016)

- (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 an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) 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
 - (f) 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.

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, table 1, item 1 – each principal submitter for the development application; and
 - (d) for and appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); 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 has 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 by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, 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 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, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

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 the rules of the P&E Court.

4 September 2023

Our Ref: 4833031
File Ref: RAL2023/0001
Enquiries: Jorja Feldt

Goldtower Properties
C/- Northpoint Planning
PO Box 4
TOWNSVILLE QLD 4810

Sent via email: meredith@northpointplanning.com.au

Dear Meredith,

Infrastructure Charges Notice
(Given under Section 119 of the *Planning Act 2016*)

Reference is made to the decision notice which was issued by Council on 4 September 2023. As a result, Council hereby provides this infrastructure charges notice.

Applicant details

Applicant name: Goldtower Properties C/- Northpoint Planning

Location details

Street address: 60-76 and 78-84 New Queen Road, Queenton QLD 4820
Real property description: Lot 1 on MPH347, Lot 138 on SP132624 and Lot 1 on SP326358

Application details

Application number: RAL2023/00001
Approval type: Development Permit
Development type: Reconfiguring a Lot
Category of assessment: Code Assessment
Description of development: Subdivision (3 into 11 Lots)
Categorising instrument: Charters Towers Regional Town Plan Version 2

Total levied charge payable

The total amount payable is **\$29,336.00** The levied charge will not be subject to an automatic increase and no offset or refund applies.

Goods and Services Tax (GST) does not apply to payments or contributions made by applicants to Government which relate to an application for the provision, retention, or amendment of a permission, exemption, authority or licence (however described) under the *Planning Act 2016*.

PO Box 189 Charters Towers Qld 4820

ADMINISTRATION: 12 Mosman Street Charters Towers Qld 4820 Australia

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

www.charterstowers.qld.gov.au



Date: 4 September 2023
Our Ref: 4833031

Calculation of charge

The levied charge has been calculated against the Infrastructure Charges Resolution (No. 3) 2020 which took effect from 28 October 2020 as follows:

Table One: Gross Charge

Charge	Quantity	Rate	Gross Charge Amount
New Lots	11	\$3,667.00	\$40,337.00
		Gross Charge Amount	\$40,337.00

Table Two: Applied Credit

Credit	Quantity	Rate	Gross Credit Amount
Existing Lots	3	Per existing lot	\$11,001.00
		Gross Credit Amount	\$11,001.00

Table Three: Total Charge

Charge	(Minus) Credit	Net Charge Amount
\$40,337.00	\$11,001.00	\$29,336.00

When the charge is payable

As per Section 122 of the *Planning Act 2016*, the charge is payable prior to Council approving the plan of subdivision. This notice stops having effect to the extent that the development approval stops having effect pursuant to Section 85 of the *Planning Act 2016*.

Other details

Pursuant to Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* a person may appeal against an infrastructure charges notice.

Should you wish to discuss this matter, please contact Jorja Feldt, Planner on (07) 4761 5300 or email development@charterstowers.qld.gov.au.

Yours faithfully



Paul Want
Manager Planning & Development





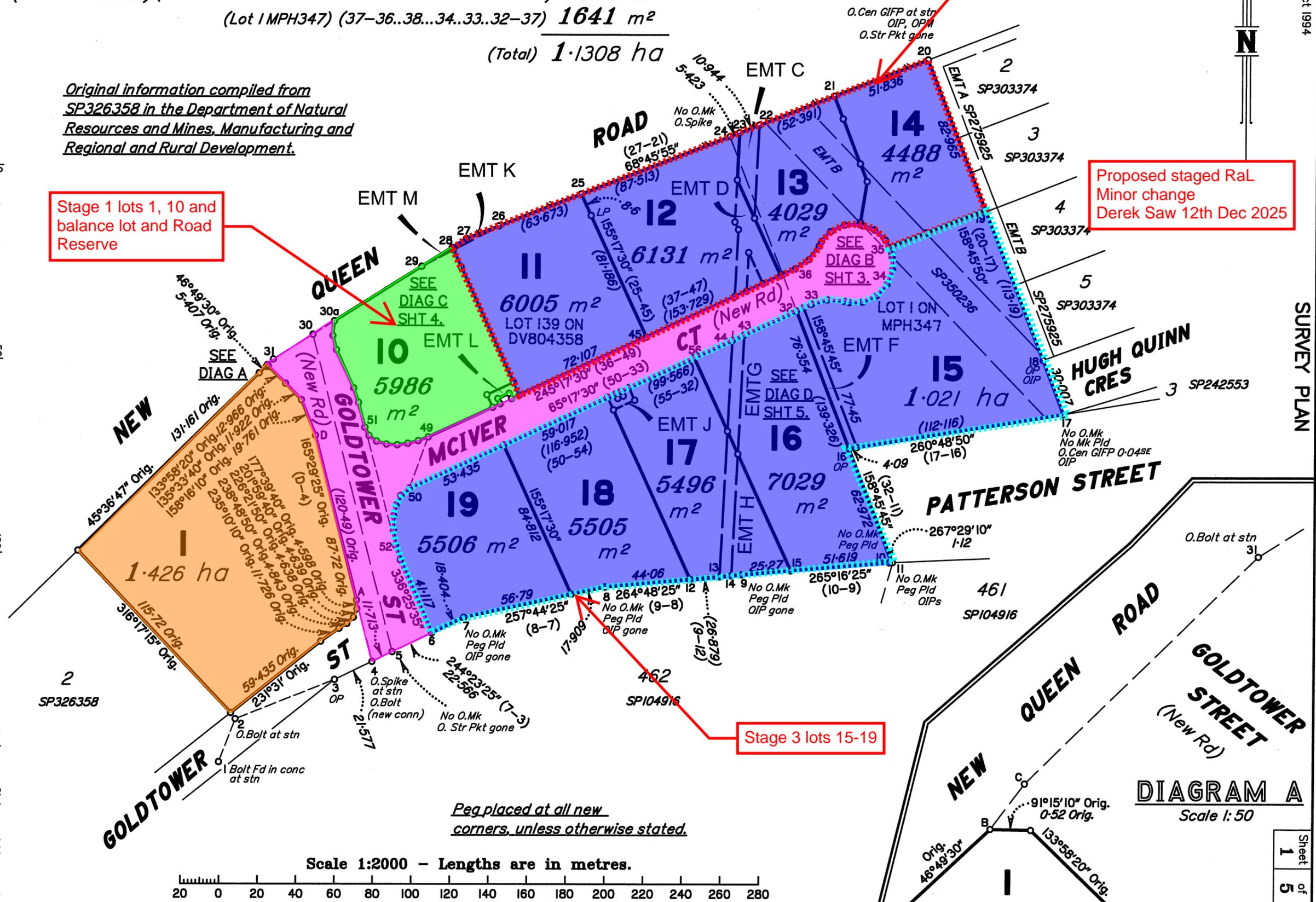
Attachment 3

PERMANENT MARKS						M.G.A. COORDINATES GDA-2020					
PM	ORIGIN	BEARING	DIST	NO.	TYPE	EASTING	NORTHING	ZONE	P.U.	LINEAGE	METHOD
20-OPM	SP275925	275°29'20"	66.293	76204	Standard	425 110.33	7 781 002.47	55	0-03	Derived	Network RTK

Area of New Road

(Lot 1 SP326358) (A-D..B-C-31-30-5-4-A) **2206 m²**
 (Lot 132 SP132624) (30-30a..51..49..48..47..37-32..55..54-50..52..5-30) **7461 m²**
 (Lot 1 MPH347) (37-36..38...34..33..32-37) **1641 m²**
 (Total) **1.1308 ha**

Original information compiled from
 SP326358 in the Department of Natural
 Resources and Mines, Manufacturing and
 Regional and Rural Development.



Stage 1 lots 1, 10 and
 balance lot and Road
 Reserve

Stage 2 lots 11-14

Proposed staged RaL
 Minor change
 Derek Saw 12th Dec 2025

Stage 3 lots 15-19

Peg placed at all new
 corners, unless otherwise stated.

Scale 1:2000 - Lengths are in metres.

I, Dale Ian ATKINSON hereby certify that the land comprised in this plan was surveyed by Ian Wayne FRIEND, surveying associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 13/01/2025.

Dale Atkinson
 Cadastral Surveyor

Date 12/2/2025

Plan of Lots 1 and 10-19
 Cancelling Lot 1 on SP326358, Lot 138 on SP132624 and Lot 1 on MPH347.

and Emt C in Lot 13; Emt D in Lot 12; Emt F in Lot 15; Emt G in Lot 16; Emts H and J in Lot 17; Emt K in Lot 11; and Emts L and M in Lot 10.

LOCAL GOVERNMENT: Regional
 LOCALITY: QUEENTON
 Charters Towers
 Survey Records: No

Scale: 1:2000
 Format: STANDARD



SP353333

Our Reference: NP22.099
SARA Reference: 2302-33134 SRA &
2302-33421 SRA
CTRC Reference: RAL2023/0001
RB.MM.

