



DEVELOPMENT APPLICATION

PLANNING ACT 2016

DEVELOPMENT PERMIT

for

OPERATIONAL WORKS

at

230 BYRNES STREET

MAREEBA QLD 4880

RPD: Lot 6 on RP726416



PLANNING REPORT

DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT

PLANNING ACT 2016

CODE ASSESSABLE OPERATIONAL WORKS

230 BYRNES STREET, MAREEBA QLD 4880 being LOT 6 ON RP726416 FREESTANDING ADVERTISING DEVICE

BNC Planning Pty Ltd ABN 80 147 498 397 FILE REF: MSC-DA001-24 v1.0 October 2024



Prepared by <u>Client</u> <u>Report</u>

BNC Planning Paradise Outdoor Advertising Report No. MSC-DA001-24

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Appendix 1: Development Application Forms

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1.0 EXECUTIVE SUMMARY

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for operational works to facilitate the installation of an advertising device, as defined by the Mareeba Shire Council Planning Scheme 2016 (the planning scheme), on land addressed as 230 Byrnes Street, Mareeba. The development proposal is for the construction of a double sided freestanding advertising device consisting of one third party digital face and one third party static face. The device is more specifically defined as a *freestanding* sign by the planning scheme. The subject site is within the Centre zone with the proposed development identified as *code assessable* under the relevant tables of assessment.

Following a detailed assessment of the proposal against the applicable assessment benchmarks it has been determined that the development proposal is consistent with all applicable codes and policies. The development application therefore must be approved in accordance with rules of code assessment as established under Act, subject to the imposition of reasonable and relevant conditions. A summary of the development application is provided below:

APPLICATION SUMMARY	
Application Type	Development permit
Development Type	Code Assessable Operational Works
Application Description	Advertising device (freestanding sign)
Property Address	230 Byrnes Street, Mareeba QLD 4880
Legal Description	Lot 6 on RP726416
Applicant:	Paradise Outdoor Advertising C/- BNC Planning
State Referral Agencies	NA

2.0 BACKGROUND

The applicant *Paradise Outdoor Advertising* (POA) are an active and pertinent entity within the Queensland outdoor advertising industry. POA have become a market leader by providing a range of high quality and effective advertising devices throughout the State, and pride themselves on their ability to work with government entities to produce effective advertising outcomes in accordance with relevant building, planning and engineering designs and standards. A commercial opportunity to increase POAs exposure in the Mareeba local government area has been identified with the proposed device and the subject site identified following a rigorous opportunity and constraints analysis.

The site contains an auto-repair shop (low impact industry use) within the centre zone located on the Byrnes Street commercial strip. There are no specific land use rights, built form, site features or past development approvals over the site which influence the development proposal. However, the site offers ideal parameters appropriate for a digital freestanding sign, with similar conditions providing for digital advertising devices approvals throughout Queensland.

The location of the proposed billboard was specifically chosen because of the presence of existing, similar sized advertising signage and because of the variety of other advertising forms prevalent throughout the location. This allows the device to become as ambient and non-dominant as possible, which is clearly expressed in the mock-up photo attached. Mareeba remains a key investment location for POA and they look forward to the opportunity to work with council.



3.0 PROPOSAL SUMMARY

The applicant is seeking a development approval to install a new double sided advertising device on the subject site. The device will be freestanding on a mono-pole with the sign faces to be $3.4 \,\mathrm{m} \,\mathrm{x} \,4.8 \,\mathrm{m}$ exclusive of the banner/skirting components. The digital sign face will be orientated towards the south to face northbound traffic and the static face will be orientated towards the north-east to face southbound traffic. The device will be $8.5 \,\mathrm{m}$ in overall height with the skirting starting $3.02 \,\mathrm{m}$ above ground level. The structure will be built to boundary to the Rankin Street and Byrnes Street frontage, will be securely fixed to the ground, will not protrude beyond the property boundaries, will not involve moving parts or flashing/strobing lights and will be sufficiently spaced so as not to cause any proliferation issues, taking into consideration the use of the site and the community acceptance of advertising of this nature in a prominent commercial area. The new device will contribute to a vibrant and active gateway along the Byrnes Street centre commercial strip.

Digital advertising is fast becoming the preferred advertising medium for the marketplace given the technological advances of the last decade and the progressive adoption and acceptance of the medium by government entities. The proponent is well known to council and has a proven track record of installing and maintaining high quality digital assets inclusive of state-of-the-art technical specifications to manage any impacts, in particular amenity impacts that may relate to luminance and traffic/pedestrian safety. The design of the device and its location on the property is reflective of past decisions by council within centre zones. The applicant is simply seeking the same application of the assessment benchmarks as has occurred for other digital advertising devices across the city.

The following table describes the key development parameters for the proposal:

OPERATIONAL WORKS	DEVELOPMENT PARAMETERS
Established Land Use	Auto repair shop (Low impact industry use)
Proposed Device	Freestanding sign - Digital face and static face
Sign Area	Sign face: 3.4m x 4.8m
Device Dimensions	Overall: 8.5m x 3.4m
Building Height	8.5m, with skirting starting 3.0m above ground level
Setbacks	Built to boundary from Rankin Street and Rankin Street frontage

3.1 Planning Scheme Definition

The proposed advertising device meets the definition provided under the Advertising Devices Code for a freestanding sign. The relevant definitions are provided below:

Freestanding Advertising Device

a sign that comprises either a hoarding/billboard or a pylon sign which is elevated from the ground and supported by one or more columns, pylons or poles.

4.0 SITE/LOCALITY

The subject development site is made up of a single land parcel described as Lot 6 on RP726416 and addressed as 230 Byrnes Street, Mareeba. The site is an established commercial property currently used for an auto repair

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shop within the established strip commercial locality along the Byrnes Street centre. The site is within the Centre zone under the planning scheme, and adjoins land within the same zone.

A site and locality summary are provided below:

SITE AND LOCALITY DESCRIPTION		
Property Address	230 Byrnes Street, Mareeba QLD 4880	
RPD	Lot 6 on RP726416	
Landowner(s)	Stephen Joseph Fennell (PR)	
Land Area	1,104m ²	
Existing Use of Land	Auto Repair Shop	
Road Frontage	27.5m to Byrnes Street and 40m to Rankin Street	
Significant Site Features	Standard single storey commercial built form with parking, and services	
Topography	The site is a fully developed commercial premises with no notable topographic features	
Surrounding Land Uses	Commercial	

5.0 ASSESSMENT

The proposed development is identified as *accepted development subject to requirements* in the operational works tables of assessment for the Centre zone, however, as the development does not meet all of the relevant acceptable outcomes of the requirements, the development is identified as *code assessable*. There are no other relevant components of the planning scheme or *Planning Regulations 2017* which change the level of assessment for the development. The development application is therefore subject to a bound assessment against the specifically identified assessment benchmarks.

5.1 Assessment Benchmarks Pertaining to State Planning Instruments

State Planning Policy

There are no applicable components of the State planning policy.

Regional Plan

There are no applicable components of the North Queensland Regional Plan relevant to this development proposal.

State Development Assessment Provisions

Under Schedule 10 of the *Planning Regulation 2017*, the development application does not trigger any referral agency assessment or assessment against the State development assessment provisions.

Assessment Benchmarks Summary

A summary of the relevant state level assessment benchmarks is provided in the table below:

State Planning Instruments		
Assessment Benchmarks	NA NA	

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5.2 Assessment Benchmarks Pertaining to Local Planning Instruments

The applicable planning scheme for the application is the Mareeba Shire Council Planning Scheme 2016 and there are no other identified applicable local planning instruments.

Mareeba Shire Council Planning Scheme 2016

The Mareeba Shire Council Planning Scheme 2016 (the planning scheme) includes tables of assessment which nominate the categories of development and assessment (levels of assessment) and nominate the assessment benchmarks for assessable development and the requirements for accepted development. The applicable tables of assessment for this development application are:

Categories of development and assessment – Operational works.

A summary of the nominated assessment benchmarks from each table of assessment are identified below:

Table of Assessment	Nominated Assessment Benchmarks	
Operational works		
Centre zone	Advertising devices code	

The application has been assessed against each of the applicable local level assessment benchmarks and found to be:

- compliant with the purpose and applicable outcomes from the relevant codes; and
- consistent with the strategic framework for the planning scheme.

Any pertinent issues arising from the assessment against the local level assessment benchmarks are addressed below. For clarity, any codes or outcomes not specifically addressed below or in the proposal justification report are considered to be objectively satisfied.

