DELEGATED REPORT

SUBJECT: **MOUNT MOLLOY BOILER BLOCK BENEFIT COMMITTEE - OPERATIONAL WORKS - ADVERTISING DEVICES (X2) - LOT 1 ON SP247832 - 24 SANTOWSKI CRESCENT, MOUNT MOLLOY - OPW/21/0004**

DATE: 13 September 2021

REPORT OFFICER'S TITLE: Planning Officer

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Mount Molloy Boiler Block Benefit Committee	**ADDRESS**	24 Santowski Crescent, Mount Molloy
DATE LODGED	2 September 2021	**RPD**	Lot 1 on SP247832
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Operational Works - Advertising Devices (x2)		

FILE NO	OPW/21/0004	**AREA**	4,273m^2
LODGED BY	John Brisbin	**OWNER**	Mount Molloy Boiler Block Benefit Committee Inc
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Low Density Residential Zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	N/A - Code Assessment Only		

ATTACHMENTS: 1. Proposal Plan/s

EXECUTIVE SUMMARY

Council is in receipt of a code assessable development application described in the above application details. Being code assessable, the application was not required to undergo public notification.

The applicants propose the erection of two advertising devices situated at the southern and northern end of the property addressing both southbound and northbound traffic using the Mulligan Highway/Main Street. The two signs will have dimensions of 2400mm x 1200mm and will have split sign face content. One half of the sign will be permanently used to advertise the historic sawmill remains on site and will state - "J.M. Johnston Sawmill 1914-1963" while the other

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half of the sign will be used exclusively to advertise events and local information about the Mount Molloy area. The signs will not advertise individual businesses.

The application has been assessed against the Mareeba Shire Council Planning Scheme 2016 and is not in conflict with any relevant aspect of the Planning Scheme.

It is recommended that the application be approved in full, subject to conditions.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		**PREMISES**	
APPLICANT	Mount Molloy Boiler Block Benefit Committee	**ADDRESS**	24 Santowski Crescent, Mount Molloy
DATE LODGED	2 September 2021	**RPD**	Lot 1 on SP247832
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Operational Works - Advertising Devices (x2)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does **not** consider that the assessment manager's decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Operational Works - Advertising Device (x2)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Proposed Sign Locations	Applicant	-
-	Sign and Frame Construction	Applicant	-

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) <u>Development assessable against the Planning Scheme</u>

1. Development must be carried out substantially in accordance with the approved plan/s and the facts and circumstances of the development 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. General

2.1 One half of each advertising device is permitted for use to advertise events and other information relevant to the local area only. The use of this portion of each advertising device is not permitted for use to advertise particular businesses, at any time.

2.2 The advertising devices and any future advertising content must not, to the satisfaction of Council's delegated officer:

- resemble traffic control devices;
- give instructions to traffic;
- resemble a hazard or warning light;
- incorporate highly reflective materials or finishes; and
- be illuminated, move, revolve, strobe or flash.

2.3 The advertising devices must be kept clean, in good order and safe repair for the life of the development, to the satisfaction of Councils delegated officer.

2.4 The sign face area of the advertising devices shall not exceed 2400mm x 1200mm.

2.5 No part of the advertising devices are permitted to encroach onto any State controlled or local road reserve.

2.6 The advertising devices must comply with the relevant criteria set out in the Department of Transport and Main Roads Roadside Advertising Manual (as amended).

(D) ASSESSMENT MANAGER'S ADVICE

(a) Compliance with Acts and Regulations

The erection and use of the building/structure must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(E) RELEVANT PERIOD

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

- Two (2) years (starting the day the approval takes effect).

