



24 February 2026

Planning Officer: Carl Ewin  
Direct Phone: 07 4086 4656  
Our Reference: MCU/26/0002

Schilling Group Pty Ltd  
C/- Baker Building Certification  
PO Box 1083  
TOLGA QLD 4882

Dear Applicants,

## **Decision Notice**

### ***Planning Act 2016***

I refer to your application and advise that on 23 February 2026, 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/26/0002  
Street Address: 17 Andre Street, Mareeba  
Real Property Description: Lot 46 on SP321490  
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

#### **DECISION DETAILS**

Type of Decision: Approval  
Type of Approval: Development Permit for Material Change of Use – Dual Occupancy  
Date of Decision: 23 February 2026

**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 (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.
  - 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.

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.

The applicant is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.

3.6 Waste Management

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

3.7 Letterbox

Each dwelling is to be provided with an individual letter box.

3.8 Clothes Drying area

Sufficient area for clothes drying is to be provided in addition to the open space requirements of the dwellings and is to be appropriately screened from view of adjoining properties and the street.

4. Infrastructure Services and Standards

4.1 Access

An access crossover must be constructed (from the kerbing of the Andre Street to the property boundary of the subject lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

The applicant/developer is to make an application for driveway access onto a Council road. The application is to be accompanied by the relevant fee and will be required to certify or be assessed for compliance by Council's delegated officer.

---

#### 4.2 Stormwater Drainage/Water Quality

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) All stormwater drainage must be discharged to an approved legal point of discharge.
- (c) Any works undertaken within Easement R must not interrupt the flow of stormwater through the easement and must comply with the requirements of the easement, to the satisfaction of Council's delegated officer.
- (d) Where the existing concrete drain is to be removed and replaced with driveway, the applicant/developer must ensure that the driveway finished surface levels and grades ensures water continues to flow to the stormwater inlet within Easement R and that these works do not direct any flow down the driveway to Andre Street, to the satisfaction of Council's delegated officer.

#### 4.3 Car Parking/Internal Driveways

The applicant/developer must ensure the development is provided with a minimum of 2 undercover car parking spaces (1 per dwelling) which are available solely for the parking of vehicles associated with the use of the premises.

In lieu of a designated visitor parking space, each unit has been provided with a double garage.

All car parking spaces and internal driveways must be concrete sealed and appropriately drained prior to the commencement of the use and to the satisfaction of Council's delegated officer.

#### 4.4 Fencing

- 4.4.1 Prior to the commencement of the use, a landscape plan must be prepared and submitted to Council's delegated officer for consideration and approval.

The landscape plan must include a one (1) metre wide landscape strip along the frontages of the site, excluding the access driveway, and use plant species selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

The landscaping of the site must be carried out in accordance with the endorsed landscape plan prior to the commencement of the use,

---

and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

- 4.4.2 (i) Prior to the commencement of the use, a solid 1.8 metre high timber paling (no gaps) or 1.8 metre high colorbond fence (of neutral colour) is to be erected along the full extent of all side and rear boundaries.
- (ii) Prior to the commencement of the use, solid 1.8 metre high timber or 1.8 metre high colorbond fencing of neutral colour is to be erected between each dwelling, separating areas of private open space.
- (iii) The abovementioned fencing is to be erected and maintained in good order and safe repair, for the life of the development, to the satisfaction of Council's delegated officer.

#### 4.5 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.

#### 4.6 Water Supply

Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

If a new or upgraded water service connection is required to service the development, it must be provided in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Each dwelling is required to be **separately metered**.

#### 4.7 Sewerage Connection

The developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

#### REFERRAL AGENCIES

Not Applicable.

#### APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
2509 – W00 Rev. 1	Cover Sheet	MAC Constructions	15/01/2026
2509 – W01 Rev. 1	Site Plan	MAC Constructions	15/01/2026
2509 – W02 Rev. 1	Floor Plan	MAC Constructions	15/01/2026
2509 – W06 Rev. 1	Elevations	MAC Constructions	15/01/2026

#### 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) 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](http://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](http://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.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1

**RIGHTS OF APPEAL**

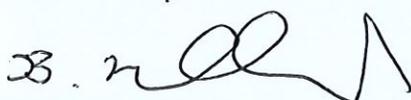
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

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](http://www.msc.qld.gov.au), or at Council Offices.