5.2.1 Advertising devices code

The proposed device is identified as a high impact device

Advertising devices code

Purpose

- (1) The purpose of the Advertising devices code is to regulate the location, siting, number, content and design requirements for advertising devices to protect the visual character and amenity of the urban and rural areas of the region, whilst supporting the promotion of business and enterprise.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Advertising devices are designed, sited and integrated so that they do not detract from the existing character and amenity of an area and contribute to a coherent and harmonious streetscape;
 - (b) Advertising devices are of a scale, dimension and quality to minimise adverse visual impacts;
 - (c) Advertising devices do not result in visual clutter;
 - (d) Advertising devices do not impact on pedestrian or road safety and do not obscure the view of any official traffic, safety or information sign;

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- (e) Advertising devices are constructed and maintained to ensure a high standard of public safety through structural integrity, design and construction;
- (f) Advertising devices primarily provide, clear and effective identification of business and commercial premises, community uses and events with limited product advertising;
- (g) In the Rural zone advertising devices are limited to maintain the landscape character of the area; and
- (h) Billboards are limited to identified localities

Assessment benchmarks

able 9.4.1.3(a)-Accepted development subject to requirements and assessable development Performance outcomes Justification			
	_	1 *	
	to requirements and assessable developme	nt	
Public safety			
PO1 Advertising devices are designed, sited and constructed to maintain the efficient function of road infrastructure and not impede safe vehicular and pedestrian movements.	A01.1 Advertising devices do not: (a) resemble traffic control devices; or (b) give instructions to traffic; or (c) resemble a hazard or warning light through colour or method of operation, if visible from a road; or (d) cause interference with the visibility and effectiveness of hazard or warning lights; or (e) encroach onto any part of a road, road reserve, pedestrian or cycle path; or (f) incorporate highly reflective materials and finishes; or (g) cause significant visual or physical obstruction of, or distraction to,	The applicant provides the attached Traffic Engineering Assessment, which concludes that the device has adequate advance visibility, does not impede vision to any official traffic signs or traffic signals and the adjacent intersection has a low FSI rate of two, and will not pose a significant distraction and unacceptable risk to traffic safety and operations. Several recommendations are also provided inline with the planning scheme. See attached Traffic Engineering Assessment.	
	vehicular or pedestrian traffic.		
Character and amenity	1		
PO2 Advertising devices are designed and located to: (a) avoid visual clutter; (b) avoid overshadowing of adjoining premises or public places; (c) prevent loss of daylight or sunlight access for nearby uses; (d) be consistent with the built	A02.1 Advertising devices: (a) do not move, revolve, strobe or flash; (b) are not painted or erected on a roof (excluding awnings) or structure (such as a silo or tank); (c) do not incorporate overt or explicit language or visual content that is likely to be offensive to the general public;	The proposed advertising device is significantly separated from any other structures or built forms, and from other adjoining premises avoiding visual clutter, overshadowing, and blocking of light. The separation also supports the identification of the site as an auto repair support, as the building and signage of the use are clearly visible from all angles. As a highly commercial area, the Byrnes Street commercial strip has an established	
and natural character of the immediate surrounds; and (e) allow for the identification of premises, uses and business.	(d) primarily advertise a business and/or commercial premises rather than products;(e) are located on the property to which the advertising relates;	character for promoting and facilitating commercial uses. As the billboard will display third party advertising messages, this commercial character will be reinforced.	



	(f) do not protrude above the roofline	
	or parapet; and	Complies with PO2.
	(g) are limited to those devices	
	identified in Table 9.4.1.3B.	
	A02.2	
	The number, type and design of	
	advertising	
	devices complies with Table 9.4.1.3D.	
For assessable development	-	
Character and amenity		
P03	A03	The proposed advertising device:
Advertising devices are:	No acceptable outcome is provided.	P P P
	The acceptance of the control of the	(a) has been designed to a high built
(a) designed and engineered to a		standard to maintain public safety;
standard that satisfies the wind		(b) will be securely fixed to the ground;
classification for the particular		(c) will be freestanding; and
area;		(d) is significantly separated from any
(b) appropriately secured and		electricity infrastructure.
supported so as to cause no		
injury or damage to persons or		Complies with PO3.
property;		
(c) not displayed on or attached to		
a tree, roadside pole or official		
traffic or safety sign; and		
(d) appropriately separated from		
any electricity infrastructure.		
PO4	A04	The proposed freestanding device:
Freestanding advertising devices,	Freestanding advertising devices:	
where located on land fronting a		(a) have sign faces of less than 18m ² each;
state-controlled road, are	(a) have a maximum sign face area of 18m2	(b) is sited within 1km of other freestanding
appropriately located and designed	and a maximum sign face width of 6	devices, yet they are common in the
to:	metres;	local area being a commercial strip. In
	(b) are sited a minimum of 1 kilometre	this way, the devices contribute towards
(a) not impact on the safety and	from all existing freestanding	the existing commercial character;
efficiency of the state	advertising devices whether or not they	(c) is of a standard design for centre
controlled road network; and	are on the same side of the road;	commercial advertising throughout
(b) preserve rural character and	(c) are of a design and colour that is	Queensland. The separation between
landscape values.	compatible with existing adjacent	the proposed sign and other structures
	development; and	maintains amenity and demonstrates
	(d) are only located on properties with	compatibility with the local area; and
	frontage to either side of the sections of	(d) is appropriate located and are of a
	State-controlled road identified in	common design for centre zoned sites
	Table 9.4.1.3C.	throughout Queensland. It furthers the
		commercial character of the local area.
		Complies with PO4.

In addition to the above response to the applicable assessment benchmarks, the applicant also proposes the attached suggested conditions of approval, which provides standard conditions applied to approvals for urban digital billboards across Queensland and have commonly been applied to new Billboards of POA. These

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conditions ensured compliance with the local planning scheme of the assessing local government. The suggested conditions of approval are attached in **Appendix 4**.

5.2.2 Planning Scheme Policy 10

While not referred to in the Advertising devices code, the proposal has also been assessed against *Planning Scheme Policy 10 – Advertising with an Electronic Display Component*. See **Appendix 5**.

5.3 External Referrals

The development application does not trigger assessment by any referral agencies.

5.4 Public Notification

The application is code assessable and will not be subject to the public notification requirements from the *Planning Act 2016* and Development Assessment Provisions.

6.0 CONCLUSION:

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for operational works to facilitate the installation of an advertising device, as defined by the Mareeba Shire Council Planning Scheme 2016 (the planning scheme), on land addressed as 230 Byrnes Street, Mareeba. The development proposal is for the construction of a double sided freestanding advertising device consisting of one third party digital face and one third party static face. The device is more specifically defined as a *freestanding* sign by the planning scheme. An assessment of the proposal was undertaken which confirms that it is consistent with the provisions of the applicable planning instruments, specifically the planning scheme. It is therefore recommended that Council **approve** the development application by delegated authority and issue a development permit subject to the imposition of reasonable and relevant conditions.

RECOMMENDATION

That this application seeking a development permit for operational works to install the proposed new advertising device on the subject premises situated at 230 Byrnes Street, Mareeba more particularly described as Lot 6 on RP726416, be approved subject to reasonable and relevant conditions.

STATEMENT OF REASONS

Subject to the imposition of reasonable and relevant conditions, the development is able to comply with the following applicable assessment benchmarks against which the application was required to be assessed.

Applicable Assessment Benchmarks:

Planning Scheme		
Assessment Benchmarks:	Advertising devices code	

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State Planning Instruments		
Assessment Benchmarks:	NA	

Reason for approval despite non-compliance with assessment benchmarks

There were no areas of non-compliance with the assessment benchmarks, subject to the imposition of the reasonable and relevant conditions.

APPENDIX 1

DEVELOPMENT APPLICATION FORMS

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving building work only, use DA Form 2 – Building work details.

For a development application involving **building work associated with any other type of assessable development** (i.e. material change of use, operational work or reconfiguring a lot), use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 - APPLICANT DETAILS

1) Applicant details	Deradice Outdoor Advertising C/ PNC Planning
Applicant name(s) (individual or company full name)	Paradise Outdoor Advertising C/- BNC Planning
Contact name (only applicable for companies)	Benjamin Collings
Postal address (P.O. Box or street address)	PO Box 5493
Suburb	Townsville
State	QLD
Postcode	4810
Country	Australia
Contact number	(07) 4724 1763 or 0438 789 612
Email address (non-mandatory)	enquire@bncplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	MSC-DA001-24
1.1) Home-based business	
Personal details to remain private in accord	ance with section 264(6) of <i>Planning Act 2016</i>

2.1) Is written consent of the owner required for this development application?

