

**DELEGATED REPORT**

**SUBJECT:** R & M PATANE - OPERATIONAL WORKS (ROADWORKS) FOR DEVELOPMENT PERMIT MCU/23/0021 – LOTS 1, 2 & 3 ON SP311305 AND LOT 4 ON NR3750 – 49 FICHERA ROAD, MAREEBA - OPW/25/0005

**DATE:** 17 September 2025  
**REPORT OFFICER'S TITLE:** Supervisor Planning & Building

**DEPARTMENT:** Corporate and Community Services

**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	R & M Patane	<b>ADDRESS</b>	49 Fichera Road, Mareeba
<b>DATE LODGED</b>	15 August 2025	<b>RPD</b>	Lots 1, 2 & 3 on SP311305 and Lot 4 on NR3750
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Operational Works (Roadworks) for Development Permit MCU/23/0021		

<b>FILE NO</b>	OPW/25/0005	<b>AREA</b>	Lot 1 - 4.228 ha Lot 2 - 3.057 ha Lot 3 - 19.06 ha Lot 4 - 41.27 ha
<b>LODGED BY</b>	OSE Group	<b>OWNER</b>	R & M Patane
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Rural zone		
<b>LEVEL OF ASSESSMENT</b>	Code Assessable		
<b>SUBMISSIONS</b>	n/a		

**ATTACHMENTS:** 1. Proposal Plan/s

**PREVIOUS APPLICATIONS & APPROVALS**

MCU/23/0021

**DESCRIPTION OF PROPOSED DEVELOPMENT**

The development application seeks a Development Permit for Operational Works (Roadworks) for Development Permit MCU/23/0021.

**ASSESSMENT**

## State Planning Policy

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

## Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.9 Rural zone code
- 9.4.5 Works, services and infrastructure code

The application did not include a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable outcomes (or performance outcome where no acceptable outcome applies) of the relevant codes set out below.

Relevant Codes	Comments
Rural zone code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.

## Compliance with conditions of earlier related approval

MCU/23/0021 – Material Change of Use – Tourist Park

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 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

The applicant shall ensure there is no on site disposal of refuse associated with the approved 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) An 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, 1.8m high solid fence or building.

Lids or coverings must be installed on all refuse storage bins when not in use to prevent wildlife scavenging.

### 3.5 Emissions

Emissions associated with the development must not cause an 'environmental nuisance' within the meaning of the *Environmental Protection Act (1994)* to any sensitive receptor.

Tourist Park guests are not permitted to play amplified music of any kind.

### 3.6 Bushfire Management

3.6.1 A Bushfire Management Plan, incorporating evacuation procedures, campfire guidelines and fire break/trail maintenance for the campground 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.

3.6.2 The applicant must ensure any open fires are appropriately managed and contained.

3.7 A site manager/s must be present on-site at all times to ensure compliance with these conditions of approval.

### 3.8 Signage

3.8.1 No more than 1 advertising sign for the approved development is permitted on the subject site.

- 3.8.2 The sign must not exceed a maximum sign face area of 6m<sup>2</sup> and must not move, revolve, strobe or flash.
- 3.8.3 The sign must be kept clean, in good order and safe repair for the life of the approval.
- 3.8.4 The sign must be removed when no longer required.
- 3.8.5 The erection and use of the advertisement must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions.

3.9 The campground shall not accommodate more than 74 persons at any time.

Upon request, booking records must be made available to Council demonstrating compliance with this condition.

3.10 The maximum length of stay for any self-contained campers must not exceed seven (7) consecutive days.

#### 4. Infrastructure Services and Standards

##### 4.1 Access Crossover

All access crossovers used for this development must be upgraded/constructed/maintained (from the edge of Fichera Road to the property boundary) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

##### 4.2 Road Safety Assessment

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

- Fichera Road (between Tinaroo Creek Road and the access into Camping Site 1/B).

