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26 August 2024

Planning Officer: Carl Ewin
Direct Phone: 074086 4656
Our Reference: MCU/23/0014
Your Reference: AU009935

Caldante Holdings Pty Ltd TTE
C/- RPS AAP Consulting
PO Box 1949
CAIRNS QLD 4870

Dear Applicants,

Change Representations Not Agreed

Planning Act 2016

I refer to your application and the change representations you made in respect of Council's Decision Notice. On 21 August 2024 Council decided your representations.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	MCU/23/0014
Proposal:	Development Permit for Material Change of Use – Function Facility
Street Address:	121 Douglas Track, Speewah
Real Property Description:	Lot 45 on N157358
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

The following decision has been made.

In relation to the representations, Council decided that the Decision Notice dated 16 May 2024, shall remain unchanged for the following reasons:

The reason for the decision differing from the officers recommendation is because of the negative impacts on the neighbours community, including the following:

- The proposed changes to Condition 3.5.5(ii) of Council's Decision Notice issued on 16 May 2024 would conflict with PO6 of the Rural zone Code.

- The proposed changes to Condition 3.6 of Council's Decision Notice issued on 16 May 2024 would conflict with PO6 of the Rural zone Code.
- The proposed changes to Condition 4.2.2 of Council's Decision Notice issued on 16 May 2024 would conflict with PO8 and AO8.1 of the Works, services and infrastructure code.

RIGHTS OF APPEAL

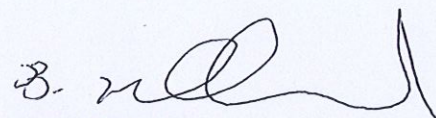
You are entitled to appeal against a provision of the development approval as previously outlined in the Decision Notice. A copy of the relevant appeal provisions from the *Planning Act 2016* was included in the Decision Notice.

Please note that in accordance with the *Planning Act 2016*, the applicant's appeal period is no longer suspended once you have received this notice.

OTHER DETAILS

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

Yours faithfully



BRIAN MILLARD
COORDINATOR PLANNING SERVICES