



MINUTES

Wednesday, 17 September 2025

Ordinary Council Meeting

**MINUTES OF MAREEBA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 17 SEPTEMBER 2025 AT 9:00AM**

1 MEMBERS IN ATTENDANCE

Cr Angela Toppin (Mayor), Cr Mladen Bosnic, Cr Amy Braes, Cr Nipper Brown, Cr Ross Cardillo, Cr Mary Graham, 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

Nil

5 CONFIRMATION OF MINUTES

RESOLUTION 2025/193

Moved: Cr Amy Braes

Seconded: Cr Lenore Wyatt

That the minutes of Ordinary Council Meeting held on 20 August 2025 be confirmed.

CARRIED

6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**6.1 RESOLUTION 2025/189****RESOLUTION 2025/194**

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

In relation to 9.7 Tender Award – T-MSC2025-22 and T-MSC2025-23 Supply & Delivery of Type 2.2 Road Base (pugged) – Leadingham Creek Road Ch 1.65 – Ch 3.59 and Ch 8.04 – Ch 11.48, the tender numbering was incorrect.

The correct information is as follows:

1. T-MSC2025-22 Supply and Delivery of Type 2.2 Road Base (Pugged) – Leadingham Creek Road Ch 8.04 – Ch 11.48 to CQB Services Pty Ltd for an amount of \$905,520.00 (incl GST); and
2. Tender T-MSC2025-23 Supply and Delivery of Type 2.2 Road Base (Pugged) – Leadingham Creek Road Ch 1.65 – Ch 3.59 to CQB Services Pty Ltd for an amount of \$329,280.00 (incl GST)

CARRIED

7 DEPUTATIONS AND DELEGATIONS

Nil

8 CORPORATE AND COMMUNITY SERVICES

8.1 BTM & S STANKOVICH PTY LTD - RECONFIGURING A LOT - SUBDIVISION (1 INTO 33 LOTS, PARK AND BALANCE ALLOTMENT) - AMAROO STAGES 14B AND 15 - LOT 500 ON SP342226 - KAROBEAN DRIVE, MOONDANI AVENUE, EMERALD END ROAD & PONTOS PLACE, MAREEBA - RAL/25/0010

RESOLUTION 2025/195

Moved: Cr Mladen Bosnic

Seconded: Cr Amy Braes

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	BTM & S Stankovich Pty Ltd	ADDRESS	Karobean Drive, Moondani Avenue, Emerald End Road and Pontos Place, Mareeba
DATE LODGED	13 May 2025	RPD	Lot 500 on SP352770 (Formerly Lot 500 on SP342226)
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 33 Lots, Park and Balance Allotment) – Stages 14B & 15		

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 Reconfiguring a Lot – Subdivision (1 into 33 Lots, Park and Balance Land) – Stages 14B and 15

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9499 Master Plan	Development Plan – Stages 14B & 15	Twine Surveys Pty Ltd	13/03/2025

(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, and subject to any alterations:
 - found necessary by the 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 endorsement of a Form 18B for each stage of the development, 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 or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey, or alternative documentation as approved by the Land Title Act and at the rate applicable at the time of payment.
 - 3.3 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
 - 3.4 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
 - 3.5 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.
 - 3.6 Charges

All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.

3.7 Bushfire Management

A Bushfire hazard management plan for the subject land must be prepared by suitably qualified person to the satisfaction of Council's delegated officer.

The future use of each lot must comply with the requirements of the bushfire hazard management plan at all times.

3.8 The following road names are approved:

- Alkira Court - new cul-de-sac off Karobean Drive

3.9 Flood Immunity

Lots 254, 255, 258, 260-265, 271-276 & 280 must include survey markers that clearly identify the Q100 + 300mm flood immunity level of RL395.7m AHD on each lot, and a subsequent plan must be prepared for use by future owners/builders to help identify flood immune areas of each lot suitable for building.

All dwellings and sheds constructed on these lots must be built to achieve a finished floor height of at least RL395.7m AHD.

3.10 The "Park" allotment shall be transferred to Council as freehold land at the same time or before the last residential allotment in Stage 14b or 15 is registered. The entirety of the costs involved with this transfer will be the responsibility of the applicant/developer.

