



MINUTES

Wednesday, 16 April 2025

Ordinary Council Meeting

**MINUTES OF MAREEBA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 16 APRIL 2025 AT 9:00AM**

1 MEMBERS IN ATTENDANCE

Cr Amy Braes, Cr Nipper Brown, Cr Ross Cardillo, Cr Mary Graham, Cr Angela Toppin (Mayor), Cr Lenore Wyatt

2 APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS

Nil

3 BEREAVEMENTS/CONDOLENCES

A minute's silence was observed as a mark of respect for those residents who passed away during the previous month.

4 DECLARATION OF CONFLICTS OF INTEREST

Cr Toppin declared a declarable conflict of interest in relation to *ITEM 8.13 Sponsorship of the 2025 Cairns Italian Festival*. The nature of the conflict is that Cr Toppin was previously on the organising committee for the Italian Festival. Cr Toppin advised that she will leave the room whilst the matter is discussed and voted on.

5 CONFIRMATION OF MINUTES

RESOLUTION 2025/66

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That the minutes of Ordinary Council Meeting held on 19 March 2025 be confirmed.

CARRIED

6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING

Nil

7 DEPUTATIONS AND DELEGATIONS

Nil

8 CORPORATE AND COMMUNITY SERVICES

8.1 A PEZZELATO - MATERIAL CHANGE OF USE - TOURIST PARK (3 X TOURIST CABINS & ANCILLARY GUEST FACILITIES - LOT 4 ON RP725861 - 3711 KENNEDY HIGHWAY, MAREEBA - MCU/24/0021

RESOLUTION 2025/67

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	A Pezzelato	ADDRESS	3711 Kennedy Highway, Mareeba
DATE LODGED	15 November 2024	RPD	Lot 4 on RP725861
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Tourist Park (3 x Tourist Cabins & Ancillary Guest Facilities)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), concurrence agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

The assessment manager does **not** consider that the assessment manager's decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Material Change of use – Tourist Park (3 x Tourist Cabins & Ancillary Guest Facilities)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
24019	Proposed Layout of Tourist Park – 3711 Kennedy Highway, Mareeba	Scope Town Planning	-
-	Living Area (Cabin Layout)	Scope Town Planning	-

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
 - 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
 - 3.4 Emissions

Emissions associated with guest activities must not cause an 'environmental nuisance' within the meaning of the Environmental Protection Act (1994) to any sensitive receptor and must comply with the Air Quality Objectives as stated within Schedule 1 of the Environmental Protection (Air) Policy 2019.

The on-site manager/caretaker must ensure that cabin guests behave in such a manner as to minimise noise impacts on surrounding properties.

Amplified music at a volume which causes nuisance to any adjacent or nearby sensitive land use is not permitted on-site at any time.
 - 3.5 Waste Management
 - 3.5.1 On site refuse storage area/s must be provided and be screened from view from adjoining properties and road reserve by one (1) metre wide landscaped screening buffer or 1.8m high solid fence or building.
 - 3.5.2 Where bulk bins are used and are to be serviced on site, prior to the issue of a development permit for building works, Council's delegated officer must be satisfied that internal access is of adequate design and

construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear only.

3.6 Length of Stay

The maximum length of stay for guests must not typically exceed seven (7) days, unless otherwise approved by Council's delegated officer.

3.7 Accommodation Capacity

No more than eight (8) guests shall be accommodated across all three (3) cabins at any given time.

3.8 Pets

Guests are not permitted to bring domestic pets on-site, at any time.

3.9 Cabin Construction Standards

All three cabins must be constructed on-site from new, contemporary building materials and all external walls, roofs and guttering must be of a neutral colour. Demountable, prefabricated or transportable buildings are not permitted to be used on-site.

3.10 Blade style or similar external privacy screens must be fitted to all windows on the north-west side of the cabins in order to help maintain the privacy of the residents of adjoining Lot 5 on RP725861. All cabin verandah/patios must be situated on the south-east side of the cabins.

3.11 Guests with caravans/campervans/camper trailers and the like are not permitted to occupy these vehicles/trailers at any time during their stay.

3.12 Signage

Any advertising devices relating to the development must be wholly sited on the subject site and be limited to a cumulative sign face area of 1.5m² and must:

- (i) Not resemble a traffic control device or give instructions to traffic;
- (ii) Not incorporate highly reflective materials or finishes;
- (iii) Not be illuminated, move, revolve, strobe or flash; and
- (iv) Be kept clean, in good order and safe repair for the life of the development.

