



Mareeba

SHIRE COUNCIL

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PO Box 154 MAREEBA QLD 4880

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F: 07 4092 3323

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23 January 2024

Planning Officer: Carl Ewin
Direct Phone: 07 40 864656
Our Reference: MCU/24/0003

Norman C Caird
PO Box 2594
MAREEBA QLD 4880

Dear Applicant,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 22 January 2024 under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	MCU/24/0003
Street Address:	Chewko Road and Paglietta Road, Mareeba
Real Property Description:	Lot 10 on SP254832 and Lot 2 on SP217458
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use Tourist Park (Expansion)
Date of Decision:	22 January 2024

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "*necessary infrastructure condition*" for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS**(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)****(a) Development assessable against the Planning Scheme**

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

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

3.4 Noise Nuisance

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.

3.5 Waste Management

The applicant shall ensure there is no on site disposal of refuse associated with the tourist park use unless such refuse is disposed of in refuse bins provided in accordance with the following:

- (i) No refuse is to be stored on site outside the refuse bins at any time.
- (ii) On site refuse storage area for all refuse bins must be provided and be screened from view from adjoining properties and road reserve by a 1 metre wide landscaped screening buffer or 1.8m high solid fence.

3.6 Bushfire Management

A Bushfire Management Plan, incorporating evacuation procedures for the tourist park (expansion) must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

- 3.7 The maximum length of stay for guests in the tourist park (expansion) must not exceed three (3) consecutive months, unless otherwise approved by Council's delegated officer.

4. Infrastructure Services and Standards

4.1 Access

All access to the tourist park (expansion) shall be via the existing approved access crossovers.

4.2 Stormwater Drainage/Water Quality

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening affect on surrounding land as a consequence of the development.
- (b) All stormwater drainage must be discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

- (i) All car parking associated with the tourist park must be accommodated within the subject site.
- (ii) All internal roads used for the tourist park must be constructed and maintained with a gravelled surface for the life of the development, to the satisfaction of Council's delegated officer.

4.4 Lighting

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

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

4.5 Non-Reticulated Water Supply

Any water supplied to the park visitors must be treated so as to be potable (safe for drinking in accordance with National Health Medical Research Guidelines) or if there is not any potable water, it must be clearly labelled at each tap - Non Potable Water - not safe for Human Consumption.

4.6 On-Site Wastewater Management

No black or grey water from the tourist park (expansion) is to be discharged on site unless discharged in the existing approved 'dump ezy' style holding tank.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Site Plan	Norman Caird	-
-	Proposed Drainage Plan	Roy Walker	-
-	Eco Tents Australia product details	Eco Tents Australia	-

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(D) ASSESSMENT MANAGER'S ADVICE

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

- (b) Compliance with applicable codes/policies

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

- (c) Compliance with Acts and Regulations

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

- (d) Environmental Protection and Biodiversity Conservation Act 1999

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

- (e) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural

heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dsdsatsip.qld.gov.au.

(f) Electric Ants

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

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

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

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

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

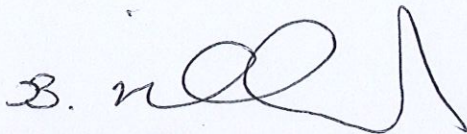
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

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.

Yours faithfully



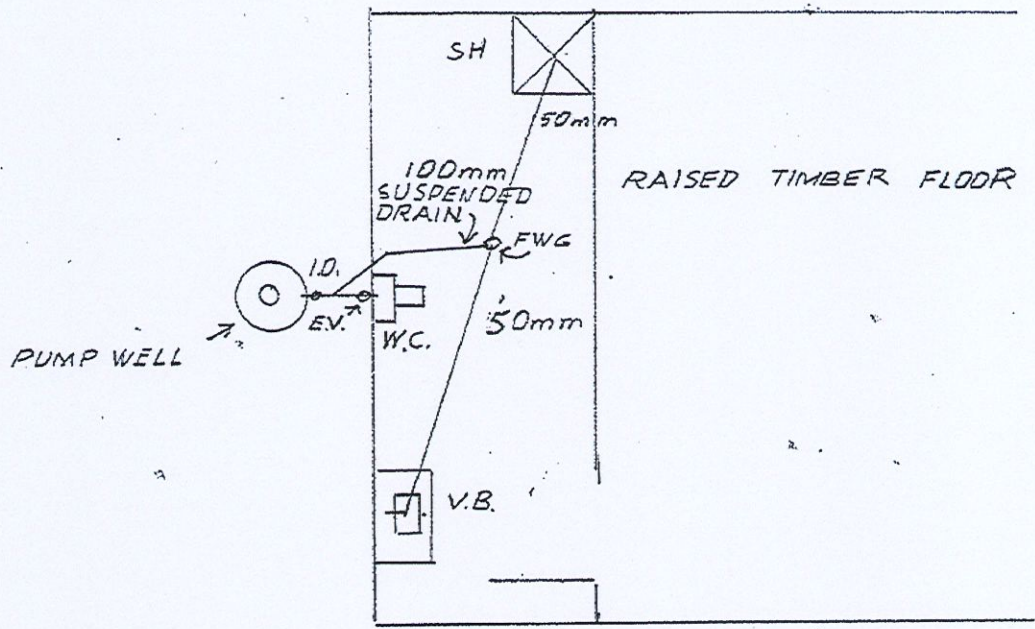
BRIAN MILLARD
COORDINATOR PLANNING SERVICES

