



7 November 2024

Planning Officer: Carl Ewin  
Direct Phone: (07) 4086 4656  
Our Ref: OPW/24/0006  
Your Ref: MSC-DA001-24

Paradise Outdoor Advertising  
C/- BNC Planning  
PO Box 5493  
TOWNSVILLE CITY QLD 4810

Dear Applicants,

## Confirmation Notice

### *Planning Act 2016*

Council acknowledges receipt of your application, which was properly made on 24 October 2024. This Confirmation Notice has been prepared in accordance with the Development Assessment Rules and contains information relevant to the processing and assessment of the application. The following details are confirmed:

#### APPLICATION DETAILS

Application No:	OPW/24/0006
Proposal:	Application for a Development Permit for Operational Works – Advertising Device (Freestanding Sign)
Street Address:	230 Byrnes Street, Mareeba
Real Property Description:	Lot 6 on RP726416
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

#### TYPE OF DEVELOPMENT

The application seeks development approval for:

- Development Permit for Operational Works – Advertising Device (Freestanding Sign)

#### SUPERSEDED PLANNING SCHEME

Is the application for development under the Superseded Planning Scheme? **No**

#### CODE ASSESSMENT

Will Code Assessment be required? **Yes**

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The application will be assessed against the following development codes:

- Centre zone code
- Transport infrastructure overlay code
- Advertising devices code

#### IMPACT ASSESSMENT

Will Impact Assessment be required? **No**

#### PUBLIC NOTIFICATION DETAILS

Is Public Notification Required? **No**

#### REFERRAL AGENCIES

Nil

#### INFORMATION REQUEST

Has the applicant advised on the approved form that the applicant does not agree to accept an Information Request? **No**

A further Information Request is **made** by the assessment manager, as detailed below:

On 4 November 2024, Council received advice from the Department of Transport and Main Roads about the proposed advertising device (freestanding digital and static sign), proposed to be sited in the south-east corner of Lot 6 on RP726416, situated at 230 Byrnes Street, Mareeba. The Departments advice was as follows:

*"The department understands the proposal seeks to install a double-sided freestanding device consisting of one side as a digital face and the second face as static. The electronic face would have changing images. This device would be situated wholly in private land, visible from the State-controlled Road, Mareeba-Dimbulah Road (Byrnes Street) near the corner of Rankin Street in an 40km/hr speed zone.*

*The department has assessed the proposed development and offers the following advice against the current TMR Roadside Advertising Manual (RAM) Edition 4 dated December 2022 with respect to the application:*

- a) The size of the proposed digital advertising device has been shown on the submitted drawings as 8.50m x 3.4m, approximately 18.63m<sup>2</sup>. Sign face is 3.4m x 5.08m. This assessment has therefore been undertaken as billboard >4m<sup>2</sup> (Typically Portrait size).*
- b) In this instance the location of the proposed device falls within a Restriction Notice Area (within 45m of the signalised intersection). Only advertising devices that do not move/rotate/change the image/message being displayed, and do not flash (but may be illuminated) are permitted within the Restriction Notice Area.*

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- c) *The proposed location of the device is visible from a traffic situation where additional driver attention and decision making is required and TMR would not support a device showing advertising that moves/flashes/rotates/changes the image/message being displayed within the Restriction Notice Area."*

**1. Compliance with the Roadside Advertising Manual (RAM) Edition 4**

It is understood that your consulting traffic engineers are addressing the Departments concerns with respect to compliance with the RAM. Please provide evidence from the Department that the proposed advertising device has been amended/redesigned in such a way as to comply with the requirements of the RAM. The advertising device may need to be redesigned to include 2 static sign faces (digital aspect removed) in order to comply with the RAM, or an alternate location be proposed outside the "Restriction Notice Area".

**2. PO1/AO1.1 – Advertising Devices Code**

In light of the Departments advice, Council officer have concerns that the proposed development will not comply with AO1.1 and PO1 of the Advertising devices code in that the proposed advertising device will likely pose a safety risk to both vehicles and pedestrians using the signalised intersection adjacent the site. Please address these concerns with respect to compliance with the RAM.

The advertising device may need to be redesigned to include 2 static sign faces (digital aspect removed) in order to comply with the RAM, or an alternate location be proposed outside the "Restriction Notice Area".

**3. PO4 – Advertising Devices Code**

In light of the Departments advice, Council officer have concerns that the proposed development will not comply with PO4 (does not comply with AO4(d)) of the Advertising devices code in that the proposed advertising device will likely pose a safety risk to both vehicles and pedestrians using the signalised intersection adjacent the site. Please address these concerns with respect to compliance with the RAM.

The advertising device may need to be redesigned to include 2 static sign faces (digital aspect removed) in order to comply with the RAM, or an alternate location be proposed outside the "Restriction Notice Area".

**End of Information Request**

In responding to the Information Request, *Development Assessment Rule 13* states: -

**"13. Applicants Response**

13.1 *The period for the applicant to respond to an information request is 3 months from the date the information request was made or a further period agreed between the applicant and the assessing authority that made the information request.*

13.2 *The applicant may respond by giving the assessing authority that made the information request, within the period stated under section 13.1 -*

- (a) all of the information requested; or*
- (b) part of the information requested; or*

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(c) a notice that none of the information will be provided.

13.3 For any response given in accordance with sections 13.2(b) or (c), the applicant may also advise the assessing authority that it must proceed with its assessment of the application.

13.4 An applicant must provide a copy of any response to an information request made by a referral agency to the assessment manager."

#### PROJECT TEAM

The contact details of the project team for your application are provided below. Your primary point of contact for any general enquires regarding this application is the project manager.

**Project Manager**      **Carl Ewin, Senior Planner**      **(07) 4086 4656**

#### OTHER DETAILS

You can follow the progress of this application online at [www.msc.qld.gov.au](http://www.msc.qld.gov.au).

Should you have any further queries in relation to the above, please do not hesitate to contact the undersigned on the above number.

Yours faithfully



**CARL EWIN**  
**SENIOR PLANNER**