Yes – the written consent of the owner(s) is attached to this development application

M SEELL	
	Queensland
	Government

Document Set ID: 4425061 Version: 1, Version Date: 21/10/2024

 \bowtie No – proceed to 3)

PART 2 - LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable) Note : Provide details below and attach a site plan for any or all premises part of the development application. For further information, see <u>DA Forms Guide</u> : Relevant plans.									
3.1) St	reet address	and lo	ot on pla	an					
⊠ Stre	eet address.	AND Id	ot on pla	ın (a <i>ll l</i> e	ots must be liste	ed), or			
					an adjoining (etty, pontoon. Al				e premises (appropriate for development in
	Unit No.	Stree	t No.	Stree	et Name and	Туре			Suburb
-\		230		Byrnes Street			Mareeba		
a)	Postcode	Lot N	0.	Plan	Type and Nu	umber (e	e.g. F	RP, SP)	Local Government Area(s)
	4880	6		RP7	26416				Mareeba Shire Council
	Unit No.	Stree	t No.	Stree	et Name and	Туре			Suburb
b)	Postcode	Lot N	0.	Plan	Type and Nu	umber (e	e.g. R	P, SP)	Local Government Area(s)
3.2) C	oordinates o	f prem	ises (ap	propriat	e for developme	ent in remo	ote are	as, over part of a	a lot or in water not adjoining or adjacent to land
	g. channel dred	_							
	lace each set of					0			
		premis			de and latitud				Local Covernment Area(a) (if anyline)
Longiti	ude(s)		Latitud	ie(s)		Datum			Local Government Area(s) (if applicable
						_	SS84 A94		
						Oth			
	ordinates of	nremis	es hy e	astina	and northing				
Easting			ing(s)	aoung	Zone Ref.	Datum	1		Local Government Area(s) (if applicable
Lasting	9(3)	140111	iii ig(3 <i>)</i>		<u> </u>		S84		Eddai Government Area(3) (ii applicasi
					☐ 54 ☐ 55		A94		
					☐ 56	Oth			
3 3) Ad	dditional prei	mises							
	•		e relev	ant to	this developr	ment and	nlicat	ion and the d	etails of these premises have been
					opment appli		piloat	ion and the a	etails of these premises have seen
☑ Not	t required								
4) Ider	ntify any of th	ne follo	wing tha	at app	ly to the pren	nises an	d pro	vide any rele	vant details
☐ In or adjacent to a water body or watercourse or in or above an aquifer									
Name of water body, watercourse or aquifer:									
On strategic port land under the <i>Transport Infrastructure Act 1994</i>									
Lot on plan description of strategic port land:									
Name	Name of port authority for the lot:								
☐ In a tidal area									
Name	Name of local government for the tidal area (if applicable):								
i i	of port author								

On airport land under the Airport Assets (Restructuring and Disposal) Act 2008			
Name of airport:			
☐ Listed on the Environmental Management Register (EN	IR) under the Environmental Protection Act 1994		
EMR site identification:			
☐ Listed on the Contaminated Land Register (CLR) under	the Environmental Protection Act 1994		
CLR site identification:			
5) Are there any existing easements over the premises? Note: Easement uses vary throughout Queensland and are to be identified how they may affect the proposed development, see <u>DA Forms Guide.</u>	ed correctly and accurately. For further information on easements and		
☐ Yes – All easement locations, types and dimensions are application☒ No	e included in plans submitted with this development		

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect				
a) What is the type of develo	opment? (tick only one box)			
☐ Material change of use	☐ Reconfiguring a lot	Operational work	☐ Building work	
b) What is the approval type	? (tick only one box)			
□ Development permit	☐ Preliminary approval	☐ Preliminary approval that	at includes a variation approval	
c) What is the level of asses	sment?			
	☐ Impact assessment (require	res public notification)		
d) Provide a brief description lots):	า of the proposal (e.g. 6 unit apart	ment building defined as multi-unit o	dwelling, reconfiguration of 1 lot into 3	
Advertising Device				
e) Relevant plans Note: Relevant plans are required Relevant plans.	to be submitted for all aspects of this	development application. For furthe	r information, see <u>DA Forms guide:</u>	
Relevant plans of the pro	posed development are attacl	ned to the development appli	ication	
6.2) Provide details about the second development aspect				
a) What is the type of develo	opment? (tick only one box)			
☐ Material change of use	Reconfiguring a lot	Operational work	Building work	
b) What is the approval type	? (tick only one box)			
☐ Development permit	☐ Preliminary approval	Preliminary approval that	at includes a variation approval	
c) What is the level of asses	sment?			
Code assessment	Impact assessment (require	res public notification)		
d) Provide a brief description of the proposal (e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):				
e) Relevant plans Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <u>DA Forms Guide:</u> Relevant plans.				
│	posed development are attach	ned to the development appli	cation	



6.3) Additional aspects of development			
Additional aspects of development are	e relevant to this development application		
that would be required under Part 3 S Not required	Section 1 of this form have been attached	to this development ap	plication
6.4) Is the application for State facilitated	development?		
☐ Yes - Has a notice of declaration been ☐ No	n given by the Minister?		
Section 2 – Further development de	staila		
7) Does the proposed development appli			
	cation involve any of the following? - complete division 1 if assessable agains	t a local planning instru	ıment
	- complete division 2	t a local planning mone	illelit
<u> </u>	- complete division 3		
	- complete DA Form 2 – Building work det	tails	
Duriding Work	Complete DA Form 2 - Building Work det	ans	
Division 1 – Material change of use			
Note : This division is only required to be completed in local planning instrument.	any part of the development application involves a	material change of use asse	ssable against a
8.1) Describe the proposed material char	nge of use		
Provide a general description of the	Provide the planning scheme definition	Number of dwelling	Gross floor
proposed use	(include each definition in a new row)	units (if applicable)	area (m²) (if applicable)
8.2) Does the proposed use involve the u	use of existing buildings on the premises?		
Yes			
□ No			
8.3) Does the proposed development rela	ate to temporary accepted development u	nder the Planning Reg	ulation?
☐ Yes – provide details below or include	e details in a schedule to this developmen	t application	
□ No			
Provide a general description of the temp	porary accepted development	Specify the stated per under the Planning R	
Division 2 – Reconfiguring a lot			
Note: This division is only required to be completed if		configuring a lot.	
9.1) What is the total number of existing	lots making up the premises?		
9.2) What is the nature of the lot reconfig	_		
Subdivision (complete 10)	☐ Dividing land into parts by		
Boundary realignment (complete 12)	☐ Creating or changing an e		s to a lot



10) Subdivision						
10.1) For this devel	lopment, how	many lots are	being crea	ted and wha	at is the intended	use of those lots:
Intended use of lots	s created	Residential	Com	mercial	Industrial	Other, please specify:
Number of lots crea	ated					
10.2) Will the subdi	vision he sta	ned?				
Yes – provide a						
□ No						
How many stages v	will the works	include?				
What stage(s) will t apply to?	his developm	ent application	1			
11) Dividing land in parts?	to parts by ac	reement – hov	v many part	s are being	created and wha	t is the intended use of the
Intended use of par	rts created	Residential	Com	mercial	Industrial	Other, please specify:
Number of parts cre	eated					
40) D						
12) Boundary realig		ranged grad	for each le	t comprising	a the premises?	
12.1) What are the	Current I		s for each ic	t comprising		posed lot
Lot on plan descrip	1	ea (m²)		Lot on pla	Area (m²)	
Lot on plan doonp		ou ()		Zot on pia	ucconputon	7 oc. (111)
12.2) What is the re	eason for the	boundary reali	gnment?			
13) What are the di (attach schedule if there			existing ea	asements be	eing changed and	or any proposed easement?
Existing or proposed?	Width (m)	Length (m)	Purpose o	of the easen ccess)	nent? (e.g.	Identify the land/lot(s) benefitted by the easement
Division 3 Operat	ional work					
Division 3 – Operat <u>Vote: This division is only</u>		ompleted if any pa	rt of the develo	opment applica	ntion involves operatio	nal work.
14.1) What is the n						
Road work			Stormwate		_	frastructure
☐ Drainage work		L] Earthwork	(S		infrastructure vegetation
☐ Landscaping☐ Other – please s	snecify:		Signage			vegetation
14.2) Is the operation		cessary to facil	itate the cre	ation of nev	w lots? (e.a. subdivi:	sion)
Yes – specify nu		-			r 10to . (e.g. sabalvi	
⊠ No						



