



22 December 2023

Senior Planner: Carl Ewin
Direct Phone: 07 4086 4656
Our Reference: MCU/23/0024
Your Reference: 43184-001-01

Mareeba Leagues Club
C/- Brazier Motti Pty Ltd
PO Box 1185
CAIRNS QLD 4870

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 21 December 2023 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/23/0024
Street Address:	Doyle Street and Riordan Street Mareeba
Real Property Description:	Lot 13 on CP861033
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use Club (Leagues Club Expansion)
Date of Decision:	21 December 2023

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 for each stage must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use of each stage except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use of each stage, 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

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

3.4.2 Where bulk bins are used and are to be serviced on site, certification by a Registered Professional Engineer of Queensland (RPEQ) must be provided to Council prior to the issue of a building permit which demonstrates that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear.

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 Air Conditioner & Building Plant Screening

The applicant/developer 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.

4. Infrastructure Services and Standards

4.1 Access – Doyle Street

Prior to or at completion of Stage 2 works, the service vehicle access crossover on Doyle Street must be upgraded/constructed (from the edge of Doyle Street to the property boundary) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

Prior to or at completion of Stage 5 works, the redundant Doyle Street vehicle crossover adjacent the Stage 5 works must be removed, and topsoil and turf reinstated between the kerbing and property boundary, to the satisfaction of Council's delegated officer.

4.2 Stormwater Management/Water Quality

- 4.2.1 Prior to Stage 1 building works commencing, the applicant/developer must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.
- 4.2.2 The Stormwater Management Plan must consider the staging of the development and must ensure a non-worsening effect on surrounding land and downstream catchments as a consequence of each stage of the development, and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.
- 4.2.3 Prior to the Stage 1 building works commencing the applicant must submit a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.
- 4.2.4 The Stormwater Quality Management Plan must consider the staging of the development and must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- 4.2.5 The applicant/developer must construct the stormwater drainage infrastructure for each stage of the development in accordance with both approved plans.
- 4.2.6 All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Landscaping

- 4.3.1 The development must be landscaped in accordance with an approved landscape plan.
- 4.3.2 Prior to Stage 1 building works commencing, a detailed landscape plan, must be prepared for the site and submitted to Council's delegated officer for consideration and approval.
- 4.3.3 The landscape plan must demonstrate compliance with the Landscaping Code. Plant species are to be generally selected from the

Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

The landscaping plan must include:

- any proposed carpark landscaping improvements/revitalisation.
- the "new low level landscaping" area adjacent the Stage 2 works.
- a minimum 1.5m wide landscaping strip along the Doyle Street frontage of the site adjacent the Stage 2 and Stage 5 works (excluding access locations).
- any other landscape plantings proposed as part of the development.

4.3.4 A minimum of 25% of new plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.

4.3.5 The landscaping must be carried out in accordance with the endorsed landscape plan/s, and prior to the commencement of the use of each relevant stage, and mulched, irrigated and maintained 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 surrounding residents or obstruct or distract pedestrian or vehicular traffic.

4.5 Water Supply

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

Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the applicant/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.

4.6 Sewerage Connection

The applicant/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 applicant/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

Plan/Document Number	Plan/Document Title	Prepared by	Dated
ZMRLC0102 Drawing No. A00 Rev F	Cover Sheet	Paynters	17/10/2023
ZMRLC0102 Drawing No. A01 Rev F	Site Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A02 Rev F	Site Analysis Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A03 Rev E	Site Survey Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A04 Rev F	Existing Ground Floor Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A05 Rev E	Existing First Floor Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A06 Rev D	Existing Roof Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A07 Rev F	Demolition Ground Floor Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A08 Rev E	Demolition First Floor Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A09 Rev D	Demolition Roof Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A10 Rev F	Proposed Ground Floor Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A11 Rev F	Proposed Level 1 Floor Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A12 Rev D	Proposed Roof Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A13 Rev C	Staging Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A14 Rev F	North & East Elevations	Paynters	17/10/2023
ZMRLC0102 Drawing No. A15 Rev F	South & West Elevations	Paynters	17/10/2023
ZMRLC0102 Drawing No. A16 Rev F	Section A-A & B-B	Paynters	17/10/2023
ZMRLC0102 Drawing No. A17 Rev F	Shadow Diagrams	Paynters	17/10/2023
ZMRLC0102 Drawing No. A18 Rev F	3D Perspectives	Paynters	17/10/2023
ZMRLC0102 Drawing No. A19 Rev F	Schedule of Materials	Paynters	17/10/2023
ZMRLC0102 Drawing No. A20 Rev F	Notification Plan	Paynters	17/10/2023
ZMRLC0102 Drawing No. A21 Rev A	Ground Floor GFA	Paynters	17/10/2023
ZMRLC0102 Drawing No. A22 Rev A	Level 1 GFA	Paynters	17/10/2023

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) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.
- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. 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.

(c) Water Meters/Water Service Connection

Prior to the water service connection works commencing and the installation of the meters by Council, an application for a Plumbing Compliance Permit is required to be submitted with detailed hydraulic drawings. The cost of the required water connection and meter (capping of any existing meter may be required) will be determined based upon the approved hydraulic drawings at the time of lodgement of a Water Quotation Request.

(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.environment.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.datsip.qld.gov.au.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

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



for **BRIAN MILLARD**
COORDINATOR PLANNING SERVICES

Enc: Approved Plans/Documents
 Appeal Rights
 Adopted Infrastructure Charge Notice

Document Set ID: 4292275
Version: 1, Version Date: 14/11/2023

A400	COVER SHEET
A401	SITE PLAN
A402	SITE ANALYSIS PLAN
A403	SITE SURVEY PLAN
A404	EXISTING GROUND FLOOR PLAN
A405	EXISTING FIRST FLOOR PLAN
A406	EXISTING ROOF PLAN
A407	DEMOLITION GROUND FLOOR PLAN
A408	DEMOLITION FIRST FLOOR PLAN
A409	PROPOSED GROUND FLOOR PLAN
A410	PROPOSED LEVEL 1 FLOOR PLAN
A411	PROPOSED ROOF PLAN
A412	STAGING PLAN
A413	NORTH & EAST ELEVATIONS
A414	SOUTH & WEST ELEVATIONS
A415	SECTION AA 1:1.5
A416	SHADOW DIAGRAMS
A417	3D RESOURCES
A418	SCHEDULE OF MATERIALS
A419	NOTIFICATION PLAN
A420	GROUND FLOOR GFA
A421	LEVEL 1 GFA
A422	



MAREEBA
LEAGUES CLUB
CNR DOYLEST, RIORDAN ST,
MAREEBA, QLD 4880

**GFA CALCULATIONS:
AS DEFINED BY MAREEBA
COUNCIL**
GROUND FLOOR: 1,224m²
LEVEL 1: 604m²
TOTAL: 1,826m²

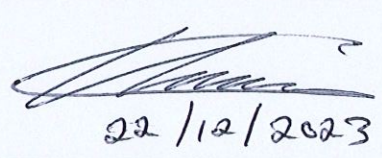
EXISTING CARPARKS:
72 REGULAR
1 ACCESSIBLE