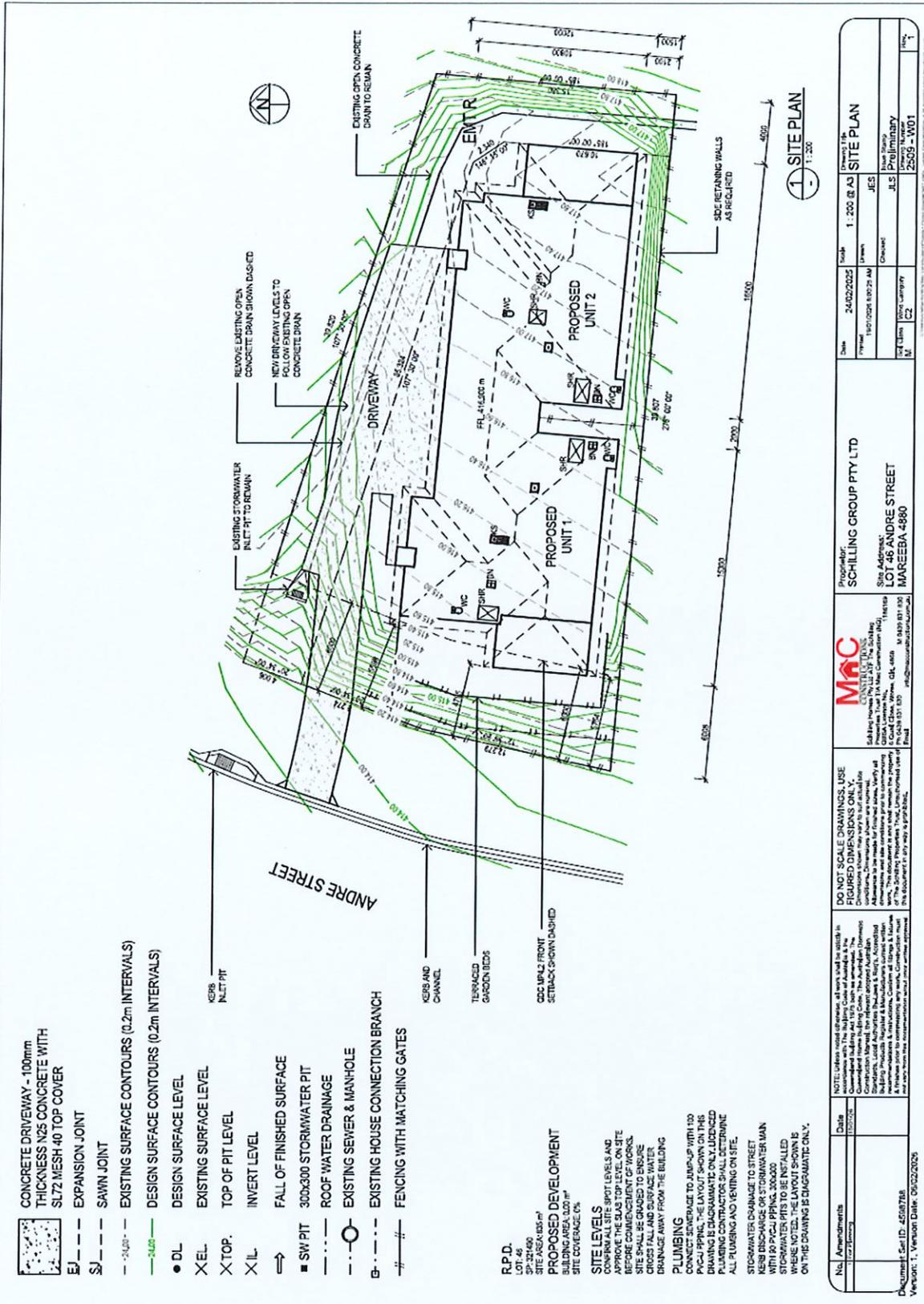
Yours faithfully



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

Enc: Approved Plans/Documents  
Appeal Rights





- CONCRETE DRIVEWAY - 100mm THICKNESS M25 CONCRETE WITH S172 MESH 40 TOP COVER
- EXPANSION JOINT
- SAWN JOINT
- EXISTING SURFACE CONTOURS (0.2m INTERVALS)
- DESIGN SURFACE CONTOURS (0.2m INTERVALS)
- DESIGN SURFACE LEVEL
- EXISTING SURFACE LEVEL
- TOP OF PIT LEVEL
- INVERT LEVEL
- FALL OF FINISHED SURFACE
- 300x300 STORMWATER PIT
- ROOF WATER DRAINAGE
- EXISTING SEWER & MANHOLE
- EXISTING HOUSE CONNECTION BRANCH
- FENCING WITH MATCHING GATES

R.P.D.  
LOT 46  
SP:321460  
SITE AREA:185 m<sup>2</sup>  
PROPOSED DEVELOPMENT  
BUILDING AREA: 0.00 m<sup>2</sup>  
SITE COVERAGE: 0%

**SITE LEVELS**  
CONFIRM ALL SITE SPOT LEVELS AND APPROVE THE SLAS TOP LEVELS ON SITE BEFORE COMMENCEMENT OF WORKS. SITE SHALL BE GRADDED TO ENSURE PROPER DRAINAGE AND SURFACE WATER DRAINAGE AWAY FROM THE BUILDING.

