



MINUTES

Wednesday, 15 October 2025

Ordinary Council Meeting

**MINUTES OF MAREEBA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 15 OCTOBER 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 2025/214

Moved: Cr Amy Braes

Seconded: Cr Lenore Wyatt

That the minutes of Ordinary Council Meeting held on 26 September 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 TAIT MORTON JOHNSTON PTY LTD - MATERIAL CHANGE OF USE - COMMUNITY USE & INDOOR SPORT AND RECREATION (PCYC) - LOTS 16 & 17 ON M35636 - 68-70 CONSTANCE STREET, MAREEBA - MCU/25/0017

RESOLUTION 2025/215

Moved: Cr Ross Cardillo

Seconded: Cr Mary Graham

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Tait Morton Johnston Pty Ltd	ADDRESS	68-70 Constance Street, Mareeba
DATE LODGED	19 September 2025	RPD	Lots 16 & 17 on M35636
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Community Use & Indoor Sport and Recreation (PCYC)		

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 – Community Use & Indoor Sport and Recreation (PCYC)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
1578 A03 DA01	Site Plan – New Works	Tait Morton Johnston Pty Ltd	1/9/2025
1578 A100 DA01	Ground Floor	Tait Morton Johnston Pty Ltd	1/9/2025
1578 A101 DA01	Roof Plan	Tait Morton Johnston Pty Ltd	1/9/2025
1578 A300 DA01	Elevations & Section	Tait Morton Johnston Pty Ltd	1/9/2025
1578 A400 DA01	3D Images	Tait Morton Johnston Pty Ltd	1/9/2025

(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, 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 Waste Management

On site refuse storage area must be provided and be screened from view from adjoining properties and road reserve by one (1) metre wide landscaped screening buffer, 1.8m high solid fence or building.
 - 3.5 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 and a maximum noise level of 8dB(A) above background levels as measured from commercial locations.
 - 3.6 Air Conditioner & Building Plant Screening

The applicant/developer 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.

4. Infrastructure Services and Standards

4.1 Access

Commercial access crossovers must be constructed (from the edge of Constance Street to the property boundary of the subject lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

Where applicable, the applicant/developer must ensure that any redundant vehicle crossovers are removed and reinstated with kerb and channel.

4.2 Frontage Works

The applicant/developer is required to construct the following works, designed in accordance with the FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer:

- A two (2) metre wide concrete footpath along the full frontage of the site to Constance Street.
- Adjustments and relocations necessary to public utility services resulting from these works.

4.3 Stormwater Management

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

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

4.4 Car Parking/Internal Driveways

4.4.1 The applicant/developer must ensure the development is provided on-site car parking spaces in accordance with the approved plans, which are available solely for the parking of vehicles associated with the use of the premises.

4.4.2 All car parking spaces and internal driveways must be concrete, bitumen or asphalt sealed and appropriately drained prior to the commencement of the use and to the satisfaction of Council's delegated officer.

4.4.3 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.

4.5 Landscaping

- 4.5.1 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.
- 4.5.2 The landscape plan must include landscaping generally in accordance with the approved plans and in compliance with the Landscaping Code. Plant species are to be generally selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.
- 4.5.3 A minimum of 25% of new plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.
- 4.5.4 The landscaping of the site must be carried out in accordance with the endorsed landscape plan/s, and prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

4.6 Lighting

Where installed, external lighting must be designed and installed in accordance with *AS4282 – Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

4.7 Water Supply

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

4.8 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.

(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) Food Premises

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

- (c) A Trade Waste Permit will be required prior to the commencement of use.
- (d) 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.

- (e) 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.

- (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.