The erection of any signage must comply with the Building Act and all other relevant Acts, Regulations, and these approval conditions. The sign must be removed at the decommissioning and rehabilitation stage of the development.

3.13 Notification of Potential Rural Zone Impacts

The applicant is to erect signage in plain sight and in large legible writing at each cabin advising guests that the subject land is situated adjacent and nearby lawful established farming operations. The signage should generally state the following:

"Guests should take note:

- *The locality is and may be used for cropping;*
- *Guests may experience off site effects from cropping activities, including noise, odour and dust that may impact on residential amenity. Existing*

agricultural and rural uses in the locality have a 'right to farm' or a right to legally continue the use."

- 3.14 The ancillary managers/caretaker's residence must only be used to accommodate a manager or caretaker (and immediate family) engaged in the operation and upkeep of the approved tourist park use and may only be used for this purpose while the tourist park use is in operation.

This approval does not authorise the use of the dwelling as a standalone caretaker's accommodation as separately defined by the Mareeba Shire Council Planning Scheme 2016.

- 3.15 A site manager/caretaker must be present on-site at all times while guests are on-site to ensure compliance with these conditions of approval.

The site manager/caretaker's phone number must be made available on the proposed advertising sign or separate site erected at the site entrance so that they can be contacted if anyone wishes to lodge a complaint regarding guest activity on-site.

3.16 Bushfire Management

- 3.16.1 A Bushfire Management Plan for the site, incorporating fire-pit management, fuel reduction practices and evacuation procedures for guests, must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

- 3.16.2 An on-site water supply for firefighting purposes must be provided with a minimum capacity of 5,000 litres that must comprise either:

- (a) a stand-alone tank; or
- (b) a reserve section in the bottom part of the main water supply tank; or
- (c) a dam; or
- (d) a swimming pool.

Where tank water supply is provided, the outlet must be fitted with a 50mm ball valve with a camlock fitting for connection to firefighting appliances.

3.17 Guest Facilities & Pool Closure

Guests are not permitted to use the communal guest facilities, amenities or pool area after 9pm each day.

- 3.18 1 x permanently located fire-pit is permitted for each cabin for use by guests and must be positioned and operated in such a way as to not cause a nuisance (smoke, ash etc.) to any adjoining property, at any time.

Fire-pits are not to be used on-site when community fire bans are in place.

4. Infrastructure Services and Standards

4.1 Stormwater Management/Water Quality

4.1.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.1.2 All stormwater collected from the cabins, amenities building and swimming pool area must be collected and discharged to an approved legal point of discharge, to the satisfaction of the assessing building certifier.

4.2 Car Parking/Internal Driveways

4.2.1 The applicant/developer must ensure that each cabin is provided with 1 dedicated parking space adjacent the cabin. No parking is permitted in the Kennedy Highway road reserve at any time.

4.2.2 The first 75 metres of the internal driveway (commencing at the bitumen sealed Highway access) must be constructed to a bitumen sealed standard with a minimum width of 3 metres and constructed with one-way crossfall so that stormwater collected on the driveway flows back into the development site, to the satisfaction of Council's delegated officer.

All remaining internal driveways, trafficable areas and car parking spaces must be surface treated with an all-weather compacted gravel seal (bitumen, asphalt or concrete may also be used to seal these areas) and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.2.3 All bitumen and gravel sealed parking spaces, driveways and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

4.3 Landscaping & Fencing

4.3.1 Prior to building works commencing, the applicant/developer must prepare and submit a landscape plan in accordance with Planning Scheme Policy 6 for consideration and approval by Council's Delegated Officer. The landscape plan must include any landscaping proposed in between and surrounding the 3 cabins and should include ground cover, shrubs and trees that will soften the visual impact of the three cabins when viewed from adjoining properties.

Landscaping should include a minimum of 25% of plantings as larger, advanced stock with a minimum plant height of 0.7 metres and must be mulched, irrigated and maintained for the life of the development, to the satisfaction of Council's Delegated Officer.

4.3.2 Prior to the commencement of the use, 1.8m high solid screen colorbond fencing (of neutral colour) must be installed along the eastern boundary of the site, extending from the north-east corner of the allotment for a distance of 70 metres (minimum).

This fencing must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

4.4 Non-Reticulated Water Supply

The development must be provided with a potable water supply that can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply" or similar in order to deter consumption.

4.5 On-Site Wastewater Management

All on site wastewater disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.6 Lighting

Where outdoor lighting is required, the developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed eight (8) lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

(D) ASSESSMENT MANAGER'S ADVICE

(a) Food Premises (restaurants/bed & breakfasts etc.)

