

21 November 2025

Planning Officer: Carl Ewin
Direct Phone: 07 4086 4656
Our Reference: MCU/25/0015
Your Reference: M1-25

Nadine A Spottiswood
C/- U&i Town Plan
35 Sutherland Street
MAREEBA QLD 4880

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 19 November 2025, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	MCU/25/0015
Street Address:	5 Martin Tenni Drive, Mareeba
Real Property Description:	Lot 12 on SP146296
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use – Crematorium (Pet Crematorium)
Date of Decision:	19 November 2025

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is (6) six 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 (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 Waste Management

On site refuse storage area must be provided and be screened from view from adjoining properties and road reserve by one (1) metre wide landscaped screening buffer, 1.8m high solid fence or building.

3.5 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 and a maximum noise level of 8dB(A) above background levels as measured from commercial locations.

3.6 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.

3.7 Cremation wastes

Cremation wastes must not be buried on the premises.

4. Infrastructure Services and Standards

4.1 Stormwater Management

- 4.1.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

- 4.1.2 All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.2 Car Parking/Internal Driveways

- 4.4.1 The applicant/developer must ensure the development is provided on-site car parking spaces in accordance with the approved plans, which are available solely for the parking of vehicles associated with the use of the premises.

- 4.4.2 All car parking spaces and internal driveways must be concrete sealed and appropriately drained and maintained for the life of the development, to the satisfaction of Council's delegated officer.

4.3 Landscaping

The site must be landscaped in accordance with the approved plan/s, mulched, irrigated and maintained for the life of the development, to the satisfaction of Council's delegated officer.

4.4 Lighting

Where installed, external lighting must be designed and installed in accordance with *AS4282 – Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
809254 Sheet 2	Site Plan	-	-

ASSESSMENT MANAGER'S ADVISORY NOTES

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

- (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) The change in the use of the building may also require a change in the classification of the building under the Building Act. You are advised to contact a Building Certifier to establish if a change in the classification of the building is required.
- (c) A Trade Waste Permit may be required prior to the commencement of use.
- (d) 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.

(e) 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.

(f) 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.

(g) 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.

(h) 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](http://ElectricantsinQueensland.com.au) or contact Biosecurity Queensland 13 25 23.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

SUBMISSIONS

There were no properly made submissions about the application.

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.

