



14 August 2018

Citricorp Pty Ltd
C/- Planz Town Planning
PO Box 181
Edge Hill QLD 4870

Officer: Brian Millard
Direct Telephone: (07) 4086 4657
Our Reference: BM:nj
Your Reference: P71872

Dear Applicant/s

Decision Notice

Planning Act 2016

I refer to your application and advise that on 14 August 2018 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/18/0023
Street Address: 4-6 & 8 Effley Street, Mareeba
Real Property Description: Lot 323 on SP276124 & Lot 324 on SP297023
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Material Change of Use - Medium Impact Industry (Packing Shed)
Date of Decision: 14 August 2018

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

(A) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The 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 1 metre wide landscaped screening buffer, 1.8m high solid fence or building.

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.

4. Infrastructure Services and Standards

4.1 Access

An industrial access crossover must be constructed (from the edge of the road pavement to the property boundary of the subject lot) in accordance with the FNQROC Development Manual, to the satisfaction of 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) Prior to building works commencing the applicant 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.
- (c) The Stormwater Management Plan and Report must include provisions to intercept and control stormwater flows along driveways.
- (d) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and Report.
- (e) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure the development is provided with a minimum of thirty (35) on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises.

All car parking spaces and internal driveways must be concrete or asphalt sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer. Blue metal gravel, concrete or asphalt is to be laid for any low traffic truck turning area at the rear of the building.

All car parking spaces and internal driveways must be constructed in compliance with the following standards, to the satisfaction of Council's delegated officer:

- Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
- Australian Standard AS1428:2001 – Design for Access and Mobility.

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

4.4 Landscaping

- (a) Prior to the commencement of the use, a landscape plan must be prepared for the site and submitted to Council's delegated officer for consideration and approval. The plan is to include landscaping generally in accordance with the approved site layout plan.
- (b) Plant species used must be selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.
- (c) The landscaping of the site must be carried out in accordance with the endorsed landscaping plan, and irrigated, mulched and maintained to the satisfaction of Council's delegated officer.

4.5 Water Supply

- (a) 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).
- (b) Council will, at its cost, install a water service connection to the subject lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.6 Sewerage Connection

- (a) 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).

- (b) 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.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9032 A-DA-01 Rev A	Cover Sheet & Site Location Plan	McVeigh	05/06/18
9032 A-DA-02 Rev A	Overall Site Plan	McVeigh	05/06/18
9032 A-DA-03 Rev A	Ground Floor Plan	McVeigh	05/06/18
9032 A-DA-04 Rev A	Overall Roof Plan	McVeigh	05/06/18
9032 A-DA-05 Rev A	Overall Elevations	McVeigh	05/06/18
9032 A-DA-06 Rev A	Overall Sections	McVeigh	05/06/18

REFERENCED DOCUMENTS

Not Applicable.

ADVISORY NOTES

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

- (A) ASSESSMENT MANAGER'S ADVICE
- (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) A Trade Waste Permit will be required prior to the commencement of use.

(c) 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.

(d) 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.

(e) 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.

(f) 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.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- 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

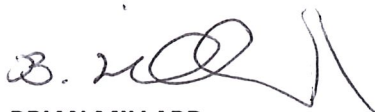
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