(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

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

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

CARRIED

8.2 L MOSCH - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 92 ON SP345989 - MOUNT MULLIGAN ROAD, DIMBULAH - RAL/25/0014

RESOLUTION 2025/216

Moved: Cr Nipper Brown

Seconded: Cr Mladen Bosnic

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

APPLICATION		PREMISES	
APPLICANT	L Mosch	ADDRESS	Mount Mulligan Road, Dimbulah
DATE LODGED	11 July 2025	RPD	Lot 92 on SP345989
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), 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 2 Lots)

(C) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
7666 LLI Rev E	Plan of Lots 921 & 922 Cancelling Lot 92 on SP345989	Twine Surveys Pty Ltd	3/07/2025

(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 endorsement of the plan of survey, 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 additional payment condition within these 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 the endorsement of the plan of survey and at the rate applicable at the time of payment.
 - 3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.
 - 3.5 Bushfire Management

A Bushfire Management Plan must be prepared for proposed Lots 921 and 922 to the satisfaction of Council's delegated officer. The future use of proposed Lot 921 and 922 must comply with the requirements of the Bushfire Management Plan at all times.
 - 3.6 Charges

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

4. Infrastructure Services and Standards

4.1 Access

Access to each lot must be upgraded/constructed (from the edge of Mount Mulligan Road to the property boundary of each lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

The applicant must ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.

4.3 On-Site Wastewater Management

At the time of construction of a new dwelling on any lot, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

(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) 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.

- (d) 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.

- (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.

(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 (Please contact Planning Section to obtain application form and applicable fee)

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 Lot (40% reduction of standard charge for no town water/sewer)	Lots		Lots	
Rural	\$13,478.40	2 Lots	\$26,956.80	1 lot	\$13,478.40
TOTAL CURRENT AMOUNT OF CHARGE					\$13,478.40

CARRIED

8.3 V VOGEL - RECONFIGURING A LOT - SUBDIVISION (1 INTO 3 LOTS) - LOT 8 ON RP731956 - 468 BILWON ROAD, BIBOOHRA - RAL/25/0015

RESOLUTION 2025/217

Moved: Cr Ross Cardillo

Seconded: Cr Amy Braes

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	V Vogel	ADDRESS	468 Bilwon Road, Biboohra
DATE LODGED	13 August 2025	RPD	Lot 8 on RP731956
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 3 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), 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 3 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9880 LL2 Rev A	Plan of Lots 1 – 3 Cancelling Lot 8 on RP731956	Twine Surveys Pty Ltd	5.08.2025

(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 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.

4. Infrastructure Services and Standards

4.1 Access

New or existing access crossovers must be upgraded/constructed (from the edge of Bilwon Road to the property boundaries of Lots 1, 2 and 3) 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

At the time of construction of a dwelling on proposed Lots 2 and/or 3, a water supply must be provided 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.

4.4 Wastewater Disposal

At the time of construction of a future dwelling or outbuilding on proposed Lots 2 and/or 3, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.5 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 power reticulation.

4.6 Telecommunications

The applicant/developer must demonstrate that a connection to the national broadband network is available for each allotment, or alternatively, enter into an agreement with a telecommunication carrier to provide telecommunication services to each lot and arrange provision of necessary conduits and enveloping pipes.

(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) 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.

(d) 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.

(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)

- Reconfiguring a Lot – four (4) 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 (Please contact Planning Section to obtain application form and applicable fee)

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 Lot (40% reduction of standard charge for no town water/sewer)	Lots		Lots	
Rural Residential	\$13,478.40	3 Lots	\$40,435.20	1 lot	\$26,956.80
TOTAL CURRENT AMOUNT OF CHARGE					\$26,956.80

CARRIED

8.4 NGOONBI COMMUNITY SERVICES INDIGENOUS CORPORATION - MATERIAL CHANGE OF USE - COMMUNITY USE, FOOD AND DRINK OUTLET, OFFICE AND SHOP - LOTS 706, 707 & 714 ON NR7409 - 39-41 BARANG STREET & 36 COONDoo STREET, KURANDA - MCU/24/0023