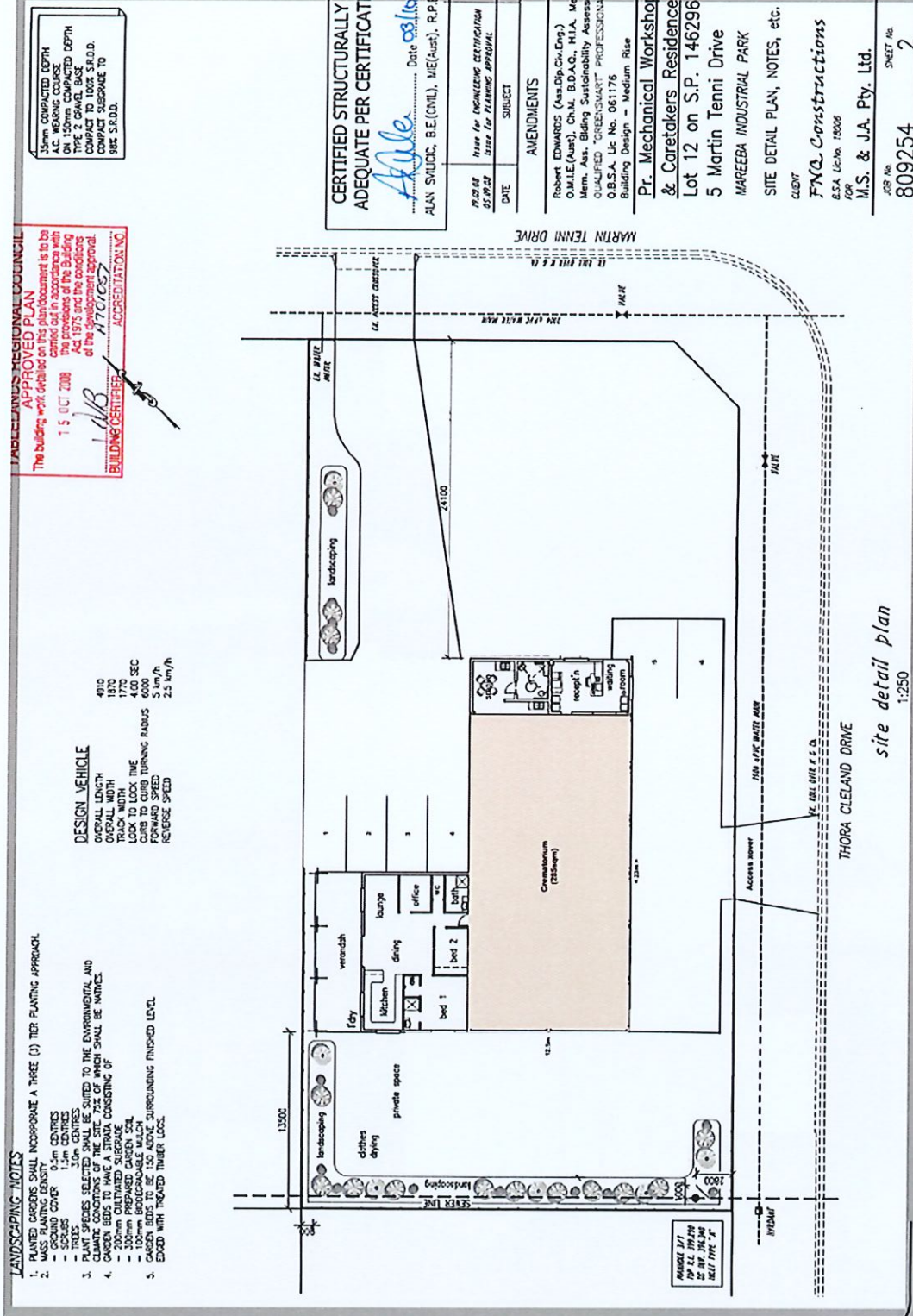
Yours faithfully



for **BRIAN MILLARD**
COORDINATOR PLANNING & BUILDING

Enc: Approved Plans/Documents
Appeal Rights

Approved Plans/Documents



KLEENBURN SYSTEMS



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Service & Maintenance - Oil & Gas Fired
Heat Exchangers - Boilers - Forges
Refractory Reline & Repair
Cremation Systems



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KLEENBURN SYSTEMS

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About Kleenburn

- ♣ As a division of R & Y Engineering; Kleenburn specialise in marketing and assist in the design, manufacture, installation and service of Human Cremation Systems, Pet Cremation Systems, Poultry Bio-security Systems, Hydraulic Loading Machines, Transfer Trolleys, Ash Processors, Ash Trays, etc.
- ♣ R & Y are 100% Australian designed and fabricated.
- ♣ With over 30 years' experience and over 150 systems installed across Australia plus numerous ancillary devices such as ash processors and hydraulic loading machines.
- ♣ We have an extensive client list; over 90% of all Australian East Coast crematoriums have at least one R & Y system installed.
- ♣ R & Y and Kleenburn are a small but committed family team; offering consistent, reliable and affordable service.
- ♣ Using the latest in design and technical innovation to provide the most efficient and cost effective cremation systems to date.
- ♣ Offering purchase of new units and/or upgrades to older machines to meet current specifications, with guarantee and service available.
- ♣ Equipment is reliable, fuel efficient and clean, with simple operation.
- ♣ All units meet Local Council and Clean Air requirements.
- ♣ R & Y Engineering provide 24 hour / 7 Day Breakdown Service.
- ♣ Breakdowns and other minor or major repair work can be carried out with minimal cost and down time.
- ♣ Systems cost from \$ 105,000 AUD + GST **.
- ♣ Cremation times approximately 80 minutes on average.