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



BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Appeal Rights

Approved Plans/Documents

WAREHOUSE & OFFICE

EFFLEY STREET, MAREEBA, QLD
LOT 324

SOUTH EAST PERSPECTIVE
SCALE

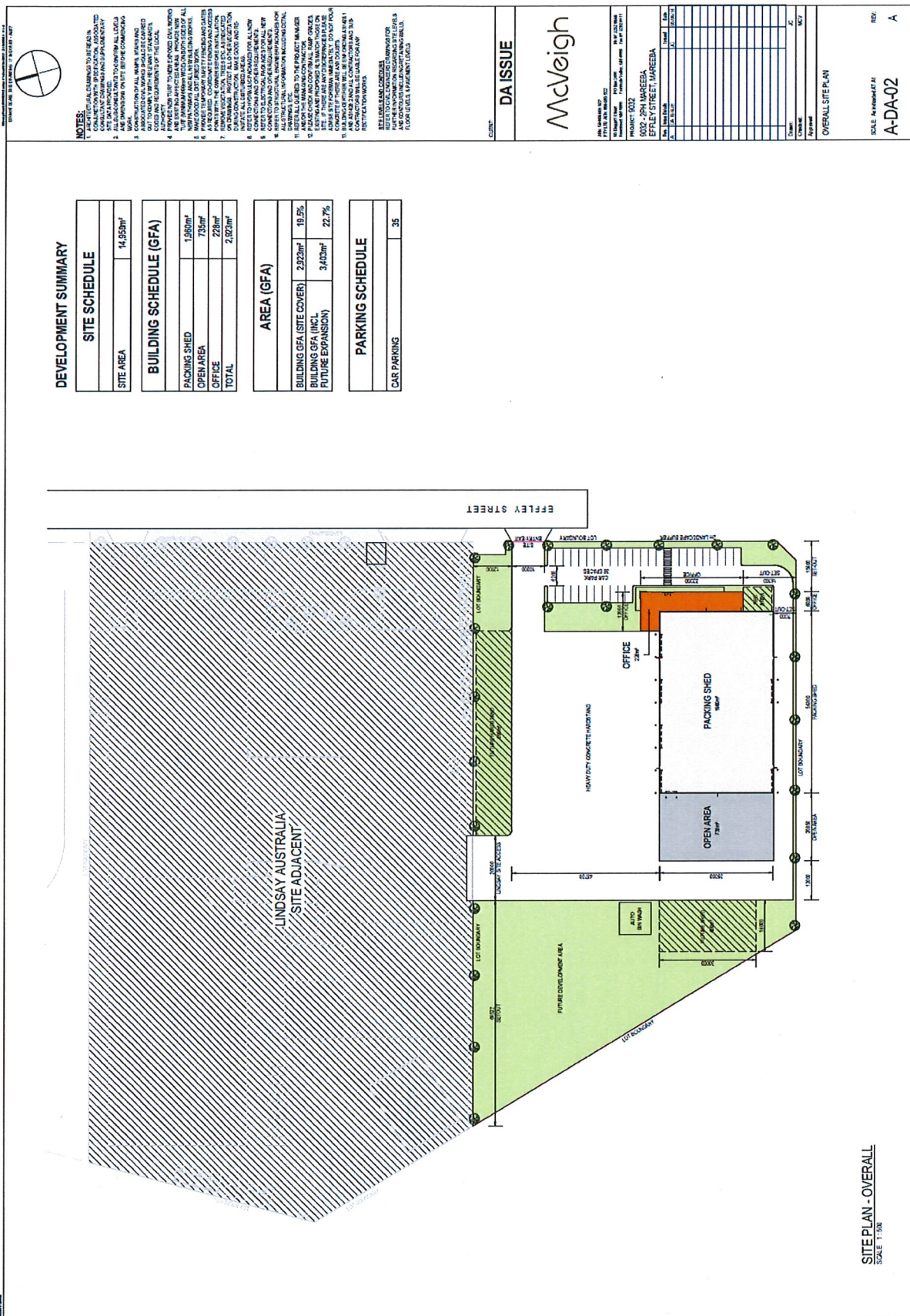
LOCATION PLAN
SCALE 1:200

NORTH EAST PERSPECTIVE
SCALE

14/8/2018
B. [Signature]