18 December 2025

North and North West Regional Office
Level 4, 445 Flinders Street, Townsville
PO Box 5666
TOWNSVILLE QLD 4810

Via email: NQSARA@dcdilgp.qld.gov.au

Attention: NQ SARA - Planning and Development

Dear Sir / Madam,

Change (Minor) Application

Development Permit – Reconfiguring a Lot (RAL2023/0001) – (3 Lots into 11 Lots) located at 60-76 and 78-84 New Queens Road, Queenton and formally identified as Lot 1 on MPH347, Lot 138 on SP132624, and Lot 1 on SP326358

We act on behalf of the applicant, Goldtower Properties, in relation to the abovementioned property and the subsequent development application.

In accordance with s78A of the *Planning Act 2016* (the Act), we submit a Change (Minor) application to the abovementioned development approval. The State Assessment and Referral Agency (SARA) is identified as the Responsible Entity for the change application.

Background

The subject site is an irregular shaped allotment, located at 60-76 and 78-84 New Queens Road, Queenton, formally described as Lot 1 on MPH347, Lot 138 on SP132624 and Lot 1 on SP326358.

The subject site is subject to a Development Permit for Reconfiguring a Lot (3 Lots into 11 Lots) (RAL2323/0001) dated 4 September 2023. The currency period remains current.

SARA's referral Agency Response formed part of the overall development approval (2302-33134 SRA & 2302-33421 SRA), dated 24 July 2023. A copy of this Response is provided at **Attachment 2**.



Proposed Change

The applicant is seeking to amend the existing Development Permit to include staging of the approved subdivision. The proposed change involves provision of amended development plans to reflect the proposed staging schedule of the approved subdivision, while maintaining the approved subdivision layout of RAL2023/0001, retaining the approved scale and character of the development (refer **Attachment 3**).

The proposed change is considered to accord with the provisions of a Change (Minor) as specified in Schedule 2 of the *Planning Act 2016* (the Act). Specifically, the proposed change;

- does not result in a substantially different development as it:
 - does not involve a new use;
 - does not involve a new parcel of land, does not dramatically change the scale, bulk and appearance;
 - does not change the ability of the development to operate as intended;
 - does not remove any integral components to the operation of the development;
 - does not significantly impact on traffic flow and the transport network, such as increasing traffic to the site;
 - does not introduce new impacts or increase the severity of known impacts;
 - does not remove any incentives or offset components that would balance a negative impact of the development;
 - does not impact on infrastructure provisions;
- does not include prohibited development;
- does not trigger referral to any additional referral agency or impact matters assessed in accordance with s55(2) of the Act; and
- does not result in the application requiring public notification that would not otherwise have been required as part of the original development.

Affected Entity

In accordance with s80(1)(b)(i) of the Act, Charters Towers Regional Council (council) is an Affected Entity to this application. As such, a copy of this application will be given to council.

Proceeding

The following material is submitted as part of this Change (Minor) application:

- Planning Act Form 5 (refer **Attachment 1**);
- Development Permit – Reconfiguring a Lot (RAL2023/0001) (refer **Attachment 2**); and
- Amended proposal plans (refer **Attachment 2**).

We note payment of the relevant fee will be actioned upon lodgement.

We trust the above is sufficient for SARA to decide the Change application and look forward to SARA's response. We welcome the opportunity to discuss the application with Council further, should any additional clarification or information be required.



Please do not hesitate to contact the undersigned to discuss any aspect of this application further.

Yours faithfully,

Mary McCarthy

SENIOR PLANNER

Northpoint Planning

Attachment 1 – Planning Act Form 5

Attachment 2 – Decision Notice RAL2023/0001 (SARA: 2302-33134 SRA & 2302-33421 SRA)

Attachment 3 – Amended Development Plans

cc Charters Towers Regional Council (Affected Entity) (Ref: RAL2023/0001)



Attachment 1

Change application form

Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

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)	Goldtower Properties C/- Northpoint Planning
Contact name (only applicable for companies)	Meredith Hutton
Postal address (P.O. Box or street address)	PO Box 4
Suburb	Townsville
State	Queensland
Postcode	4810
Country	Australia
Email address (non-mandatory)	hello@northpointplanning.com.au
Mobile number (non-mandatory)	0407 574 897
Applicant's reference number(s) (if applicable)	NP22.099

2) Owner's consent - Is written consent of the owner required for this change application?

Note: Section 79(1A) of the *Planning Act 2016* states the requirements in relation to owner's consent.

- Yes – the written consent of the owner(s) is attached to this change application
 No

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

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
		60-78	New Queens Road	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	1	MPH347	Charters Towers Regional
b)	Unit No.	Street No.	Street Name and Type	Suburb
		60-78	New Queens Road	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	138	SP132624	Charters Towers Regional



**Queensland
Government**

c)	Unit No.	Street No.	Street Name and Type	Suburb
		9	Goldtower Street	Queenton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	1	SP326358	Charters Towers Regional

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 the original development approval and the details of these premises have been attached in a schedule to this application

Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

4) Identify the responsible entity that will be assessing this change application

Note: see section 78(3) of the Planning Act 2016

Charters Towers Regional Council (CTRC) AND State Assessment and Referral Agency (SARA)

PART 4 – CHANGE DETAILS

5) Provide details of the existing development approval subject to this change application

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	CTRC: RAL2023/0001	CTRC: 4 September 2023	Assessment Manager
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	SARA: 2302-33134 SRA & 2302-33421 SRA	SARA: 24 July 2023	Referral Agency

6) Type of change proposed

6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Changing a Reconfiguring a Lot approval to include staging.

6.2) What type of change does this application propose?

Minor change application – proceed to Part 5

Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application		
<input type="checkbox"/> No – proceed to Part 7 <input checked="" type="checkbox"/> Yes – list all affected entities below and proceed to Part 7 Note: section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.		
Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
Charters Towers Regional Council	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

Note: To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?
<input type="checkbox"/> No <input type="checkbox"/> Yes

9) Development details
9.1) Is there any change to the type of development, approval type, or level of assessment in this change application? <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.
9.2) Does the change application involve building work? <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?
Note: The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change. <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the Referral checklist for building work is also completed.

11) Information request under Part 3 of the DA Rules
<input type="checkbox"/> I agree to receive an information request if determined necessary for this change application <input type="checkbox"/> I do not agree to accept an information request for this change application Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
 - Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
- Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

- Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and Yes
- for an other change all relevant referral requirement(s) in 10)

Note: See the *Planning Regulation 2017* for referral requirements

- For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application Yes Not applicable

- For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application Yes Not applicable

- Supporting information addressing any applicable assessment benchmarks is attached to this application Yes
- Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

- Relevant plans of the development are attached to this development application Yes
- Note:** Relevant plans are required to be submitted for all relevant aspects of this change application. For further information, see [DA Forms Guide: Relevant plans](#).

14) Applicant declaration

- By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change 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 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date received form sighted by assessment manager			
Name of officer who sighted the form			



Attachment 2

4 September 2023

Our Ref: 4827846
File Ref: RAL2023/0001
Enquiries: Jorja Feldt

Goldtower Properties
C/- Northpoint Planning
PO Box 4
TOWNSVILLE QLD 4810

Sent via email: meredith@northpointplanning.com.au

Dear Meredith,

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 28 August 2023. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below:

Applicant details

Applicant name: Goldtower Properties C/- Northpoint Planning

Location details

Street address: 60-76 and 78-84 New Queen Road, Queenton QLD 4820
Real property description: Lot 1 on MPH347, Lot 138 on SP132624 and Lot 1 on SP326358

Application details

Application number: RAL2023/0001
Approval type: Development Permit
Development type: Reconfiguring a Lot
Category of assessment: Code Assessment
Description of development: Subdivision (Three (3) Lots into 11 Lots)
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		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Conditions of approval

Condition Number	Condition	Timing										
Approved Plans/Documents												
1.	<p>Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:</p> <table border="1" data-bbox="288 981 1251 1205"> <thead> <tr> <th>Drawing Title:</th> <th>Prepared by:</th> <th>Date:</th> <th>Reference No:</th> <th>Revision:</th> </tr> </thead> <tbody> <tr> <td>Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage</td> <td>Atkinson & Booy Surveys</td> <td>4/11/2022</td> <td>P22-2350</td> <td>A</td> </tr> </tbody> </table>	Drawing Title:	Prepared by:	Date:	Reference No:	Revision:	Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage	Atkinson & Booy Surveys	4/11/2022	P22-2350	A	At all times
Drawing Title:	Prepared by:	Date:	Reference No:	Revision:								
Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage	Atkinson & Booy Surveys	4/11/2022	P22-2350	A								
Special												
2.	Any existing structures or buildings located on the subject site must be removed or relocated to be contained wholly within the resultant allotment boundaries.	Prior to the lodgement of survey plan for endorsement										
General												
3.	<p>a) Comply with all conditions within this Development Permit with conditions prevailing over the approved plan(s) and document(s) in all instances.</p> <p>b) Meet the cost of all works associated with the development including any alterations, relocations or repairs to damaged Council infrastructure, and</p> <p>a) All repairs, alterations and relocations of Council infrastructure are to be in accordance with the relevant Council policy and/or Australian Standard.</p>	At all times										
Environmental												
4.	Ensure that erosion and sedimentation control management is undertaken and maintained to prevent soil erosion and sedimentation runoff to watercourses and Council's storm water drainage system. Erosion and sediment control is to be in accordance with <i>International Erosion Control Association – Best Practice Erosion & Sediment Control guidelines</i> and the <i>Queensland Urban Drainage Manual 2017</i> .	At all times										