RESOLUTION 2025/218

Moved: Cr Lenore Wyatt

Seconded: Cr Mary Graham

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Ngoonbi Community Services Indigenous Corporation	ADDRESS	39-41 Barang Street & 36 Coondoo Street, Kuranda
DATE LODGED	9 January 2025	RPD	Lots 706, 707 and 714 on NR7409
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Community Use, Food and Drink Outlet, Office and Shop		

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 – Community Use, Food and Drink Outlet, Office and Shop
APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
24065 SK00 Rev 7	Cover Sheet & Site Plan	Bau Design Architects	2024-11-19
24065 SK01 Rev 5	Demolition Works	Bau Design Architects	2024-10-31
24065 SK10 Rev 5	Floor Plan Lower Level	Bau Design Architects	2024-10-31
24065 SK11 Rev 5	Floor Plan	Bau Design Architects	2024-10-31
24065 SK12 Rev 5	First Floor	Bau Design Architects	2024-10-31
24065 SK13 Rev 7	Floor Plan Youth Shed	Bau Design Architects	2024-11-19
24065 SK40 Rev 4	Elevations 1	Bau Design Architects	2024-10-29
24065 SK41 Rev 5	Elevations 2	Bau Design Architects	2024-10-31
24065 SK50 Rev 5	Sections	Bau Design Architects	2024-10-31
24065 SK60 Rev 4	Render	Bau Design Architects	2024-10-29

(B) 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 Waste Management

- 3.4.1 On site refuge storage area/s must be provided and be screened from view from adjoining properties and road reserve by 1 metre wide landscaped screening buffer or 1.8m high solid fence or building.
- 3.4.2 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.
- 3.4.3 All waste storage areas must remain covered and no food scraps disposed of on-site so as to not encourage scavenging from wildlife and birdlife.

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

3.6 Air Conditioner & Building Plant Screening

The applicant/developer 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.

4. Infrastructure Services and Standards

4.1 Access

A **Commercial** access crossover must be constructed (from the edge of Barang Street to the property boundary of the subject lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

Where applicable, the applicant/developer must ensure that any redundant vehicle crossovers are removed and reinstated with kerb and channel.

4.2 Frontage Works

The applicant/developer is required to construct the following works, designed in accordance with the FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer:

- Reinstatement of the Coondoo Street footpath to a condition equivalent to its pre-development condition.
- Adjustments and relocations necessary to public utility services resulting from these works.
- Modification of existing Barang Street traffic island to facilitate the carpark access from Barang Street.

4.3 Stormwater Drainage/Water Quality

- 4.3.1 Prior to building works or operational works commencing, the applicant/developer 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.
- 4.3.2 The Stormwater Management Plan must ensure a non-worsening effect on surrounding land as a consequence of the development, and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.
- 4.3.3 The applicant/developer must construct the stormwater drainage infrastructure for the development in accordance with the approved Stormwater Management Plan and Report.
- 4.3.4 All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.4 Car Parking/Internal Driveways

- 4.4.1 The applicant/developer must ensure the development is provided on-site car parking spaces in accordance with the approved plans, which are available solely for the parking of vehicles associated with the use of the premises.
- 4.4.2 All car parking spaces and internal driveways must be concrete, bitumen or asphalt sealed and appropriately drained prior to the commencement of the use and to the satisfaction of Council's delegated officer.
- 4.4.3 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.

4.5 Landscaping and Fencing

- 4.5.1 Prior to the commencement of the use of the site, a landscape plan for the development must be prepared and submitted to Council's delegated officer for consideration and approval.
- 4.5.2 The landscape plan must include landscaping generally in accordance with the approved plans and in compliance with the Landscaping Code. Plant species are to be generally selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.
- 4.5.3 The landscaping plan must incorporate the following:
 - (i) A 3 metre wide landscaping buffer must be established along the eastern side of the proposed carpark.
 - (ii) A 1.8 metre high (neutral colour) solid screen fence must be established and maintained along the full length of the common boundary with Lot 705 on NR7409. The fencing is to be erected prior to the commencement of the use and maintained in good order for the life of the development, to the satisfaction of Council's delegated officer.
- 4.5.4 A minimum of 25% of new plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.
- 4.5.5 The landscaping of the site must be carried out in accordance with the endorsed landscape plan/s, and prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

4.6 Lighting

Where installed, external lighting must be designed and installed in accordance with *AS4282 – Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

4.7 Water Supply

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

4.8 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.

