

30 July 2025

Planning Officer: Carl Ewin
Direct Phone: 07 4086 4656
Our Reference: MCU/25/0013
Your Reference: DA/25/0083

Fonzii Pty Ltd TTE
C/- Northern Building Approvals
3B Margherita Close
MAREEBA QLD 4880

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 28 July 2025, 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/25/0013
Street Address: 1013 Mareeba - Dimbulah Road, Paddys Green
Real Property Description: Lot 3 on RP744263
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Material Change of Use Dwelling House (Secondary Dwelling)
Date of Decision: 28 July 2025

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

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 development approval would not have been issued if not for the conditions requiring the construction of infrastructure 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 commencement of the use 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 (as amended) and to the satisfaction of Council's delegated officer.
4. Infrastructure Services and Standards
- 4.1 On-site Sewerage Disposal

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 Council's delegated officer.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
24045 A-01	Perspective Views	EDR Building Designs	21/05/2025
24045 A-06	Site Plan	EDR Building Designs	21/05/2025
24045 A-07	Floor Plan	EDR Building Designs	21/05/2025
24045 A-09	Elevations	EDR Building Designs	21/05/2025
24045 A-10	Elevations	EDR Building Designs	21/05/2025

ADVISORY NOTES

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

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.

(e) 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

RIGHTS OF APPEAL

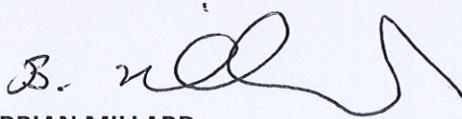
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

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 & BUILDING

Enc: Approved Plans/Documents
Appeal Rights

DESIGN WIND CLASSIFICATION C2

GENERAL NOTES

- REFER SHEET NO. 202
- LOCAL SECTOR AND ACTUAL LEVELS OF BUILDING CORNER PRIOR TO EXCAVATION
- CONTRACTOR TO CHECK ON SHEET ALL DIMENSIONS PRIOR TO SIGNING AND
- ALL DIMENSIONS ARE TO USED LINES FACE OF
- BLOCKWORK/CONCRETE
- FACE OF STUCCO/CEMENTLINE OF CEILING, ETC.
- ALL SERVICES PERFORMERS ARE TO CHECK THE CONTRACT DOCUMENTS PRIOR TO COMMENCEMENT
- CONSTRUCT WITH PARTICULATE RAMP, STAKES AND PLYWOOD/WIREMESH TO COMPLY WITH ASHRAE/LEED
- WHERE A TIME LINED PRODUCT IS SPECIFIED IN THESE DOCUMENTS IT IS TO BE DELIVERED TO THE CONTRACTOR TO APPROVAL OF CONTRACT ADMINISTRATOR

NOTE

THIS PLAN IS AVAILABLE IN THE OF PROJECTS LISTED ON THE PROJECT TO CONSTRUCTION FROM CONFORM WITH PRESSURE OF INSTALL PRESSURE, LAMPING DEVICE

SIZE NOTES

ALL DIMENSIONS TO CORNER FINISH UNLESS OTHERWISE NOTED. CONFORM ALL DIMENSIONS TO CONSTRUCTION CLERK TO PROVIDE SECTION PLAN SHOWING FINISH ALTERNATING EXTERIOR, SHOWER PANELS, ETC. TO BE SEEN. 2. STOP WATER TO ACCORDANCE

ALL PLUMBING & FRAMEWORK SHALL BE IN ACCORDANCE WITH SERVICE AND WATER SUPPLY. NOT FINISH, ASSOCIATED AMENITIES & RELEVANT AUSTRALIAN STANDARDS.

ALL WASTE TO BE FRAMED AWAY FROM BUILDING DURING LIFTING. CONSTRUCTION TO BE IN ACCORDANCE WITH SLABS & FOOTINGS

FINISHED SUB LEVEL TO BE FINISH STONE ABOVE FINISHED GROUND LEVEL

ALL EXHAUSTS TO COMPLY WITH ASHRAE/LEED. PROVIDE MARKINGS ON EXHAUSTS PER COMMERCIAL & RESIDENTIAL DEVELOPERS.