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

- Development Permit for Building Work

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

Map Disclaimer:
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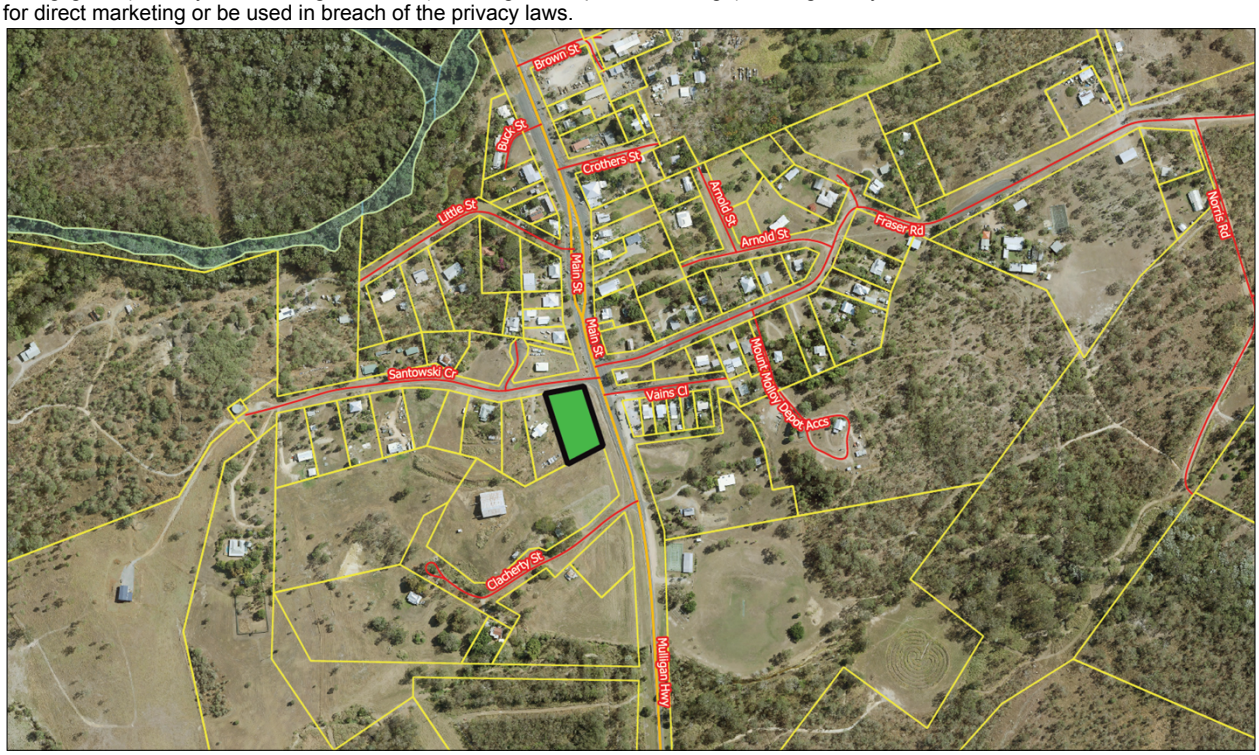

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THE SITE

The subject site is situated on the corner of Santowski Crescent and Main Street (Mulligan Highway) at 24 Santowski Crescent, Mount Molloy, more particularly described as Lot 1 on SP247832. The site is generally regular in shape with an area of 4,273m^2 and is zoned Low density residential. The site contains 50 metres of frontage to Santowksi Crescent and a further 79 metres of frontage to Main Street, both of which are bitumen sealed. No formal access point exists.

The site is relatively unimproved except for the remnants of the J.M. Johnston Sawmill which was established and operating on the site between 1914 and 1963. All immediately adjoining lots are zoned Low density residential and contain established dwellings.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