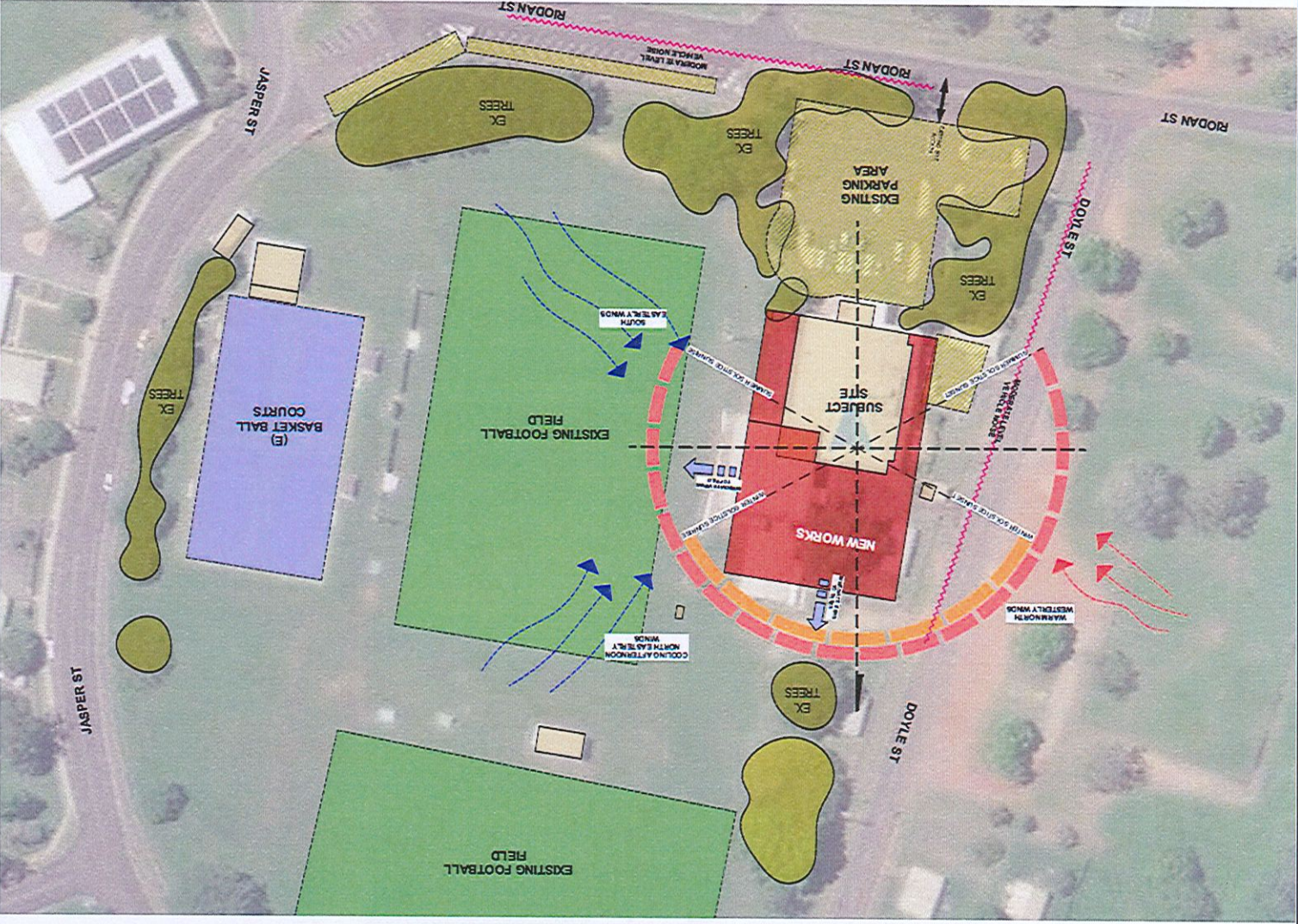
REQUIRED CARPARKS:
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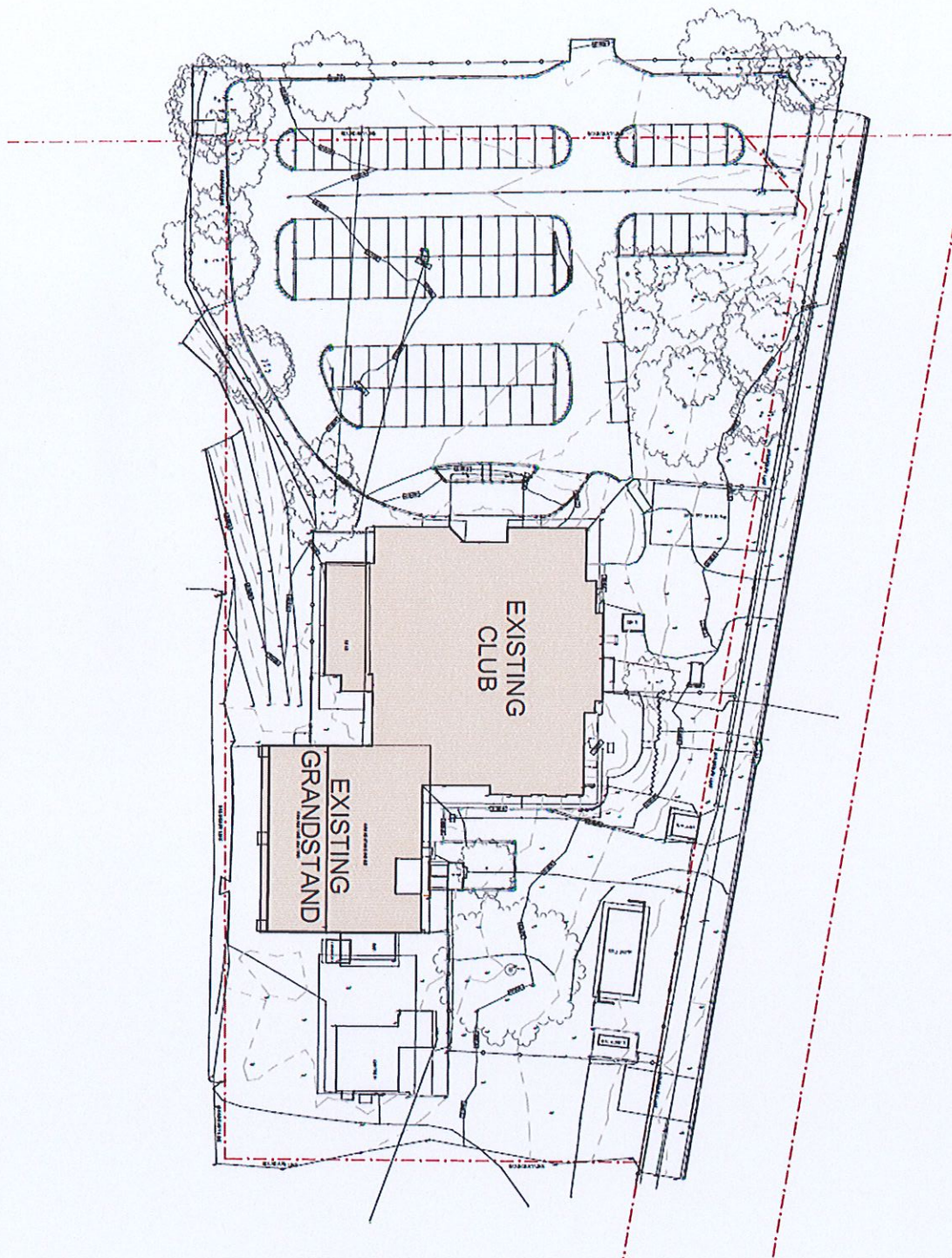
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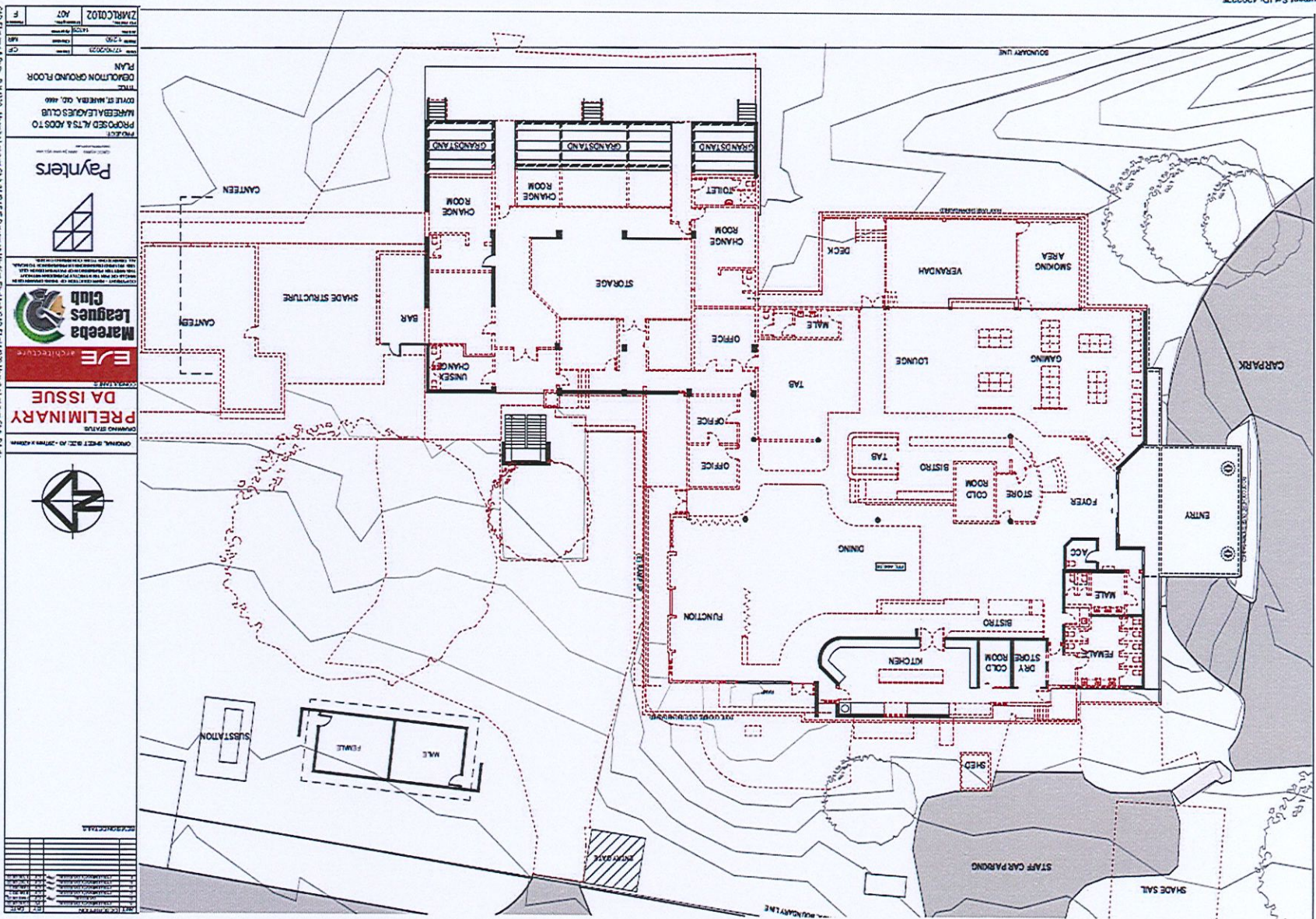
The site plan shows the proposed extension (shaded area) and the existing building. The extension includes a large rectangular area labeled 'EXISTING MECHANICAL DECK' and a smaller rectangular area labeled '(B) PORT COCHERE'. The existing building is a long, narrow structure with a 'FUNCTION ROOM', 'KITCHEN', 'BAR', and 'AMENITIES' area. A 'GRANDSTAND' is located to the left of the existing building. The plan also shows 'EXISTING ROOF' areas and a 'STAIR' area. Arrows indicate the direction of the extension. A north arrow is located in the top right corner.