ALL EXISTING VEGEATION ON THE PROPERTY TO BE REMOVED BY THE PROPOSED RESIDENTIAL DEVELOPER AND TO BE REPLACED WITH THE SAME OR BETTER SPECIES DETAIL FROM THE PROPOSED RESIDENTIAL DEVELOPER.

RESIDENTIAL FOOTINGS ARE TO BE REPAIRED WELL PRIOR TO CONSTRUCTION TO ALLOW THE SELLER'S INSURANCE COMPANY TO RETURN TO A STATE OF FULL BURN

REPRESENTATIONS MADE BY THE REMOVAL OF EXISTING STRUCTURES AND SERVICES SHALL BE CLEARLY MARKED WITH COMPACTED SELECT FILL

LOT NUMBER: 9
 SP NUMBER: 744263
 PARISH: -
 COUNTY: -
 STATE AREA: 101000 TP

LEGEND

di	ONE (1) 100 AMP
ds	ONE (1) 200 AMP
di	FEEDING AS SELECTED
PH	RAIN HOLE
WH	WASTE WATER
---	WASTE WATER
---	EXIST. SEWER
---	EXIST. SEWER
---	EXIST. SEWER
---	EXIST. POWER LINES
---	EXIST. POWER LINES
---	EXIST. POWER LINES
---	EXIST. ELECTRICAL LINE

Site Plan
SCALE 1:3000

CONSTRUCTION ISSUE

ES/LS/RS/RS/RS

Document No: 427388
 Version: 1, Version Date: 22/07/2025

Affiliate Level 2
 Affiliates Institute of Architects
 2015

Project Name: S & C Driveway
 Client Name: S & C Driveway
 Project Address: Lot 9 Byrnes Rd
 Mareeba

Project Number: SAC/27
 Drawn By: EJP
 Scale: As AP
 Sheet Number: A-CG

PLEASE NOTE - SECTORIAL VEGETATION OR MODIFICATION TO THE ORIGINAL DESIGN OF STRUCTURE, MEMBERS WILL VOTE FOR BUILDING DESIGN OR ANY REVISIONS TO THE STRUCTURAL DESIGN & REVISIONS OF THE BUILDING

EPR BUILDING DESIGNS PO BOX 1930 ABERDEEN QLD 4803 AEN 75 121 588 052 GBSA 104 2556 emst@eprconceptsc.com.au

31/05/2025 14:00 AM

DESIGN WIND CLASSIFICATION C2 TYP O/H = 900mm ROOF PITCH 17.5° TILED ROOF
 C:\Users\erwin\Desktop\Projects\14-0000 - Jaleba - 0001\Working\Drawings\01\01\01.dwg
 25/07/2025 10:56 AM

EDR BUILDING DESIGNS
 PO BOX 1930 ABERDEEN QLD 4803 AEN 75 21 588 052 0891 04 2566 ernest@edrbldg.com.au

PLEASE NOTE - SUBMITTAL VARIATION OR MODIFICATION TO THE ORIGINAL DESIGN OR STRUCTURAL MEMBERS WILL VOID EDR BUILDING DESIGNS CEILING AND FLOORING DESIGN. ANY REVISIONS TO THE ORIGINAL DESIGN MUST BE APPROVED BY EDR BUILDING DESIGNS.