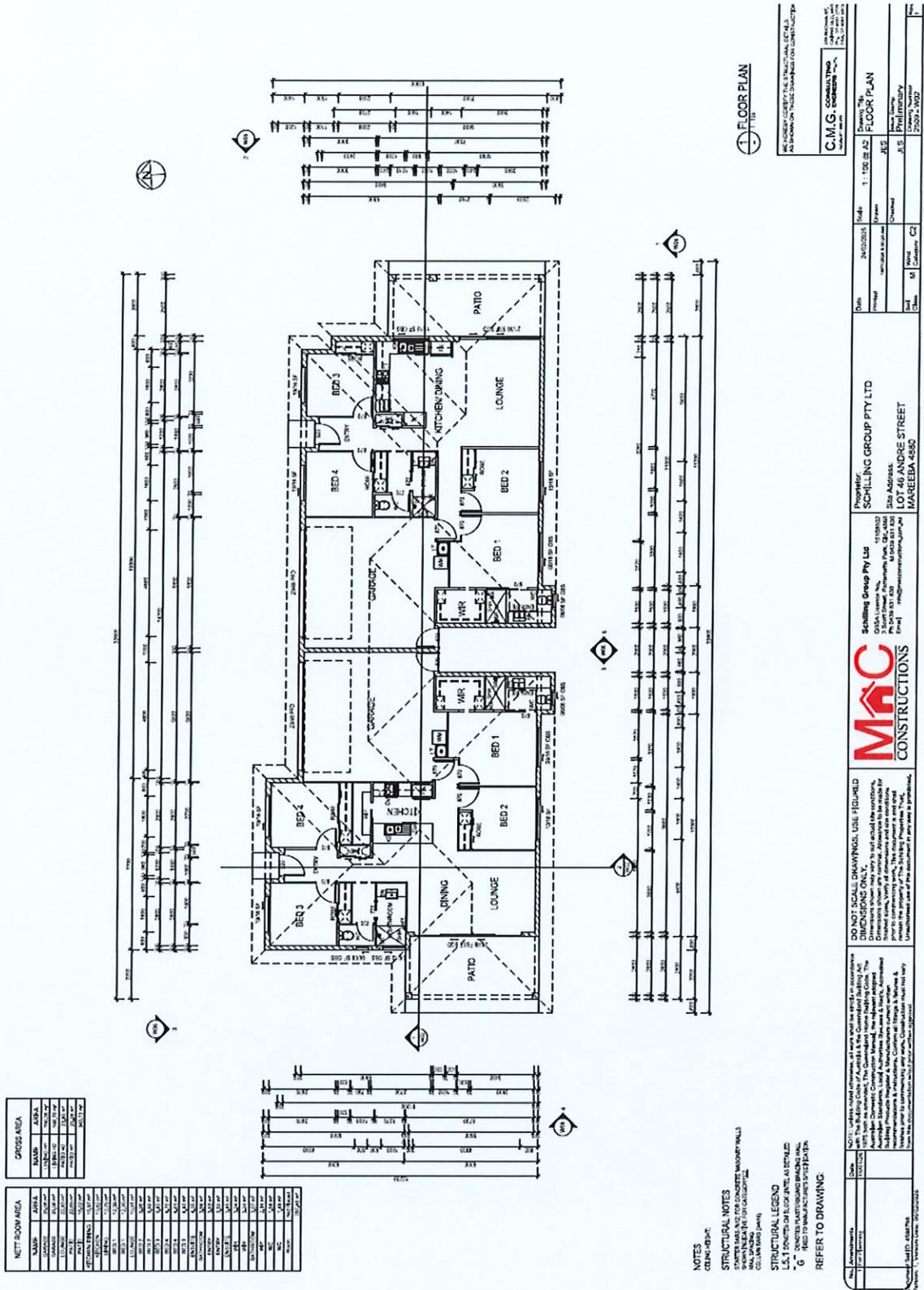
**PLUMBING**  
CONNECT SEWERAGE TO JUMP-UP WITH 100mm DIA. 100mm DEPTH. ALL PLUMBING DRAWING IS DASHED/NOT TO BE INSTALLED. PLUMBING CONTRACTOR SHALL DETERMINE ALL PLUMBING AND VENTING ON SITE.