Enc: Approved Plans/Documents
Appeal Rights

Approved Plans/Documents

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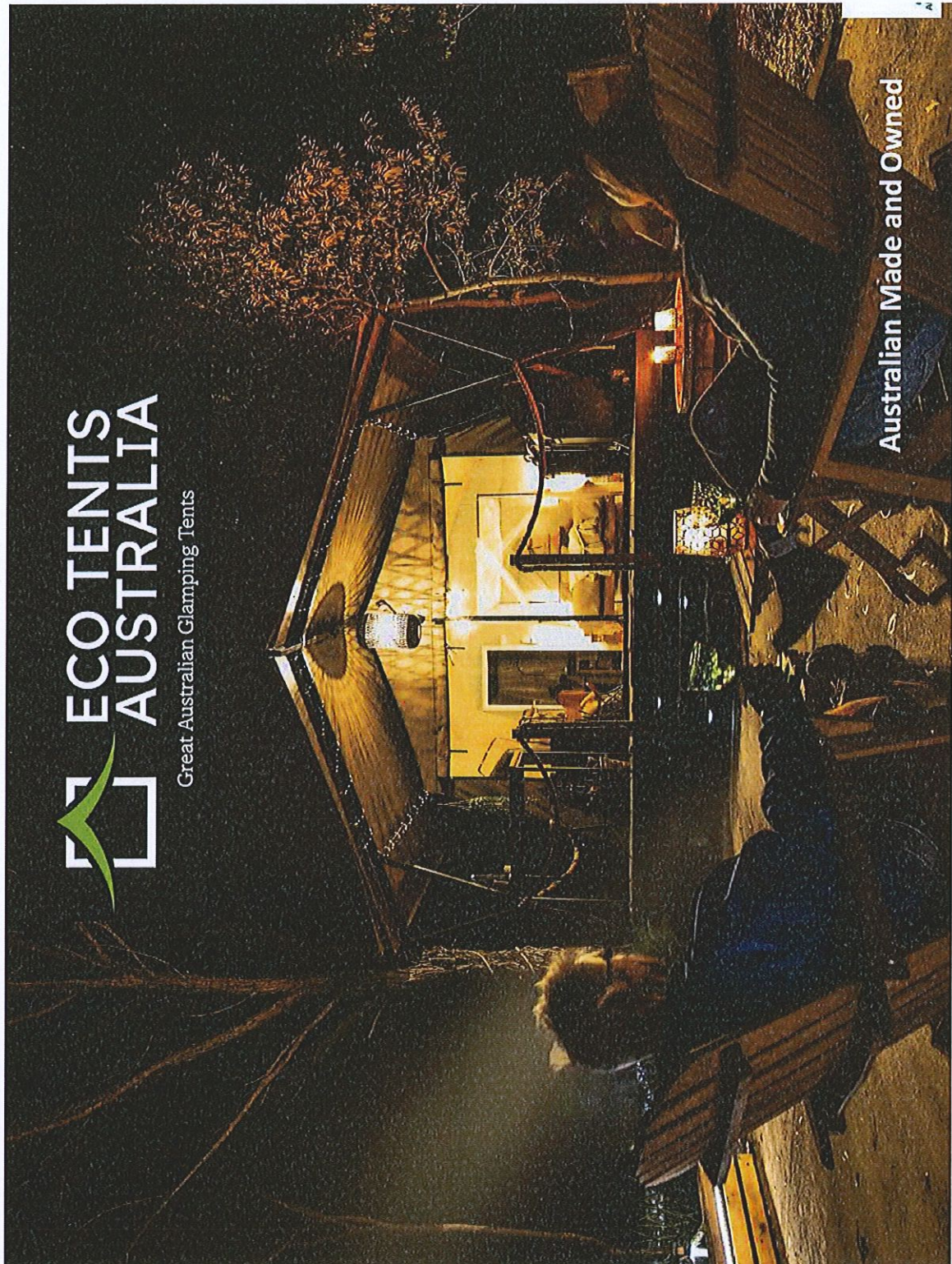
23/1/2024
S. Will