14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$135,000	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Mareeba Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
Yes – a copy of the decision notice is attached to this development application
☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
⊠ No

PART 5 - REFERRAL DETAILS

٠.	
	17) Does this development application include any aspects that have any referral requirements? Note: A development application will require referral if prescribed by the Planning Regulation 2017.
	No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6
	Matters requiring referral to the Chief Executive of the Planning Act 2016:
	☐ Clearing native vegetation
	Contaminated land (unexploded ordnance)
	Environmentally relevant activities (ERA) (only if the ERA has not been devolved to a local government)
	Fisheries – aquaculture
	Fisheries – declared fish habitat area
	Fisheries – marine plants
	Fisheries – waterway barrier works
	☐ Hazardous chemical facilities
	Heritage places – Queensland heritage place (on or near a Queensland heritage place)
	☐ Infrastructure-related referrals – designated premises
	☐ Infrastructure-related referrals – state transport infrastructure
	☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
	☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
	☐ Infrastructure-related referrals – near a state-controlled road intersection
	☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
	☐ Koala habitat in SEQ region – key resource areas
	Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
	Ports – Brisbane core port land – environmentally relevant activity (ERA)
	Ports – Brisbane core port land – tidal works or work in a coastal management district
	Ports – Brisbane core port land – hazardous chemical facility
	Ports – Brisbane core port land – taking or interfering with water
	Ports – Brisbane core port land – referable dams
	Ports – Brisbane core port land – fisheries
	Ports – Land within Port of Brisbane's port limits (below high-water mark)
	SEQ development area
	SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
	SEQ regional landscape and rural production area or SEQ rural living area – community activity
	☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
	☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
	SEQ regional landscape and rural production area or SEQ rural living area – combined use



 SEQ northern inter-urban break – tourist activity or sport and recreation activity SEQ northern inter-urban break – community activity SEQ northern inter-urban break – indoor recreation SEQ northern inter-urban break – urban activity SEQ northern inter-urban break – combined use 				
 □ Tidal works or works in a coastal management district □ Reconfiguring a lot in a coastal management district or for a canal □ Erosion prone area in a coastal management district □ Urban design □ Water-related development – taking or interfering with water □ Water-related development – removing quarry material (from a watercourse or lake) □ Water-related development – referable dams □ Water-related development –levees (category 3 levees only) □ Wetland protection area 				
Matters requiring referral to the local government:				
☐ Airport land ☐ Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government) ☐ Heritage places – Local heritage places				
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: Infrastructure-related referrals – Electricity infrastructure				
Matters requiring referral to: The Chief Executive of the holder of the licence, if not an individual The holder of the licence, if the holder of the licence is an individual Infrastructure-related referrals – Oil and gas infrastructure				
Matters requiring referral to the Brisbane City Council : Ports – Brisbane core port land				
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons) Ports – Strategic port land				
Matters requiring referral to the relevant port operator , if applicant is not port operator: Description: Ports – Land within Port of Brisbane's port limits (below high-water mark)				
Matters requiring referral to the Chief Executive of the relevant port authority: □ Ports – Land within limits of another port (below high-water mark)				
Matters requiring referral to the Gold Coast Waterways Authority: Tidal works or work in a coastal management district (in Gold Coast waters)				
Matters requiring referral to the Queensland Fire and Emergency Service: Tidal works or work in a coastal management district (involving a marina (more than six vessel berths))				
18) Has any referral agency provided a referral response for this development application?				
☐ Yes – referral response(s) received and listed below are attached to this development application ☐ No				
Referral requirement Referral agency Date of referral response				
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application (if applicable).				

PART 6 - INFORMATION REQUEST

19) Information request under the	ie DA Rules				
☑ I agree to receive an information request if determined necessary for this development application					
☐ I do not agree to accept an information request for this development application					
	rmation request I, the applicant, acknowle	-			
 that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties 					
'	Rules will still apply if the application is a	n applica	tion listed under section 11.3 c	of the DA Rules or	
Part 2under Chapter 2 of the DA I	Rules will still apply if the application is fo	r state fa	cilitated development		
Further advice about information reques	ets is contained in the <u>DA Forms Guide</u> .				
PART 7 – FURTHER DE	ETAILS				
20) Are there any associated de	evelopment applications or curren	t appro	vals? (e.g. a preliminary app	roval)	
_	or include details in a schedule to				
No	of include details in a scriedule to	i ilis de	sveiopinent application		
_	Deference number	Data		Assassment	
List of approval/development application references	Reference number	Date		Assessment manager	
Approval				managor	
Development application					
☐ Approval☐ Development application					
Development application				<u> </u>	
24) []					
operational work)	ce leave levy been paid? (only appl			lving building work or	
	d QLeave form is attached to this				
	vide evidence that the portable lo	_	•	•	
	es the development application. I I only if I provide evidence that th				
	and construction work is less tha		_	vy nas been paid	
		11 \$100		Ρ Γ\	
Amount paid	Date paid (dd/mm/yy)		QLeave levy number (A	, D OI E)	
\$					
22) Is this development applicat notice?	ion in response to a show cause	notice	or required as a result of	an enforcement	
☐ Yes – show cause or enforcement notice is attached					
⊠ No					

23) Further legislative requirements					
Environmentally relevant ac	ctivities				
	lication also taken to be an ap				
	Activity (ERA) under section 1				
•	nent (form ESR/2015/1791) fo ment application, and details a	• •			
⊠ No	эрриозион, энэ эсгэнэ э	p			
	tal authority can be found by searching operate. See www.business.qld.go		at <u>www.qld.gov.au</u> . An ERA		
Proposed ERA number:		Proposed ERA threshold:			
Proposed ERA name:		,			
Multiple ERAs are applica this development applicati	ble to this development applic on.	ation and the details have bee	en attached in a schedule to		
Hazardous chemical faciliti	<u>es</u>				
23.2) Is this development app	olication for a hazardous cher	mical facility?			
	on of a facility exceeding 10%	of schedule 15 threshold is a	ttached to this development		
application					
No Note: See www.business.gld.gov.au	for further information about hazardo	ous chemical notifications.			
Clearing native vegetation					
	application involve clearing n	ative vegetation that require	s written confirmation that		
the chief executive of the Veg section 22A of the Vegetation	getation Management Act 1999 Management Act 1999?	9 is satisfied the clearing is for	r a relevant purpose under		
 Yes – this development application includes written confirmation from the chief executive of the <i>Vegetation Management Act 1999</i> (s22A determination) No 					
Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included,					
the development application 2. See https://www.qld.gov.au	the development application is prohibited development. 2. See https://www.qld.gov.au/environment/land/vegetation/applying for further information on how to obtain a s22A determination.				
Environmental offsets					
23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a prescribed environmental matter under the <i>Environmental Offsets Act 2014</i> ?					
☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as					
having a significant residual impact on a prescribed environmental matter					
No					
Note : The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.					
Koala habitat in SEQ Region					
23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?					
Yes – the development ap	plication involves premises in	the koala habitat area in the k	koala priority area		
	plication involves premises in	the koala habitat area outside	e the koala priority area		
No Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this					
development application. See koala habitat area guidance materials at <u>www.desi.qld.gov.au</u> for further information.					