5.	The construction of the development (not operation) must be limited to 0630—1830 Monday to Saturday and not at all on Sunday and public holidays as per Section 440R of the <i>Environmental Protection Act 1994</i> . Noise generated from construction must be within the limits set by the <i>Environmental Protection Act 1994</i> and the <i>Environmental Protection (Noise) Policy 20019</i> .	At all times
6.	Ensure that: a) Works occur so they do not cause unreasonable interference with the amenity of adjoining premises because of noise, air or other chemical pollutants. b) The premises including the adjoining Council controlled road reserve are kept in a safe, clean and tidy state, and c) All construction materials are contained wholly within the premises.	As part of construction works
Operational Works		
7.	A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include the following: a) Earthworks b) Road works c) Water Infrastructure d) Sewer Infrastructure e) Stormwater Management (quantity, flood and drainage control)	Prior to the lodgement of survey plan for endorsement
8.	The Development Application for Operational Works is to be designed and constructed in accordance with Australian Standards, the Development Works Code inclusive of Schedule 4.2 Development Works Planning Scheme Policy of the Charters Towers Regional Town Plan, <i>STRAT0028/Roads Infrastructure Road Risk Management Strategic Policy</i> and any other applicable standards at the time of lodgement. All Operational Works that relate to this development must be accepted as on maintenance by Council.	As part Operational Works
Transport and Access		
9.	Construct a driveway crossover at the frontage of each proposed lot in accordance with Council's relevant standard drawing <i>CTRC-003 Roads commercial driveway slab</i> .	Prior to commencement of the use
Water and Sewer		
10.	Lodge and have approved, an application for connection to water supply as part of the development's connection into Council's controlled water service infrastructure.	Prior to works on Council's water infrastructure



11.	Provide a water service connection from Council's water supply infrastructure to each proposed lot and pay the full cost of a water meter in the form of a bond for each proposed lot.	Prior to the lodgement of survey plan for endorsement
12.	Lodge and have approved an application for sewer main cut-in for connection to sewer supply as part of connection to Council's controlled sewer service infrastructure.	Prior to works on Council's sewer infrastructure
13.	Provide a sewer service connection from Council's sewer supply infrastructure to each proposed lot with the location and size of the sewer service determined in consultation with Council.	As part of construction
Electricity and Telecommunication		
14.	Submit to Council a Certificate of Electricity Supply demonstrating that supply is provided and available to each proposed lot, unless otherwise specified by the provider.	Prior to the lodgement of survey plan for endorsement
15.	Submit to Council a Provisioning of Telecommunication Services demonstrating that supply is provided and available to each proposed lot, unless otherwise specified by the provider.	Prior to the lodgement of survey plan for endorsement
Survey Plan Endorsement		
16.	Provide at no cost to Council, one copy of the fully executed easement documentation for the following: a) Drainage easement burdening Lots 12, 13, 16 and 17 having a minimum width of 6.08 m.	As part of the lodgement of survey plan for endorsement
17.	Lodge to Council, for approval, an application for Survey Plan Endorsement which includes: a) Payment of application fee in accordance with Council's fees and charges at the time of lodgement b) All survey marks in their correct position in accordance with the Survey Plan c) A compliance report demonstrating compliance with all associated Development Permit(s) d) One copy of the survey plan and/or easement documentation each fully executed for the lodgement with the Titles Office e) Payment of any outstanding rates and charges in accordance with Schedule 18, Item 2(1)(c) of the <i>Planning Regulation 2017</i> , and f) Payment of any outstanding Adopted Infrastructure Charges.	As part of the lodgement of survey plan for endorsement



Advisory Notes	
Scale or Intensity of Use	
	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	
	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.
Aboriginal and Cultural Heritage	
	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	
	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.
Wet Tropics World Heritage Area	
	Land within the Charters Towers Regional Council local government area falls within the Wet Tropics World Heritage Area and is governed by the <i>Wet Tropics World Heritage Protection and Management Act 1993</i> and the <i>Wet Tropics Management Plan 1998</i> . Prior to carrying out works, it is advised that you contact the Wet Tropics Management Authority on (07) 4241 0500 or by post at PO Box 2050 CARINS QLD 4870. For further information including viewing the Act, Management Plan and Interactive Mapping, please visit: http://www.wettropics.gov.au/
Workplace Health and Safety	
	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 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	
	<p>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.</p> <p>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.</p>
Airport Operations	
	Where works may impact on the safety operation of the Charters Towers Airport such as the use of cranes, industrial lighting or involve impacts such as gaseous plumes, it is advised that you contact one of Council's Airport Reporting Officer(s) on (07) 4761 5300 prior to works commencing.
Ergon Energy and Telstra Corporation Contact Details	
	Where a condition requires connections to reticulated electricity and/or telecommunications or a certificate of supply, please contact the below: <ul style="list-style-type: none"> a) Ergon Energy Connection Solution's Team – (07) 4931 1012, and/or b) NBN Co – 1800 687 626.
Council Forms, Policies and Drawings	
	In achieving compliance with conditions, the below Council forms will need to be completed for this development: <ul style="list-style-type: none"> a) F0227 - Application to carry out works on a Council road (including pathways) b) Standard drawings and specifications for driveways and roads c) F0313 – Request for water supply connection or disconnection d) F0347 – Application for sewer main cut-in

3. Currency period for the development application approval

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

4. Further development permits

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

- 1) Operational Works



5. Referral agencies

The referral agencies for this application are:

Agency:	Trigger:	Address:	Date and Ref:
Department of Transport and Main Roads	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 – Reconfiguring a lot near a State transport corridor.	State Assessment Referral Agency North and Central West Office PO Box 5666 TOWNSVILLE QLD 4810 NQSARA@dsmip.qld.gov.au	24 July 2023 (Ref: 2302-3421 SRA)

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

6. Submission(s)

The proposed development did not require impact assessment, and therefore Public Notification was 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 a Development Permit for Reconfiguring a Lot – Subdivision (Three (3) Lots into 11 Lots) located at 60-76 and 78-84 New Queen Road, Queenton QLD 4820 also described as Lot 1 on MPH347, Lot 138 SP132624 and Lot 1 on SP326358		
Reasons for the decision:	The proposed development generally complies with the relevant assessment benchmarks and can be conditioned accordingly to maintain compliance.		
Assessment benchmarks:	The proposed development was assessed against the relevant assessment benchmarks of the Charters Towers Regional Town Plan including the:		
	<ol style="list-style-type: none"> 1) Industry Zone Code 2) Reconfiguring a Lot Code 3) Development Works Code 4) Flood Hazard Overlay Code 		
	The proposed development was assessed against all the assessment benchmarks listed about and complies with all with the exceptions listed and responded to below.		
	Assessment benchmark:	Reasons for the approval despite non-compliance with benchmark:	
	N/a	N/a	
Relevant matters:	N/a		
Matters raised in submissions:	Submission Point:	Council Response:	
	N/a	N/a	



Date: 4 September 2023
Our Ref: 4827846

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 Jorja Feldt; Planner on (07) 4761 5300 or development@charterstowers.qld.gov.au.