PROPOSED DRAINAGE PLAN FOR MR. NORMAN CAIRD

DR. ROY WALKER 3317 3311

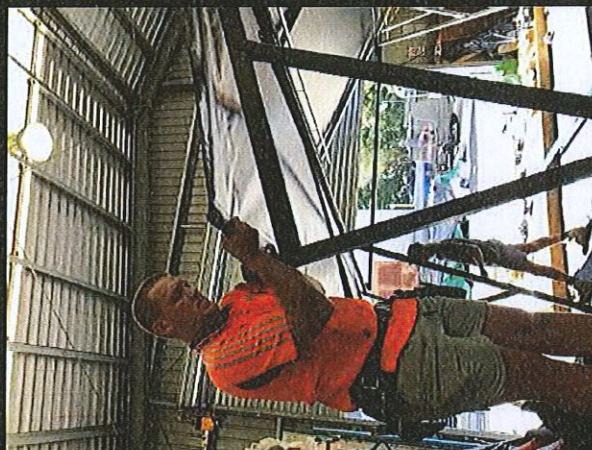
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23/1/2024
B. M. [Signature]



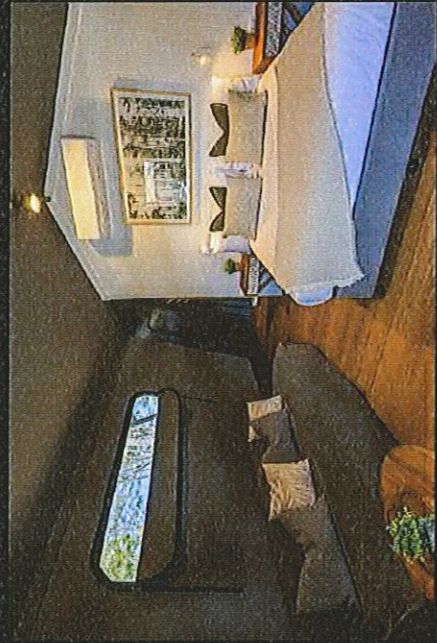
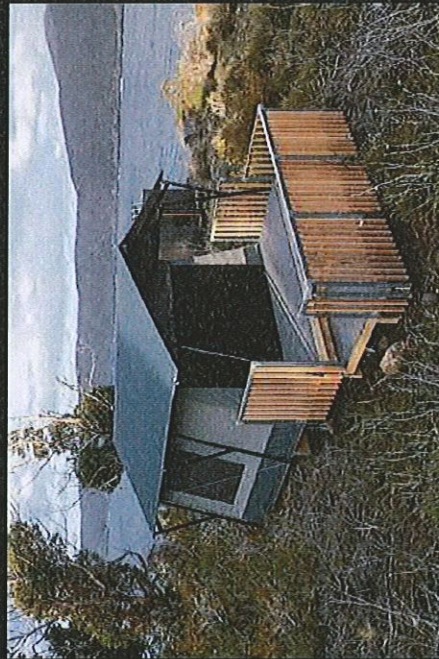
Our tents are designed for Australian conditions,
and hand-made in Brisbane, using Australian canvas