DA ISSUE	
McVeigh	
DATE OF PREVIOUS ISSUE	
APPROVED BY	
PROJECT NAME	
PROJECT ADDRESS	
PROJECT NUMBER	
PROJECT TYPE	
PROJECT STATUS	
PROJECT DESCRIPTION	
PROJECT LOCATION	
PROJECT CONTACT	
PROJECT PHONE	
PROJECT EMAIL	
PROJECT WEBSITE	
PROJECT SOCIAL MEDIA	
PROJECT OTHER	
PROJECT NOTES	
PROJECT COMMENTS	
PROJECT REVISIONS	
PROJECT APPROVALS	
PROJECT SIGNATURES	
PROJECT DATES	
PROJECT COSTS	
PROJECT RISKS	
PROJECT SCHEDULE	
PROJECT BUDGET	
PROJECT RESOURCES	
PROJECT STAKEHOLDERS	
PROJECT GOALS	
PROJECT OBJECTIVES	
PROJECT DELIVERABLES	
PROJECT MILESTONES	
PROJECT KPIs	
PROJECT REPORTS	
PROJECT DOCUMENTS	
PROJECT RECORDS	
PROJECT ARCHIVES	
PROJECT BACKUP	
PROJECT RECOVERY	
PROJECT CONTINGENCY	
PROJECT COMPLIANCE	
PROJECT LEGAL	
PROJECT FINANCIAL	
PROJECT OPERATIONAL	
PROJECT MAINTENANCE	
PROJECT SUPPORT	
PROJECT TRAINING	
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PROJECT SOCIAL	
PROJECT ECONOMIC	
PROJECT CULTURAL	
PROJECT HISTORICAL	
PROJECT HERITAGE	
PROJECT ARCHITECTURE	
PROJECT ENGINEERING	
PROJECT CONSTRUCTION	
PROJECT OPERATIONS	
PROJECT MANAGEMENT	
PROJECT LEADERSHIP	
PROJECT TEAM	
PROJECT PARTNERS	
PROJECT SUPPLIERS	
PROJECT VENDORS	
PROJECT CONTRACTORS	
PROJECT SUBCONTRACTORS	
PROJECT CONSULTANTS	
PROJECT ADVISORS	
PROJECT REVIEWERS	
PROJECT APPROVERS	
PROJECT SIGNOFFS	
PROJECT CLOSURE	
PROJECT EVALUATION	
PROJECT LESSONS LEARNED	
PROJECT IMPROVEMENTS	
PROJECT FEEDBACK	
PROJECT COMMUNICATIONS	
PROJECT REPORTING	
PROJECT DOCUMENTATION	
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PROJECT SIGNOFFS	
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PROJECT EVALUATION	
PROJECT LESSONS LEARNED	
PROJECT IMPROVEMENTS	
PROJECT FEEDBACK	

SCALE 1:1000 A/P
A-DA-01
REV: A



DEVELOPMENT SUMMARY

SITE SCHEDULE	
SITE AREA	14,950m ²

BUILDING SCHEDULE (GFA)	
PACKING SHED	1,880m ²
OFFICE AREA	730m ²
OFFICE	228m ²
TOTAL	2,838m ²

AREA (GFA)	
BUILDING GFA (SITE COVER)	2,838m ² - 19.0%
BUILDING GFA (INCL FUTURE EXPANSION)	3,400m ² - 22.7%

PARKING SCHEDULE	
CAR PARKING	35

NOTES:
 1. ALL DIMENSIONS SHOWN TO BOUNDARIES.
 2. ALL DIMENSIONS SHOWN TO BOUNDARIES UNLESS OTHERWISE INDICATED.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
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McVeigh

DA ISSUE

CLIENT

PROJECT TITLE
 800-7777
 800-7777

DATE
 20/08/18

SCALE
 1:500

OVERALL SITE PLAN

SCALE: 1:500

REF: A

14/8/2018
 B. V. [Signature]



NOTES:

1. ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH THE PROVISIONS ASSOCIATED WITH THE RELEVANT LOCAL GOVERNMENT'S DEVELOPMENT INSTRUMENT (D.I.).
2. ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH THE RELEVANT LOCAL GOVERNMENT'S DEVELOPMENT INSTRUMENT (D.I.).
3. CONSTRUCTION OF ALL WALLS, FLOORS AND ROOFS TO BE IN ACCORDANCE WITH THE RELEVANT LOCAL GOVERNMENT'S DEVELOPMENT INSTRUMENT (D.I.).
4. APPROVED DIMENSIONS SHOULD BE COVERED BY THE RELEVANT LOCAL GOVERNMENT'S DEVELOPMENT INSTRUMENT (D.I.).
5. PROVIDE IN SETTING OUT THE POSITION OF ALL THE PERMANENT STRUCTURE, INCLUDING ALL FOUNDATIONS, WALLS, FLOORS AND ROOFS.
6. MAINTAIN CLEAR ACCESS TO ALL SERVICES AND UTILITIES.
7. PROVIDE IN SETTING OUT THE POSITION OF ALL SERVICES AND UTILITIES.
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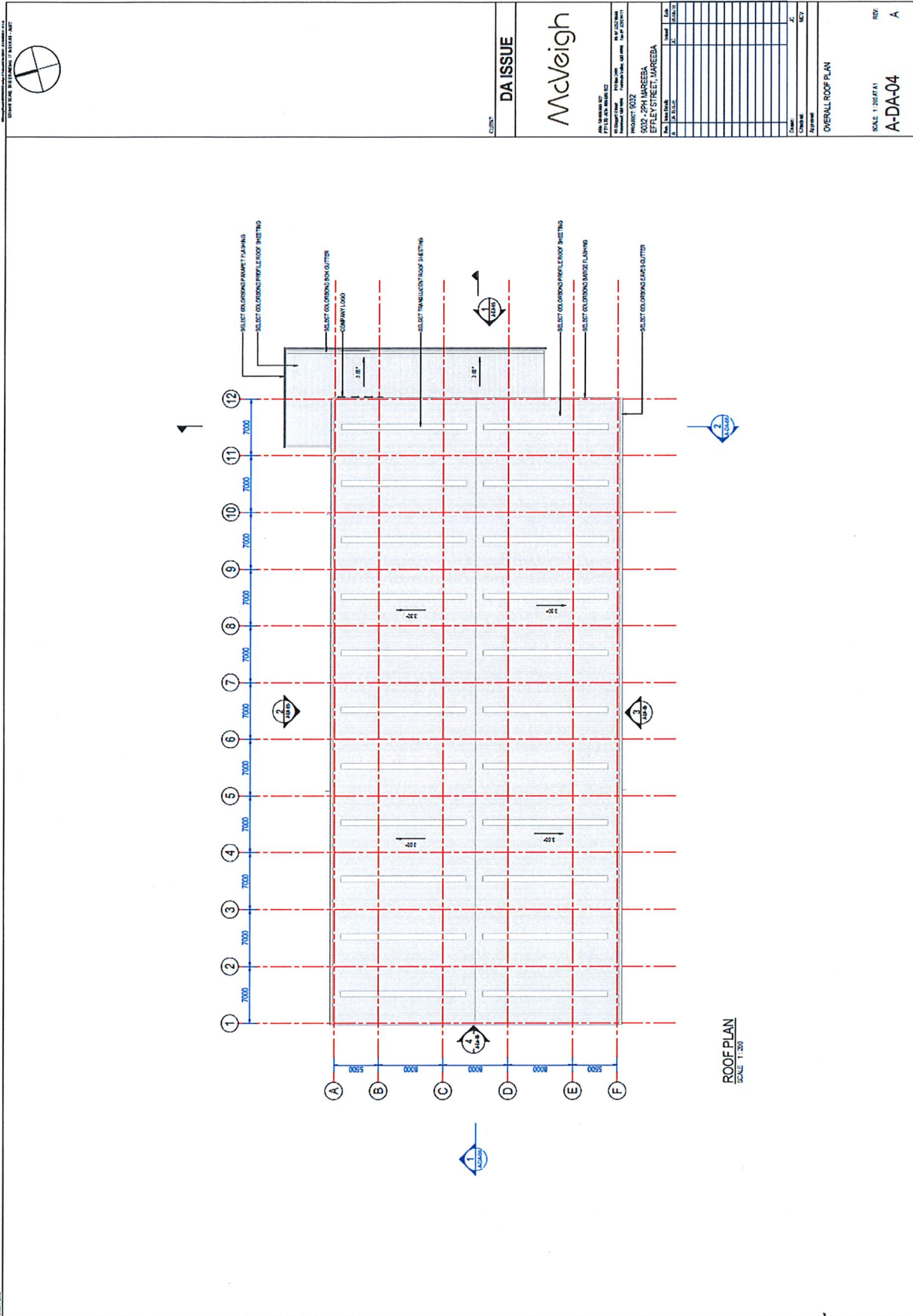
DA ISSUE

McVeigh

DATE:	17/11/2018
PROJECT:	6002 ZPH MAREEBA
CLIENT:	EFFLEY STREET, MAREEBA
SCALE:	1:200
REV:	A

GROUND - OVERALL FLOOR PLAN
SCALE: 1:200

11/18/2018
B. McVeigh



McVeigh Engineering Pty Ltd
2711 St Albans Road
St Albans, VIC 3021
Tel: (03) 9471 1500
Fax: (03) 9471 1501
www.mcveigh.com.au