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CAD Filenames & Paths: P:\14029 - Marsabit Leagues Club (MJC)\EJE Documents\Working Files\Arch\CAD Files\14029-Marsabit Leagues Club_DWG.plt

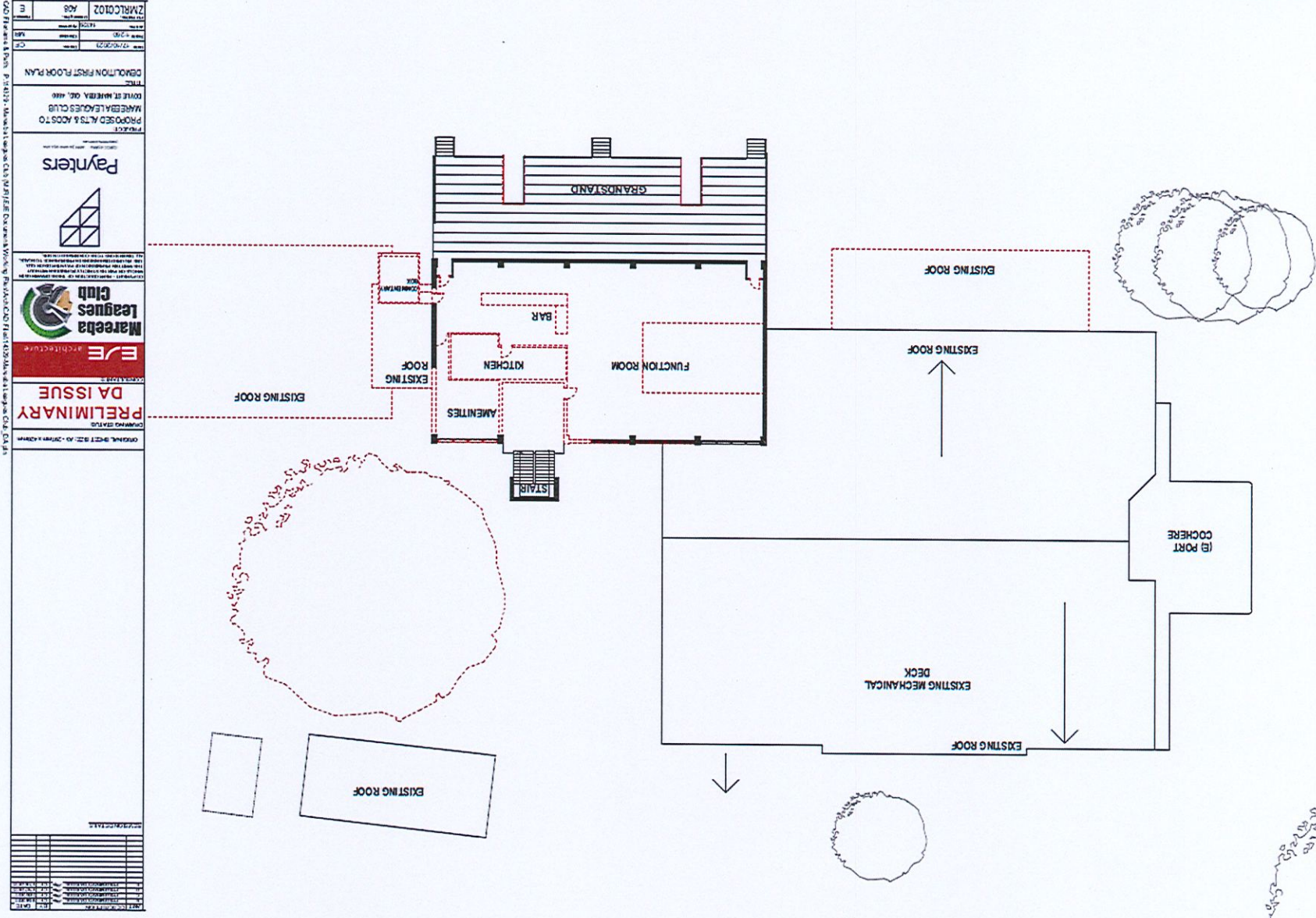
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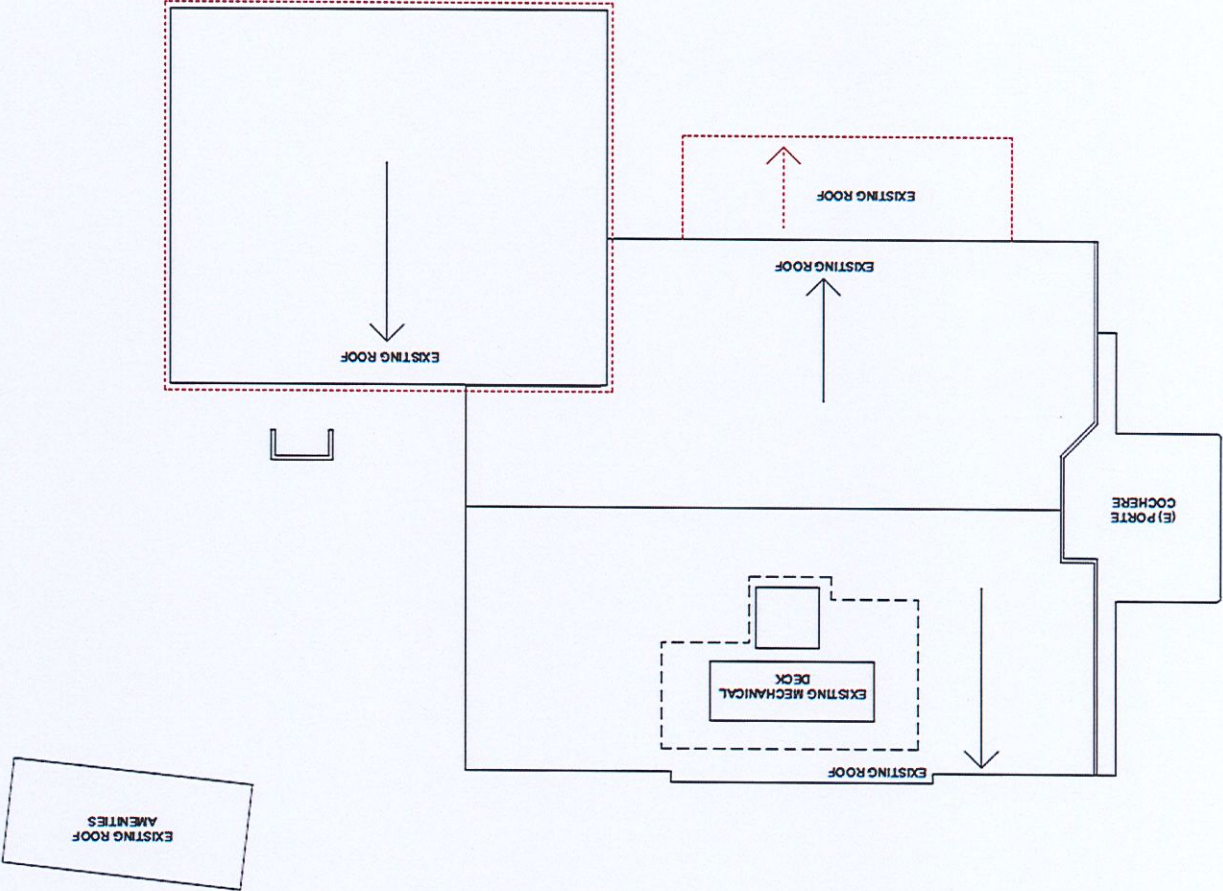


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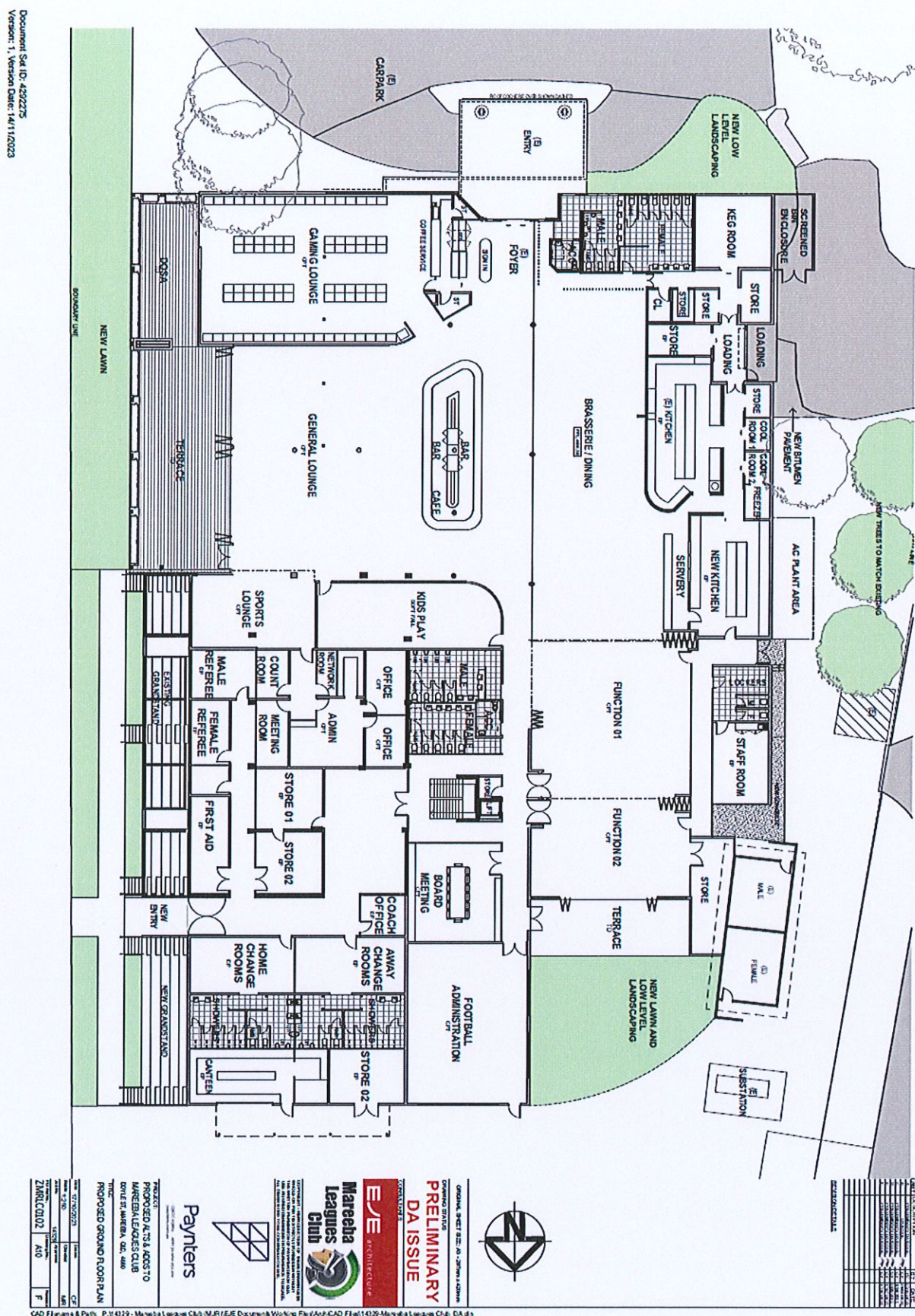