Australian Made and Owned

23/1/2024
B. nia

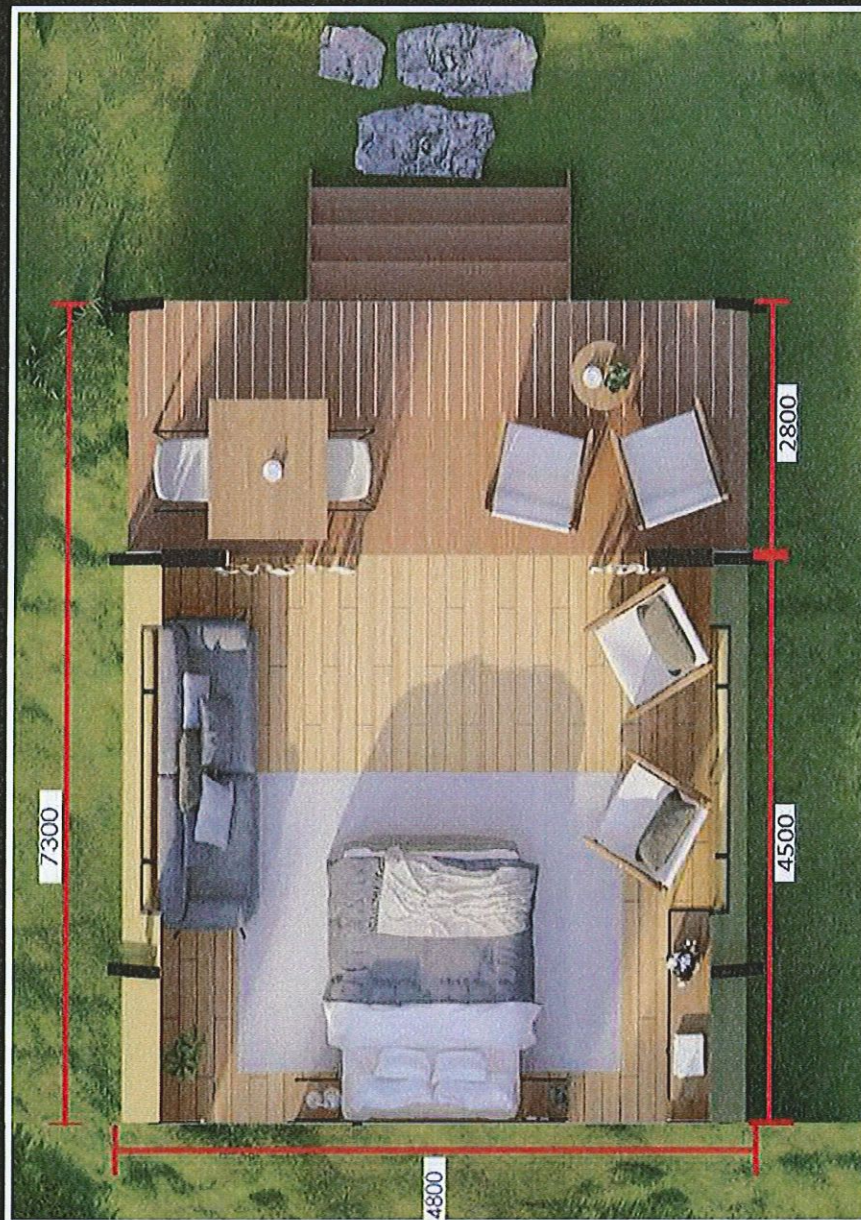
Depending upon your target market, you may select a basic tent layout or create a luxurious glamping environment!



23/1/2024
B. n. Q.



Specifications (standard)



23/1/2024
B. n. [Signature]



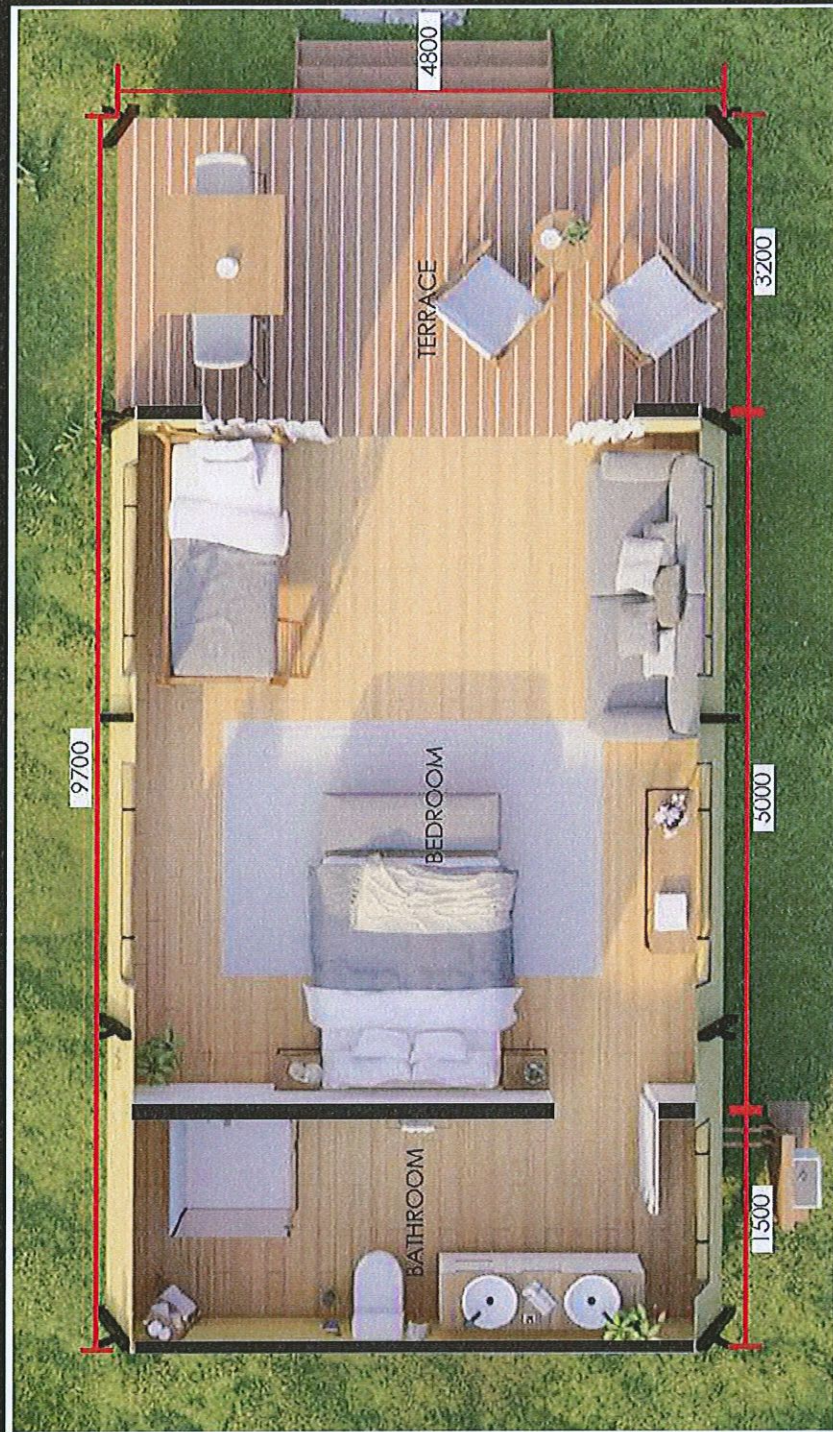
Specifications (medium)