23.6) Does this development application involve taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the <i>Water Act 2000</i> ?
 Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the <i>Water Act 2000</i> may be required prior to commencing development No
Note: Contact the Department of Resources at www.resources.gld.gov.au for further information.
DA templates are available from <u>planning.statedevelopment.qld.gov.au</u> . If the development application involves:
Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
 Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2 Taking overland flow water: complete DA Form 1 Template 3.
Taking Gronalia non-mator. Somplete Bit i omi i Tompiate G.
Waterway barrier works
23.7) Does this application involve waterway barrier works?
☐ Yes – the relevant template is completed and attached to this development application ☐ No
DA templates are available from <u>planning.statedevelopment.qld.gov.au</u> . For a development application involving waterway barrier works, complete DA Form 1 Template 4.
Marine activities
23.8) Does this development application involve aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?
Yes – an associated <i>resource</i> allocation authority is attached to this development application, if required under the <i>Fisheries Act 1994</i>
⊠ No
Note: See guidance materials at www.daf.qld.gov.au for further information.
Quarry materials from a watercourse or lake
23.9) Does this development application involve the removal of quarry materials from a watercourse or lake under the <i>Water Act 2000?</i>
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No
Note: Contact the Department of Resources at www.resources.gld.gov.au and www.business.gld.gov.au for further information.
Quarry materials from land under tidal waters
23.10) Does this development application involve the removal of quarry materials from land under tidal water under the <i>Coastal Protection and Management Act 1995?</i>
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No
Note: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.
Referable dams
23.11) Does this development application involve a referable dam required to be failure impact assessed under section 343 of the <i>Water Supply (Safety and Reliability) Act 2008</i> (the Water Supply Act)?
Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
⊠ No
Note: See guidance materials at www.resources.gld.gov.au.for.further.information



Water resources

Tidal work or development within a coastal management district			
23.12) Does this development application involve tidal work or development in a coastal management district?			
 Yes – the following is included with this development application: □ Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work) □ A certificate of title ☑ No Note: See guidance materials at www.desi.gld.gov.au for further information. 			
Queensland and local heritage places			
23.13) Does this development application propose development on or adjoining a place entered in the Queensland heritage register or on a place entered in a local government's Local Heritage Register ?			
Yes – details of the heritage place are provided in the table below			
No Note: See guidance materials at www.desi.qld.gov.au for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qldgov.au for information regarding assessment of Queensland heritage places.			
Name of the heritage place: Place ID:			
Decision under section 62 of the Transport Infrastructure Act 1994			
23.14) Does this development application involve new or changed access to a state-controlled road?			
 Yes – this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied) No 			
Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation			
23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?			
 Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered No Note: See guidance materials at www.planning.statedevelopment.gld.gov.au for further information. 			
Note. See guidance materials at www.planning.statedevelopment.qid.gov.au for further information.			
PART 8 – CHECKLIST AND APPLICANT DECLARATION			
24) Development application checklist			
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 Note: See the Planning Regulation 2017 for referral requirements			
If building work is associated with the proposed development, Parts 4 to 6 of <u>DA Form 2 − </u> <u>Building work details</u> have been completed and attached to this development application ✓ Not applicable			
Supporting information addressing any applicable assessment benchmarks is with the development application			

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report

and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see <u>DA</u>

Note: Relevant plans are required to be submitted for all aspects of this development application. For further

The portable long service leave levy for QLeave has been paid, or will be paid before a

Relevant plans of the development are attached to this development application



Yes

Forms Guide: Planning Report Template.

information, see <u>DA Forms Guide: Relevant plans.</u>

development permit is issued (see 21)

25) Applicant declaration			
By making this development application, I declare that correct	all information in this development application is true and		
☑ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications			
from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i>			
Note: It is unlawful to intentionally provide false or misleading information			
Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i> , Planning Regulation 2017 and the DA Rules except where: • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i> .			
PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE			
USE ONLY			
Deta received:	(-)		
Date received: Reference numb	per(s):		
Notification of engagement of alternative assessment mar	nager		
Prescribed assessment manager			
Name of chosen assessment manager			
Date chosen assessment manager engaged			
Contact number of chosen assessment manager			
Relevant licence number(s) of chosen assessment manager			
QLeave notification and payment Note: For completion by assessment manager if applicable			
Description of the work			
QLeave project number			
Amount paid (\$)	Date paid (dd/mm/yy)		
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Individual owner's consent for making a development application under the *Planning Act 2016*

I, STEPHEN JOSEPH FENNELL	
The Sole Executor of	
The Estate of Geoffrey Stephen Fennell	
as owner of the premises identified as follows:	
230 Byrnes Street Mareeba QLD 4880 Lot 6 on RP726416	
consent to the making of a development application under the Planning Act	2016 by:
Paradise Outdoor Advertising	
on the premises described above for:	
A freestanding single sided 3.1m x 5m northbound digital portrait billboard	
DocuSigned by: Stepl. Formal Stephen Fennell 30-06-2024 11:15 AM BST	[signature of owners and date signed]

APPENDIX 2

SITE DETAILS

Aerial

230 Byrnes Street, Mareeba QLD 4880

16°59'48"S 145°25'24"E



16°59'51"S 145°25'20"E





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For more information, visit https://qldglobe.information.qld.gov.au/help-info/Contact-us.html



Aerial

230 Byrnes Street, Mareeba QLD 4880



Legend

Land parcel **Parcel** Land parcel - gt 1 ha **Parcel** Land parcel - gt 10 ha **Parcel** Easement parcel Strata parcel Volumetric parcel Land parcel - gt 1000 ha **Parcel** Land parcel label Land parcel label - gt 1 ha Land parcel label - gt 10 ha Land parcel label - gt 1000 ha Places: Search Results 6RP726416 Green bridges

Roads and tracks

Motorway

Highway

Secondary

Connector

Local

Restricted Access Road

Mall

Busway

Bikeway

Restricted Access

Bikeway

Walkway

Restricted Access

Walkway

Non-vehicular Track

Track

Restricted Access Track

Ferry

Proposed Thoroughfare

Bridges

Tunnels

Railway stations

Railways



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Zoning

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230 Byrnes Street Mareeba QLD 4880

□ - □ - □ 1,104m² □ -







Property Details

Property Type COMMERCIAL **RPD** L6 RP726416

Vol/Folio **Occupancy Type Dev Zone**

LA Mareeba

Year Built

Site Value \$330,000 (30-Jun-22)

Owner Name(s) **GEOFFREY STEPHEN FENNELL**

Sale History (up to last four sales)