In accordance with the provision contained within the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*, Council shall not be liable for contributing to the upkeep, maintenance or installation of any fencing with any adjoining lot. A notation will be placed on the rates notice of adjoining lots 332 and 333 on SP336235 and Lot 331 of Stage 15 advising of this exemption.

4. Infrastructure Services and Standards

4.1 Access

Access to each allotment must be constructed (from the edge of the road pavement to the property boundary of each lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

The provision of layback/roll-over kerbing along the frontage of each allotment will satisfy this condition.

Lot 258, 275, 276 & 280 Access Handles

Lots 258, 275, 276 and 280 must include a minimum 3m wide reinforced concrete or asphalt driveway to be constructed for the full length of the access handle of each lot and connecting with the kerbing of each lots service road. The driveways must be designed so that the water collected on the driveway drains to a legal point of discharge.

A shared driveway with a width of 4 metres and where including reciprocal access and services easements is permitted for Lots 275 and 276.

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 works commencing the applicant must 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.
- (c) Prior to works commencing the applicant must submit a Stormwater Quality 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 Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.
- (d) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (f) 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.
- (g) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (h) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.
- (i) The applicant (at their cost) must video all stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.
- (j) All drainage easements must be constructed to prevent erosion. Construction may be in the form of a concrete invert, with outlet protection.

4.3 Earthworks

All earthworks must be carried out in accordance with the requirements of the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

4.4 Roadworks/footpaths - Internal

- (a) Alkira Court and Allambee Close are to be constructed to Access Street standard in accordance with the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

Solid timber or steel (no composite plastic) bollards are to be erected at the cul-de-sac head of Allambee Close to ensure vehicles cannot gain access to the street directly from Emerald End Road.

- (b) Karobean Drive must be constructed to a Collector Road standard (of the same width as the existing section of Karobean Drive) in accordance with the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.
- (c) Any temporary turn-around areas situated at the ends of any semi-constructed stub roads must include a sealed cul-de-sac head (no kerbing required) of a size capable of allowing a garbage truck to turn around on.
- (d) 2-metre-wide concrete pedestrian footpaths must be installed on at least one (1) side of all proposed internal roads, including Alkira Court and Allambee Close. The horizontal alignment of all footpaths (with the exception of Karobean Drive) must comply with the FNQROC development Manual (specifically Standard Drawing S1004A) and **must not be constructed abutting the kerbing.**

Only the Karobean Drive footpath is permitted to be constructed abutting the kerbing to match the existing horizontal alignment.

4.5 Water Supply

- (a) A water service connection must be provided to each proposed lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer

A 50mm water connection must be provided to the "Park" allotment.

- (b) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the 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).

4.6 Sewerage Connection

- (a) The developer must connect the proposed development, including the "Park" allotment to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.
- (b) Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the 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).

4.7 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment, including the "Park" allotment, in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of **underground** power reticulation.

4.8 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

4.9 Lighting

Street lighting must be provided to all roads in accordance with FNQROC Development requirements (as amended) and to the satisfaction of Council's delegated officer.

4.10 Street Trees

One (1) street tree must be at the planted at centre of each lot's road frontage. Corner allotments must have a street tree planted on each frontage.

All street trees must be provided in accordance with the FNQROC Development Manual - Design Manual D9 Landscaping.

Plans for the development works required under Conditions 4.1 - 4.10 must be submitted to Council for approval as part of a subsequent application for operational works.

(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) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

(d) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(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) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- conditions regarding bushfire management
- an approved bushfire management plan
- a registered easement over the subject site (only for lots that contain easements)
- conditions regarding flood immunity

(g) Transportation of Soil

All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavements as a result of works on the subject site, it must be removed prior to the end of the working day and within four (4) hours of a request from a Council Officer.

(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.

(i) 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.