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

- (i) Road geometry (horizontal & vertical).
- (ii) Carriageway width (pavement, seal and shoulders) – ability for opposing traffic to safely pass each other.
- (iii) Vehicle sightlines.
- (iv) Intersection treatments.
- (v) Approaches to the Fichera Road Tinaroo Creek bridge.
- (vi) Other roadside hazards.

The road safety assessment must provide recommendations on practical treatments to reduce the risk of any hazards to acceptable levels (e.g. localised pavement widening, signage, linemarking, road edge delineation

etc.). The road safety assessment must be submitted to Council for review and agreed works must be undertaken by the applicant at no cost to Council, prior to the commencement of the use.

The value (as agreed by Council's delegated officer) of the agreed works undertaken by the applicant shall be credited against the adopted infrastructure charge payable for this development.

The abovementioned works must be approved by Council as part of a subsequent application for operational works.

#### 4.3 Stormwater Drainage/Water Quality

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 must be discharged to an approved legal point of discharge.

#### 4.4 Car Parking/Internal Driveways

4.4.1 The applicant/developer must ensure that the development is provided with sufficient on-site car parking. No parking of vehicles associated with the development is permitted to occur outside the property boundary or within road reserve.

4.4.2 All car parking spaces, and trafficable areas must be surface treated with gravel or maintained with an intact grass cover so as to minimise erosion and must be appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.4.3 All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

#### 4.5 Non-Reticulated Water Supply

All non-potable water supplied to campground visitors must be clearly labelled at each tap - Non Potable Water - not safe for Human Consumption.

In the event that the campground is provided with a potable water supply, it must be treated so as to be potable (safe for drinking in accordance with National Health Medical Research Guidelines).

#### 4.6 On-Site Wastewater Management

4.6.1 No black or grey water from any campground guest is to be discharged on site.

4.6.2 Any accidental discharge of black or grey water on site must be reported to Council immediately.

4.6.3 Should permanent ablutions facilities be constructed onsite, all on site wastewater disposal associated with these facilities must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.6.4 Any on-site wastewater treatment system with a total daily peak design capacity of at least 21 equivalent persons (EP) is an Environmentally Relevant Activity (ERA 63 - Sewerage Treatment) and an Environmental Authority is required.

#### 4.7 Lighting

Lighting associated with the development must be set up to minimise light spillage and not cause nuisance to any neighbouring property. Where permanent outdoor lighting is proposed, the developer shall locate, design and install lighting in order to prevent 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 eight (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.

### FNQROC Regional Development Manual

All development works will be carried out in accordance with FNQROC Development Manual standards.

### REFERRALS

#### Internal Consultation

Technical Services

### OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
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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), relevant period in (D) and further approvals from Council listed in (E);

(A) APPROVED DEVELOPMENT: Development Permit for Operational Works (Roadworks) for Development Permit MCU/23/0021

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
24070-C002 Rev B	Fichera Road Signage Plan	OSE Group	15.09.2025
24070-C003 Rev B	Entry/Exit Site Plan	OSE Group	16.09.2025
24070-C004 Rev B	Access/Exit Driveway Details Sheet 1 of 2	OSE Group	15.09.2025
24070-C005 Rev B	Access/Exit Driveway Details Sheet 2 of 2	OSE Group	15.09.2025

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) (i) The Fichera Road access into Site 1/B must be upgraded in accordance with FNQROC Regional Development Manual Standard Drawing S1105.

(ii) Note -The Fichera Road access to proposed Site 1/A may be constructed, however proposed Site 1/A must not be used for a tourist park until such time as a further development permit for material change of use – tourist park is in effect authorising proposed Site 1/A's use for a tourist park.

(b) **General**

(i) All operational works must be designed and constructed in accordance with the procedures as set out in the FNQROC Development Manual.

(ii) 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, 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;
- to ensure the works comply in all respects with the requirements and procedures of the FNQROC Development Manual and good engineering practice; and
- to ensure compliance with the following conditions of approval.

(iii) Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting

Engineer to resubmit amended plans to Council for approval and rectify works accordingly.