**** Additional costs apply for delivery, cramage, loading and unloading at installation site .**

**** These costs may vary depending on season, availability, material costs, type of unit or equipment being delivered etc.**



Pet Cremator



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Pet Cremation Unit Machine Details

- 1 off cremator unit with 1 main chamber and lower secondary chamber
- 2 off LPG fuelled burners or natural gas, 1 off main burner rated at 0.9 GJU/hr. 1 off secondary burner rated at 0.6 GJU/hr
- Fully automatic control with manual over-ride
- 1 off combustion blower
- 1 off exhaust fan unit
- 4 metres stainless steel stack (standard)
- Fully programmable temperature controllers. Both burners with manual over-ride control
- Post firing cool down timer
- 2 second fume holding (standard)
- Fully installed and commissioned (Australia wide)
- Painted enamel finish (standard) with stainless steel optional
- 2 off Ash Pans plus 2 off Rakes

Options

- Hydraulic Loading Machine (Height Adjustable)
- Holding & Storage Rack
- Ash Processing Unit (with or without Dust Extraction Unit)
- Ash Tray
- Custom Units can be designed at Client request

PLEASE NOTE: Customer to Supply the following:

- Power supply to our control panel
- Fuel supply to our isolation point on furnace
- Flue trenching (for under floor systems)
- Roof flashing around stack
- Unloading and installation requirements to be discussed
- Delivery to and Cranage on Site
- Any Approvals & Inspections from Local Authorities

**** These services can be arranged by R & Y upon customer request**



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Pet Cremation Unit Specifications Continued...

- Within our many years of involvement in the cremation industry Kleenburn have observed a growing need for the disposal of loved family pets in a more ecological friendly and less distressing manner than simply burying in a backyard or disposing of at a local council tip.
- It is our intention and aim; to provide this service to the public at a reasonable cost and in an efficient, caring and sympathetic manner. As most pets are regarded as a member of the family, many people have asked existing Human Crematoriums to provide this service. Unfortunately, this is not legally acceptable.
- In proposing to provide these services, we have considered the project from a spectator/neighbour point of view and have addressed many issues likely to cause concern and inconvenience.
- Over 30 years of design, research and experience, we have developed units capable of extremely efficient disposal of such remains.
- With pet disposal there are far less possible contaminants; no timber coffin, plastic lining, plastic handles or unknown packaging as is common within the Human Cremation Industry.
- Our units are designed to be aesthetically pleasing and quiet. They offer low fuel consumption and are automatically controlled.



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Ash Processing Unit Specifications With Dust Extractor



HEIGHT (mm):	1,150mm
WIDTH (mm):	780mm
DEPTH (mm):	450mm
MOTOR TYPE:	AS AVAILABLE
POWER INPUT:	415V AC OR 240V AC
PROCESS TYPE:	CUTTER
AVERAGE TIME:	60 SEC, TIMER CONTROLLED



6

**** Custom Units can be designed at Client request**

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Ash Processing Unit Machine Details

- 💧 This is a new generation of Ash Processor to complement our Cremation Units and other Ancillary Equipment.
- 💧 Engineered for easy operation and in line with relevant safety standards. The new unit incorporates all operations pertaining to the processing of remains in one compact and ergonomic unit.
- 💧 The concept of an ash processor producing fine powder is not a new one... The design of an ash processor which produces a virtually dust free product in 30 seconds, is!
- 💧 The vacuum system on this machine makes the Ash Processing Unit unique amongst its peers. This model has been designed for compatibility with our Dust Extraction Units which provides for a simpler, quieter, and virtually dust free operation.
- 💧 With the introduction of the Ash Processing Unit there is minimal need for contact with the remains. The bowl on the Ash Processor has a "tilt" mechanism. The processed ash is effortlessly collected in the chosen receptacle.
- 💧 This Ash Processor is manufactured with a stainless steel casing and table top, providing both an aesthetically pleasing finish surface that is easily cleaned.