Plans for the development works required under Conditions 4.1, 4.2 and 4.3 must be submitted to Council for approval as part of a subsequent application for operational works.

(C) 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) Food Premises

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

(d) 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.

(e) A Trade Waste Permit will be required prior to the commencement of use.

(f) 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.

(g) 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.

(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](http://ElectricantsinQueensland.com.au) or contact Biosecurity Queensland 13 25 23.

(D) 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).

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

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

(F) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

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 m2 GFA	GFA (m2)		2 Lots	
Shop	\$144.40	41	\$5,920.40		
Food & Drink Outlet	\$144.40	86	\$9,838.40		
Office	\$112.30	261	\$29,310.30	\$44,928.00	\$6,604.10
Community Use	\$56.20	115	\$6,463.00		
TOTAL CURRENT AMOUNT OF CHARGE					\$6,604.10

CARRIED

Cr Wyatt moved a motion that differed from the officers recommendation (specifically related to items 5.1 and 5.2), changing the timeframe for the roadworks to be undertaken, from 24 months to 12 months. This motion was then seconded.

Cr Brown then foreshadowed that should the motion that Cr Wyatt had moved fail, he would move a motion that would change the start time from 4am to 5am, as well as changing the timeframe in 5.1 and 5.2 from 24 months to 12 months.

The matter was then debated and the motion, as moved by Cr Wyatt, put to the vote and was carried.

As the motion moved by Cr Wyatt was carried, the Cr Brown's foreshadowed motion lapsed.

8.5 CHANGE OF DEVELOPMENT APPROVAL (OTHER CHANGE) - CONMAT PTY LTD - MATERIAL CHANGE OF USE - HIGH IMPACT INDUSTRY (CONCRETE BATCHING PLANT) (FORMERLY DEFINED AS INDUSTRY) - LOT 358 ON OL451 - 936 TINAROO CREEK ROAD, MAREEBA - MCU/12/0017

RESOLUTION 2025/219

Moved: Cr Lenore Wyatt

Seconded: Cr Mary Graham

It is recommended that:

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

APPLICATION		PREMISES	
APPLICANT	Conmat Pty Ltd	ADDRESS	936 Tinaroo Creek Road, Mareeba
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	8 May 2025	RPD	Lot 358 on OL451
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – High Impact Industry (Concrete Batching Plant)(Formerly Defined as Industry)		

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), referral agency advice 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: Material Change of Use – High Impact Industry (Concrete Batching Plant)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Layout of Concrete Batching Plant – Wallace Quarries	Landline Consulting	-
-	Batching Plant – Proposed Location	Landline Consulting	-
<u>385291-4</u>	<u>Site Plan – Proposed Concrete Batching Plant</u>	<u>RPS</u>	<u>7/05/2025</u>
<u>385291-5</u>	<u>Development Area – Proposed Concrete Batching Plant</u>	<u>RPS</u>	<u>7/05/2025</u>
<u>385291-6</u>	<u>Site Layout – Proposed Concrete Batching Plant</u>	<u>RPS</u>	<u>7/05/2025</u>

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

Note – Conditions to be deleted are marked with a ~~strikethrough~~ while conditions/advice statements to be added are shown as **bold and underlined**.