(j) 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)

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect);

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

- Development Permit for Operational Works

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

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

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
Stage 14B - Residential	\$22,464.00	14 Lots	\$305,312.00	Nil	\$314,496.00
Stage 15 - Residential	\$22,464.00	19 Lots	\$426,816.00	Nil	\$426,816.00
TOTAL CURRENT AMOUNT OF CHARGE					\$741,312.00

CARRIED

8.2 BTM & S STANKOVICH PTY LTD - RECONFIGURING A LOT - SUBDIVISION (1 INTO 25 LOTS AND BALANCE ALLOTMENT) - AMAROO STAGE 16 - LOT 500 ON SP352770 (FORMERLY LOT 500 ON SP342226) - KAROBEAN DRIVE, MOONDANI AVENUE, EMERALD END ROAD AND PONTOS PLACE, MAREEBA - RAL/25/0011

RESOLUTION 2025/196

Moved: Cr Mary Graham

Seconded: Cr Ross Cardillo

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

APPLICATION		PREMISES	
APPLICANT	BTM & S Stankovich Pty Ltd	ADDRESS	Karobean Drive, Moondani Avenue, Emerald End Road and Pontos Place, Mareeba
DATE LODGED	13 May 2025	RPD	Lot 500 on SP342226
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 25 Lots and Balance Allotment) – Amaroo Stage 16		

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 Reconfiguring a Lot – Subdivision (1 into 25 Lots and Balance Land) – Stage 16

(C) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9499 Master Plan	Development Plan – Stage 16	Twine Surveys Pty Ltd	7/05/2025

(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, and subject to any alterations:
 - found necessary by the 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 endorsement of a Form 18B, 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 or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey, or alternative documentation as approved by the Land Title Act and at the rate applicable at the time of payment.
 - 3.3 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
 - 3.4 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
 - 3.5 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.
 - 3.6 Charges

All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.
 - 3.7 Bushfire Management

A Bushfire hazard management plan for the subject land must be prepared by suitably qualified person to the satisfaction of Council's delegated officer.

The future use of each lot must comply with the requirements of the bushfire hazard management plan at all times.

3.8 The following road names are approved:

- Itiah Court - new cul-de-sac off Pontos Place
- Dolie Court – new cul-de-sac off Pontos Place

3.9 Flood Immunity

Lots 217-223, 232-234 & 241-243 must include survey markers that clearly identify the Q100 + 300mm flood immunity level of RL395.7m AHD on each lot, and a subsequent plan must be prepared for use by future owners/builders to help identify flood immune areas of each lot suitable for building.

All dwellings and sheds constructed on these lots must be built to achieve a finished floor height of at least RL395.7m AHD.

4. Infrastructure Services and Standards

4.1 Access

- (a) Access to each allotment must be constructed (from the edge of the road pavement to the property boundary of each lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

The provision of layback/roll-over kerbing along the frontage of each allotment will satisfy this condition.

- (b) An asphalt sealed, or concrete driveway shall be provided within the access handle of proposed Lot 213 to the satisfaction of Council's delegated officer. The driveway will:

- have a minimum formation width of three (3) metres
- be constructed for the full length of the access handle
- be formed with one-way crossfall to cater for stormwater drainage such that any stormwater runoff is contained within the access handle
- service and utility conduits are to be provided for the full length of the concrete or sealed driveway constructed within the access handle.

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 works commencing the applicant must 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.

- (c) Prior to works commencing the applicant must submit a Stormwater Quality 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 Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.
- (d) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (f) 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.
- (g) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (h) **All aboveground and belowground stormwater drainage collected from Stage 16 (including Lots 213 & 217-223) must be drained to the watercourse situated to the east and north-east of Stage 16. Any alternate stormwater discharge locations must be approved by Council's delegated officer at Operational Works stage and must demonstrate a non-worsening effect on receiving land.**
- (i) The applicant (at their cost) must video all stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.
- (j) All drainage easements must be constructed to prevent erosion. Construction may be in the form of a concrete invert, with outlet protection.