Premises proposed for the storage and preparation, handling, packing or service of food must comply with the requirements of the Food Act 2006.

(b) The change in the use of the building may also require a change in the classification of the building under the Building Act. You are advised to contact a Building Certifier to establish if a change in the classification of the building is required.

(c) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(d) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(e) Caravan Park/Camping Ground/Tourist Park

The applicant is advised that an application to Council for approval to operate under Council *Local Law No 1 (Administration) 2011* is required prior to the commencement of the motor home park/caravan park/tourist park.

(f) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the “cultural heritage duty of care”). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dsdsatsip.qld.gov.au.

(g) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](http://ElectricantsinQueensland.com.au) or contact Biosecurity Queensland 13 25 23.

(h) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.dcceew.gov.au.

(E) REFFERAL AGENCY CONDITIONS

Department of State Development, Infrastructure, Local Government and Planning conditions dated 2 January 2025.

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

Material Change of Use – six (6) years (starting the day the approval takes effect);

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Development Permit for Building Work

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

CARRIED

8.2 FETTERCAIRN VENTURES PTY LTD - MATERIAL CHANGE OF USE - MULTIPLE DWELLING (3 X RESIDENTIAL UNITS) - LOT 12 ON M356127 - 10 KOWA STREET, MAREEBA - MCU/24/0027

RESOLUTION 2025/68

Moved: Cr Lenore Wyatt

Seconded: Cr Mary Graham

(A) That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Fettercairn Ventures Pty Ltd	ADDRESS	10 Kowa Street, Mareeba
DATE LODGED	17 December 2024	RPD	Lot 12 on M356127
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Multiple Dwellings (3 x Residential Units)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(B) APPROVED DEVELOPMENT: Development Permit for Material Change of Use – Multiple Dwelling (3 x Residential Units)

(C) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
1124/1277 Sheet No. 01	Site Plan	BRISDESIGN PTY LTD	28/01/2025
1124/1277 Sheet No. 02	Unit 1 – Floor Plan	BRISDESIGN PTY LTD	28/01/2025
1124/1277 Sheet No. 03	Unit 2 – Floor Plan	BRISDESIGN PTY LTD	28/01/2025
1124/1277 Sheet No. 04	Unit 3 – Floor Plan	BRISDESIGN PTY LTD	28/01/2025
1124/1277 Sheet No. 05	Unit 1 – Floor Plan Detail	BRISDESIGN PTY LTD	28/01/2025
1124/1277 Sheet No. 06	Unit 2 – Floor Plan Detail	BRISDESIGN PTY LTD	28/01/2025
1124/1277 Sheet No. 07	Unit 3 – Floor Plan Detail	BRISDESIGN PTY LTD	28/01/2025

(D) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.

- 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

3.4 Noise Nuisance

Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations.

The applicant is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.

3.5 Letterbox

Each unit is to be provided with an individual letter box.

3.6 Clothes Drying area

Individual clothes drying areas must be provided to each unit in accordance with the approved plans.

3.7 Waste Management

The bin storage areas for Units 1 and 2 must be relocated to the areas of "outdoor communal space" on the southern side of units 1 and 2 respectively. A common area for bin storage for all 3 units would also be acceptable.

On site refuse storage area must be provided and be screened from view from adjoining properties and road reserve by 1-metre-wide landscaped screening buffer, 1.8m high solid fence or building.

4. Infrastructure Services and Standards

4.1 Access

An access crossover, with minimum width of 5 metres must be constructed (from the property boundary of the subject site to the edge of the existing sealed formation of Kowa Street) in accordance with the FNQROC Development Manual.

A detailed design of the access crossover must be submitted to Council for review and approval as part of a subsequent application for operational works. The detailed design must include details on frontage works proposed including longitudinal sections and also how the driveway will "tie-in" with the existing kerbing and retaining wall that runs along part of the site frontage. The kerbing must be extended to the driveway, with fall to the north. The detailed design must also include any roadside drainage works, including any swale drain reprofiling south of the crossover (refer to Condition 4.2).

The crossover profile must be designed so that stormwater flowing down the crossover does not run onto the Kowa Street pavement and is instead discharged to the development side of Kowa Street.