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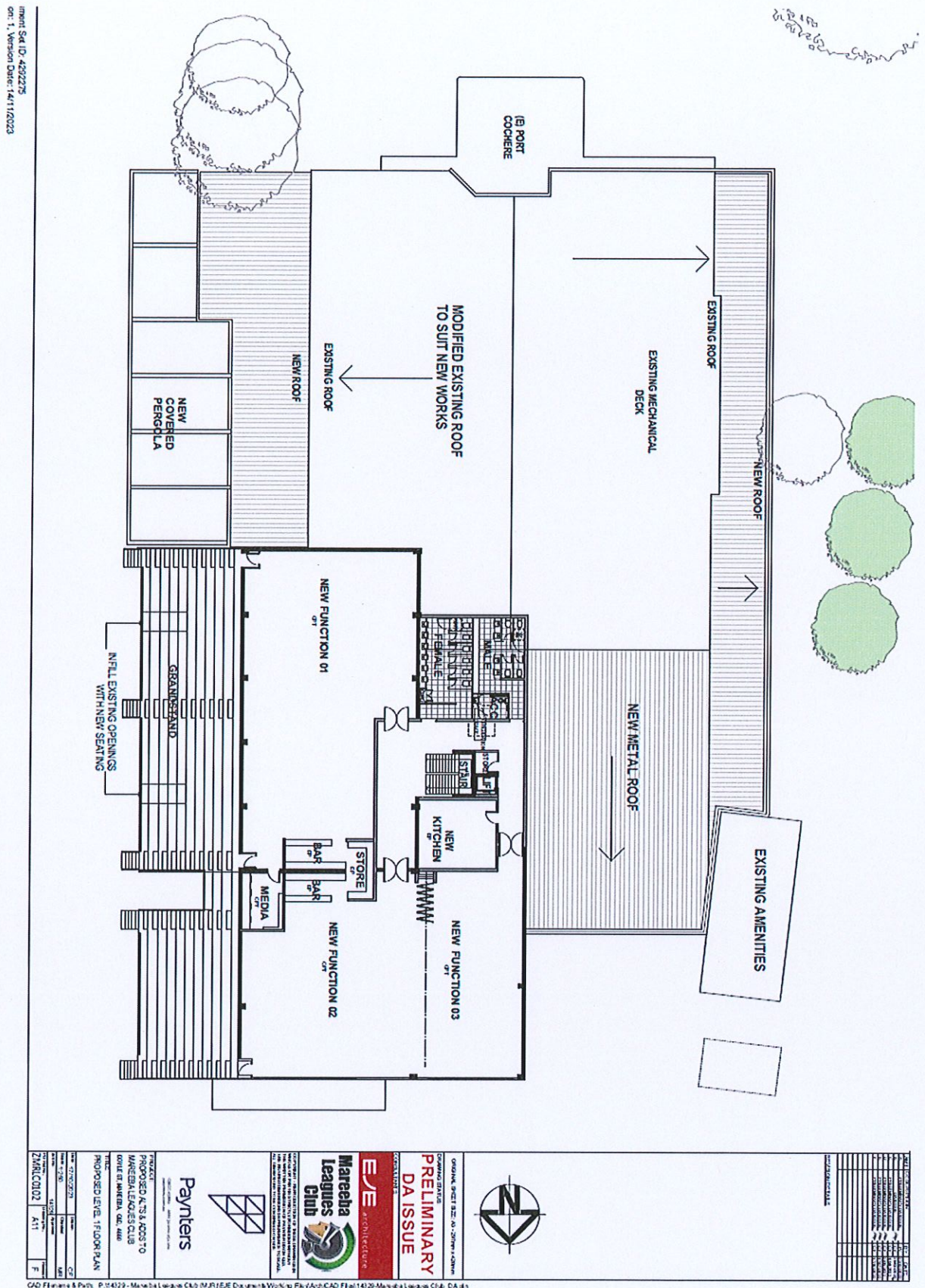


Mareeba Shire Council

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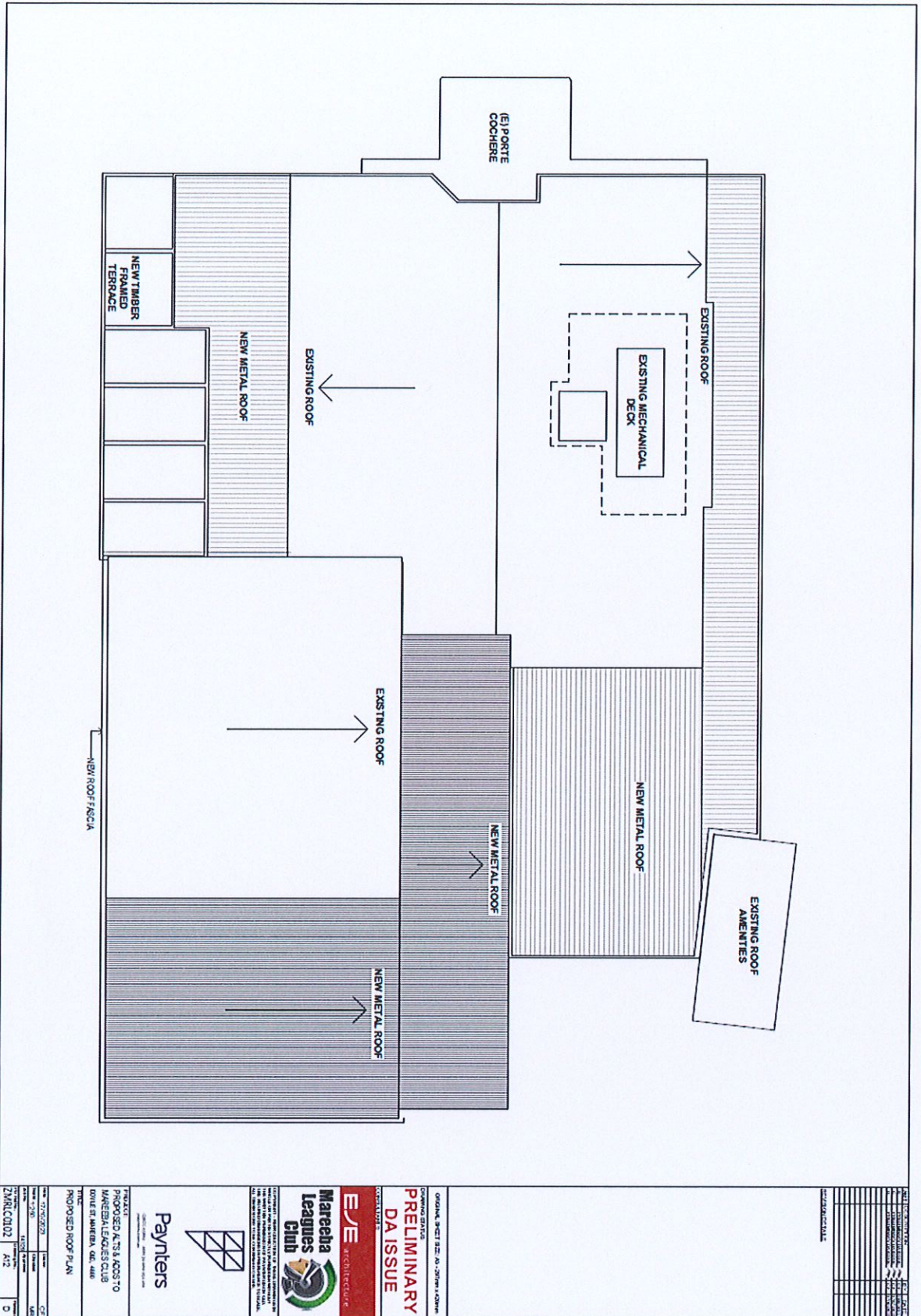