Yours faithfully



Paul Want
Manager Planning and Development

Enc. Approved Plan
Referral Agency Response
Standard Drawing No. CTRC-003
Appeal Rights



SARA reference: 2302-33134 SRA & 2302-33421 SRA
 Council reference: RAL2023/0001
 Applicant reference: NP22.099

24 July 2023

Chief Executive Officer
 Charters Towers Regional Council
 PO Box 189
 Charters Towers QLD 4820
 mail@charterstowers.qld.gov.au

Attention: Ms Jorja Feldt

Dear Ms Feldt

SARA referral agency response—60-76 New Queen Road, Queenton; 78-84 New Queen Road, Queenton

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 6 February 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	24 July 2023
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Reconfiguring a lot for Subdivision - three lots into eleven lots
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017)	

Development application for a Reconfiguring of a Lot within 25m of State transport corridors
 Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017)
 Development application for a Reconfiguring of a Lot triggers Schedule 21 - State transport infrastructure (thresholds)

SARA reference: 2302-33134 SRA

Assessment manager: Charters Towers Regional Council

Street address: 60-76 New Queen Road, Queenton; 78-84 New Queen Road, Queenton

Real property description: 138SP132624; 1MPH347; 1SP326358

Applicant name: Goldtower Properties C/- Northpoint Planning

Applicant contact details: PO Box 4
 Townsville QLD 4810
 hello@northpointplanning.com.au

Human Rights Act 2019 considerations: Considered. The decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Helena Xu, Senior Planning Officer, on 073452 6724 or via email NQSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna
 Manager (Planning)

cc Goldtower Properties C/- Northpoint Planning, hello@northpointplanning.com.au

enc Attachment 1 - Referral agency conditions
 Attachment 2 - Advice to the applicant
 Attachment 3 - Reasons for referral agency response
 Attachment 4 - Representations about a referral agency response provisions
 Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Reconfiguring a lot		
10.9.4.2.1.1 – Reconfiguring a lot near a state transport corridor & 10.9.4.1.1.1 Reconfiguring of a lot triggers threshold under Schedule 20 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The proposed reconfiguring of a lot must be carried out generally in accordance with the following plan:</p> <ul style="list-style-type: none"> • Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage, cancelling Lot 138 on SP132624 & Lot 1 MPH347, prepared by Atkinson & Booy Surveys, reference P22-350 A(2), sheet 1 of 1, dated 4/11/2022. 	At all times.
2.	<p>The sightline clear zone must be protected in accordance with the following plans:</p> <ul style="list-style-type: none"> • Safe Intersection Stopping Distance (SISD) Layout Plan Design Vehicle – Truck, prepared by Northern Consulting Engineers dated 4 April 2023, reference GDTC0101/MRT02 and revision P2 as amended in red by SARA. 	At all times.
3.	Direct access is not permitted between New Queen Road (the Flinders Highway) and proposed lots 10, 11, 12, 13 or 14.	At all times.
4.	<p>(a) The existing vehicular property access located between Lot 138 on SP132634 and Flinders Highway must be permanently closed and removed.</p> <p>(b) The kerb and channelling between the pavement edge and the property boundary must be reinstated in accordance with Charters Towers Regional Council standards for road works at no cost to the Department of Transport and Main Roads’.</p>	Prior to submitting the Plan of Survey to the local government for approval.
5.	<p>(a) Road works comprising an auxiliary left and channelised right (short) turn treatments, must be provided generally in accordance with:</p> <ol style="list-style-type: none"> i. Roadworks & Setout Layout Plan prepared by Northern Consulting Engineers dated 12 May 2023, reference GDTC0101/MR03 and revision C; ii. Linemarking Layout Plan prepared by Northern Consulting Engineers, dated 12 May 2023, reference GDTC0101/MR07 and revision C; <p>(b) The road works must be designed and constructed in accordance with the following:</p> <ol style="list-style-type: none"> i. Department of Transport and Main Roads’ Road Planning and Design Manual, Second Edition; 	Prior to submitting the Plan of Survey to the local government for approval.

	<ul style="list-style-type: none"> ii. Manual of Uniform Traffic Control Devices (MUTCD); iii. Relevant Traffic and Road Use Manuals. 	
6.	Signage, advising vehicles larger than a 26m B-Double are restricted from accessing the Ben Lane intersection is to be installed at the entrance to Ben Lane in accordance with the Department of Transport and Main Roads' Manual of Uniform Traffic Control Devices.	Prior to submitting the Plan of Survey to the local government for approval.
7.	<p>Stormwater management of the development must not cause worsening to the operating performance of the State-controlled road and railway corridor such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) interfere with and/or cause damage to the existing stormwater drainage on the State-controlled road or railway corridor. (ii) surcharge any existing culvert or drain on the State-controlled road or railway corridor. (iii) impede or interfere with any overland flow or hydraulic conveyance from the State-controlled road or railway corridor. 	At all times
8.	<ul style="list-style-type: none"> (a) Register a drainage easement on the titles of proposed lots 12, 13, 16 and 17 in accordance with the Proposed Reconfiguration of Lots 10 – 19 & EMT B for Drainage, cancelling Lot 138 on SP132624 & Lot 1 MPH347, prepared by Atkinson & Booy Surveys, reference P22-350 A(2), sheet 1 of 1, dated 4/11/2022. (b) The applicant must provide a copy of Registration Confirmation Statement/s and easement registration dealing number/s as evidence of the registration of the easement/s referred to in part (a) of this condition to the North.Queensland.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads. 	<ul style="list-style-type: none"> (a) At the time of survey plan registration (b) Within 20 business days of registration of the easements
9.	Provide fencing along the site boundary with the railway corridor, in accordance with Queensland Rail drawing number QR-C-S3230 – 1.8m High Chain Link Security Fence Without Rails Using 50mm Diamond Mesh General Arrangement.	Prior to submitting the Plan of Survey to the local government for approval
10.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures, batters, road works and other works involving ground disturbance must not encroach or de-stabilise the railway including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.
2.	<p>Works on a railway corridor</p> <p>Pursuant to section 255 of the <i>Transport Infrastructure Act 1994</i>, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.</p> <p>Relevant approvals will need to be obtained from the railway manager for any works in the railway corridor (including the construction of a boundary fence) such as a licence to enter and construct and wayleave agreement, amongst other relevant approvals.</p> <p>Please be advised that this concurrence agency response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i> and that such approvals need to be separately obtained from the relevant railway manager.</p> <p>The applicant should contact Queensland Rail property team at PropertyLeasing@qr.com.au in relation to this matter.</p>
Further Approval for Road Works	
3.	This development approval does not include any works located within the road reserve of the State-controlled Road. Further approval from the Department of Transport and Main Roads is required pursuant to the provisions of the <i>Transport Infrastructure Act 1994</i> .
4.	<p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a State-controlled Road. This includes the conditioned intersection upgrades. Even though a development approval may have been given by a local Council, it is still necessary to obtain approval to construct road works within a State-controlled Road from the Department of Transport and Main Roads.</p> <p>To make an application for road works approval, please contact the Department of Transport and Main Roads via North.Queensland.IDAS@tmr.qld.gov.au, and include a completed Road Works/Road Access Works in a State-controlled road Application Form (Form F5082) available at: https://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Othermatters-requiring-approval#driveways</p> <p>This approval must be obtained <u>prior</u> to commencing any works on the state-controlled road reserve.</p>

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

The development complies with State code 1: Development in a state-controlled road environment (State code 1) of the State Development Assessment Provisions (SDAP) version 3.0. Specifically, the development:

- does not create a safety hazard for users of a state-controlled road
- does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
- does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads
- does not compromise the structural integrity of public passenger transport infrastructure or compromise the operating performance of public passenger transport services
- avoids or mitigates significant adverse impacts resulting from environmental emissions generated by vehicles on the state-controlled road.

The development complies with State code 2: Development in a railway environment (State code 2) of the State Development Assessment Provisions (SDAP) version 3.0. Specifically, the development:

- does not result in an increase in the likelihood or frequency of accidents, fatalities or serious injury for users of a railway
- does not adversely impact the structural integrity or physical condition of railways, rail transport infrastructure or other rail infrastructure within a railway corridor
- does not compromise the operating performance of railway corridors
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate railway corridors, future railway corridors and associated rail transport infrastructure or other rail infrastructure
- does not significantly increase the cost to the state to plan, construct, maintain, upgrade or operate railway corridors, future railway corridors, rail transport infrastructure or other rail infrastructure
- does not compromise pedestrian or cycle access to public passenger transport infrastructure or active transport infrastructure associated with railways
- protects the community from significant adverse impacts resulting from environmental emissions generated by a railway.

The development complies with State code 6: Protection of State Transport Networks (State code 6) of the State Development Assessment Provisions (SDAP) version 3.0. Specifically, the development:

- does not create a safety hazard for users of state transport infrastructure or public passenger services by increasing the likelihood or frequency of a fatality or serious injury;
- does not result in a worsening of the physical condition or operating performance of the state transport network;
- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- *Planning Regulation 2017*
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system

- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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0 40 80 120 160