4.2 Stormwater Drainage

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) Prior to building works commencing the applicant must, as part of a subsequent application for operational works, submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer. At minimum, the stormwater management plan must address/include the following:
 - (i) Where possible, stormwater collected from the site, particular from the shared driveway and crossover must be directed to the roadside drain to the south of the site and not to the kerbing which flows to the north.
 - (ii) Strategies to slow the speed of water flowing off the site to avoid road verge erosion, particularly from the driveway.
 - (iii) Water currently discharged onto the site from upstream properties. Where stormwater pits or underground/aboveground drains are required (for example along the northern boundary of the site to drain land upstream of the site to the west) easements must be established in favour of upstream properties (Council is not to be listed as party on any drainage easements).
 - (iv) Strategies to ensure stormwater is discharged to the frontage of the site only and not into adjoining properties (particularly the southern adjoining property).
- (c) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and Report.
- (d) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (e) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of upstream contributing properties. All documentation leading to the registration of the easement must be submitted to Council for review and approval.
- (f) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.
- (g) All aboveground drainage easements must be constructed to prevent erosion. Construction may be in the form of a concrete invert, with outlet protection.

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure that the development is provided with 1 undercover parking space per unit and 1 visitor parking space (not required to be covered). All car parking spaces, and internal driveways must be made from reinforced concrete.

Detailed designs of the shared driveway, including any retaining walls/bulk earthworks required onsite, particularly along the southern boundary of the site, and any stormwater drainage included in the driveway design must be submitted to Council as part of a subsequent application for operational works.

All car parking spaces and internal driveways must be constructed in compliance with the following standards, to the satisfaction of Council's delegated officer:

- Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
- Australian Standard AS1428:2001 – Design for Access and Mobility.

4.4 Landscaping & Fencing

- 4.4.1 Prior to the commencement of the use of the site, a landscape plan must be prepared and submitted to Council's delegated officer for consideration and approval.

The landscape plan must include the gardens and turf areas shown on the approved site plan and use plant species selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

The landscaping of the site must be carried out in accordance with the endorsed landscape plan prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

- 4.4.2 (i) Prior to the commencement of the use, a solid 1.8 metre high timber paling (overlapping palings to cover gaps) or 1.8 metre high colorbond fence (neutral colour) is to be erected along the full extent of all side and rear boundaries.

If the height difference between the finished floor height of the patios/verandahs of units 1 and 2 and the top of the northern boundary screen fence is less than 1.8 metres, additional screening must be installed to achieve an effective privacy screening between the two properties at these locations, to the satisfaction of Council's delegated officer.

- (ii) Prior to the commencement of the use, solid 1.8 metre high timber (overlapping palings to cover gaps) or 1.8 metre high colorbond fencing of neutral colour is to be erected between each dwelling unit, separating each units "private open space" as shown on the plans.

- (iii) The abovementioned fencing is to be erected and maintained in good order for the life of the development, to the satisfaction of Council's delegated officer.

4.5 Lighting

Where outdoor lighting is required the applicant/developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed 8 lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

4.6 Water Supply

Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the applicant/developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

If a new or upgraded/relocated water service connection is required to service the development, it must be provided in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Each dwelling unit is required to be **separately metered**.

4.7 Sewerage Connection

The applicant/developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the applicant/developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

Plans for the development works required under Conditions 4.1 – 4.3 and 4.6 and 4.7 must be submitted to Council for approval as part of a subsequent application for operational works.

(E) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of

infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

- (c) Water Meters/Water Service Connection

Prior to the water service connection works commencing and the installation of the meters by Council, an application for a Plumbing Compliance Permit is required to be submitted with detailed hydraulic drawings. The cost of the required water connection and meter (capping of any existing meter may be required) will be determined based upon the approved hydraulic drawings at the time of lodgement of a Water Quotation Request.

- (d) Property Connection to existing sewer main (house connection branch installation)

Prior to the property connection to the existing sewer main commencing, a request for a Property Connection Quotation must be lodged with Council. The cost of the required property connection will be determined based upon the assessment of the Property Connection Quotation Request.

- (e) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

- (f) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.dcceew.gov.au.

- (g) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dsdsatsip.qld.gov.au.

(h) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](#) or contact Biosecurity Queensland 13 25 23.