\$203.000 Normal Sale

Last Sale

Sale Price \$0

Sale Date 21-Nov-96

Sale Method Transmission By Death

Days on Market **Listing Agency Listing Agent Agent Contact**

Property Features

- Business Or Centre
- On Main Road
- Sewage

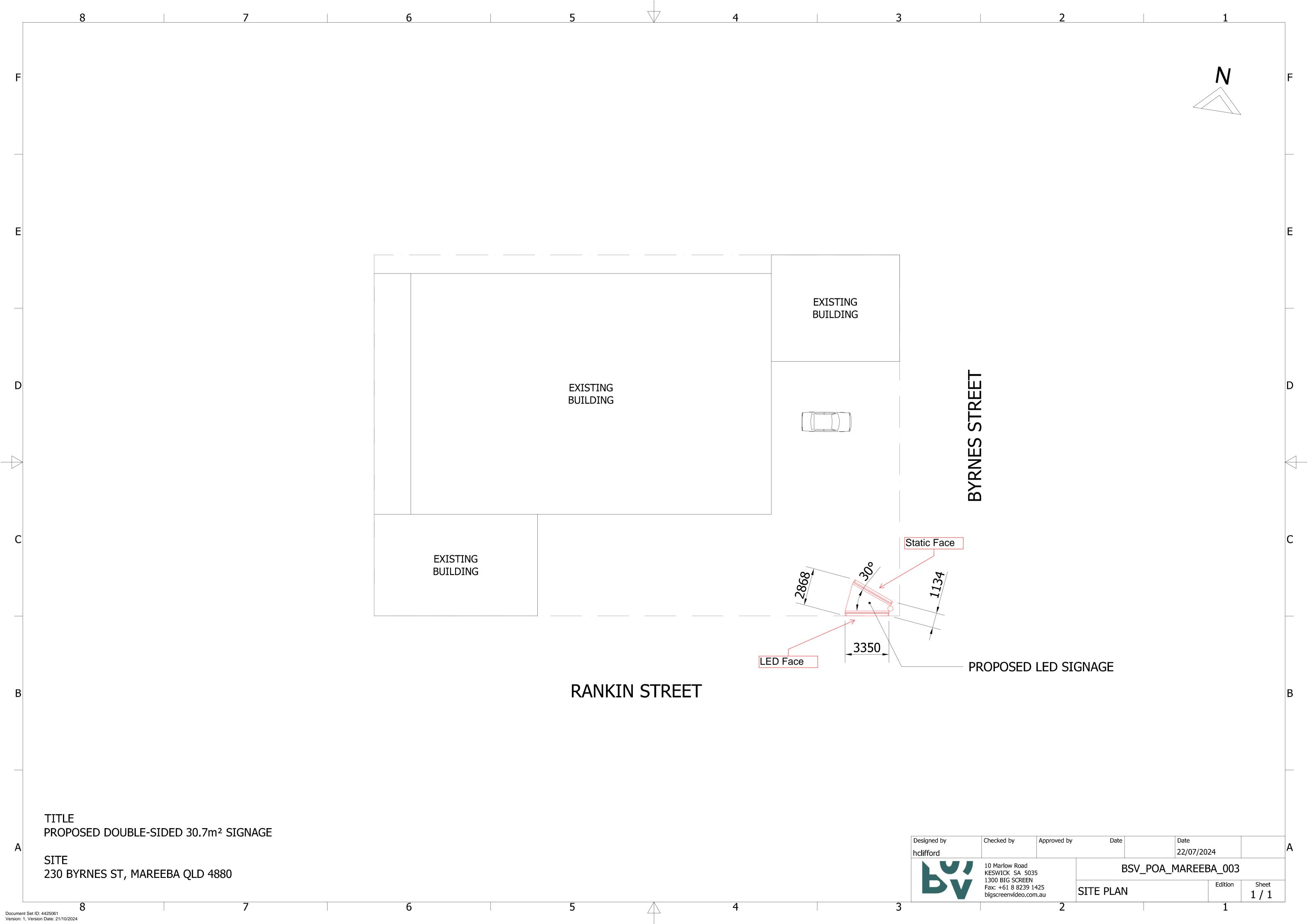
Water

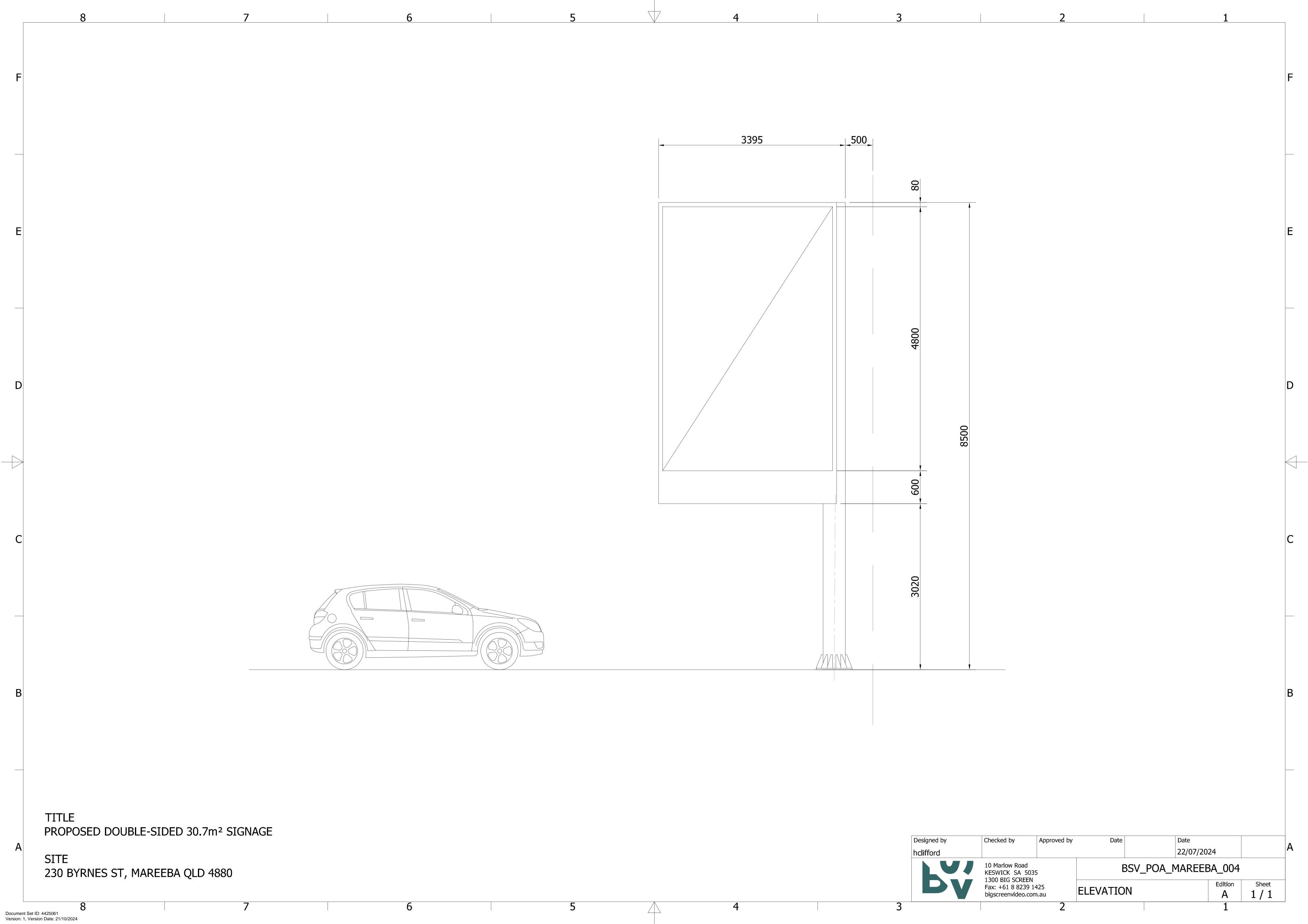
Based on or contains data provided by the State of Queensland (Department of Resources) 2023. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including c onsequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws; m ore information at www.propertydatacodeofconduct.com.au

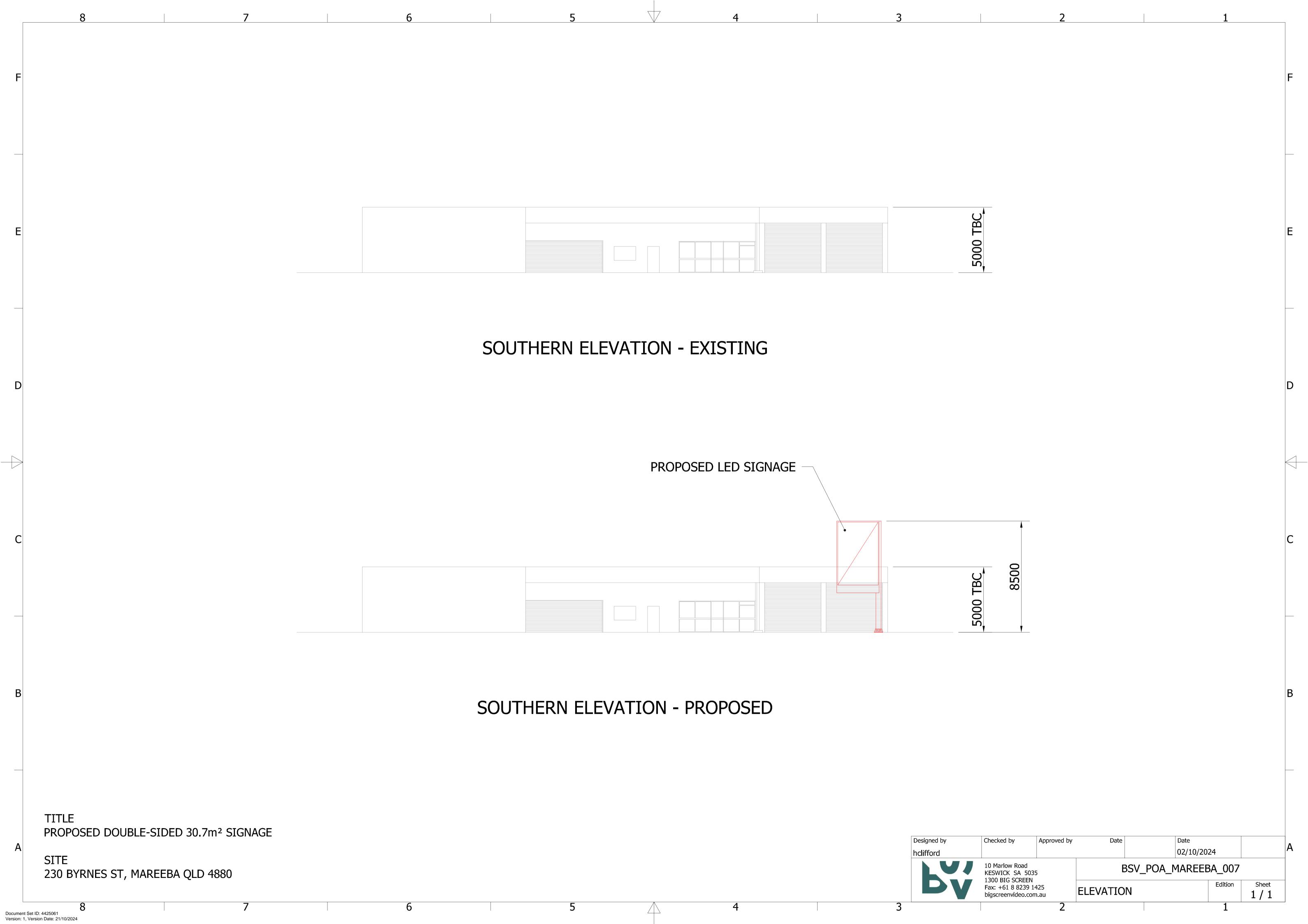
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APPENDIX 3