4.3 Earthworks

All earthworks must be carried out in accordance with the requirements of the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

4.4 Roadworks/footpaths - Internal

- (a) Pontos Place, Itiah Court and Dolie Court are to be constructed to Access Street standard in accordance with the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.
- (b) Any temporary turn-around areas situated at the ends of any semi-constructed stub roads must include a sealed cul-de-sac head (no kerbing required) of a size capable of allowing a garbage truck to turn around on.
- (c) 2-metre-wide concrete pedestrian footpaths must be installed on at least one (1) side of all proposed internal roads, including Pontos Place. The horizontal alignment of all footpaths must comply with the FNQROC development Manual (specifically Standard Drawing S1004A) and **must not be constructed abutting the kerbing.**

4.5 Water Supply

- (a) A water service connection must be provided to each proposed lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer
- (b) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the 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).

4.6 Sewerage Connection

- (a) The 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.
- (b) Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the 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).

4.7 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of **underground** power reticulation.

4.8 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

4.9 Lighting

Street lighting must be provided to all roads in accordance with FNQROC Development requirements (as amended) and to the satisfaction of Council's delegated officer.

4.10 Street Trees

One (1) street tree must be at the planted at centre of each lot's road frontage. Corner allotments must have a street tree planted on each frontage.

All street trees must be provided in accordance with the FNQROC Development Manual - Design Manual D9 Landscaping.

Plans for the development works required under Conditions 4.1 - 4.10 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) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

- (d) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

- (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) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- conditions regarding bushfire management
- an approved bushfire management plan
- any registered easements over any new lots (only for lots that contain easements)
- flood immunity & finished floor heights

(g) Transportation of Soil

All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavements as a result of works on the subject site, it must be removed prior to the end of the working day and within four (4) hours of a request from a Council Officer.

(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.

(i) 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.

(j) 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)

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect).

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

- Development Permit for Operational Works

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

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

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
Stage 16 - Residential	\$22,464.00	25 Lots	\$561,600.00	Nil	\$561,600.00
Balance Allotment (Lot 213)	\$22,464.00	1 Lot	\$22,464.00	Nil	\$22,464.00
TOTAL CURRENT AMOUNT OF CHARGE					\$584,064.00

CARRIED

8.3 CHANGE OF DEVELOPMENT APPROVAL - REEVER AND OCEAN PTY LTD - MATERIAL CHANGE OF USE - NATURE-BASED TOURISM (NATURAL ENVIRONMENT, CULTURE & HERITAGE APPRECIATION) - LOT 17 ON SP296830 & LOT 22 ON SP304952 - 112 BARNWELL ROAD, KURANDA - MCU/20/0003

RESOLUTION 2025/197

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

It is recommended that:

1. In relation to the application to change the following development approval:

APPLICATION		PREMISES	
APPLICANT	Reever and Ocean Pty Ltd	ADDRESS	112 Barnwell Road, Kuranda
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	1 August 2025	RPD	Lot 17 on SP296830 & Lot 22 on SP304952
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Nature-based Tourism (Natural Environment, Culture & Heritage Appreciation)		

and in accordance with the Planning Act 2016, the following

- (a) Condition 2.3 of Council's Amended Decision Notice dated 22 September 2023 must **remain**, and be amended as follows:

2.3 Approval Lapse Date

*In accordance with section 65 (2) of the Act, this development permit will cease to have effect on **31 December 2025 2027**. The approved use (as outlined in the facts and circumstances of the application) must cease by close of business on 31 December **2025 2027**.*

- (b) The 'Currency Period of Approval' section of the Amended Decision Notice dated 22 September 2023 be amended as follows:

*The relevant period for this development approval will now end on 31 December **2025 2027**.*

2. A Notice of Decision on Request to Change a Development Approval be issued to the applicant advising of Council's decision."

CARRIED

For the purpose of debate Cr Wyatt moved a motion to accept the officers recommendation which was seconded by Cr Toppin. Cr Braes proposed an alternate motion and the original motion was withdrawn by consent of the Council. The alternate motion is reflected below.

8.4 ILEHELD PTY LTD - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 20 ON SP239245 - 5351 KENNEDY HIGHWAY, MAREEBA - RAL/24/0019

RESOLUTION 2025/198

Moved: Cr Amy Braes

Seconded: Cr Nipper Brown

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Ileheld Pty Ltd	ADDRESS	5351 Kennedy Highway, Mareeba
DATE LODGED	26 November 2024	RPD	Lot 20 on SP239245
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 2 lots)		

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 consider that the assessment manager's decision conflicts with a relevant instrument.