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

Material Change of Use – six (6) years (starting the day the approval takes effect);

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Development Permit for Building Work
- Development Permit for Operational Works

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

(I) That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Charge	Credit/discount Detail	Balance
	<i>\$ per dwelling</i>			<i>3 x 2 Bed Dwelling</i>	
Multiple Dwelling (3 bed)	\$21,808.00	3	\$65,424.00	\$46,620.00	\$18,804.00
TOTAL CURRENT AMOUNT OF CHARGE					\$18,804.00

CARRIED

8.3 GALATI FARMING PTY LTD - MATERIAL CHANGE OF USE - UNDEFINED USE - "RURAL WORKERS' ACCOMMODATION" AS DEFINED BY THE PLANNING REGULATION 2017 - LOT 15 ON RP855858 - 733 BILWON ROAD, BIBOOHRA - MCU/24/0028

RESOLUTION 2025/69

Moved: Cr Ross Cardillo

Seconded: Cr Nipper Brown

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Galati Farming Pty Ltd	ADDRESS	733 Bilwon Road, Biboohra
DATE LODGED	6 January 2025	RPD	Lot 15 on RP855858
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Undefined Use – “Rural Workers’ Accommodation” as defined by the <i>Planning Regulation 2017</i>		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager’s advice in (D), concurrence agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

The assessment manager does not consider that the assessment manager’s decision conflicts with a relevant instrument.

(A) **APPROVED DEVELOPMENT:** Development Permit for Material Change of Use – Undefined Use – “Rural Workers’ Accommodation” as defined by the *Planning Regulation 2017*

(B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
1892-A-00	Cover Sheet	Humac Group	30.08.2024
1892-A-01	Part Site Plan	Humac Group	14.11.2024
1892-A-10	Floor Plan	Humac Group	30.08.2024
1892-A-11	Footing Plan	Humac Group	30.08.2024
1892-A-12	Roof Framing Plan	Humac Group	30.08.2024
1892-A-13	Roof Plan	Humac Group	30.08.2024
1892-A-20	Elevations	Humac Group	30.08.2024

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
 - 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
 - 3.4 Noise Nuisance
 - 3.4.1 Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8dB(A) above background levels as measured from commercial locations.
 - 3.4.2 The applicant/developer must ensure the approved accommodation use is operated and managed (including noise generated by guests) to not exceed a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations.

No amplified music is permitted on-site at any time.
 - 3.5 Waste Management

3.5.1 On site refuge storage area/s must be provided and be screened from view from adjoining properties and road reserve by one (1) metre wide landscaped screening buffer or 1.8m high solid fence or building.

3.5.2 Where bulk bins are used and are to be serviced on site, prior to the issue of a development permit for building works, Council's delegated officer must be satisfied that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear only.

3.6 Signage

Any advertising devices relating to the development must be wholly sited on the subject site and be limited to a cumulative sign face area of 6m² and must:

- (i) Not resemble a traffic control device or give instructions to traffic;
- (ii) Not incorporate highly reflective materials or finishes;
- (iii) Not be illuminated, move, revolve, strobe or flash; and
- (iv) Be kept clean, in good order and safe repair for the life of the development.

The erection of any signage must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions. The sign must be removed at the decommissioning and rehabilitation stage of the development.

3.7 Accommodation Capacity

No more than 10 individual workers shall be accommodated on-site at any given time.

Occupancy records must be kept and presented to Council upon request should any complaint of overcrowding be received.

3.8 Notification of Potential Rural Zone Impacts

The applicant is to erect signage in plain sight and in large legible writing at the kitchen/dining area, recreational area, and on each accommodation building advising guests that the subject land is zoned Rural under the Mareeba Shire Council Planning Scheme 2016 and is in a rural locality. The signage should generally state the following:

"Guests should take note:

- *The locality may be used for intensive rural uses;*
- *Guests may experience off site effects from rural activities, including noise, sprays and dust that may cause a loss of residential amenity. Existing and/or self-assessable agricultural and rural uses in the locality have a 'right to farm' or a right to legally continue the use."*

3.9 Bushfire Management

3.9.1 A Bushfire Management Plan for the site, incorporating evacuation procedures for guests, must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.9.2 An on-site water supply for firefighting purposes must be provided with a minimum capacity of 5,000 litres that must comprise either:

- (a) a stand-alone tank; or
- (b) a reserve section in the bottom part of the main water supply tank; or
- (c) a dam; or
- (d) a swimming pool.

Where tank water supply is provided, the outlet must be fitted with a 50mm ball valve with a camlock fitting for connection to firefighting appliances.

3.10 All building work must be certified by a qualified structural engineer to be able to withstand damage from floodwater velocity and debris associated with a 1 in 100 year flood event.

3.11 Flood Emergency Evacuation Plan

Prior to the occupation of the rural workers' accommodation, the landowner must obtain a Flood Emergency Evacuation Plan for the rural workers' accommodation prepared by suitably qualified persons having regard to Floodplain Management in Australia: Best Practice Principles and Guidelines (2000), prepared by Standing Committee on Agriculture and Resource Management (SCARM), CSIRO.