Scale 1:2000

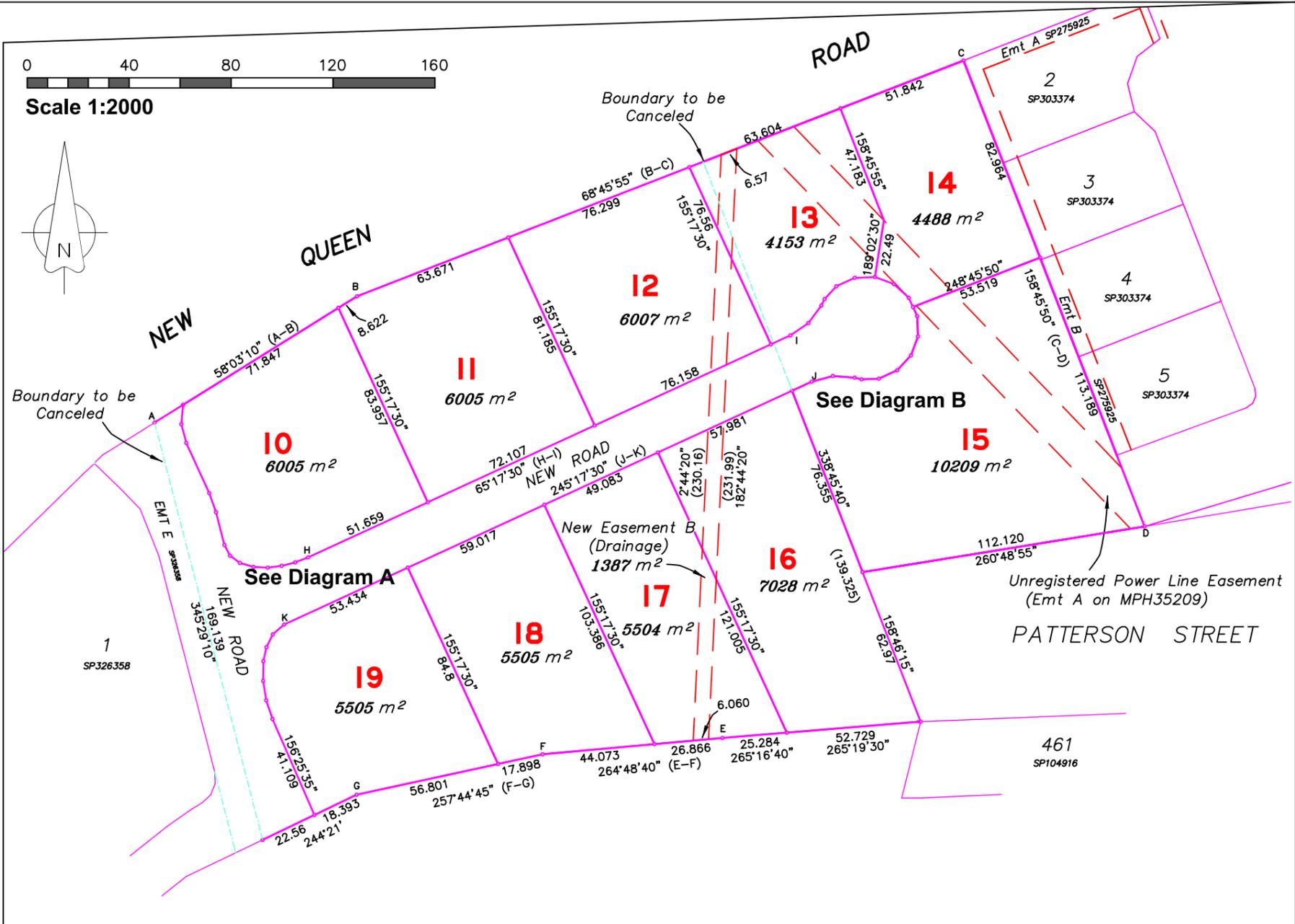
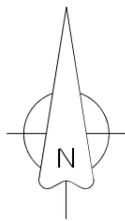


Diagram A

Not to Scale

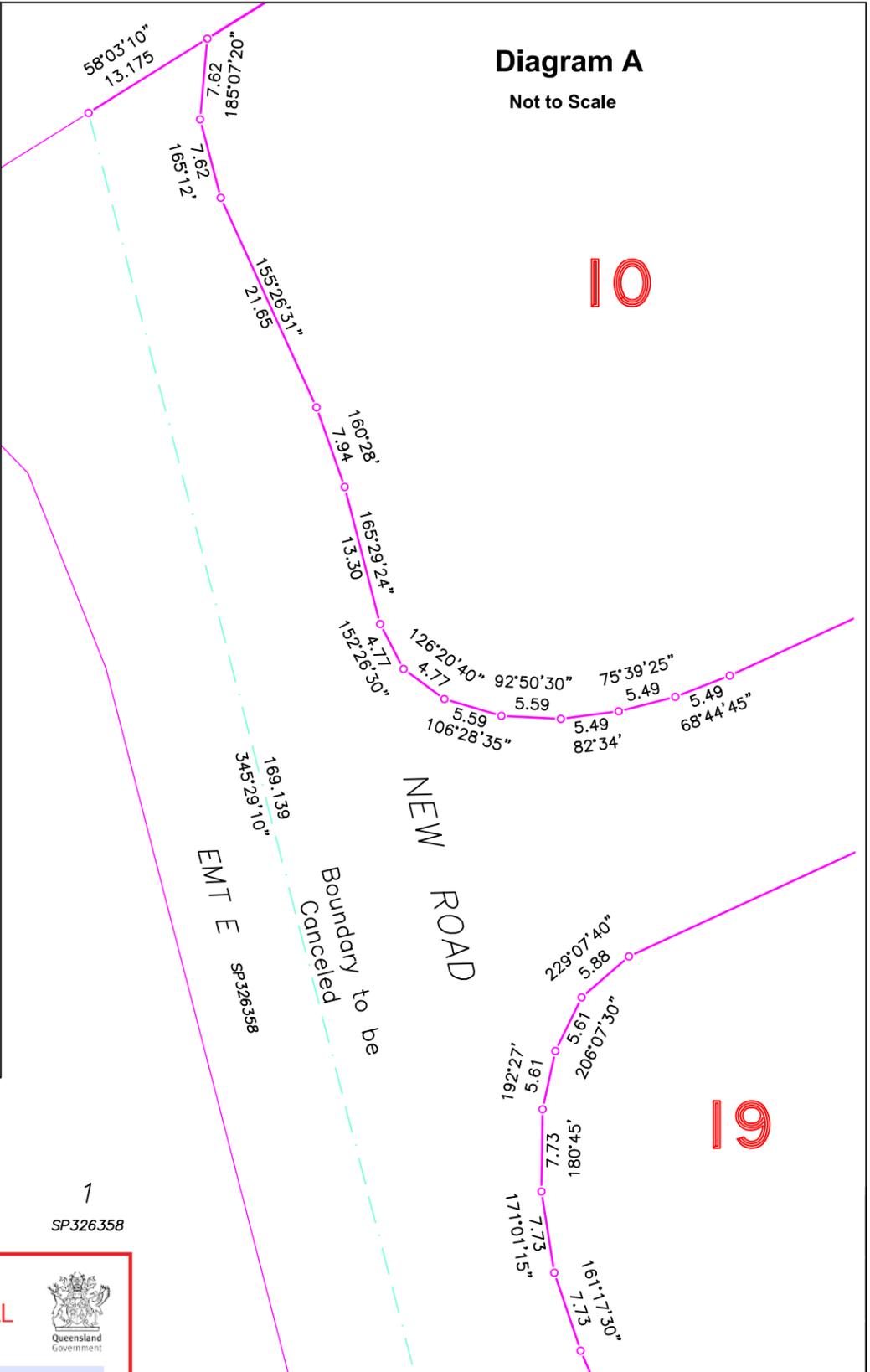
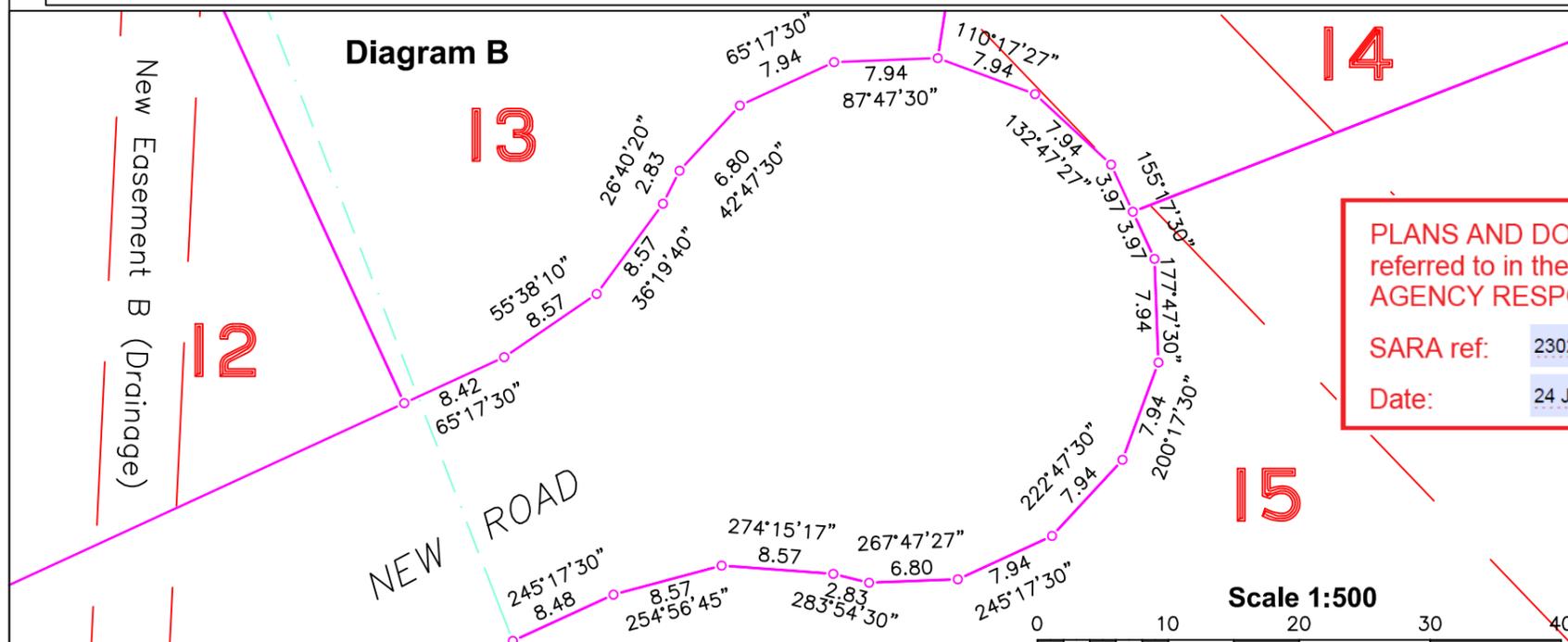