PLANS OF DEVELOPMENT











APPENDIX 4

TRAFFIC SAFETY REPORT



ELECTRONIC ADVERTISING DEVICE

230 BYRNES STREET, MAREEBA
TRAFFIC ENGINEERING ASSESSMENT

30 AUGUST 2024

PREPARED FOR









DOCUMENT CONTROL RECORD

DOCUMENT								
Report	Title:	Electronic /	Electronic Advertising Device – 230 Byrnes Street, Mareeba					
Client:		Paradise Outdoor Advertising						
Project	Number:	25-073						
REV	PURPOSE	DATE	DATE AUTHOR REVIEWER APPROVED					
1	FINAL	AUG-24	CJ	CG	JPG (RPEQ 22233)	18-		

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Spring Hill QLD 4000

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APPENDIX A: DEVICE PLANS

APPENDIX B: LINE OF SIGHT DRAWINGS



1.0 INTRODUCTION

1.1 BACKGROUND

In August 2024, PTT was commissioned by Paradise Outdoor Advertising to undertake a traffic engineering assessment for a proposed electronic advertising device located at 230 Byrnes Street, Mareeba. The subject site is located adjacent to the Byrnes Street / Rankin Street signalised intersection, as shown in Figure 1.1.

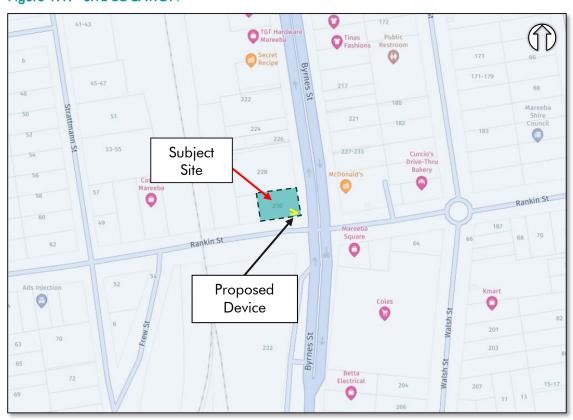


Figure 1.1: SITE LOCATION

1.2 AIM

The aim of this assessment is to evaluate the impact of the proposed electronic advertising device in terms of safety and driver distraction with respect to its location, design and operation.

1.3 SCOPE OF REPORT

This report begins by summarising the characteristics of the subject site (Chapter 2), followed by an assessment of the proposed electronic advertising device, with respect to the relevant State and Council Policies / Guidelines (Chapter 3). The crash history for the site is discussed (Chapter 4). The report concludes with a summary of key findings and recommendations (Chapter 5).



1.4 DOCUMENTS

The following documents were reviewed to produce this report:

- Mareeba Shire Council's (Council) Planning Scheme Policy 10 Advertising Devices with an Electronic Display Component
- Department of Transport and Main Roads (TMR) Roadside Advertising Manual (2019) (RAM)
- Centre for Accident Research and Road Safety Queensland (CARRS-Q) 'The Impact of Road Advertising Signs on Driver Behaviour and Implications for Road Safety: A Critical Systematic Review', Transportation Research Part A: Policy and Practice (2019)
- Jurewicz, C and Bennett, P, 'Casualty Crash Rates for Australian Jurisdictions', Australasian
 Road Safety Research, Policing and Education Conference, Adelaide, South Australia (2008)

1.5 METHODOLOGY

In preparing of this report, a desktop review was conducted to determine the existing signage and traffic operations in the area as they apply to TMR's RAM and Council's Advertising Devices Code.

Consistent with TMR's RAM, this traffic impact assessment has considered the following criteria when assessing the proposed device:

- location of the device relative to restriction notice areas
- location of the device relative to official traffic signs
- location of the device relative to advance visibility requirements
- average crash rate for the adjacent road network
- Fatality or seriously injured (FSI) rate for the adjacent road network
- other critical safety issues

In addition to TMR's criteria, this assessment also considers the following factors, as they apply to road safety:

- surrounding land uses and road environment
- surrounding speed environment
- potential driver distraction



2.0 EXISTING CONDITIONS

2.1 SITE LOCATION

The subject site is located at 230 Byrnes Street, Mareeba and is formally described as Lot 6 on RP726416. According to Council's Planning Scheme, the site is located within a centre zone. As shown in Figure 2.1, the site comprises commercial uses and is bounded by community uses to the north, Byrnes Street to the east, Rankin Street to the south and commercial / industrial uses to the west. The subject site is in a low-speed urban road environment, as shown in Figure 2.2.

Figure 2.1: SUBJECT SITE



Figure 2.2: ROAD ENVIRONMENT





2.2 ROAD NETWORK

The proposed device would be located adjacent to the Byrnes Street / Rankin Street signalised intersection and would face both northbound and southbound traffic on Byrnes Street. Annual Average Daily Traffic (AADT) volume data was obtained from TMR for a nearby counter site on Byrnes Street (counter reference: 111620). On average 11,930 vehicles travel along Byrnes Street, proximate to the site each day.

Key attributes of the surrounding road network in the vicinity of the site are summarised in Table 2.1.

Table 2.1: ROAD ATTRIBUTES

ATTRIBUTE	BYRNES STREET	RANKIN STREET		
Road Hierarchy	State-controlled Road	Local Street		
Directionality	Two-way	Two-way		
Number of Lanes	2-4	2		
Speed Limit (Km/h)	40	40		
Jurisdiction	TMR	Council		



3.0 PROPOSED ELECTRONIC ADVERTISING DEVICE

3.1 PROPOSED DEVICE

The proposed device is described as a double-sided freestanding billboard with 4.8m high by 3.2m wide (15.35m²) of electronic display facing northbound traffic and a static display (ie no electronic component) facing southbound traffic. The device would not be orientated to face eastbound and westbound on Rankin Street. The device has an approximate total height of 8.5m. As per section 10 of TMR's RAM, the device is described as a 'Large Format Device'. Dimensioned plans of the proposed device are included in Appendix A.



Figure 3.1: PROPOSED ELECTRONIC ADVERTISING DEVICE

3.2 RESTRICTION NOTICE AREAS

TMR's RAM designates a 'Restriction Notice Area' as a defined area outside the road reserve on a State-controlled road where the Department has determined that the installation of an advertising device is not preferred. In the restriction notice area, TMR may only provide comment regarding the proposed device location with the relevant local government being the controlling authority (ie Mareeba Shire Council). The proposed device is located within one restriction notice area as shown in Figure 3.2 (ie the Byrnes Street / Rankin Street signalised intersection).



Figure 3.2: RESTRICTION NOTICE AREA



As the device is located within a restriction notice area, further analysis was carried out to determine if the proposed advertising device would likely pose as a significant distraction to driver's on approach to the signalised intersection. Accordingly, the relevant traffic signal lanterns are the primary signal on the Byrnes Street northbound approach and the dual primary signal on the Byrnes Street southbound approach, as indicated in Figure 3.1. We have assessed a driver's line of sight on approach to these signals.

According to Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections, the ASD for a major road (ie Byrnes Street) with a posted speed of 40km/h (ie design speed 50km/h) is 55m.

Figures 3.3 and 3.4 and the attached drawings 25-073-001 and 25-073-002, included in Appendix B, demonstrates that, in plan view, the proposed device would not appear behind either primary signal at the ASD on both approaches.