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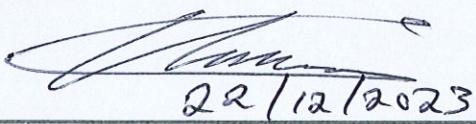


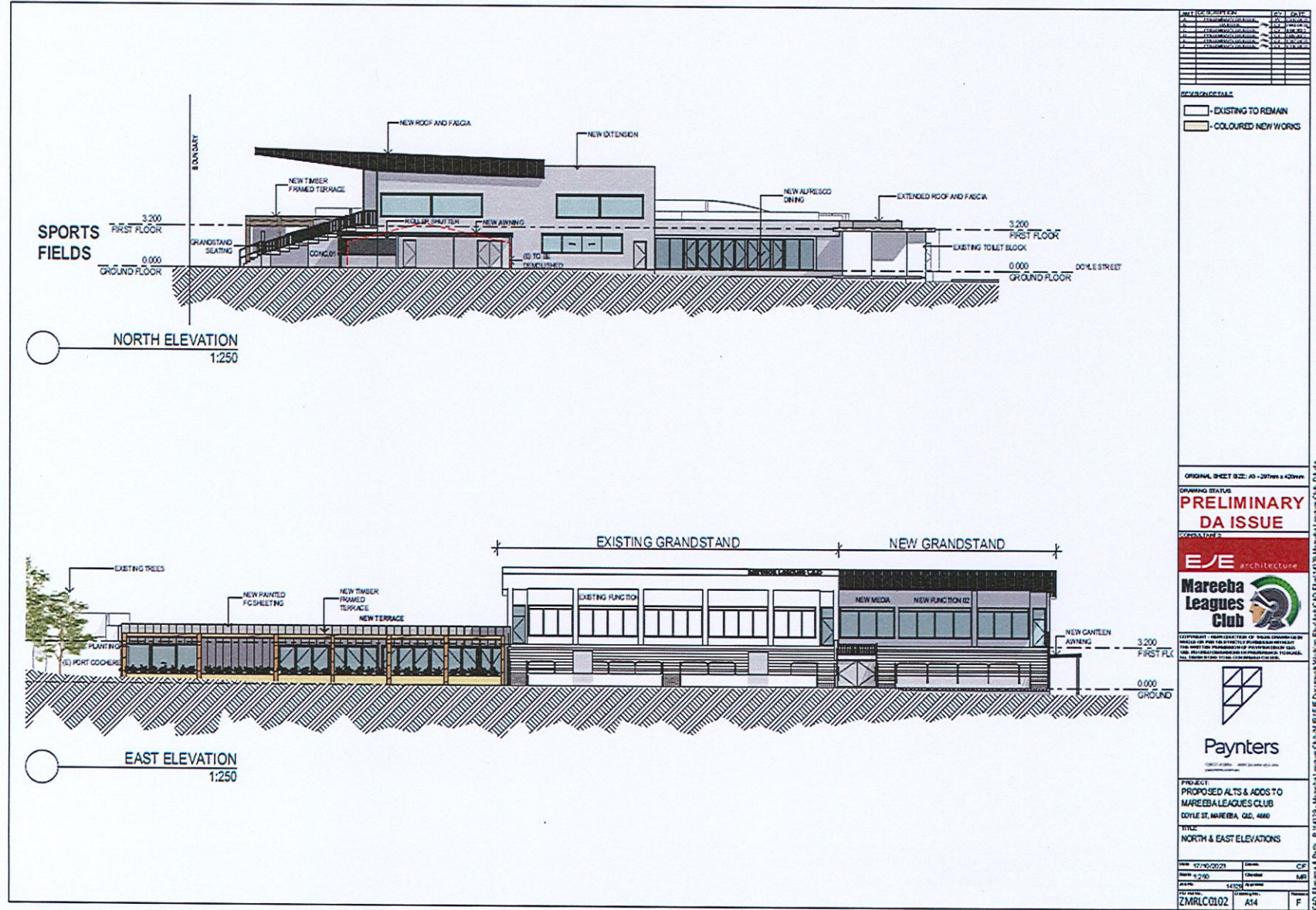
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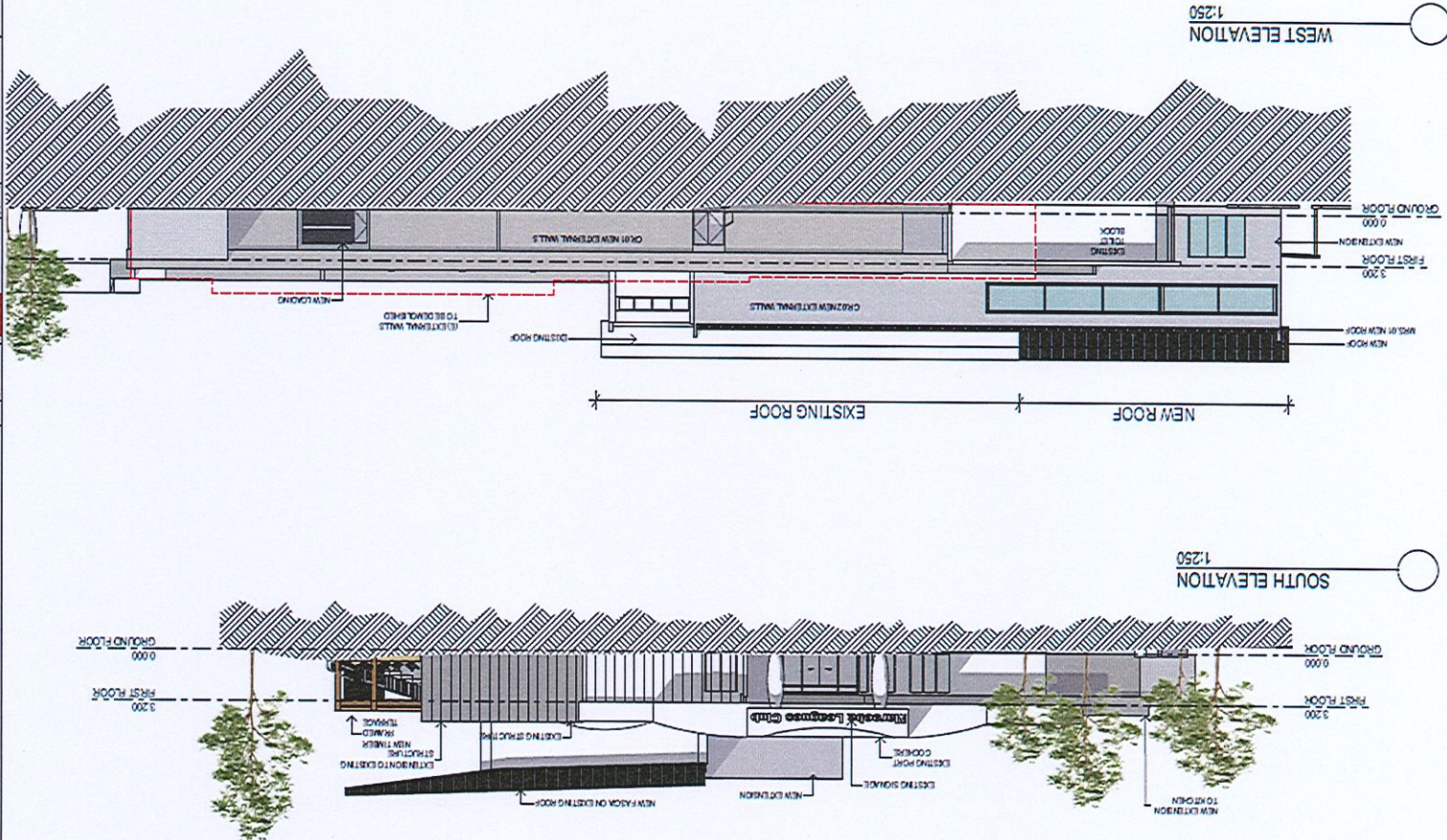
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Version: 1, Version Date: 14/11/2023