23/1/2024
B. Rick



Specifications (family)

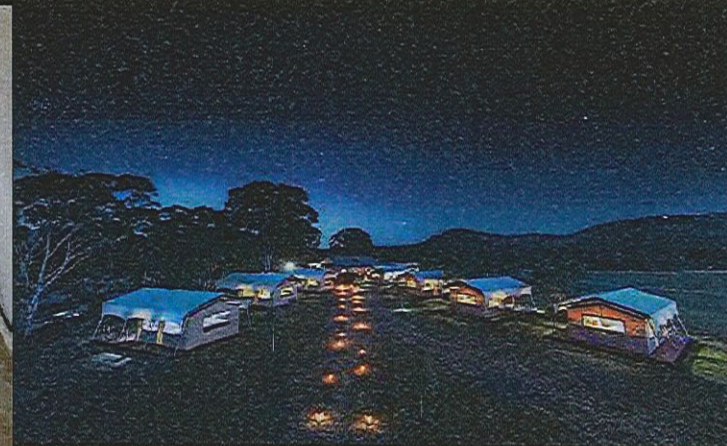


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23/1/2024
B. 2005



Pricing



Size	Internal Tent Size	Alloy Frame & Roof Cover	Price ex GST
Base	4.8m W x 3.5m L	4.8m W x 4.8m L	\$13,000
Standard	4.8m W x 4.5m L	4.8m W x 7.3m L	\$17,250
Medium	4.8m W x 5.5m L	4.8m W x 7.3m L	\$18,750
Family	4.8m W x 6.5m L	4.8m W x 9.7m L	\$21,900

Whites Included in the Price:

- Australian canvas tent
- Aluminium structure frame for entire tent & roof system (includes roof & frame cover over veranda area)
- Roof cover – PVC tensioned roof membrane over the canvas roof
- Detachable wall sections for ease of maintenance (if required)
- PVC base skirt around base of walls (for added protection)
- Sail track frames include space for internal conduit/electrical wiring
- Midgie mesh insect screens on all windows and doors
- All fixings required for install.

Pricing excludes GST, deck, delivery, installation, subject to change due to raw materials.