Elevation 1

Elevation 2

CONSTRUCTION ISSUE

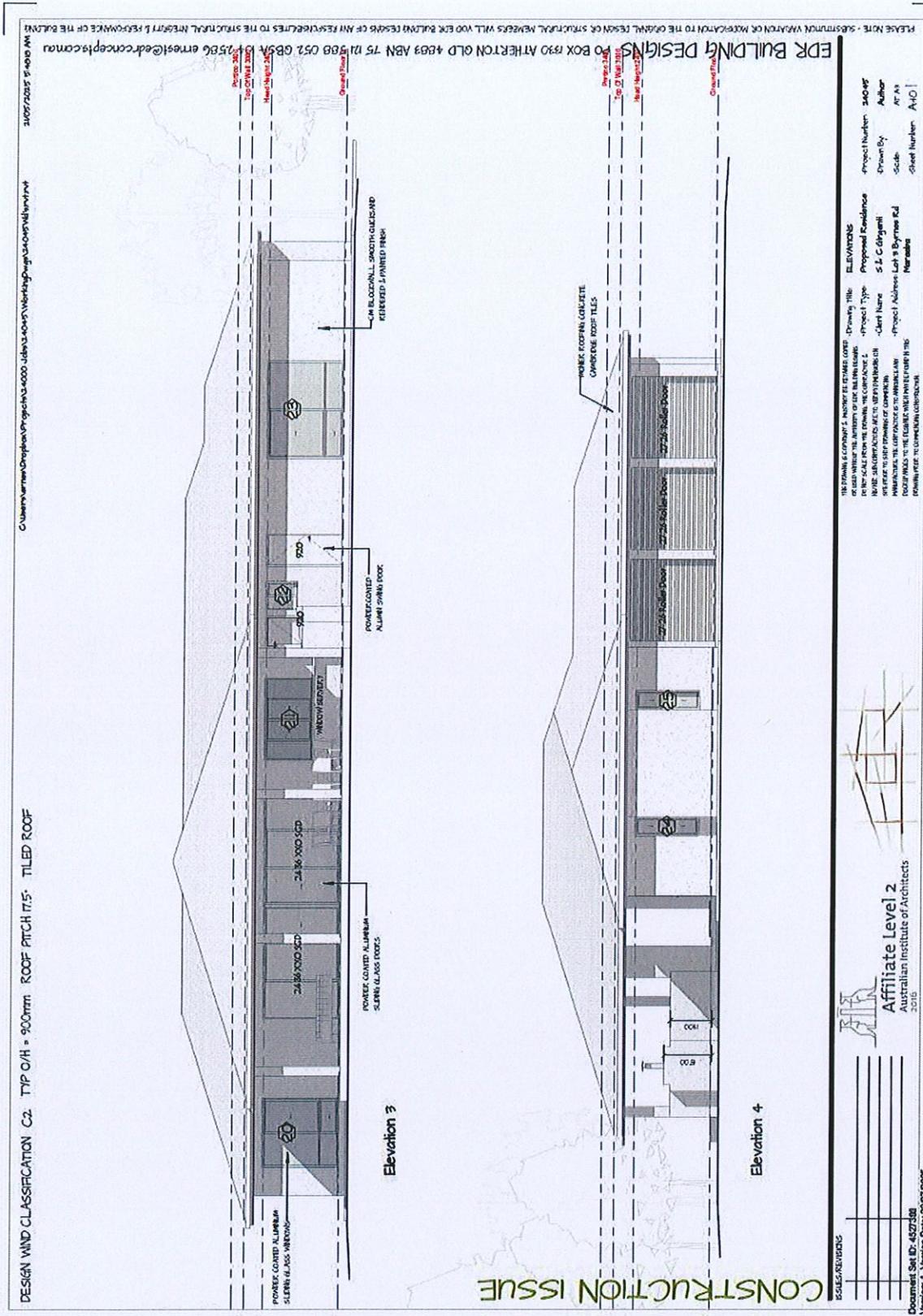
BSE/RS/US/2025

Document Set ID: 487388
 Version: 1, Version Date: 22/07/2025

Affiliates Level 2
 Australian Institute of Architects
 2015

THIS DRAWING IS THE PROPERTY OF EDR BUILDING DESIGNS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF EDR BUILDING DESIGNS.

ELEVATIONS
 Project Number: 140001
 Project Name: Jaleba
 Client Name: S L C Regional
 Project Address: Lot 9 Bymore Rd
 Narrabri
 Drawn By: Ar A
 Scale: As Shown
 Sheet Number: A-09



DESIGN WIND CLASSIFICATION C2 TYP O/H = 900mm ROOF PITCH 17.5° TILED ROOF

PLEASE NOTE - STRUCTURAL WEATHER OR MODIFICATION TO THE ORIGINAL DESIGN OR STRUCTURAL MEMBERS WILL VOID OUR BUILDING DESIGN OR ANY RESERVE LOADS TO THE STRUCTURAL MEMBER'S PERFORMANCE OF THE BUILDING

PROJECT NO: 2207/2025
PROJECT NAME: AFFILIATE LEVEL 2
CLIENT: MAREEBA SHIRE COUNCIL
DATE: 22/07/2025

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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.