Details of the conflict with the relevant instrument	Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict
The proposed development conflicts with multiple provisions of the Mareeba Shire Council Planning Scheme 2016 which seek to avoid the creation of new lots in the Rural zone with areas less than 60 hectares and further seeks to avoid the fragmentation/alienation of Class A and Class B agricultural land.	<ol style="list-style-type: none"> 1. The subject site has an area of 3.607 hectares and has no standalone agricultural viability. 2. The subject site is improved by substantial built improvements spread across the allotment which further add to its diminished capacity as an agriculturally viable allotment. 3. Each proposed allotment will contain an existing dwelling, so the likelihood of the subdivision increasing dwelling densities within the Rural zone is reduced. 4. Both proposed allotments are not inconsistent in size with the 2 lifestyle lots to the south and 2 lifestyle lots to the north. 4. Both allotments will gain access from the Kennedy Highway via a 125m long section of Syd Beck Road which is a well-constructed bitumen sealed road, therefore the subdivision is not likely to result in any added road maintenance burden for Council.

(A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot – Subdivision (1 into 2 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9698 LL1 – Rev A	Plan of Lots 1 & 2 Cancelling Lot 20 on SP239245	Twine Surveys Pty Ltd	4.10.2024

(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, and subject to any alterations:
 - found necessary by the 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 endorsement of the plan of survey for the development, except where specified otherwise in these conditions of approval.

3. General

- 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges/contributions within the conditions of approval.
- 3.2 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.
- 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
- 3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
- 3.6 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code.
- 3.7 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.

3.8 Charges

All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.

3.9 Bushfire Management

A Bushfire Hazard Management Plan for the development must be prepared by a suitably qualified person/s. The Bushfire Hazard Management Plan must demonstrate compliance with the relevant performance outcomes of the Mareeba Shire Council Planning Scheme 2016 Bushfire Hazard Overlay Code.

The development must comply with the requirements of the Bushfire Hazard Management Plan at all times.

4. Infrastructure Services and Standards

4.1 Access

An access crossover must be constructed (from the edge of the road pavement of Syd Beck Road to service proposed Lot 1) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

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) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.3 Water Supply

A water supply must be provided to each lot via:

(a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or

(b) on-site water storage tank/s:

(i) with a minimum capacity of 90,000L; and

(ii) which are installed and connected prior to the occupation of the dwelling; or

(c) a domestic water allocation from Sunwater or the relevant State authority.

(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) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable 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) 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 29 May 2025.

(F) RELEVANT PERIOD

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

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect);

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

- Nil

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1

CARRIED

8.5 COUNCIL POLICY REVIEW**RESOLUTION 2025/199**

Moved: Cr Amy Braes

Seconded: Cr Mladen Bosnic

That Council:

1. Repeals the:

Water Restriction Policy – adopted 17 July 2024

Standard Requirements for Public Liability Insurance for Approval Holders – adopted 15 November 2023

2. Adopts the:

Water Restriction Policy

Standard Requirements for Public Liability Insurance for Approval Holders

CARRIED

8.6 FINANCIAL STATEMENTS PERIOD ENDING 31 AUGUST 2025**RESOLUTION 2025/200**

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

That Council;

1. receives the Financial Report for the period ending 31 August 2025;
2. empanels two (2) suppliers to be added to the Sole Supplier Register; and
3. approves the amended 2025/26 Capital Works program to include the carry overs from 2024/25.

CARRIED

8.7 AUDIT COMMITTEE - MINUTES OF MEETING HELD 13 AUGUST 2025**RESOLUTION 2025/201**

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That the minutes from the Audit Committee Meeting are noted.