1. Development must be carried out substantially 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 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 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 the condition(s) of this approval.
 - 3.2 All payments required to be made to the Council (including contributions, charges and bonds) pursuant to any condition of this approval must be made **within 3 months of this development permit taking effect** ~~prior to the issue of a building permit (if no building permit required then prior to the 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 Bushfire Management

A Bushfire Management Plan will be prepared in accordance with Appendix 8 of State Planning Policy 1/03 - Mitigating the Adverse Impacts of Flood, Bushfire and Landslide to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.5 Traffic Movements

~~Heavy and regular vehicle traffic movements associated with the proposed batching plant are not to exceed a combined total of 16 vehicle movements per day (8 trips to and from site).~~

Concrete truck movements must not exceed an average of 50 vehicle movements (25 in / 25 out) on any given day when averaged over any given week (Mon-Sat).

Cement powder delivery truck movements must not exceed a total of 2 vehicle movements per day (1 in / 1 out) and must be carried out outside peak traffic hours of 7am – 8am and 3pm – 4pm.

Note: This condition does not place a limit on staff vehicle movements.

3.6 Hours of Operation

The operating hours shall be between ~~6~~ 4am and 6pm Monday to Friday and between ~~6~~ 4am and ~~12~~ 1pm Saturday. No operations are permitted on Sunday or Public Holidays.

Note: These operating hours apply to batching operations at the batching plant and the use of concrete trucks only.

4. Environmental Conditions

4.1 General

- 4.1.1 Contaminants must not be released to the environment other than in accordance with the conditions contained within this document.
- 4.1.2 The applicant/developer must install all works and equipment required in order to ensure full compliance with all conditions of approval.
- 4.1.3 The applicant/developer must ensure that those persons responsible for the day-to-day operation of the concrete batching plant are familiar with the conditions of this document by making sure this document is read in full by all employees at least once per year and is read by new staff during the induction process.

4.2 Air Discharge

- 4.2.1 No release of contaminants, including but not limited to odour, dust, smoke, fumes, particulates and aerosols is to cause or is likely

to cause and environmental nuisance at any commercial place or at any sensitive receptor places.

- 4.2.2 Dust filters must be fitted to storage silos that contain cement powder.
- 4.2.3 The filling of all silos is to be monitored by automatic devices that warn the plant operator with audible and visual alarms when any silo has been filled to its nominal capacity.
- 4.2.4 The filling of all silos is to be controlled by automatic devices that prevent any silo from being filled beyond its nominal capacity.
- 4.2.5 The holder of this development permit must ensure that all emission control and monitoring equipment is maintained in good working order.
- 4.2.6 Vehicle tracks and work areas adjacent to the concrete batching plant must be watered to minimise dust emissions from the approved place.
- 4.2.7 Air emissions and particulates emitted from the property must not cause material damage to buildings or vehicles located outside the boundaries of the subject site.

4.3 Water Discharge

- 4.3.1 The approved use must be carried out in a way that prevents the release of contaminants including cement powder, concrete slurry and other concrete materials to stormwater drainage that is naturally occurring or constructed.
- 4.3.2 Contaminants including plastics, concrete batching chemicals and packaging must not be directly or indirectly released to waterways or the bed or banks of any waterway or any drainage feature at the approved place.
- 4.3.3 Wastewater and other liquid waste generated in the course of carrying out the use shall be recycled for use in the concrete batching plant operation.
- 4.3.4 Settlement ponds for the concrete batching plant must be located at least 50 meters away from any natural drainage feature or water course at the approved place.
- 4.3.5 All wash down activities conducted on the subject site must be completed in a way that prevents concrete materials entering a natural drainage feature or waterway at the approved place.

4.4 Stormwater Management

- 4.4.1 The approved use must be conducted in a way that prevents contaminants or wastes contacting with rainfall and stormwater runoff in order to prevent contaminants entering stormwater drainage systems that are naturally occurring or constructed.