The Flood Emergency Evacuation Plan must be prominently displayed in the rural workers' accommodation at all times.

4. Infrastructure Services and Standards

4.1 Access

The existing access crossover must be upgraded/constructed (from the edge of Bilwon Road to the property boundary) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

4.2.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.2.2 All stormwater drainage concentrated by the development must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

- (a) The applicant/developer must ensure that all car parking for the rural workers accommodation occurs on site and not on adjoining road reserves.
- (b) All car parking spaces and trafficable areas must be at minimum gravel surfaced and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

- (c) All car parking spaces and internal driveways must be constructed in compliance with the following standards, to the satisfaction of Council's delegated officer:
 - Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
 - Australian Standard AS1428:2001 – Design for Access and Mobility.
- (d) All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

4.4 Non-Reticulated Water Supply

The development must be provided with a potable water supply that can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply" or similar in order to deter consumption.

4.5 On-Site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.6 Lighting

Where outdoor lighting is required, the developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed 8 lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.
- (b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(c) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(d) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.dcceew.gov.au.

(e) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dsdsatsip.qld.gov.au.

(f) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at Electric ants in Queensland | Business Queensland or contact Biosecurity Queensland 13 25 23.

(E) REFERRAL AGENCY CONDITIONS

State Assessment and Referral Agency conditions dated 19 February 2025.

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect);

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Development Permit for Building Work

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1

CARRIED

8.4 R & C ANDERLE - MATERIAL CHANGE OF USE - NATURE-BASED TOURISM - LOTS 64 & 65 ON HG59 - 211 BRUCE WEIR ROAD, DIMBULAH - MCU/25/0003

RESOLUTION 2025/70

Moved: Cr Ross Cardillo

Seconded: Cr Amy Braes

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	R & C Anderle	ADDRESS	211 Bruce Weir Road, Dimbulah
DATE LODGED	13 February 2025	RPD	Lot 64 & 65 on HG59
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Nature-based Tourism		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

- (A) **APPROVED DEVELOPMENT:** Development Permit for Material Change of Use – Nature-based tourism

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Site Plan - Detail	Anderle – Nature-Based Tourism	-	13/11/2024
Site Plan	Anderle – Nature-Based Tourism	-	13/11/2024

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
 - 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
 - 3.4 Noise Nuisance
 - 3.4.1 Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from

noise sensitive locations and a maximum noise level of 8dB(A) above background levels as measured from commercial locations.

- 3.4.2 The applicant/developer must ensure the approved accommodation use is operated and managed (including noise generated by guests) to not exceed a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations.

3.5 Waste Management

- 3.5.1 On site refuse storage area/s must be provided and be screened from view from adjoining properties and road reserve by one (1) metre wide landscaped screening buffer or 1.8m high solid fence or building.

- 3.5.2 Where bulk bins are used and are to be serviced on site, prior to the issue of a development permit for building works, Council's delegated officer must be satisfied that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear only.

3.6 Signage

Any advertising devices relating to the development must be wholly sited on the subject site and be limited to a cumulative sign face area of 6m² and must:

- (i) Not resemble a traffic control device or give instructions to traffic;
- (ii) Not incorporate highly reflective materials or finishes;
- (iii) Not be illuminated, move, revolve, strobe or flash; and
- (iv) Be kept clean, in good order and safe repair for the life of the development.

The erection of any signage must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions. The sign must be removed at the decommissioning and rehabilitation stage of the development.

3.7 Maximum daily visitations

No more than 30 vehicles shall be permitted to visit the nature-based tourism on any one (1) day.

Visitation records must be kept and presented to Council upon request should any complaint of daily visitor exceedance be received.

3.8 Notification of Potential Rural Zone Impacts

The applicant is to erect signage in plain sight and in large legible writing at the nature-based tourism car park advising guests that the subject land is zoned Rural under the Mareeba Shire Council Planning Scheme 2016 and is in a rural locality. The signage should generally state the following:

"Guests should take note:

- *The locality may be used for intensive rural uses;*
- *Guests may experience off site effects from rural activities, including noise, sprays and dust that may cause a loss of residential amenity. Existing and/or self-assessable agricultural and rural uses in the locality have a 'right to farm' or a right to legally continue the use."*

3.9 Bushfire Management

3.9.1 A Bushfire Management Plan for the site, incorporating evacuation procedures for guests, must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.9.2 An on-site water supply for firefighting purposes must be provided with a minimum capacity of 5,000 litres that must comprise either:

- (a) a stand-alone tank; or
- (b) a reserve section in the bottom part of the main water supply tank; or
- (c) a dam; or
- (d) a swimming pool.