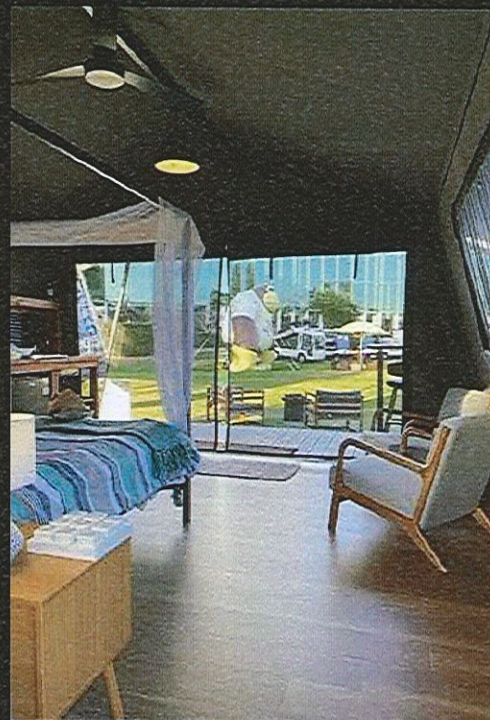
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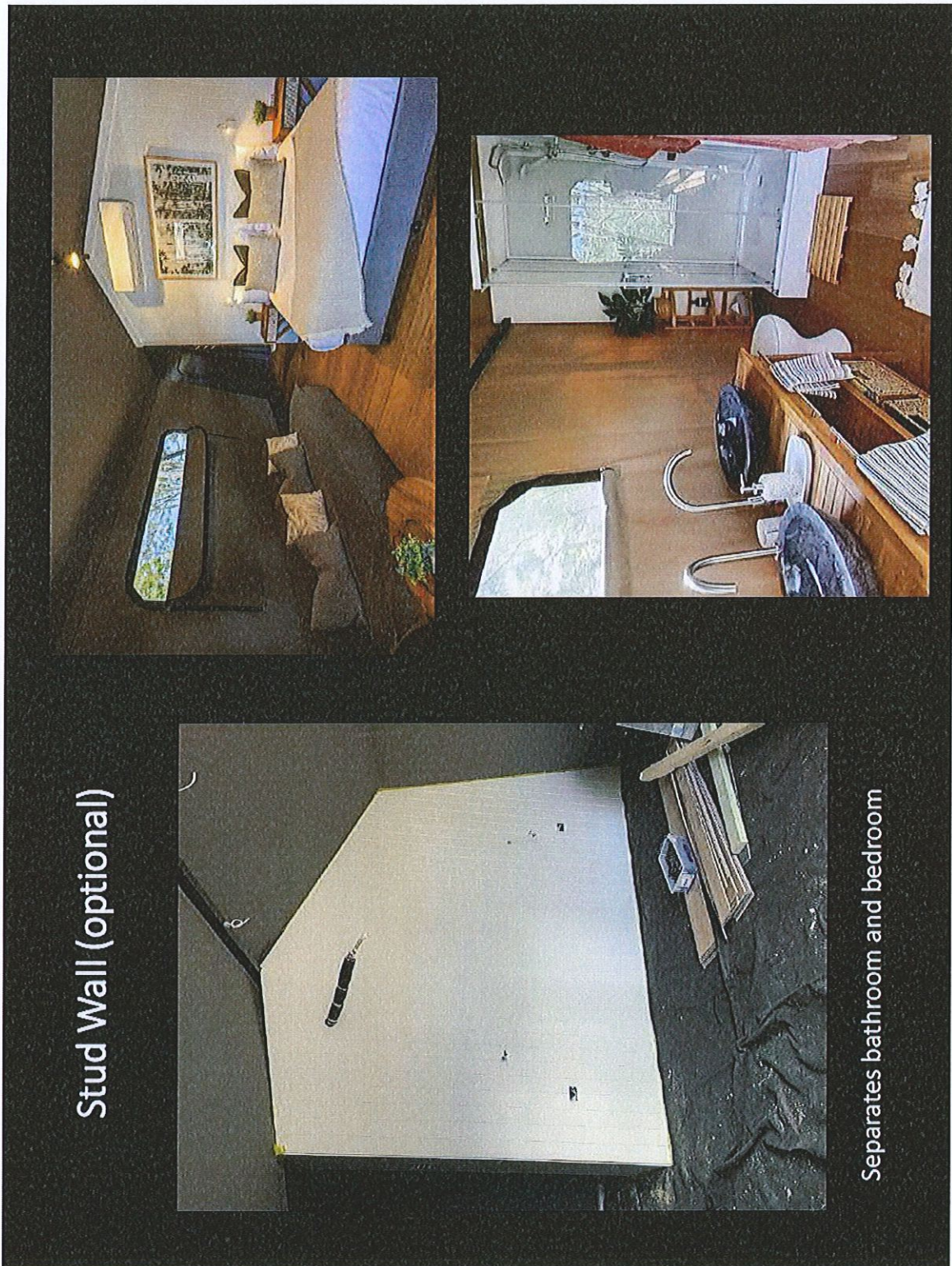


Optional Extra's



- Glass sliding doors.
- Engineered sub frame decks (drawings can be shared for your carpenter to construct if you wish).
- Internal commercial grade hybrid flooring.
- External Trex outer decking.
- Internal stud wall (separates bedroom/bathroom).
- Bathroom area with PVC walls and ceiling.
- Kitchenette cabinet with sink/taps/fridge.





Stud Wall (optional)

Separates bathroom and bedroom

23/1/2024
B. Will



Testimonials

Thank you again for the professionalism & efforts made by Eco Tents Aus to deliver this project with us. She certainly is in a pretty special part of this world... Look forward to the next project!

Neil Lynch, Managing Director, Tasmanian Walking Co

Our safari tent supplied by Eco Tents has exceeded all expectations. They were professional, on time and a pleasure to deal with from start to finish. To be able to view the factory and display tent was a bonus. We cannot speak highly enough with regards the team of builders who installed our tent. Friendly and hard working. We are thrilled with the finish product and highly recommend.