Sheet Set ID: A292275
Rev: 1, Version Date: 14/11/2023



PRELIMINARY
DA ISSUE

Mareeba Leagues Club
E/E Architecture

Paynters

PROPOSED ALYS & JOOS TO
DOVE OF MAREBA, QLD, 4800

SOUTH & WEST ELEVATIONS

ORIGINAL SHEET SIZE: A3 - 297mm x 420mm

REVISIONS

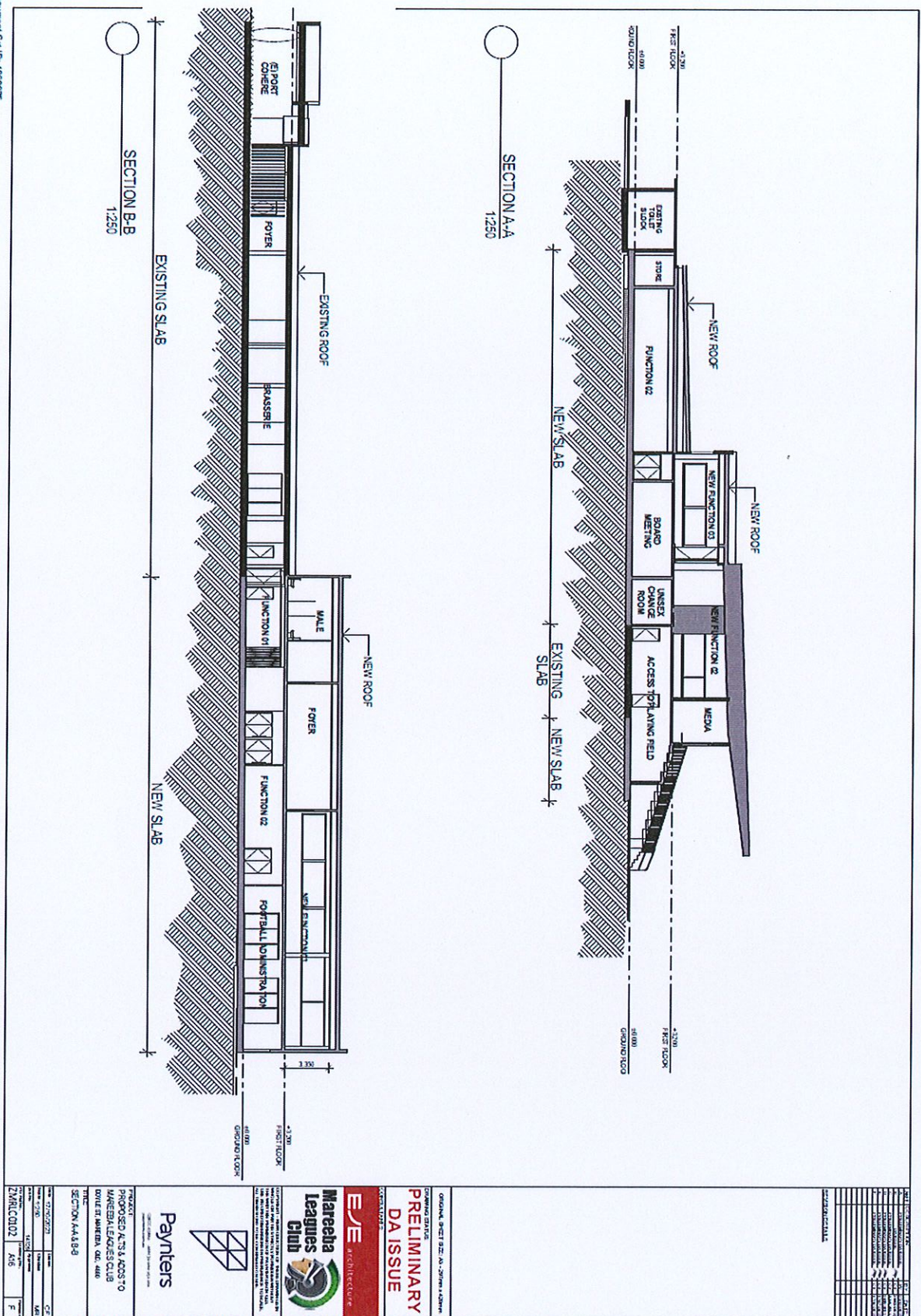
NO.	DESCRIPTION	DATE
1	ISSUED FOR TENDERS	14/11/2023
2	REVISED TO INCLUDE COMMENTS FROM ARCHITECT	14/11/2023
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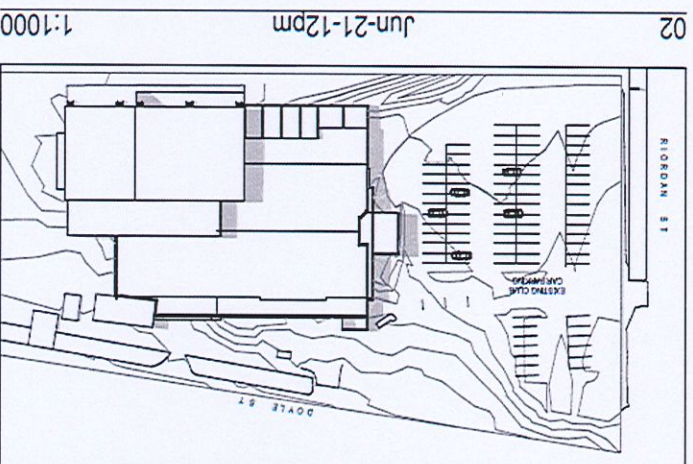
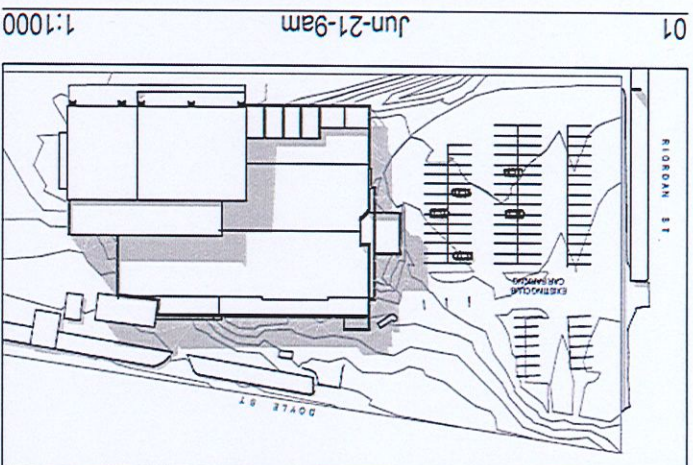
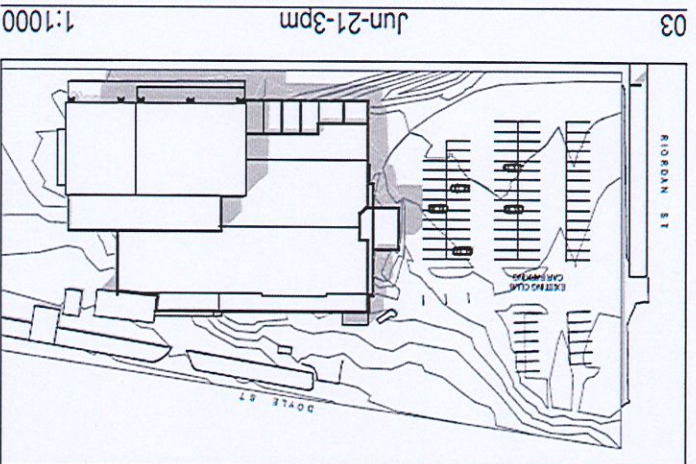
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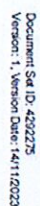


