



23 June 2026

Officer's Name: Carl Ewin
Our Reference: RAL/20/0012

Basky Pty Ltd ATF
Basky Investment Trust
PO Box 15
PALM COVE QLD 4859

Dear Applicants,

Minor Change to an Existing Approval & Extension to Relevant Period *Planning Act 2016*

I refer to your request to make a minor change to an existing approval and to extend the relevant period for the below mentioned development approval. On 17 June 2026, Council decided your request.

Details of the decision are as follows:

APPLICATION DETAILS	
Application No:	RAL/20/0012
Street Address:	Antonio Drive, Mareeba
Real Property Description:	Lot 2 on SP298397
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

In relation to the request, at the Ordinary Council Meeting held on the 17 June 2026, Council decided to resolve the following:

- Approve a minor change to the existing approval & extension to relevant period.

The Decision Details (Type of Approval) of Council's Decision Notice issued on 20 January 2021 be amended as follows:

Type of Approval	Development Permit for Reconfiguring a Lot – Subdivision (1 into 21 27 Lots)
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The approved plan/s of Council's Decision Notice issued on 20 January 2021 be amended as follows:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Drawing No. 1464-201	Roadworks Master Plan	Trinity Engineering and Consulting	17/04/2026
PR123862-8-B	Proposed Lots 1-25, 101, 102 & 901 cancelling Lot 2 on SP298397 Antonio Drive Mareeba	RPS	25-11-2020
Sketch 1464-1C	Stormwater Drainage Master Plan	Trinity Engineering and Consulting	17 November 2020
Sketch 1464-2B	Sewer Reticulation Master Plan	Trinity Engineering and Consulting	6 October 2020
Sketch 1464-3C	Water Reticulation Master Plan	Trinity Engineering and Consulting	17 November 2020
Sketch 1464-4C	Catchment Plan	Trinity Engineering and Consulting	17 November 2020
Sketch 1464-5B	Concept Earthworks Grading Plan	Trinity Engineering and Consulting	16 November 2020

Condition 4.1(b) of Council's Decision Notice issued on 20 January 2021 be amended as follows:

- (b) An asphalt sealed, or concrete driveway shall be provided within each access handle of proposed Lots **13 and 17** ~~15, 101 and 102~~ to the satisfaction of Council's delegated officer. The driveway will:
- have a minimum formation width of 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.

Condition 4.4 (b) of Council's Decision Notice issued on 20 January 2021 be amended as follows:

- (b) **If the development is staged, any temporary turnaround area must be provided with a gravel surface and be large enough to allow a garbage truck to turn around on.** A temporary turnaround area, with a gravel surface, must be provided at the southern end of the new road as part of Stage 2.

That an Adopted Infrastructure Charges Notice be issued for the following infrastructure Charges for:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
<u>Residential</u>	<u>\$22,464.00</u>	<u>21</u>	<u>\$471,744.00</u>	<u>1 Lot</u> <u>\$22,464.00</u>	<u>\$449,280.00</u>
Stage 1	\$19,280.00	5 Lots	\$96,400.00	1 lot \$19,280.00	\$77,120.00
Stage 2	\$19,280.00	9 Lots	\$173,520.00	Nil	\$173,520.00
Stage 3	\$19,280.00	13 Lots	\$250,640.00	Nil	\$250,640.00
TOTAL CURRENT AMOUNT OF CHARGE					\$501,280.00 <u>\$449,280.00</u>

The currency period for Development Permit RAL/20/0012 be extended for 4 years from 20 July 2026 to 20 July 2030.

CURRENCY PERIOD OF APPROVAL

The relevant period for this development approval will now end on 20 July 2030.

CONSOLIDATED ASSESSMENT MANAGER CONDITIONS

(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 of the development, or alternative documentation as approved by the Land Title Act, 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.

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 roll-over kerb along the frontage of each allotment will satisfy this condition.

At the Ordinary Council meeting held on the 17 June 2026, Condition 4.1(b) of Council's Decision Notice issued on 20 January 2021 be amended as follows:

- (b) An asphalt sealed, or concrete driveway shall be provided within each access handle of proposed Lots 13 and 17 ~~15, 101 and 102~~ to the satisfaction of Council's delegated officer. The driveway will:
- have a minimum formation width of 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 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.

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.

All formed batters must be located outside the road reserves.

4.4 Roadworks – Internal

- (a) The new internal road is to be constructed to Access Street standard in accordance with the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

At the Ordinary Council meeting held on the 17 June 2026, Condition 4.4(b) of Council's Decision Notice issued on 20 January 2021 be amended as follows:

- (b) **If the development is staged, any temporary turnaround area must be provided with a gravel surface and be large enough to allow a garbage truck to turn around on.** ~~A temporary turnaround area, with a gravel surface, must be provided at the southern end of the new road as part of Stage 2.~~

4.5 Water Supply

- (a) 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).