STORMWATER DRAINAGE TO STREET  
KERB DISCHARGE OR STORMWATER MAN WITH 80 PCCU PAVING. 300x300 STORMWATER PITS TO BE INSTALLED WHERE NOTED. THE LAYOUT SHOWN IS DIAGNOSTIC ONLY.

1 SITE PLAN  
1:200

No.	Amendments	Date	15/02/2026
<p>NOTE: Unless noted otherwise, all work shall be carried out in accordance with the Building Code of Australia &amp; the Queensland Building Code. The Australian Domestic Plumbing Standard (AS/NZS 3500) shall apply. All plumbing work shall be carried out in accordance with the Queensland Plumbing Standard (AS/NZS 3500). All electrical work shall be carried out in accordance with the Queensland Electrical Standard (AS/NZS 3000). All other work shall be carried out in accordance with the relevant Australian Standard. This document is an electronic copy of the original drawing. The original drawing is held by the author. All dimensions are in millimeters unless otherwise stated. The contractor shall verify all dimensions on site before commencing work. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for ensuring that all work is carried out in accordance with the relevant Australian Standard. The contractor shall be responsible for ensuring that all work is carried out in accordance with the relevant Australian Standard. The contractor shall be responsible for ensuring that all work is carried out in accordance with the relevant Australian Standard.</p>			
<p>Proposed by: <b>SCHILLING GROUP PTY LTD</b></p>		<p>Date: 24/02/2025 Time: 10:01:00 AM User: JES Checked: JLS M: JLS C: JLS W: JLS</p>	
<p>Site Address: <b>LOT 46 ANDRE STREET MAREEBA 4880</b></p>		<p>Scale: 1:200 (AS) Title: SITE PLAN</p>	
<p>Project No: <b>2509 - W01</b></p>		<p>Version: 1, Version Date: 05/02/2025</p>	

24/2/2026  
J.S.



NETT ROOM AREA		GROSS AREA	
ROOM	AREA	ROOM	AREA
BED 1	10.27	BED 1	10.27
BED 2	10.27	BED 2	10.27
BED 3	10.27	BED 3	10.27
BED 4	10.27	BED 4	10.27
LOUNGE	15.00	LOUNGE	15.00
KITCHEN	10.00	KITCHEN	10.00
PATIO	5.00	PATIO	5.00
WIR	2.00	WIR	2.00
BATH	5.00	BATH	5.00
TOILET	2.00	TOILET	2.00
STAIR	2.00	STAIR	2.00
ENTRY	2.00	ENTRY	2.00
CL	1.00	CL	1.00
WC	1.00	WC	1.00
SHED	10.00	SHED	10.00
TOTAL	100.00	TOTAL	100.00

NOTES  
 CEILING HEIGHT:  
 STRUCTURAL NOTES  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