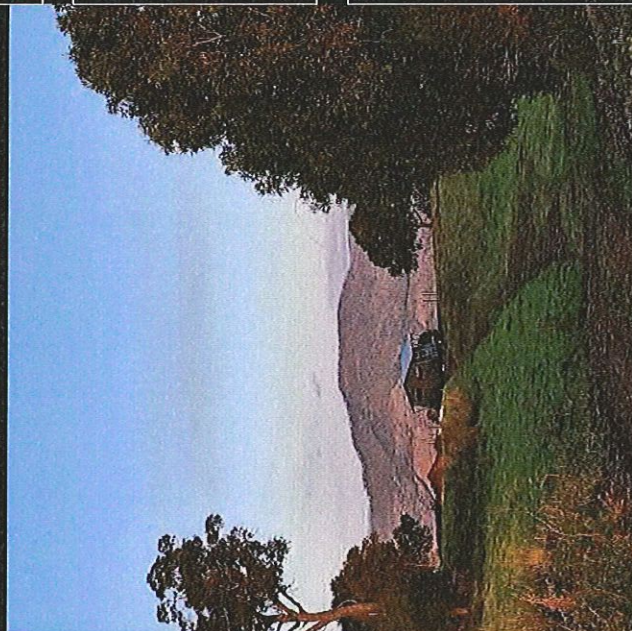
Ian and Tara Wallace

Moogie Glamp @Lake Moogerah

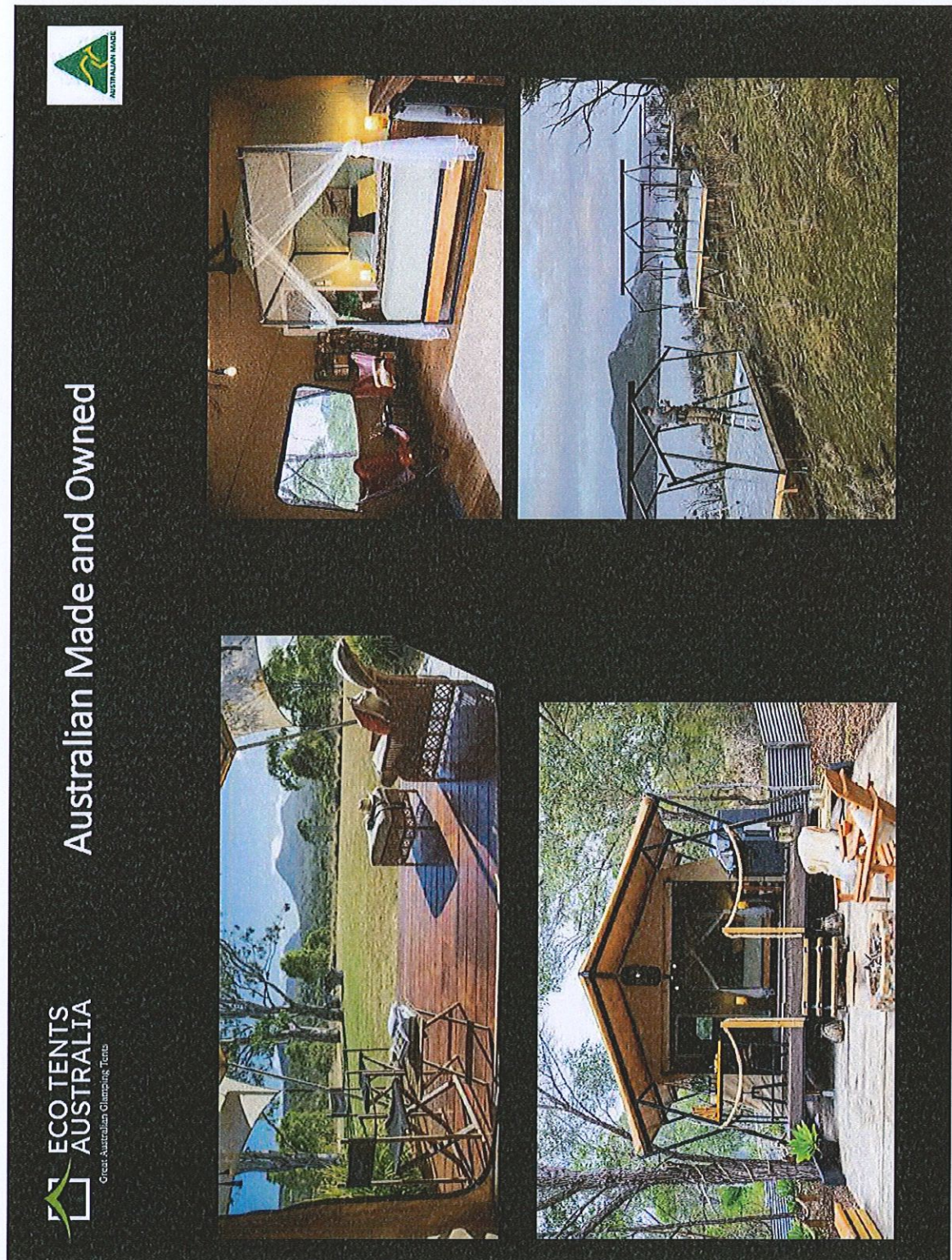
We own a farmstay in the Scenic Rim and we were looking at options to expand the business into an eco friendly glamping experience. We did some research and were impressed with Eco Tents Australia's online presence and website. The eco tents are made and manufactured in Brisbane and we were keen to buy and support an Australian owned company.