- (b) 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.

4.6 Sewerage Connection

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.

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.

REFERRAL AGENCY CONDITIONS

The referral agencies applicable to the application are:

Reconfiguring a lot near a State transport corridor		
<p>Development application for reconfiguring a lot that is assessable development under section 21, if—</p> <p>(a) all or part of the premises are within 25m of a State transport corridor; and</p> <p>(b) 1 or more of the following apply—</p> <p>(i) the total number of lots is increased;</p> <p>(ii) the total number of lots adjacent to the State transport corridor is increased;</p> <p>(iii) there is a new or changed access between the premises and the State transport corridor;</p> <p>(iv) an easement is created adjacent to a railway as defined under the Transport Infrastructure Act, schedule 6; and</p> <p>(c) the reconfiguration does not relate to government supported transport infrastructure</p>	<p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 1</p>	<p>State Assessment & Referral Agency (SARA) PO Box 2358 Cairns QLD 4870</p> <p>CairnsSARA@dsmip.qld.gov.au</p>

APPROVED PLANS/DOCUMENTS

At the Ordinary Council Meeting On the 17 June 2026, Council resolved that the approved plans of Councils Original Decision Notice dated 20 January 2021, be amended as follows:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Drawing No. 1464-201	Roadworks Master Plan	Trinity Engineering and Consulting	17/04/2026
PR123862-8-B	Proposed Lots 1-25, 101, 102 & 901 cancelling Lot 2 on SP298397 Antonio Drive Mareeba	RPS	25-11-2020
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ASSESSMENT MANAGER'S ADVISORY NOTES

The following Advisory Notes are for information purposes only and do not form conditions of approval:

(A) 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) 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.

(g) 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.environment.gov.au.

(h) 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.datsip.qld.gov.au.

(B) REFERRAL AGENCY CONDITIONS

Queensland Treasury conditions dated 4 December 2020.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Works

RIGHTS OF APPEAL

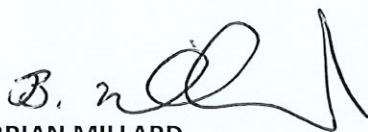
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

If you have any further queries in relation to the above, please Councils Town Planning Department on the above number.

Yours faithfully



BRIAN MILLARD
COORDINATOR PLANNING & BUILDING

DECISION NOTICE HISTORY

RAL/20/0012: Original Decision Notice Dated: 20 January 2021

RAL/20/0012: Notice of Decision on Request to Change to a Development Approval and Extension to relevant period: Dated: 23 June 2026

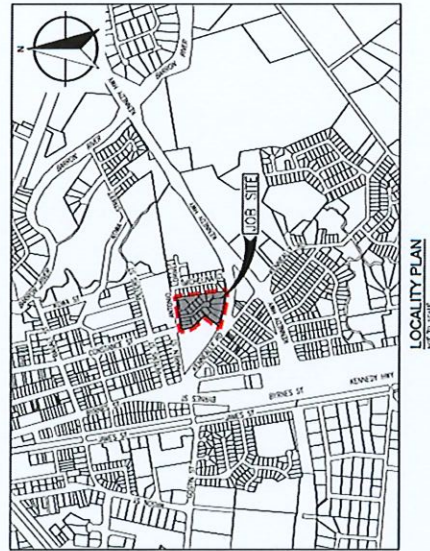
Encl: Approved Plans/Documents
Appeal Rights