CUSTOMER: **DA ISSUE**

McVeigh

McVeigh Engineering Pty Ltd
2711 St Albans Road
St Albans, VIC 3021
Tel: (03) 9471 1500
Fax: (03) 9471 1501
www.mcveigh.com.au

PROJECT: 0012
002 - ZPH MAREEBA
EPFLY STREET, MAREEBA

No.	REV	BY	DATE
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2			
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4			
5			
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7			
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12			

Overall: _____
Checked: _____
Approved: _____

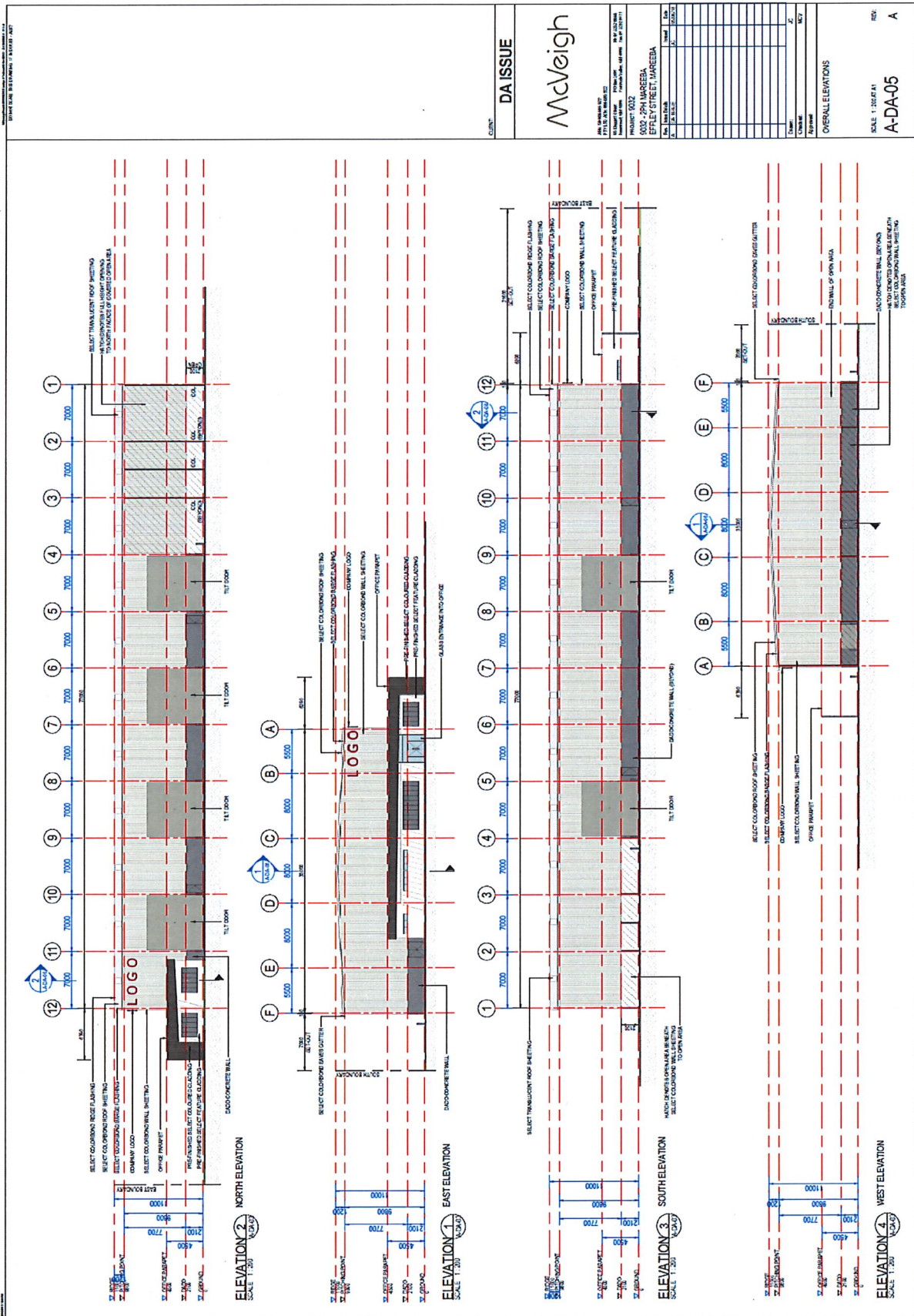
OVERALL ROOF PLAN

SCALE: 1:200 (A1)
A-DA-04

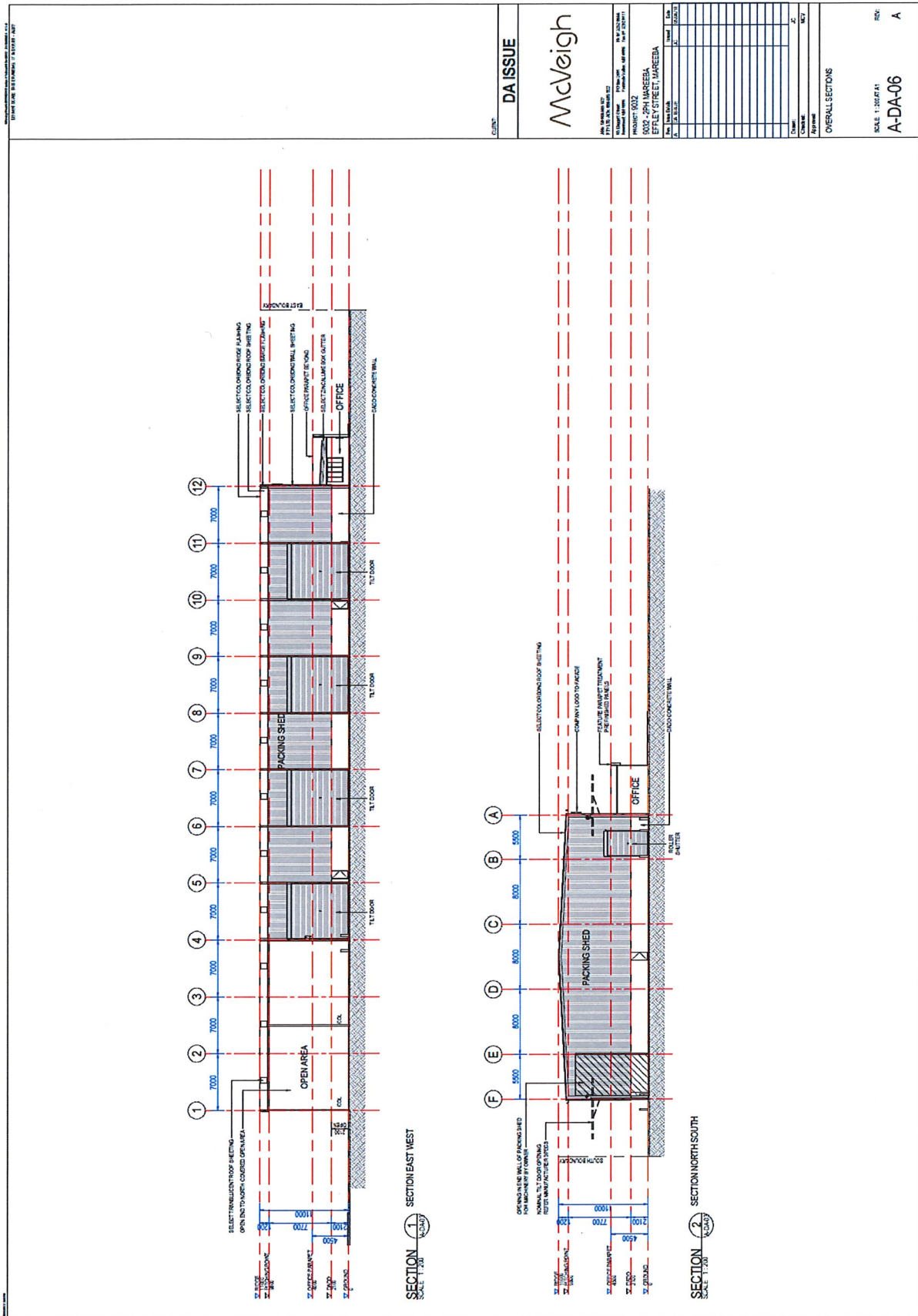
REV: A

ROOF PLAN
SCALE: 1:200

14/8/2018
B. McVeigh



14/8/2018
B. McVeigh



14/8/2018
B. [Signature]

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.