**(c) Pre-start Meeting**

- (i) In addition to the requirements of Clause CP1.07 and CP1.08 of the FNQROC Development Manual; after documentation has been approved by Council, a pre-start meeting is to be held on site prior to the commencement of work. Part 1 of the **attached** pre-start meeting pro-forma is to be completed and returned prior to the meeting including clause 1.u 'Request for Meeting' together with the prescribed Construction Monitoring Fee as set out in Council's Schedule of Fees.

**(d) Inspections**

- (i) Inspections are to be carried out as detailed in the FNQROC Manual unless advised otherwise at the pre-start meeting.

**(e) Construction Security Bond and Defects Liability Bond**

- (i) In addition to Clauses CP1.06 and CP1.20 of the FNQROC Development Manual; the Construction Security Bond and Defects Liability Bond shall each be a minimum of \$1000 and Bank Guarantees shall have no termination date.
- (ii) During the Defects Liability period, it is the responsibility of the developer to rectify any works found to be defective due to design faults and or found to exhibit faults attributed to the performance of the construction activities in terms of quality and conformance with design and specifications. The bond will be returned on satisfactory correction of any defective work and after expiration of the maintenance period. Failure to comply with a Council issued instruction to correct defective work may result in the call up of the bond to have the work completed.

**(f) Hours of Work**

- (i) Work involving the operation of construction plant and equipment of any description, shall only be carried out on site during the following times:
  - 7.00am to 6.00pm, Monday to Friday;
  - 7.00am to 1.00pm Saturdays;
  - No work is permitted on Sundays or Public Holidays.
- (ii) No variation to the above working hours is allowed unless otherwise agreed in writing by Council.

**(g) Transportation of Soil**

- (i) 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 pavement from works on the subject land, it must be removed no later than at the end of each working day. Sediment must not enter Council's stormwater drainage network.

**(D) RELEVANT PERIOD**

When approval lapses if development not started (s.85)

- Any other development – two (2) years (starting the day the approval takes effect).

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

- Nil

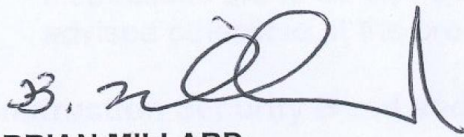
**Date Prepared:** 17 September 2025

## DECISION BY DELEGATE

## DECISION

Having considered the Supervisor Planning & Building's report detailed above, I approve, as a delegate of Council, the application subject to the conditions listed in the report.