APPROVED PLANS / DOCUMENTS

ANTONIO DRIVE RESIDENTIAL SUBDIVISION MAREEBA

for

BASKY DEVELOPMENTS



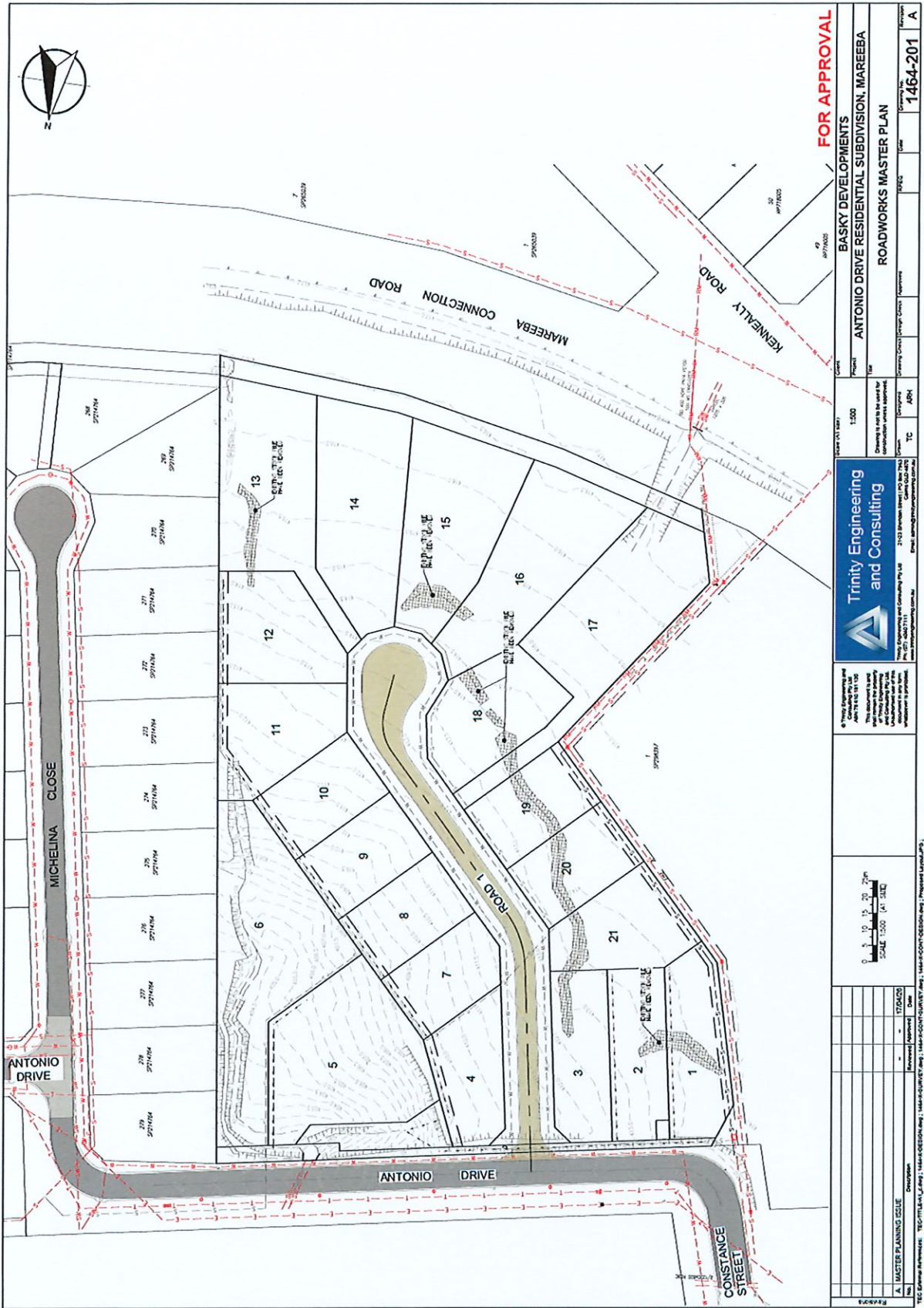
SCHEDULE OF PROJECT DRAWINGS

- 1464-200 COVER SHEET, LOCALITY PLAN AND DRAWING SCHEDULE
- 1464-201 ROADWORKS MASTER PLAN
- 1464-202 STORMWATER DRAINAGE MASTER PLAN
- 1464-203 SEWER RETICULATION MASTER PLAN
- 1464-204 WATER RETICULATION MASTER PLAN
- 1464-205 COMBINED SERVICES MASTER PLAN



Trinity Engineering
and Consulting

FOR APPROVAL



FOR APPROVAL

BASKY DEVELOPMENTS
ANTONIO DRIVE RESIDENTIAL SUBDIVISION, MAREEBA
ROADWORKS MASTER PLAN

Trinity Engineering and Consulting
2133 Highway 100, Mareeba
Tel: 07 4071 1111
Email: info@trinityeng.com.au

Scale: 1:1500
Drawing is not to be used for construction unless approved.

Scale: 1:1500
SCALE 1:1500 (A1:3000)

Rev	Description	Date
1	MASTER PLANNING SCHE	17/04/20

Project No: 1464-201
Client: BASKY DEVELOPMENTS
Site: ANTONIO DRIVE RESIDENTIAL SUBDIVISION, MAREEBA
Drawing No: 1464-201-01
Scale: 1:1500
Drawing is not to be used for construction unless approved.
Trinity Engineering and Consulting Pty Ltd
2133 Highway 100, Mareeba
Tel: 07 4071 1111
Email: info@trinityeng.com.au
TC: ARH

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the Planning Act 2016 states –

- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
- (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice us

published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for and appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –

decision includes-

 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.