Where tank water supply is provided, the outlet must be fitted with a 50mm ball valve with a camlock fitting for connection to firefighting appliances.

3.10 As campsite 4 is within the mapped Potential Flood Hazard area, no habitable buildings are to be constructed at this campsite.

3.11 Flood Emergency Evacuation Plan

Prior to the commencement of the nature-based tourism, the landowner must obtain a Flood Emergency Evacuation Plan for the nature-based tourism prepared by suitably qualified persons having regard to Floodplain Management in Australia: Best Practice Principles and Guidelines (2000), prepared by Standing Committee on Agriculture and Resource Management (SCARM), CSIRO.

The Flood Emergency Evacuation Plan must be prominently displayed on-site at all times.

4. Infrastructure Services and Standards

4.1 Access

The existing access crossover/s must be maintained for the life of the development (from the edge of Bruce Weir Road to the property boundary) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

4.2.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.2.2 All stormwater drainage concentrated by the development must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

- (a) The applicant/developer must ensure that all car parking for the nature-based tourism occurs on site and not on adjoining road reserves.

- (b) All car parking spaces and trafficable areas must be at minimum gravel surfaced and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.
- (c) All car parking spaces and internal driveways must be constructed in compliance with the following standards, to the satisfaction of Council's delegated officer:
 - Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
 - Australian Standard AS1428:2001 – Design for Access and Mobility.
- (d) All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

4.4 Non-Reticulated Water Supply

Where a potable water supply is provided, the potable water supply must satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply" or similar in order to deter consumption.

4.5 On-Site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.6 Lighting

Where outdoor lighting is required, the developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed 8 lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of

infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

- (c) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

- (d) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

- (e) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.dcceew.gov.au.

- (f) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dsdsatsip.qld.gov.au.

- (g) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under

their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](#) or contact Biosecurity Queensland 13 25 23.

(E) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect).

(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	per 10 vmpd	vmpd		vmpd	
Nature-based Tourism	\$5,452.00	60	\$32,712.00	40	\$10,904.00
TOTAL CURRENT AMOUNT OF CHARGE					\$10,904.00

CARRIED

8.5 PETITION - OBJECTION TO SECONDARY ROAD CONNECTION FOR THE EDGE ESTATE, MAREEBA

RESOLUTION 2025/71

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That Council receives this report and maintains the current position.

CARRIED

8.6 SALE OF LOT 711 W2631 - ETHEL STREET WATSONVILLE**RESOLUTION 2025/72**

Moved: Cr Mary Graham

Seconded: Cr Ross Cardillo

That Council:

1. Determines that section 236(1)(c)(iv) of the *Local Government Regulation 2012* (Qld) applies to the proposed sale of Lot 711 W2631, Ethel Street Watsonville;
2. Approves the sale of Lot 711 W2631 to the owner of adjoining Lot 701 and Lot 709 W2631 conditional upon:
 - (a) The buyer meeting the current market value for Lot 711 as established via formal land valuation; and
 - (b) The amalgamation of Lot 711 W2631 into the land holdings of Lot 701 and Lot 709 W2631; and
 - (c) all administrative costs associated with the sale including but not limited to, formal valuation of the land, drafting of Contract of Sale, surveying of the land and Titles Registry fees, being borne by the buyer.

CARRIED

8.7 COUNCIL POLICY REVIEW**RESOLUTION 2025/73**

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That Council:

1. Repeals the:

Councillor Acceptable Requests Policy (Guideline) – adopted 6 March 2024;
2. Adopts the:

Councillor Acceptable Requests Policy (Guideline)

CARRIED

8.8 MAREEBA AERODROME - GRANT OF LEASE C ON RP734384 - EASTERN PRECINCT**RESOLUTION 2025/74**

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

That Council:

1. Consents to the grant of a new Lease interest for Lease C on Lot 1 RP714240 on SP734384, located at Mareeba Aerodrome subject to the following terms:
 - (a) Term of 20 years, with 2 x 10-year options.
 - (b) Rental consideration for first year of \$7,475.00 (plus GST);
 - (c) Permitted Use: Aircraft storage, aircraft maintenance, flight operations, ground handling, office administration, and no other purpose whatsoever; and
 - (d) Otherwise, in accordance with Council's standard Aerodrome Lease conditions.
2. Subject also to the following conditions:
 - (a) All legal fees associated with lease preparation and lodgement of necessary legal instruments with Queensland Titles Registry. This includes any legal fees, reasonably incurred by Council, to achieve this outcome.