CARRIED

9 INFRASTRUCTURE SERVICES

9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - AUGUST 2025

RESOLUTION 2025/202

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

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

CARRIED

9.2 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - AUGUST 2025

RESOLUTION 2025/203

Moved: Cr Amy Braes

Seconded: Cr Nipper Brown

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

CARRIED

9.3 FNQ055 REGIONAL COLLECTION & BENEFICIAL REUSE OF BIOSOLIDS

RESOLUTION 2025/204

Moved: Cr Lenore Wyatt

Seconded: Cr Mladen Bosnic

That Council awards Tender awards Contract FNQ055 Regional Removal and Beneficial Reuse of Biosolids to Arkwood (Gloucester) Pty Ltd based on a schedule of rates commencing on 1 October 2025, for a period of three (3) years with a provision for two (2) extension options of up to 12 months each at Council's discretion.

CARRIED

9.4 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - AUGUST 2025

RESOLUTION 2025/205

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

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

CARRIED

9.5 T-MSC2025-31 SUPPLY & DELIVERY OF FULL SERVICE SEAL (EXCLUDING TRAFFIC CONTROL) - LEADINGHAM CREEK ROAD CH:8.04-CH:11.48

RESOLUTION 2025/206

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That the Council awards of Tender T-MSC2025-31 - Supply & Delivery Full Service Seal (Excluding Traffic Control) Leadingham Creek Road, Dimbulah – Ch:8.04-Ch:11.48 to Koppen Construction Pty Ltd for the amount of \$232,484.09 (excl. GST).

CARRIED

9.6 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - AUGUST 2025

RESOLUTION 2025/207

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

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

CARRIED

9.7 T-MSC2025-24 DRFA 2024 - GULLY BETTERMENT PROGRAM

RESOLUTION 2025/208

Moved: Cr Lenore Wyatt

Seconded: Cr Mladen Bosnic

That Council awards Tender T-MSC2025-24 DRFA 2024 – Gully Betterment Program to S&K Civil Contracting Pty Ltd for an amount of \$2,169,870.09 (excl. GST) subject to confirmation of funding from QRA.

CARRIED

9.8 INFRASTRUCTURE SERVICES, DISASTER RECOVERY OPERATIONS REPORT - AUGUST 2025

RESOLUTION 2025/209

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

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

CARRIED

9.9 T-MSC2025-10 KURANDA WTP INTAKE WORKS PROJECT

RESOLUTION 2025/210

Moved: Cr Lenore Wyatt

Seconded: Cr Mladen Bosnic

That Council awards Tender T-MSC2025-10 to Bluewater Marine QLD Pty Ltd ATF The Van Proojie Trust for the amount of \$571,322.03 (excl. GST) to be funded by reserves while funding from DRFA is being sought.

CARRIED

9.10 PEST MANAGEMENT ADVISORY COMMITTEE - MINUTES OF MEETING HELD 14 AUGUST 2025

RESOLUTION 2025/211

Moved: Cr Nipper Brown

Seconded: Cr Ross Cardillo

That Council receives the minutes of the Pest Management Advisory Committee Meeting held Thursday, 14 August 2025.

CARRIED

10 CONFIDENTIAL REPORTS

Council determined that the meeting did not need to be closed for the confidential item as no discussion was required.

10.1 HUMAN RESOURCES PROGRESS AND INFORMATION REPORT**RESOLUTION 2025/212**

Moved: Cr Lenore Wyatt

Seconded: Cr Mary Graham

That Council receives the Human Resources Progress and Information Report.

CARRIED

11 BUSINESS WITHOUT NOTICE**11.1 LOT 20NR7137****RESOLUTION 2025/213**

Moved: Cr Angela Toppin

Seconded: Cr Lenore Wyatt

That Council

1. will offer no objection to the freeholding of the northern undeveloped triangular portion of lot 20NR7137, subject to the lodgement with Council from Reedlodge Pty Ltd of a suitable bank guarantee, the terms of which must be acceptable to Council, and
2. delegates to the CEO the power to negotiate and finalise the necessary documentation for the freeholding (including the terms of the bank guarantee) conditional upon the CEO: -
 - a. First obtaining a legal review of all necessary documentation (including the bank guarantee); and
 - b. Keeping all Councillors regularly updated on the negotiations the subject of this resolution.

CARRIED

12 NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9.00 am on 15 October 2025.

There being no further business, the meeting closed at 9:39am.

.....

Cr Angela Toppin

Chairperson