Dated the 17<sup>TH</sup> day of SEPTEMBER 2025



**BRIAN MILLARD**  
**COORDINATOR PLANNING & BUILDING**

MAREEBA SHIRE  
AS A DELEGATE OF THE COUNCIL

APPROVED PLANS

**PROPOSED TOURIST PARK  
49 FICHERA ROAD, MAREEBA**

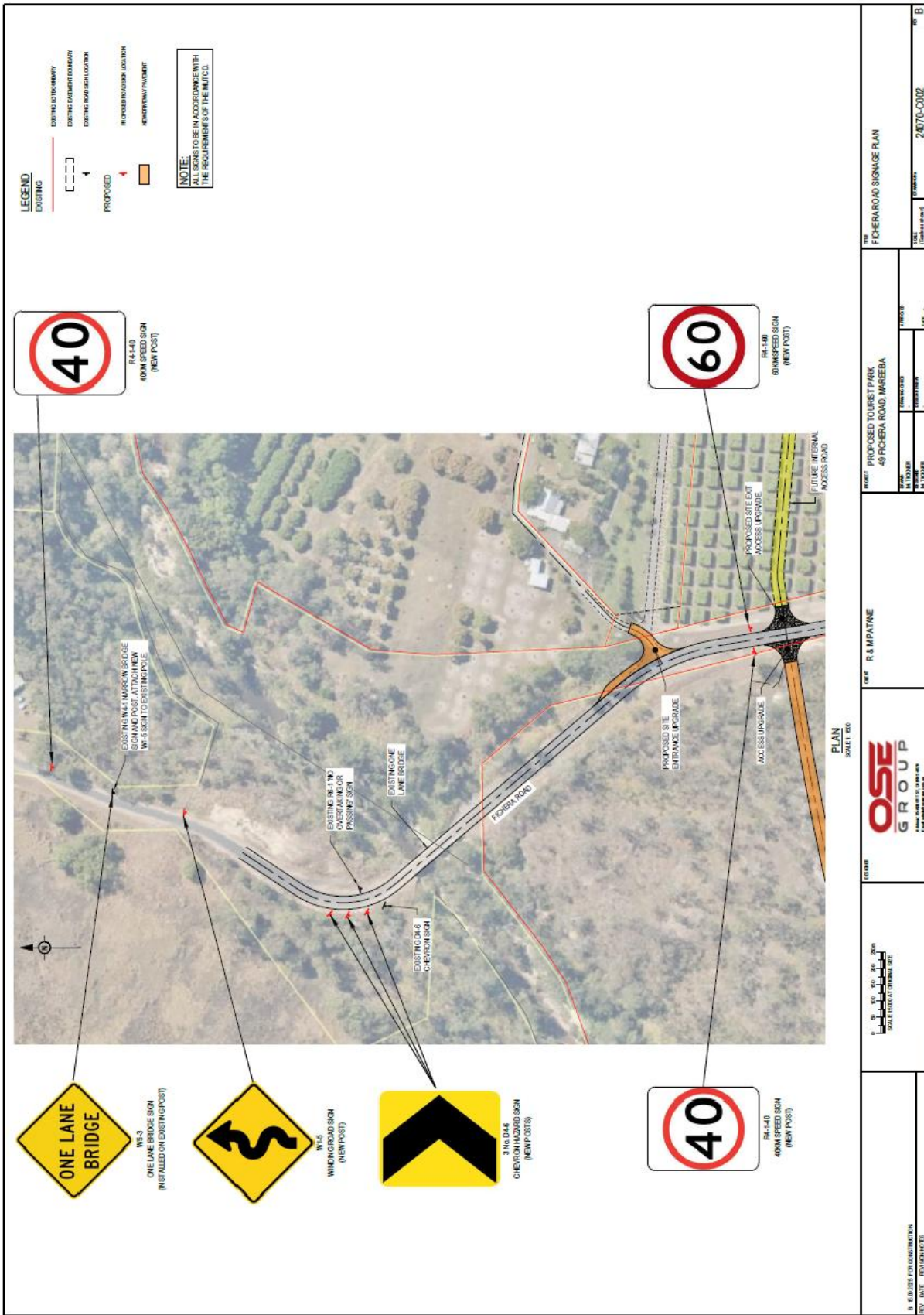
**FOR**

**R & M PATANE**



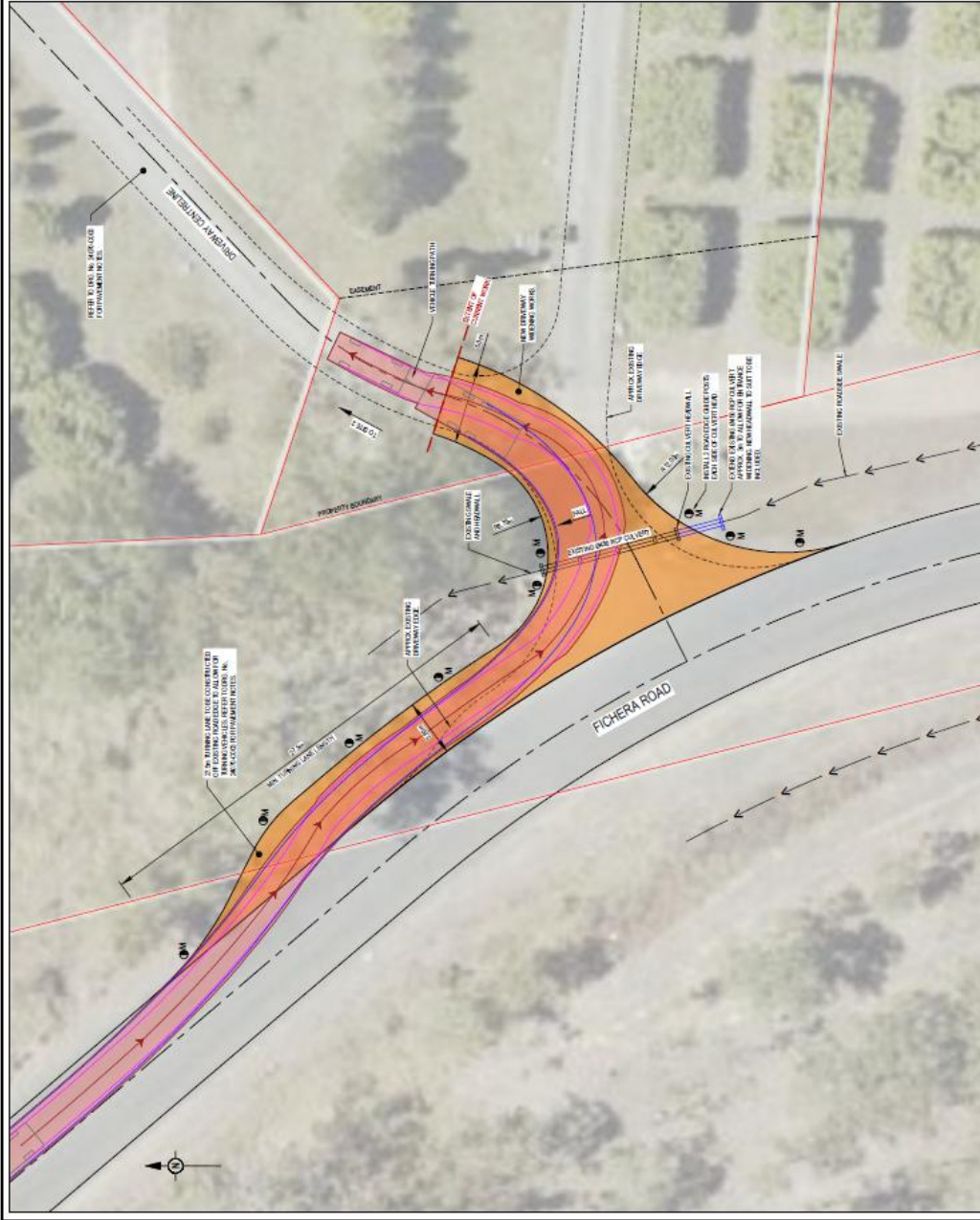
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Email: [admin@osegroup.com.au](mailto:admin@osegroup.com.au)

**AUGUST 2025**

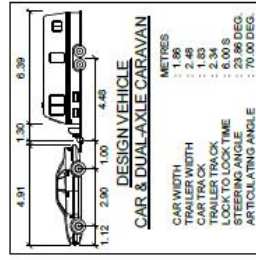








- LEGEND**
- EXISTING
    - EXISTING PROPERTY BOUNDARY
    - EXISTING DRIVEWAY
    - EXISTING DRIVEWAY LINE
  - PROPOSED
    - PROPOSED DRIVEWAY
    - PROPOSED DRIVEWAY LINE
    - PROPOSED PROPERTY BOUNDARY



DETAIL  
SCALE 1:200  
MAIN ENTRANCE



PROJECT: PROPOSED TOURIST PARK  
49 FICHERA ROAD, MAREEBA

SHEET 2 OF 2

DATE: 15/05/2018	DESIGNER: R & MPATANE	PROJECT: PROPOSED TOURIST PARK 49 FICHERA ROAD, MAREEBA	SHEET: 2 OF 2
DATE: 15/05/2018	DESIGNER: R & MPATANE	PROJECT: PROPOSED TOURIST PARK 49 FICHERA ROAD, MAREEBA	SHEET: 2 OF 2
DATE: 15/05/2018	DESIGNER: R & MPATANE	PROJECT: PROPOSED TOURIST PARK 49 FICHERA ROAD, MAREEBA	SHEET: 2 OF 2

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