Diagram B



Scale 1:500

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 2302-33134 SRA

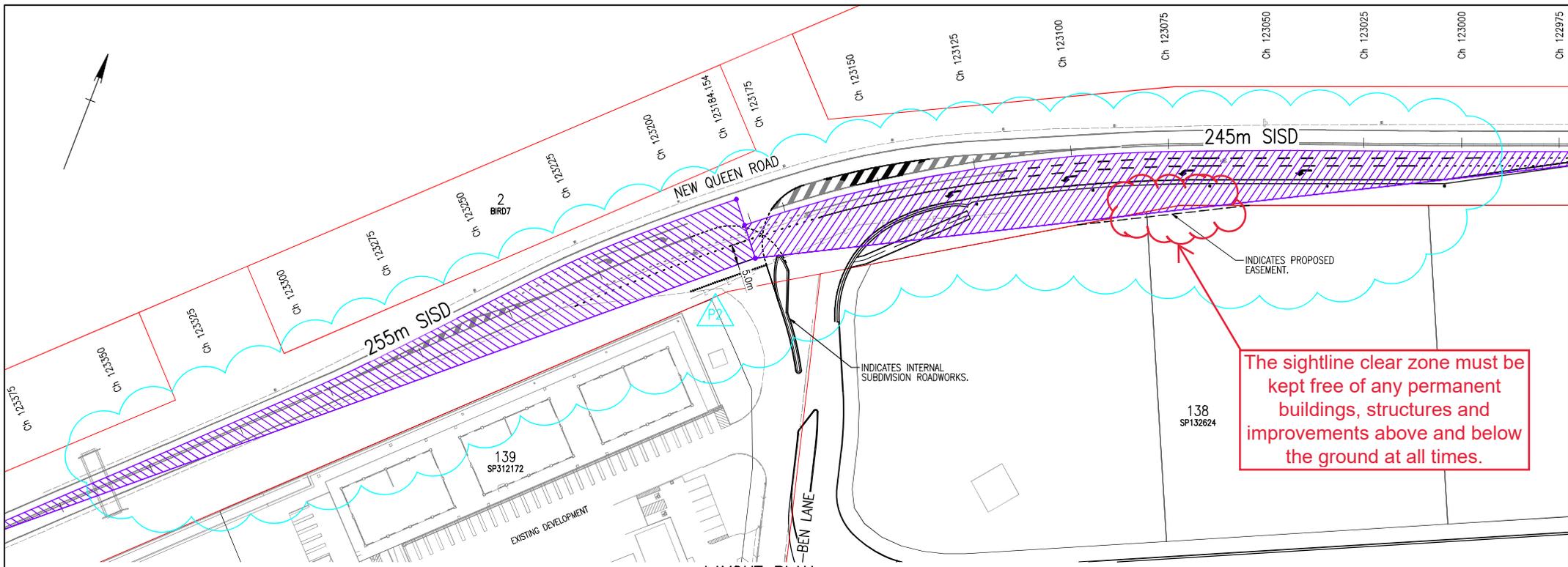
Date: 24 July 2023



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

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

PROPOSED RECONFIGURATION OF LOTS 10 – 19 & EMT B for Drainage			
Cancelling LOT 138 on SP132624 & LOT 1 on MPH347			
CLIENT		GOLDTOWER	
LOCAL GOVERNMENT	Charters Towers Regional Council	DATE	4/11/2022
TITLE REF:	50329545 & 21500207	MAP REF:	8157-14314
SURVEYOR REF:	22-350 A(2)	SCALE	AS SHOWN @ A3
FIELDBOOK	N/A	DRAWN:	IWF
LOCALITY: QUEENTON			
56 Thuringowa Drive, Kirwan QLD 4817			
Phone: (07) 47234885			
CADASTRAL SURVEYS			
P22-350.dwg			
Sheet 1 of 1			
Form 1.4			



LAYOUT PLAN
Scale 1:500 @ A1

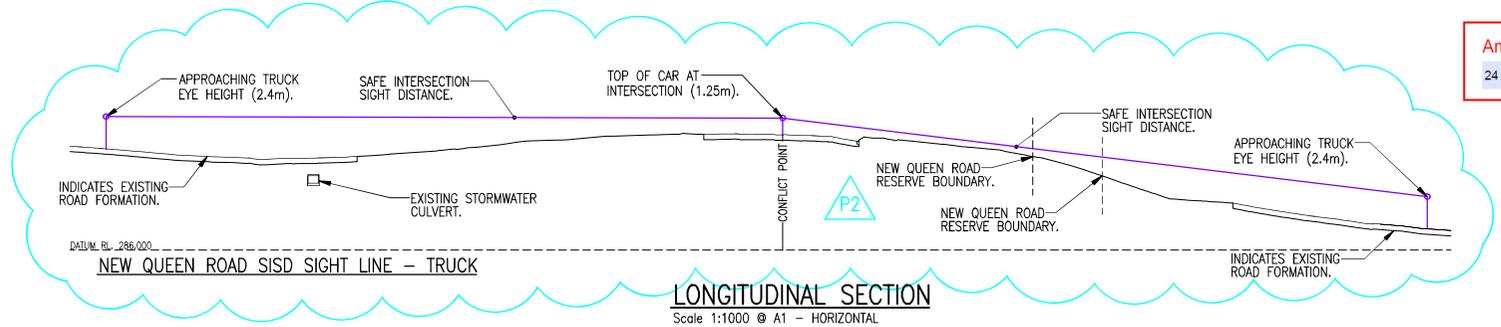
The sightline clear zone must be kept free of any permanent buildings, structures and improvements above and below the ground at all times.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2302-33134 SRA

Date: 24 July 2023

Amended in red by SARA on 24 July 2023



LONGITUDINAL SECTION
Scale 1:1000 @ A1 - HORIZONTAL
Scale 1:200 @ A1 - VERTICAL

REAL PROPERTY DESCRIPTION
Lot 139 on SP312172
Lot 138 on SP132624
Portion of CHARTERS TOWERS
County of SANDSHIGH
NEW QUEEN ROAD - Charters Towers

In Association with:-

Atkinson & BOOY SURVEYS
PO Box 5690 Townsville Qls 4810
Phone: 5152460 234 885

LEVEL DATUM A.H.D.
Horizontal Datum MGA'94 Zone 55
Refer PSM 52172 RL 289.279
NEW QUEEN ROAD

Full Size (A1)