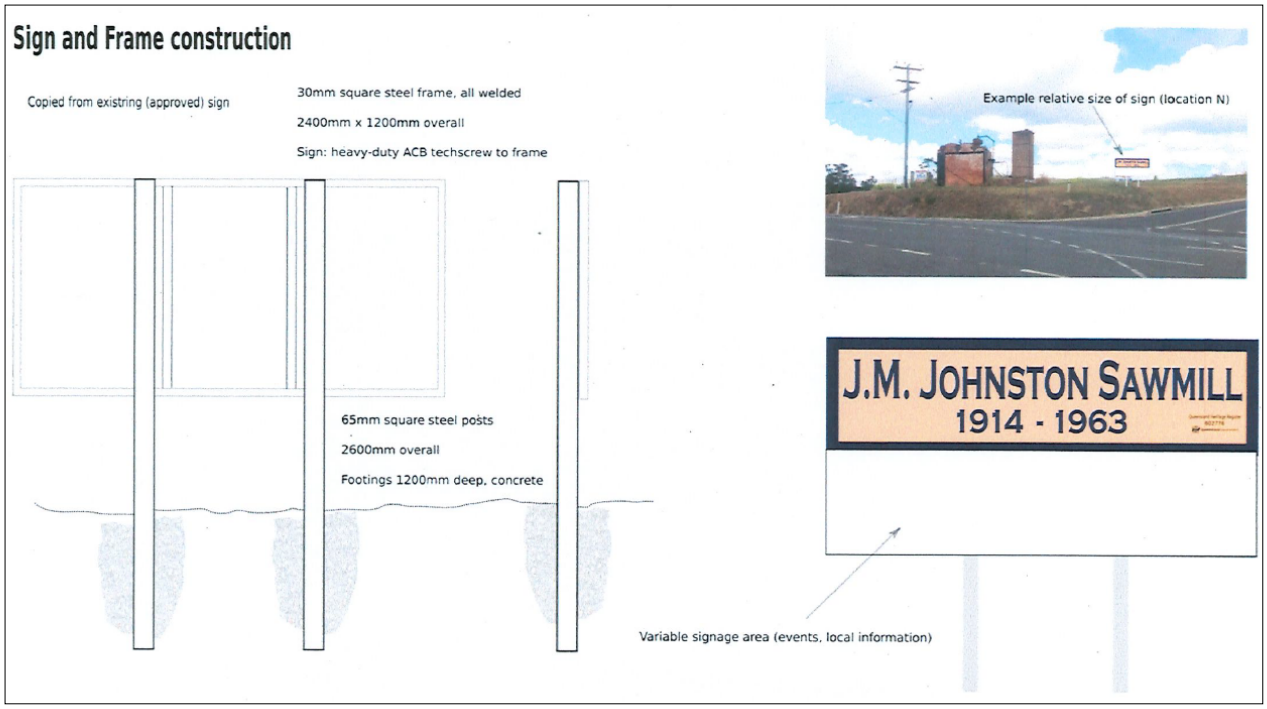
Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Operational Works - Advertising Device in accordance with the plans shown in **Attachment 1**.

The applicants propose the erection of two advertising devices situated at the southern and northern end of the property addressing both southbound and northbound traffic using the Mulligan Highway/Main Street. The two signs will have dimensions of 2400mm x 1200mm and will have split sign face content. One half of the sign will be permanently used to advertise the historic sawmill remains on site and will state - "J.M. Johnston Sawmill 1914-1963" while the other half of the sign will be used exclusively to advertise events and local information about the Mount Molloy area. The signs will not advertise individual businesses.

The proposed signs will look as follows:



REGIONAL PLAN DESIGNATION

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The site contains no areas of ecological significance.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	**Land Use Categories** ▪ Residential Area **Transport Elements** ▪ State Controlled Road ▪ B-double Route ▪ Principal Cycle Route
Zone:	Low Density Residential Zone
Overlays:	- Flood Hazard Overlay - Heritage Overlay - Transport Infrastructure Overlay

RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:-

(a) Far North Queensland Regional Plan 2009-2031

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

(b) State Planning Policy

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

(c) Mareeba Shire Council Planning Scheme 2016

Relevant Development Codes

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

6.2.6 Low density residential zone code
8.2.6 Flood hazard overlay code
8.2.7 Heritage overlay code
8.2.12 Transport infrastructure overlay code
9.4.1 Advertising devices code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Low density residential zone Code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided or an acceptable outcome cannot be met) contained within the code. Refer to code document for further commentary.
Flood Hazard Overlay Code	Although triggered for assessment, the provisions contained within the code are not considered relevant for advertising devices in the potential flood hazard area.
Heritage Overlay Code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided or an acceptable outcome cannot be met) contained within the code. Refer to code document for further commentary.
Transport Infrastructure Overlay Code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided or an acceptable outcome cannot be met) contained within the code. Refer to code document for further commentary.
Advertising Devices Code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided or an acceptable outcome cannot be met) contained within the code. Refer to code document for further commentary.

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition will be attached to any approval requiring all development works be designed and constructed in accordance with the FNQROC Development Manual.

REFERRALS

This application did not trigger referral to any Referral Agency.

Advice

This application did not trigger referral to any Advice Agency.

PLANNING DISCUSSION

Nil

Date Prepared: *13 September 2021*

DECISION BY DELEGATE

DECISION

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

Dated the 13TH day of SEPTEMBER 2021

B. Millard

BRIAN MILLARD
SENIOR PLANNER

MAREEBA SHIRE
AS DELEGATE OF THE COUNCIL

ATTACHMENT 1

APPROVED PLANS (ECM Doc Set ID 4007395)

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Sign and Frame construction

Copied from existing (approved) sign

30mm square steel frame, all welded

2400mm x 1200mm overall

Sign: heavy-duty ACB techscrew to frame

65mm square steel posts

2600mm overall

Footings 1200mm deep, concrete

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