- 4.4.2 Any stormwater leaving the subject site shall contain no visible sign of floating chemical contaminants or other debris from the approved place.
- 4.4.3 All above and below ground chemical and fuel storage tanks shall be bunded in accordance with the Australian Standards 1940-1993 *"The storage and handling of flammable and combustible liquids"*.
- 4.4.4 All fuel and chemical tanks or containers must be kept within the confines of sealed bunded area that can accommodate a spill of 110% of the largest tank used for storage within the bunded area.
- 4.4.5 The sealed bunded area must be fitted with a valve for the purpose of emptying liquids or solutions from the bunded area. The valve must remain closed when not in use.
- 4.4.6 The sealed bunded area must have a sign above the valve handle that contains the following words - *"Valve to remain closed when not in use"*.
- 4.4.7 Australian standard requirements for the storage of fuel and chemicals must be adhered to at all times when storing fuel and chemicals on the subject site.
- 4.4.8 The concrete batching plant area and settlement ponds must be designed to ensure minimal ingress of overland flow of stormwater.
- 4.5 Land Application
 - 4.5.1 The approved use must be carried out by such practical means that is necessary to prevent or minimise the release of contaminants to land.
 - 4.5.2 Any soils contaminated at the subject site must be cleaned up immediately, lawfully removed and disposed of at a facility that accepts contaminated land fill.
 - 4.5.3 A bay must be constructed to dry concrete slurry.
 - 4.5.4 Concrete slurry and other wet concrete waste must be dried in the purpose-built bay at the approved place prior to disposal.
 - 4.5.5 Where possible dried concrete waste must be recycled for use in other products.
- 4.6 Noise Control/Monitoring
 - 4.6.1 The emission of noise from the subject site must not cause environmental nuisance as determined by Council's delegated officer at any commercial place or at any sensitive receptor places.
 - 4.6.2 The noise emissions from the subject site must not be greater than 5dB(A) above the background noise level at a sensitive receptor place or 10dB(A) above the background noise level at a commercial place.

- 4.6.3 When requested by Council, the developer/operator must commission noise monitoring to investigate any complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report must be provided to the administering authority within 14 days of the completion of the investigation.
- 4.6.4 Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the Environmental Protection (Noise) Policy.
- 4.7 Waste Management
 - 4.7.1 Waste must not be released to the environment and must be disposed of in accordance with the conditions within this document.
 - 4.7.2 Waste chemicals and chemical solutions are to be stored in a waste holding tank/s or drum/s that are located on a sealed and bunded surface.
 - 4.7.3 Waste liquids are to be removed by a regulated waste transporter.

5. Infrastructure Services and Standards

5.1 Road Safety Assessment

A Road Safety Assessment must be undertaken by a suitably qualified RPEQ that identifies safety risks for vehicles using Tinaroo Creek Road.

The road safety assessment must consider (but not be limited to) the following:

- (i) Road geometry (horizontal & vertical).**
- (ii) Swept path analysis of all road corners must be done using swept paths of the biggest trucks proposed to service the batching plant, including sand and cement powder delivery.**
- (iii) Speed environments/current speed limits (particularly around existing corners with poor visibility). Ball bank indicator tests must be undertaken on all road corners to determine the advisory speed and need for curve warning signs.**
- (iv) Carriageway width (pavement, seal and shoulders) – ability for opposing traffic to safely pass each other.**
- (v) Pavement testing at locations with a high risk of failure (e.g. tight bends, visibly damaged sections).**
- (iv) Vehicle sightlines.**
- (v) Intersection treatments.**

The road safety assessment/s must provide recommendations on practical treatments to reduce the risk of any hazards created by traffic generated by this development permit to acceptable levels (e.g. localised pavement widening/repair, signage, linemarking, reduced speed limits, road edge delineation etc.). The road safety assessment/s must be submitted to Council for review and agreed works must be undertaken by

the applicant at no cost to Council, within 12 months of this approval taking effect, or a further period agreed to by Council due to any unforeseen circumstance/s that Council reasonably believe would delay the delivery of the works.