ENGINEERING CERTIFICATION

Signed: DEREK ROBERT CONLEY SAW - RPEQ No. 7363

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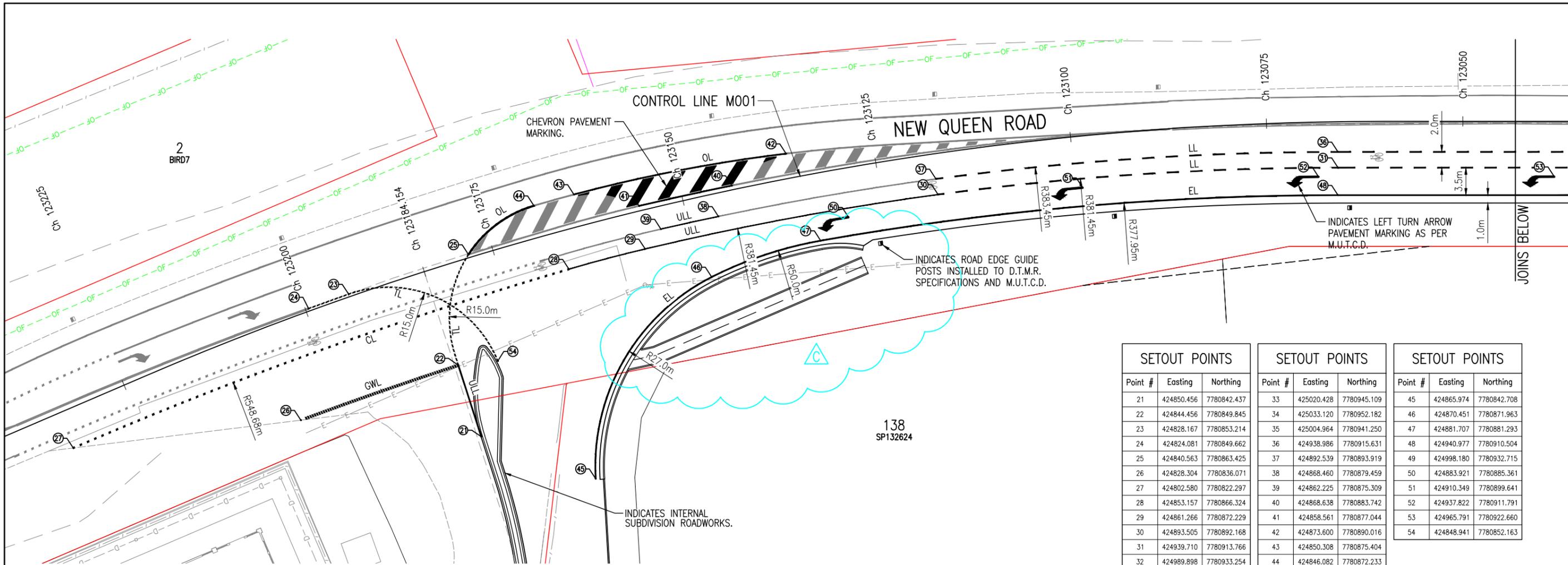
All work is to be carried out in accordance with DEPARTMENT OF MAIN ROADS standard details.

NORTHERN CONSULTING engineers

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GLADSTONE | NEW ZEALAND
T: +617 4725 5550 E: mail@nceng.com.au
W: www.nceng.com.au

P2	PRELIMINARY - NOT FOR CONSTRUCTION - RESPONSE TO FURTHER INFORMATION REQUEST. (RAL)	02/05/2023
P1	PRELIMINARY - NOT FOR CONSTRUCTION - RESPONSE TO INFORMATION REQUEST. (RAL)	04/04/2023
Issue	Description	Date
Drawn DC	In Association With	
Date 04/04/2023	GOLDTOWER Pty Ltd	
Checked DS	INTERSECTION UPGRADE NEW QUEEN ROAD CHARTERS TOWERS	
Approved DS		Brawing Number
COPYRIGHT ©		GDTC0101/MRT02
		Issue
		P2



LAYOUT PLAN
Scale 1:250 @ A1

SETOUT POINTS			SETOUT POINTS			SETOUT POINTS		
Point #	Easting	Northing	Point #	Easting	Northing	Point #	Easting	Northing
21	424850.456	7780842.437	33	425020.428	7780945.109	45	424865.974	7780842.708
22	424844.456	7780849.845	34	425033.120	7780952.182	46	424870.451	7780871.963
23	424828.167	7780853.214	35	425004.964	7780941.250	47	424881.707	7780881.293
24	424824.081	7780849.662	36	424938.986	7780915.631	48	424940.977	7780910.504
25	424840.563	7780863.425	37	424892.539	7780893.919	49	424998.180	7780932.715
26	424828.304	7780836.071	38	424868.460	7780879.459	50	424883.921	7780885.361
27	424802.580	7780822.297	39	424862.225	7780875.309	51	424910.349	7780899.641
28	424853.157	7780866.324	40	424868.638	7780883.742	52	424937.822	7780911.791
29	424861.266	7780872.229	41	424858.561	7780877.044	53	424965.791	7780922.660
30	424893.505	7780892.168	42	424873.600	7780890.016	54	424848.941	7780852.163
31	424939.710	7780913.766	43	424850.308	7780875.404			
32	424989.898	7780933.254	44	424846.082	7780872.233			

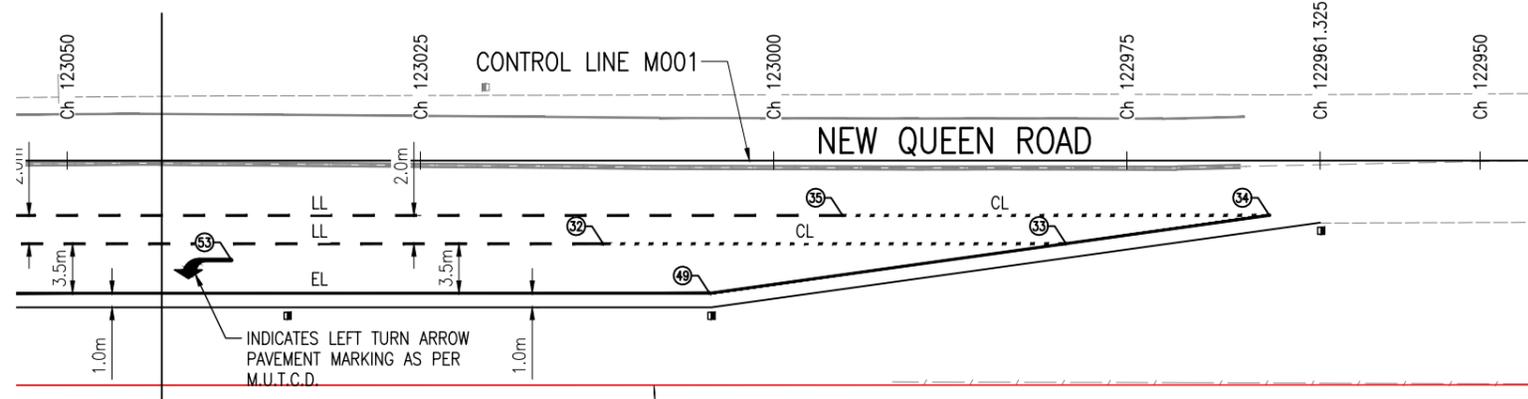
LINEMARKING LEGEND

EL	150	Edge Line.
OL	150	Outline marking.
ULL	100	Unbroken Lane Line.
LL	3000mm-9000mm Stripe & Gap	100 Lane Line.
TL	600mm Stripe & Gap	100 Turn Line.
GWL	600mm-600mm Stripe & Gap	300 Give way line.
CL	1000mm-3000mm Stripe & Gap	200 Continuity Line.

CAUTION
OPTIC FIBRE within NEW QUEEN ROAD reserve. Location & depth of optic fibre cables must be confirmed on site before construction commences.

CAUTION
OVERHEAD POWER LINES within NEW QUEEN ROAD reserve.

- NOTE:**
- ALL ROAD SIGNAGE, LINEMARKING AND R.R.P.M. ARE TO COMPLY WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D).
 - ALL LINEMARKING IS TO BE REFLECTORIZED WHITE.
 - GUIDE POSTS TO BE INSTALLED IN ACCORDANCE WITH D.T.M.R. SPECIFICATION AND THE M.U.T.C.D.
 - FOR SIGN POST DETAILS, REFER TO THE D.T.M.R. STANDARD DRAWINGS 1364 & 1368.
 - ALL SUPERFLUOUS PAVEMENT MARKINGS ARE TO BE REMOVED BY WATER BLASTING IN ACCORDANCE WITH TMR SPECIFICATIONS.



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2302-33134 SRA

Date: 24 July 2023

PRELIMINARY NOT FOR CONSTRUCTION

REAL PROPERTY DESCRIPTION
Lot 138 on SP132624
Parish of CHARTERS TOWERS
County of DAVENPORT
NEW QUEEN ROAD - Charters Towers

In Association with:-

Atkinson & BOOY SURVEYS
PO Box 5690 Townsville Qld 4810
Phone / Fax (07) 47 234 885

LEVEL DATUM A.H.D.
Horizontal Datum MGA'94 Zone 55
Refer PSM 52172 RL 289.279
NEW QUEEN ROAD

Full Size (A1)
1:250

All work is to be carried out in accordance with DEPARTMENT OF MAIN ROADS standard details.

ENGINEERING CERTIFICATION

Signed:
DEREK ROBERT CONLEY SAW - RPEQ No. 7363

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W: www.nceng.com.au

Issue	Description	Date
C	PRELIMINARY - ISSUED FOR APPROVAL - KERB OUTLET DRAIN ADDED.	12/05/2023
B	PRELIMINARY - INTERNAL SUBDIVISION ROADWORKS SHOWN AND LINEMARKING AMENDED.	04/04/2023
A	ISSUED FOR CONSTRUCTION - "IFC"	14/01/2022
P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR CLIENT APPROVAL.	30/08/2021

Drawn KJM	In Association With GOLDTOWER Pty Ltd	LINEMARKING LAYOUT PLAN
Date 30/08/2021	Checked DS	
Approved DS	Approved DS	Drawing Number GDTC0101/MR07
COPYRIGHT ©		Issue C

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* 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-
 - (c)
 - (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.

(Refer to Schedule 1 of the Planning Act 2016)

- (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 an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) 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
 - (f) 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.