We visited the head office in Hermant and were delighted with the quality and workmanship of the eco tents. We wanted a strong and sturdy tent to withstand the range of extreme weather conditions. It has exceeded our expectations in more ways than one and we are incredibly happy with our new eco tent. We have no hesitation in recommending Eco Tents Australia to anyone considering an eco tent for business or personal use. The quality, workmanship and service is of the highest standard.

Doug and Leonie Harvey
Flagrock Farmstay, Scenic Rim QLD.



23/1/2024
B. i. Q.



23/1/2024
B. V. [Signature]

From: [Benjamin Freese](#) on behalf of [Town Planning](#)
To: [Norman Caird](#)
Subject: RE: Development Application Referral Agency Enquiry Form - QLD - Submission Ref: 1171798
Date: Tuesday, 19 December 2023 5:23:36 PM
Attachments: [image001.jpg](#)
[Scan_20231219.pdf](#)

Good afternoon Norman,
Confirming Ergon has no concerns with proposed tent and deck/platform sites as shown on the attached sketch. It is noted the area identified is approximately 200 metres from Ergon's Easement A on RP734956 and overhead 22kV lines.

Kind regards,
Benjamin Freese
Town Planner
Planning, Strategy & Performance | Property Group | Corporate Services



Energy Queensland
Level 1, 26 Reddacliff Street, Newstead QLD 4006
M 0455 403 399
E benjamin.freese@energyq.com.au

energyq.com.au

Are you undertaking development within 100m of a substation? Refer to our new 'development adjoining or in proximity to a substation' fact sheet on the [Energex](#) and [Ergon](#) websites for guidance.

From: Norman Caird <normancaird@bigpond.com>
Sent: Tuesday, 19 December 2023 2:43 PM
To: Town Planning <townplanning@ergon.com.au>
Subject: RE: Development Application Referral Agency Enquiry Form - QLD - Submission Ref: 1171798

Good afternoon Benjamin,

Thank you for your response to my request.

Please find an attachment showing the area around a dam where the Council will give me permission to place platforms for tents providing I have clearance in writing from Ergon. The map is close to scale and the area is more than 100 metres from the easement.

I hope this map is sufficient evidence of my intentions.

Yours

Norman Caird

From: Benjamin Freese <benjamin.freese@energyq.com.au> **On Behalf Of** Town Planning
Sent: Tuesday, December 19, 2023 2:08 PM
To: normancaird@bigpond.com
Subject: RE: Development Application Referral Agency Enquiry Form - QLD - Submission Ref: 1171798

Good afternoon Norman,

Thanks for your enquiry. The following is noted regarding Energex's referral triggers over the subject site:

- The site is not located within 100 metres of an Energex substation; and
- The site is subject to **Easement A on RP734956**, granted in favour of Energex and containing

overhead 22kV feeders. It is the responsibility of the Applicant/Developer to ensure the protection of electricity assets and compliance with relevant safety clearances at all times. It is recommended that the Applicant/Developer undertake a current title search to confirm the presence of the easement and the grantee. Compliance with the conditions of the easement will be required as part of any future development application/works, therefore it is recommended that the Applicant/Developer also acquire the relevant conditions applicable to the easement.

Referral in accordance with the *Planning Regulation 2017* may be required.

Disclaimer: Energex's easement records may not be up to date with recent easement registrations. The response above is provided as advice only, and it is the applicant's responsibility to undertake a title search to confirm the presence of easements and the grantee.

Kind regards,

Benjamin Freese

Town Planner

Planning, Strategy & Performance | Property Group | Corporate Services

Energy Queensland

Level 1, 26 Reddacliff Street, Newstead QLD 4006

M 0455 403 399

E benjamin.freese@energyq.com.au

energyq.com.au

Are you undertaking development within 100m of a substation? Refer to our new 'development adjoining or in proximity to a substation' fact sheet on the [Energex](#) and [Ergon](#) websites for guidance.

From: Ergon Energy <no-reply@ergon.com.au>

Sent: Friday, 15 December 2023 2:41 PM

To: Town Planning <townplanning@ergon.com.au>

Subject: Development Application Referral Agency Enquiry Form - QLD - Submission Ref: 1171798

logo



Website form submission

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 is 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 an 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.