5.2 External Works – Tinaroo Creek Road

Irrespective of the recommendations included in the road safety assessment required by Condition 5.1, the following works are to be completed by the applicant/developer within 12 months of this approval taking effect, or a further period agreed to by Council due to any unforeseen circumstance/s that Council reasonably believe would delay the delivery of the works:

5.2.1 Tinaroo Creek Road (from where the bitumen terminates to a point past the site access and left-hand bend where the road straightens) must be upgraded in accordance with Table D1.4 (traffic volume - 100-999vmpd) of the FNQROC Development Manual, including a 6.5m sealed width and 8m formation.

The site access to the approved use must be incorporated into the corner design and include linemarking and signposting that identifies Tinaroo Creek Road as the through road. The site access and left-hand bend must include an asphalt overlay to accommodate heavy vehicles, including heavy vehicles turning left into the site access from Tinaroo Creek Road (south of the access). The design plans must include swept path diagrams demonstrating that the corner/access design is sufficient to cater for heavy vehicles.

5.2.2 The following sections of Tinaroo Creek Road must undergo pavement repair:

- Between Chainages 3400 and 3470 (distance of 70 metres)
- Between Chainages 3520 and 3610 (distance of 90 metres)
- Between Chainages 4915 and 5000 (northbound exit from Ada Creek Causeway – left hand side of road only)
- Between Chainages 6310 and 6440 (distance of 130 metres)
- Between Chainages 7595 and 7730 (distance of 135 metres)

Note: The sections identified above are visibly damaged and deteriorated. The chainages provided are indicative only, with the intent of the condition being that these visibly damaged and deteriorated sections be repaired, so some variation to the chainages will be excepted by Council when reviewing the design drawings as part of any subsequent application for operational works.

Works required under conditions 5.1 and 5.2 must be approved by Council as part of a subsequent application/s for operational works.

(D) ASSESSMENT MANAGER'S ADVICE

(a) 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.

(b) 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.

(c) **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.

(d) **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) REFFERAL AGENCY CONDITIONS

Powerlink Advice Agency response dated 3 July 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
- Development Permit for Operational Works

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage

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

CARRIED

8.6 DELEGATIONS UPDATE SEPTEMBER 2025

RESOLUTION 2025/220

Moved: Cr Mary Graham

Seconded: Cr Ross Cardillo

That Council:

1. Council delegates to the Chief Executive Officer all the powers appearing in the attached document titled Register of Delegations – Council to CEO with such powers to be exercised subject to any limitations and conditions declared therein; and
2. Council notes and accepts the list of legislation with amended dates of reprint; and
3. Any prior delegations of power relating to the same matters are revoked.

CARRIED

8.7 OPERATIONAL PLAN 2025/26 PROGRESS REPORT**RESOLUTION 2025/221**

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That Council receives and notes the progress report on the implementation of the 2025/26 Operational Plan for the period July to September 2025.

CARRIED

8.8 REGIONAL ARTS DEVELOPMENT FUND (RADF) 2025/26 COMMUNITY GRANT ROUND**RESOLUTION 2025/222**

Moved: Cr Angela Toppin

Seconded: Cr Lenore Wyatt

That Council approves for funding nine (9) community grant applications outlined in this report with a total value of \$38,165.

CARRIED

8.9 ANNUAL REPORT 2024/25**RESOLUTION 2025/223**

Moved: Cr Mary Graham

Seconded: Cr Mladen Bosnic

That Council adopts the Annual Report for the 2024/25 Financial Year.

CARRIED

8.10 FINANCIAL STATEMENTS PERIOD ENDING 30 SEPTEMBER 2025**RESOLUTION 2025/224**

Moved: Cr Mladen Bosnic

Seconded: Cr Mary Graham

That Council;

1. receives the Financial Report for the period ending 30 September 2025; and
2. empanels two (2) suppliers to be added to the Sole Supplier Register.