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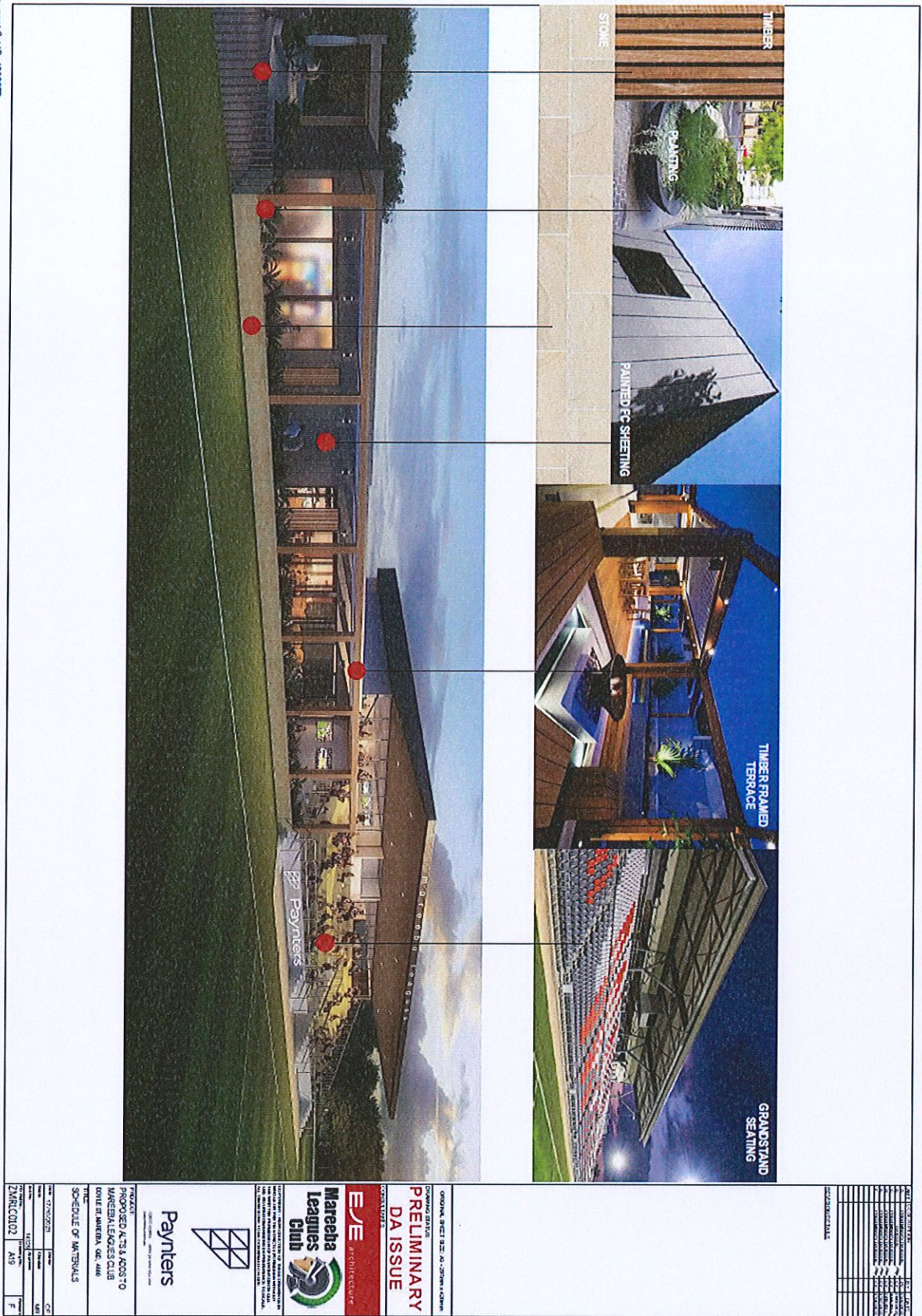
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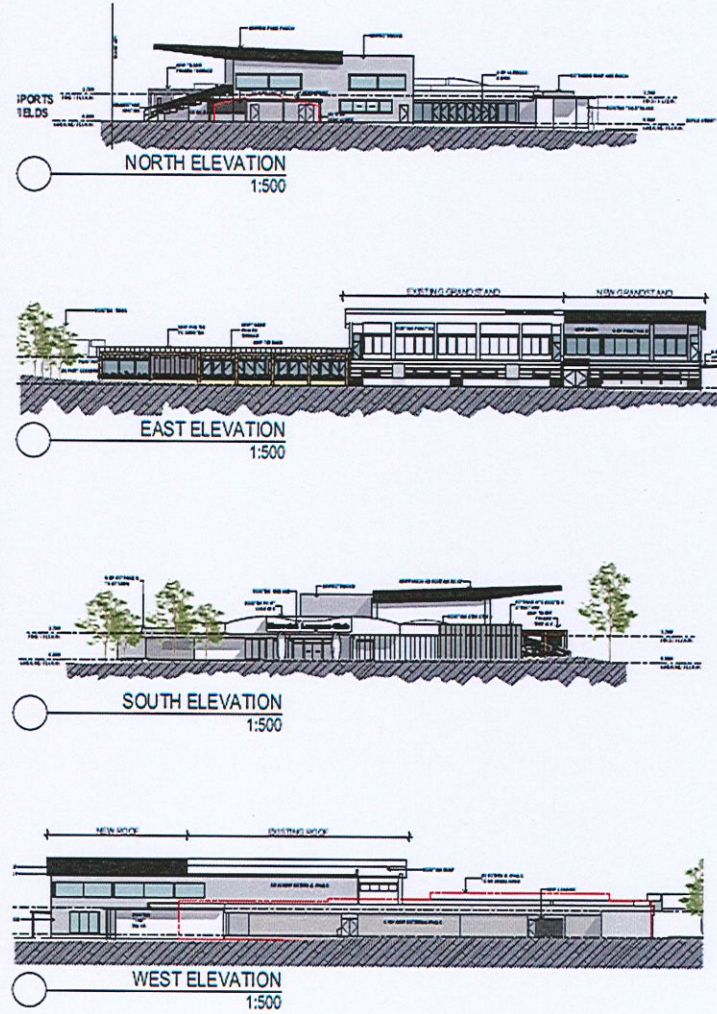
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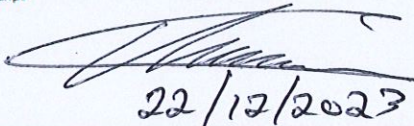
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Appeal Rights

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.