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R & Y Warranty, Maintenance & Operation

- ♦ R & Y provide a 12 month parts and labour Warranty depending on equipment.
- ♦ R & Y can provide regular full service of equipment at 6 monthly intervals including replacement parts. This will ensure equipment stays in good working order and complies with all necessary Government legislation.
- ♦ R & Y will provide written instructions on operation and personal tuition to the authorised employees upon installation of the equipment.
- ♦ Only those trained employees are to use the equipment.
- ♦ The equipment is not to be moved or altered in any way, without the express written consent of Kleenburn or R & Y Engineering.
- ♦ The user shall use the equipment for the disposal of approved material ONLY. The user shall maintain the equipment in a clean and proper condition; having regard to the terms in relation to maintenance set out herein.
- ♦ **Any parts damaged, other than by reasonable wear and tear, shall be replaced at the cost of the user.**
- ♦ The user is responsible for all expenses incurred in connection with the operation of the equipment, including electricity and gas where required.
- ♦ Should maintenance to refractory work be required, R & Y requires a minimum of 48 hours equipment downtime, prior to repairs, to allow the refractory to cool down sufficiently to enable safe access by our team.
- ♦ R & Y can provide a breakdown service for the equipment as necessary and shall endeavour to be onsite as soon as practicable.

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**R & Y Engineering Cremation Unit
Installation Locations**



- ❖ R & Y Engineering have Cremation and Ancillary Units installed in locations shown on the map above.
- ❖ A detailed list can be found over page.



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R & Y Engineering Cremation Unit Installation Locations

CLIENT	UNITS	YEAR	STATE
Beresfield *	4	1990	NSW
Castlebrook *	2	1994	NSW
Dapto *	1	1992	NSW
Dubbo *	1	1995	NSW
Leppington *	2	1996 / 2001	NSW
Leura *	1	1992	NSW
Northern Suburbs, Sydney *	6	1998 / 2001	NSW
Orange *	1	1995	NSW
Ourimbah *	1	2001	NSW
Palmdale *	3	1993 / 1998	NSW
Pinegrove *	2	2000	NSW
Port Macquarie *	1	1985 / 1987	NSW
Rookwood *	4	1996	NSW
Tamworth	1	2003	NSW
Lismore	1	2001	NSW
Taree *	1	1997	NSW
Tomago *	1	2002	NSW
Toronto *	2	1994 / 2002	NSW
Tweed Heads *	1	1996	NSW
Unanderra	2	1993	NSW
Camden (Pet) *	4	1998 / 2002	NSW
Camden University (Pet)	1	2008	NSW
Sandgate	1		NSW
Somersby (Pet) *	1	2001	NSW
Badgery's Creek	5	2003	NSW
Wilberforce	1	2003	NSW
Maralya	1	2002	NSW
Bowral	1	2003	NSW
Kurrajong	1	2002	NSW
Allambe Gardens *	2	1995 / 2001	QLD
Albany Creek *	3	1996	QLD
Buderim	1	1990	QLD

* These sites are equipped with Ash Processors and Dust Extractors manufactured by R & Y Engineering

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R & Y Engineering Cremation Unit Installation Locations

CLIENT	UNITS	YEAR	STATE
Cairns *	2	1985-2003	QLD
Deception Bay *	1	1997	QLD
Heritage Park	2	1989-2017	QLD
Laidley	1	1992	QLD
Logan *	1	1997	QLD
Mount Isa *	1	2001	QLD
Mount Thompson *	3	2001	QLD
Loganholme (Pet)	3	2001	QLD
Clontarf (Pet)	2	2018-2019	QLD
Bundaberg *	1	2006	QLD
Cairns (Pet) *	1	2005	QLD
Harvey Bay (Poultry)	1	2005	QLD
Harvey Bay (pet)	1	201	QLD
Devonport	2	2003-2016	TAS
Hobart *	1	2000 / 2001	TAS
Hobart (pet)	2	2007	TAS
Hobart	1	2007	TAS
Hobart Corneliun Bay	2	2007	TAS
Launceston (Pet)*	1	2011	TAS
Bendigo (pet) *	2	2007	VIC
Bendigo (pet)*	2	2016-2019	VIC
New Calendonina (pet) *	1	2006	NOUMEA
Norwood Park	1	2013	QLD (IPSHWICH)
Clive Alison	1	2014	NSW
Bunderberg	1	2017	QLD
Clontarf	2	2018-2019	QLD
Mossman	2	2016-2017	QLD
Mackay	1	2017	QLD
Tuncurry	1	2018	NSW
Salamanda bay	1	2017	NSW
Peakhurst	1	2019	NSW
Newcastle (Pet)	1	2019	NSW

* These sites are equipped with Ash Processors and Dust Extractors manufactured by R & Y Engineering

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.