CARRIED

9 INFRASTRUCTURE SERVICES

9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - SEPTEMBER 2025

RESOLUTION 2025/225

Moved: Cr Nipper Brown

Seconded: Cr Lenore Wyatt

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

CARRIED

9.2 GERAGHTY PARK JULATTEN PUMP TRACK

RESOLUTION 2025/226

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

1. That Council approves a change of scope for the Geraghty Park Julatten Playground Refurbishment to deliver a Pump Track instead.
2. That Council officers prepare procurement documentation for a pump track

CARRIED

9.3 T-MSC2025-30 2025-2026 WATER MAIN RENEWAL PROJECT

RESOLUTION 2025/227

Moved: Cr Amy Braes

Seconded: Cr Ross Cardillo

That Council awards Tender T-MSC2025-30 2025-2026 Water Main Renewal Project to JR Pipelines Pty Ltd for the amount of \$ 1,604,282 (excl .GST).

CARRIED

9.4 INFRASTRUCTURE SERVICES, DISASTER RECOVERY OPERATIONS REPORT - SEPTEMBER 2025

RESOLUTION 2025/228

Moved: Cr Mary Graham

Seconded: Cr Lenore Wyatt

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

CARRIED

9.5 TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 16 SEPTEMBER 2025

RESOLUTION 2025/229

Moved: Cr Lenore Wyatt

Seconded: Cr Mladen Bosnic

That Council receives the minutes of the Traffic Advisory Committee Meeting held Tuesday, 16 September 2025.

CARRIED

9.6 RAY ROAD DRAINAGE MANAGEMENT PLAN

RESOLUTION 2025/230

Moved: Cr Ross Cardillo

Seconded: Cr Mary Graham

That Council:

- a) Receives and notes the attached Ray Road Drainage Management Plan report and publishes it on Council's website;
- b) Considers the report as part of future capital works programs and updates to Council's Planning Scheme; and
- c) Publishes the 'Chinaman Creek Flood Investigation Area' to Council's website.

CARRIED

9.7 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - SEPTEMBER 2025

RESOLUTION 2025/231

Moved: Cr Amy Braes

Seconded: Cr Lenore Wyatt

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

CARRIED

9.8 DRAFT MAREEBA SHIRE COMMUNITY BIOSECURITY PLAN 2025-2030

RESOLUTION 2025/232

Moved: Cr Ross Cardillo

Seconded: Cr Mladen Bosnic

That Council adopts the Draft Mareeba Shire Community Biosecurity Plan 2025-2030 for the purpose of public consultation.

CARRIED

9.9 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - SEPTEMBER 2025

RESOLUTION 2025/233

Moved: Cr Mary Graham

Seconded: Cr Ross Cardillo

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

CARRIED

9.10 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - SEPTEMBER 2025

RESOLUTION 2025/234

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

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

CARRIED

10 OFFICE OF THE CEO

10.1 THE 2025 NATIONAL LOCAL ROADS, TRANSPORT AND INFRASTRUCTURE CONGRESS

RESOLUTION 2025/235

Moved: Cr Mary Graham

Seconded: Cr Ross Cardillo

That Council approves the attendance of Crs Bosnic and Wyatt at the 2025 National Local Roads, Transport and Infrastructure Congress to be held in Bendigo 11-12 November 2025.

CARRIED

10.2 GREAT WHEELBARROW RACE ADVISORY COMMITTEE

RESOLUTION 2025/236

Moved: Cr Ross Cardillo

Seconded: Cr Amy Braes

That Council appoints the following members to the Great Wheelbarrow Race Advisory Committee:

i. Frances Schafer

ii. Jared Hohns

CARRIED

11 CONFIDENTIAL REPORTS

Nil

12 BUSINESS WITHOUT NOTICE

13 NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00am on 19 November 2025.

There being no further business, the meeting closed at 9:50am.

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Cr Angela Toppin

Chairperson