CARRIED

8.9 AGREEMENT UNDER SECTION 87 OF THE NATIVE TITLE ACT 1993 (CTH) - QUD811/2018 - DJUNGAN PEOPLE #5**RESOLUTION 2025/75**

Moved: Cr Nipper Brown

Seconded: Cr Lenore Wyatt

That Council authorises Phil Turner of Moray and Agnew Lawyers to execute the section 87 Agreement on behalf of Council.

CARRIED

8.10 FINANCIAL STATEMENTS PERIOD ENDING 31 MARCH 2025

RESOLUTION 2025/76

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That Council

1. receives the Financial Report for the period ending 31 March 2025
2. empanels the one (1) sole supplier to be added to the Sole Supplier Register.

CARRIED

8.11 BLUEPRINT STAKEHOLDER REFERENCE GROUP - TERMS OF REFERENCE

RESOLUTION 2025/77

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That Council adopt the Blueprint Stakeholder Reference Group Terms of Reference.

CARRIED

8.12 REGIONAL ARTS DEVELOPMENT FUND ADVISORY COMMITTEE TERMS OF REFERENCE

RESOLUTION 2025/78

Moved: Cr Lenore Wyatt

Seconded: Cr Nipper Brown

That Council adopt the attached Regional Arts Development Fund Advisory Committee Terms of Reference.

CARRIED

At 9:23 am, Cr Angela Toppin left the meeting.

8.13 SPONSORSHIP OF THE 2025 CAIRNS ITALIAN FESTIVAL

RESOLUTION 2025/79

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

That Council approves a one-off cash donation of \$1,000 to support the 2025 Cairns Italian Festival's schedule of events in Mareeba. The event organisers will be informed that future sponsorship requests for these events will not be considered.

CARRIED

At 9:24 am, Cr Angela Toppin returned to the meeting.

9 INFRASTRUCTURE SERVICES

9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - MARCH 2025

RESOLUTION 2025/80

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of March 2025.

CARRIED

9.2 PARKS AND OPEN SPACES THREE YEAR ACTION PLAN FINAL REPORT

RESOLUTION 2025/81

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That Council receives the Parks and Open Spaces Three-Year Action Plan Close-Out Report.

CARRIED

9.3 TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 18 MARCH 2025

RESOLUTION 2025/82

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That Council receives the minutes of the Traffic Advisory Committee Meeting held Tuesday, 18 March 2025.

CARRIED

9.4 PEST MANAGEMENT ADVISORY COMMITTEE - MINUTES OF MEETING HELD 13 MARCH 2025

RESOLUTION 2025/83

Moved: Cr Ross Cardillo

Seconded: Cr Mary Graham

That Council receives the minutes of the Pest Management Advisory Committee Meeting held Thursday, 13 March 2025.

CARRIED

9.5 INFRASTRUCTURE SERVICES, DISASTER RECOVERY OPERATIONS REPORT - MARCH 2025**RESOLUTION 2025/84**

Moved: Cr Mary Graham

Seconded: Cr Lenore Wyatt

That Council receives the Infrastructure Services, Disaster Recovery Operations Report for March 2025.

CARRIED

9.6 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - MARCH 2025**RESOLUTION 2025/85**

Moved: Cr Amy Braes

Seconded: Cr Nipper Brown

That Council receives the Infrastructure Services, Technical Services Operations Report for March 2025.

CARRIED

9.7 PRIVATE ACCESS - 1-3 KELLY STREET, BIBOOHRA**RESOLUTION 2025/86**

Moved: Cr Amy Braes

Seconded: Cr Nipper Brown

That Council rescind the following resolution made 4 April 2006 at its General Meeting:

"Council advise Mr Alan Gibb that if he purchases the culverts Council will install them at the access to his property off Kelly Street, Biboohra."

CARRIED

9.8 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - MARCH 2025**RESOLUTION 2025/87**

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

That Council receives the Infrastructure Services, Water and Waste Operations Report for March 2025.

CARRIED

9.9 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - MARCH 2025

RESOLUTION 2025/88

Moved: Cr Ross Cardillo

Seconded: Cr Lenore Wyatt

That Council receives the Infrastructure Services, Works Progress Report for the month of March 2025.

CARRIED

10 CONFIDENTIAL REPORTS

Nil

11 BUSINESS WITHOUT NOTICE

Nil

12 NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00am on 21 May 2025.

There being no further business, the meeting closed at 9:40am.

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Cr Angela Toppin

Chairperson