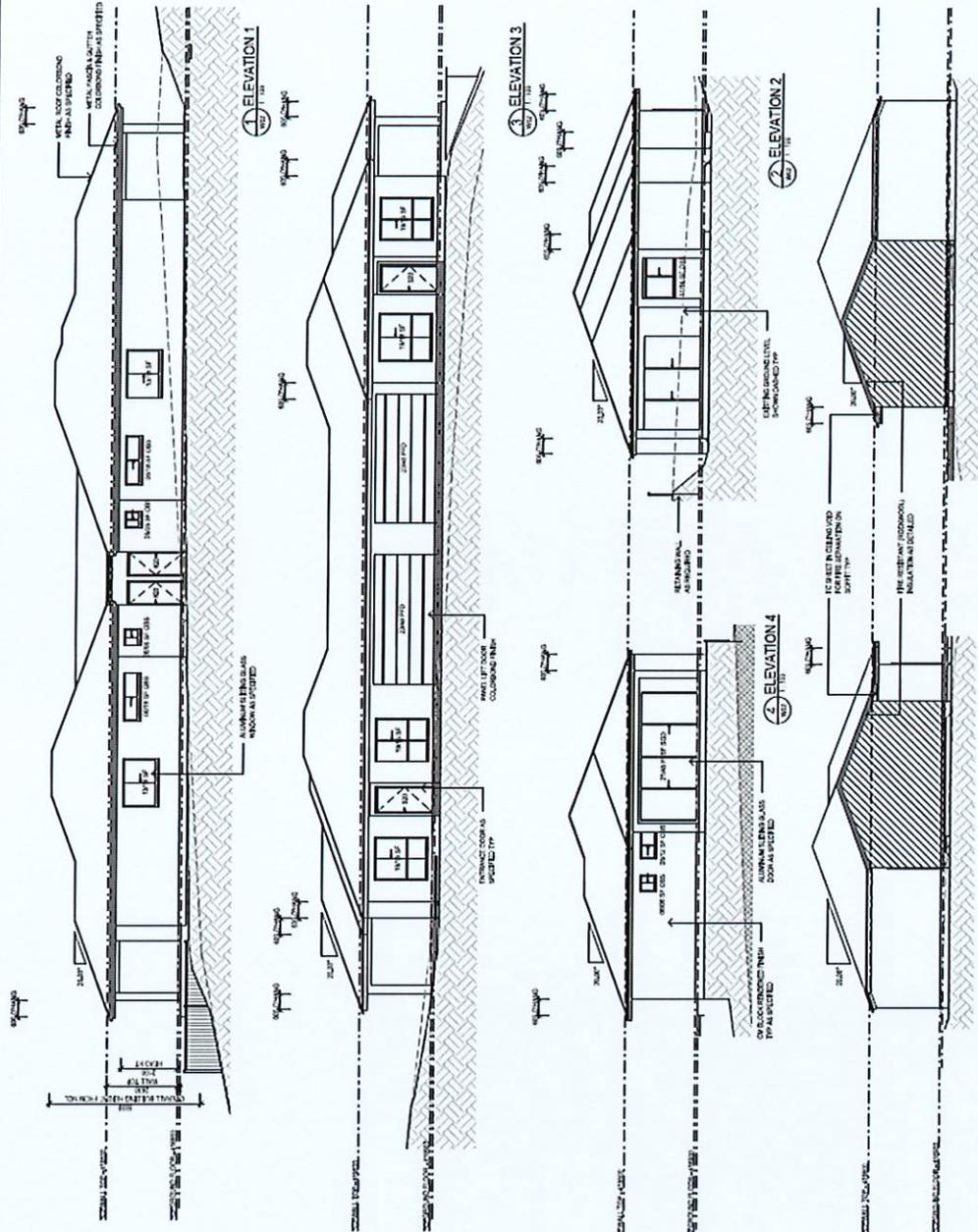
1 FLOOR PLAN

NO OTHER COPIES TO BE CONSIDERED VALID UNLESS THEY ARE IDENTICAL TO THIS DRAWING AS SHOWN ON THESE DIMENSIONS AND CONSTRUCTION.

C.M.G. - CONSULTING ENGINEERS  
 11/11/2026

Project Name	Schilling Group Pty Ltd	Proprietor	Schilling Group Pty Ltd
Site Address	Lot 46 Andre Street Mareeba 4890	Site Address	Lot 46 Andre Street Mareeba 4890
Client	Mareeba Shire Council	Client	Mareeba Shire Council
Scale	1:100	Scale	1:100
Drawn By	J. Smith	Drawn By	J. Smith
Checked By	A. Jones	Checked By	A. Jones
Date	11/11/2026	Date	11/11/2026

24/2/2026  
 B. n. Q



**MAC CONSTRUCTIONS**

11/11/2025  
1:1 TO BE AS SHOWN  
J.E. PRELIMINARY  
J.E. PRELIMINARY  
25/2/2026

DATE: 24/02/2025  
SCALE: 1:1 TO BE AS SHOWN  
DRAWN: J.E.  
CHECKED: J.E.  
DATE: 25/2/2026

PROPERTY: SCHILLING GROUP PTY LTD  
3001 TOWER DRIVE, MAREEBA QLD 4880  
LOT 46 ANDRE STREET  
MAREEBA 4880

NO COPY SHALL BE PROVIDED UNLESS DIMENSIONS ONLY. DIMENSIONS SHOWN ARE TO BE USED AS A GUIDE ONLY. THE CLIENT IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS BEFORE THE PROPERTY IS DEVELOPED. UNAUTHORIZED USE OF THIS DOCUMENT IS STRICTLY PROHIBITED.

NOTE: ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA & THE CURRENT BUILDING ACT. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING ACT. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING ACT. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING ACT.

24/2/2026  
B. N

## 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 us 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 and 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.