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, table 1, item 1 – each principal submitter for the development application; and
 - (d) for and appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); 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 has 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 by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, 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 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, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

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 the rules of the P&E Court.

4 September 2023

Our Ref: 4833031
File Ref: RAL2023/0001
Enquiries: Jorja Feldt

Goldtower Properties
C/- Northpoint Planning
PO Box 4
TOWNSVILLE QLD 4810

Sent via email: meredith@northpointplanning.com.au

Dear Meredith,

Infrastructure Charges Notice
(Given under Section 119 of the *Planning Act 2016*)

Reference is made to the decision notice which was issued by Council on 4 September 2023. As a result, Council hereby provides this infrastructure charges notice.

Applicant details

Applicant name: Goldtower Properties C/- Northpoint Planning

Location details

Street address: 60-76 and 78-84 New Queen Road, Queenton QLD 4820
Real property description: Lot 1 on MPH347, Lot 138 on SP132624 and Lot 1 on SP326358

Application details

Application number: RAL2023/00001
Approval type: Development Permit
Development type: Reconfiguring a Lot
Category of assessment: Code Assessment
Description of development: Subdivision (3 into 11 Lots)
Categorising instrument: Charters Towers Regional Town Plan Version 2

Total levied charge payable

The total amount payable is **\$29,336.00** The levied charge will not be subject to an automatic increase and no offset or refund applies.

Goods and Services Tax (GST) does not apply to payments or contributions made by applicants to Government which relate to an application for the provision, retention, or amendment of a permission, exemption, authority or licence (however described) under the *Planning Act 2016*.

PO Box 189 Charters Towers Qld 4820

ADMINISTRATION: 12 Mosman Street Charters Towers Qld 4820 Australia

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

www.charterstowers.qld.gov.au



Date: 4 September 2023
Our Ref: 4833031

Calculation of charge

The levied charge has been calculated against the Infrastructure Charges Resolution (No. 3) 2020 which took effect from 28 October 2020 as follows:

Table One: Gross Charge

Charge	Quantity	Rate	Gross Charge Amount
New Lots	11	\$3,667.00	\$40,337.00
		Gross Charge Amount	\$40,337.00

Table Two: Applied Credit

Credit	Quantity	Rate	Gross Credit Amount
Existing Lots	3	Per existing lot	\$11,001.00
		Gross Credit Amount	\$11,001.00

Table Three: Total Charge

Charge	(Minus) Credit	Net Charge Amount
\$40,337.00	\$11,001.00	\$29,336.00

When the charge is payable

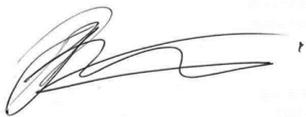
As per Section 122 of the *Planning Act 2016*, the charge is payable prior to Council approving the plan of subdivision. This notice stops having effect to the extent that the development approval stops having effect pursuant to Section 85 of the *Planning Act 2016*.

Other details

Pursuant to Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* a person may appeal against an infrastructure charges notice.

Should you wish to discuss this matter, please contact Jorja Feldt, Planner on (07) 4761 5300 or email development@charterstowers.qld.gov.au.

Yours faithfully



Paul Want
Manager Planning & Development





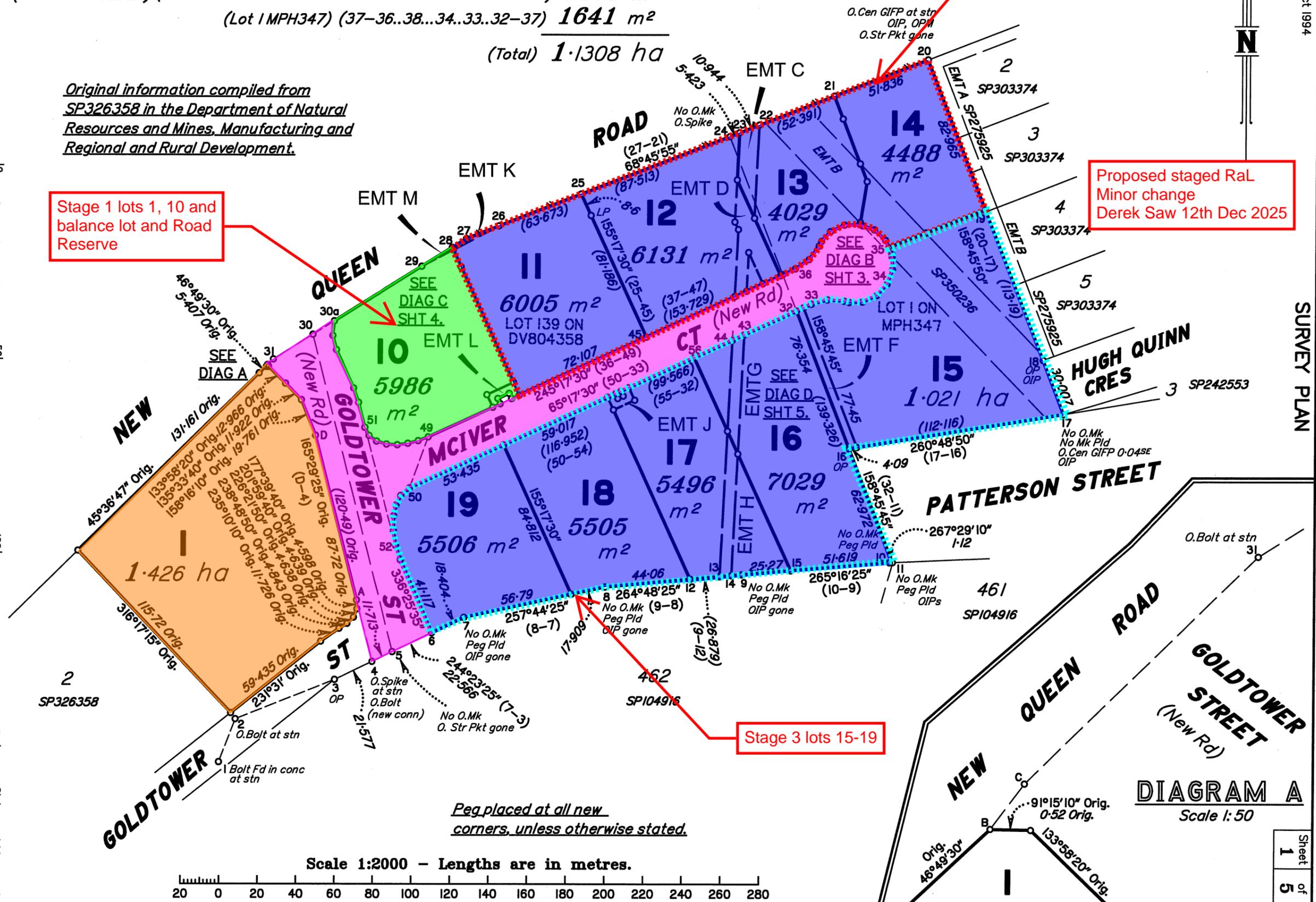
Attachment 3

PERMANENT MARKS						M.G.A. COORDINATES GDA-2020					
PM	ORIGIN	BEARING	DIST	NO.	TYPE	EASTING	NORTHING	ZONE	P.U.	LINEAGE	METHOD
20-OPM	SP275925	275°29'20"	66.293	76204	Standard	425 110.33	7 781 002.47	55	0-03	Derived	Network RTK

Area of New Road

(Lot 1 SP326358) (A-D..B-C-31-30-5-4-A) **2206 m²**
 (Lot 132 SP132624) (30-30a..51..49..48..47..37-32..55..54-50..52..5-30) **7461 m²**
 (Lot 1 MPH347) (37-36..38...34..33..32-37) **1641 m²**
 (Total) **1.1308 ha**

Original information compiled from
 SP326358 in the Department of Natural
 Resources and Mines, Manufacturing and
 Regional and Rural Development.



Stage 1 lots 1, 10 and
 balance lot and Road
 Reserve

Stage 2 lots 11-14

Proposed staged RaL
 Minor change
 Derek Saw 12th Dec 2025

Stage 3 lots 15-19

Peg placed at all new
 corners, unless otherwise stated.

Scale 1:2000 - Lengths are in metres.

I, Dale Ian ATKINSON hereby certify that the land comprised in this plan was surveyed by Ian Wayne FRIEND, surveying associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 13/01/2025.

Dale Atkinson
 Cadastral Surveyor

Date 12/2/2025

Plan of Lots 1 and 10-19
 Cancelling Lot 1 on SP326358, Lot 138 on SP132624 and Lot 1 on MPH347.

and Emt C in Lot 13; Emt D in Lot 12; Emt F in Lot 15; Emt G in Lot 16; Emts H and J in Lot 17; Emt K in Lot 11; and Emts L and M in Lot 10.

LOCAL GOVERNMENT: Regional
 LOCALITY: QUEENTON
 Charters Towers

Survey Records: No

Scale: 1:2000
 Format: STANDARD



SP353333