Figure 3.3: SOUTHBOUND BYRNES STREET LINE OF SIGHT

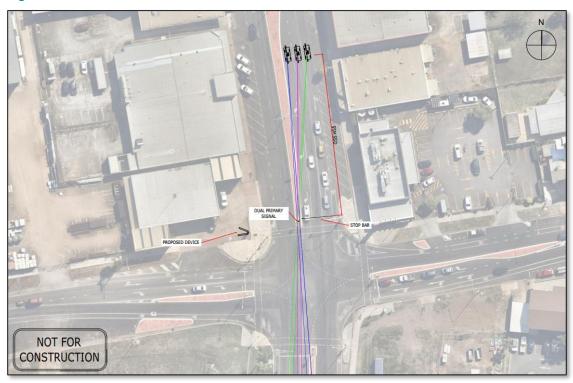
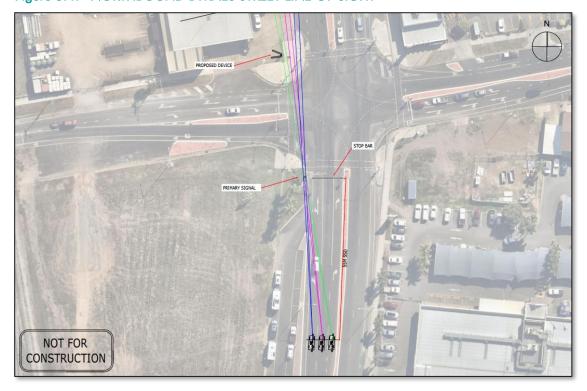


Figure 3.4: NORTHBOUND BYRNES STREET LINE OF SIGHT





Accordingly, the proposed device would not appear behind primary signals on the relevnet approaches at the ASD on both Byrnes Street approaches. The device is therefore not expected to significantly distract driver's on approach to the signalised intersection, despite being located within a restriction notice area.

3.3 ADVANCE VISIBILITY

TMR's RAM requires three seconds (ie approximately 35m at 40km/h) of advanced visibility to view and read the proposed advertising device. Figure 3.5 demonstrates that there is in excess of 80m of available advance visibility to the proposed device from both the northbound and southbound approaches, which accords with TMR's RAM. Thus, there is adequate advanced visibility to view and read the advertising device on both Byrnes Street approaches.

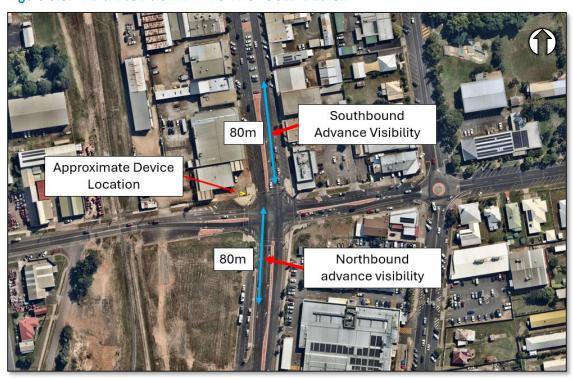


Figure 3.5: ADVANCE VISIBILITY TO PROPOSED DEVICE

3.4 COUNCIL REQUIREMENTS

Council's Planning Scheme Policy 10 – Advertising Devices with an Electronic Display Component outlines the following with respect to traffic safety:

- display content does not cause a visual or cognitive distraction to drivers or road users
- the siting and design of advertising devices does not pose a hazard or nuisance for pedestrians, cyclists and motorists
- illumination does not create a hazard or nuisance for motorists and surrounding areas
- the device does not include elements that move, flash, revolve or contain mechanisms that give the impression of movement



Figures 3.3, 3.4, 3.6 and 3.7 demonstrate that the proposed advertising device will not obstruct sightlines to any official traffic signs or primary traffic signals on the relevant northbound and southbound approaches on Byrnes Street. The device would be wholly contained within the bounds of the property and therefore would not obstruct the passage of pedestrians, cyclists, and motorists. It is recommended that the minimum dwell time between still images, outlined in Section 3.5.3 of this report and the maximum illuminance, outlined in Section 3.5.2, be adopted. On this basis, the proposed device is not expected to significantly distract traffic to the point where it causes an adverse impact on road safety. Therefore, the proposed device is considered consistent with Council's requirements.

Figure 3.6: ADVANCE VISIBILITY ON BRISBANE ROAD – NORTHBOUND



Figure 3.7: ADVANCE VISIBILTY ON BRISBANE ROAD – SOUTHBOUND





3.5 OPERATIONS

3.5.1 Lighting Zone

We have been advised that the proposed device will be a 'Large Format', non-rotating advertising device with an electronic display showing static imagery. It will be located in a mixed-use area with medium-high-ambient lighting. Therefore, the proposed device location has been classified as a Lighting Environment Zone 2 as per TMR's RAM.

3.5.2 Brightness

It is recommended that the maximum luminance levels specified in TMR's RAM be adopted. Maximum luminance levels are specified for a range of ambient light levels, as summarised in Table 3.1.

Table 3.1: MAXIMUM LUMIANCE LEVELS

AMBIENT LIGHT LEVEL (LUX)	APPROXIMATE EQUIVALENT SCENARIO	LUMINANCE LEVEL (CD/M2)		
0 – 10	Night	150		
101 – 400	Dusk / Dawn	400		
1,001 – 4,000	Overcast	1,500		
40,001 – 100,000	Direct Sunlight	6,000		

The proposed advertising device will meet the following requirements, in line with TMR's RAM:

- will be located at an angle such that luminance levels are as uniform as possible for the viewer
- any retro-reflective material will be rotated approximately five degrees away from normal line of vehicle headlight beams in order to minimise specular reflection
- will not contain flashing point sources
- all lighting associated with the advertising device will be directed solely on the advertising device and its immediate surroundings
- illumination does not include any reflective letters or strips

3.5.3 Reflectance

The device should be oriented at least five degrees from right angles with the driver's line of sight to prevent glare from low sunlight reflections.

3.5.4 Timing

The proposed device should display one static advertisement at a time (ie no split screens) to reduce driver comprehension time and should be displayed for a minimum amount of time (dwell time). Consistent with section 3.6.1.4 of TMR's RAM, the minimum dwell time for a device visible from a state-controlled road with a speed limit less than 80km/h (ie Byrnes Street) is 10 seconds.



TMR's RAM further requires changes in electronic advertising display to occur instantaneously in less than 0.5 seconds to limit driver distraction. However, recent research undertaken by CARRS-Q (2019)¹ found that 'drivers are neurophysiologically predisposed to orient to motion and sudden change in the periphery.' This suggests that quick changes in electronic advertising display may intensify driver distraction. CARRS-Q recommends increasing transition times between advertisements to avoid sudden changes or motion.

3.5.5 Display Content

Consistent with Council's Planning Scheme Policy 10 and good roadside advertising practice, it is recommended that the displayed images:

- are directly and easily interpreted as to convey the required advertising message quickly
- do not give instructions to 'stop' or similar
- do not imitate traffic control devices
- will not go blank between advertisements
- minimise emotional content that may affect emotional biases

3.6 DESIGN

The electronic component of the proposal is classified as a large format advertising device with proposed dimensions of 4.8m x 3.2m of electronic display (on one side). The device will have a maximum height of 8.5m, which complies with Council's requirements and section 3.1 of TMR's RAM.

As per TMR's RAM, there will be no impact or obstruction to other businesses, residents or the visual amenity of the surrounding area from the device. The device is proposed to have no movement or rotation.

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¹ Centre for Accident Research and Road Safety – Queensland (CARRS-Q) (2019), "The impact of road advertising signs on driver behaviour and implications for road safety: A critical systematic review", Queensland University of Technology (QUT), Brisbane, Queensland



4.0 ROAD SAFETY ASSESSMENT

4.1 APPROACH

TMR's RAM states that further restrictions will apply to sections of roads and intersections with a high Fatal or Seriously Injured (FSI) rate in the last five years. Crash data from the most recent five-year period (2018-2023) was sourced from TMR for the Byrnes Street / Rankin Street signalised intersection.

Approximate Device Location

RANKIN STREET

RANKIN STREET

Hospitalisation

Hospitalisation

Medical Treatment

Minor Injury

Figure 4.1: CRASH LOCATIONS AND SEVERITY (NOVEMBER 2018-NOVEMBER 2023)

4.2 CRASH HISTORY

The most recent available crash data was analysed to determine the impact of the proposed advertising device on road safety. Figure 4.1 indicates that two crashes were reported. two hospitalisations were recorded at the Byrnes Street / Rankin Street intersection during the most recent five-year period. Therefore, the intersection has a low FSI rate of two, and no further restrictions apply in accordance with TMR's RAM.



4.3 AVERAGE CRASH RATE

The Byrnes Street / Rankin Street signalised intersection was analysed using the approach detailed by Jurewicz and Bennett (2008) to calculate the crash rate, as shown in Table 4.1. Two crashes occurred at this intersection over the five-year period. Traffic Volumes were obtained from TMR as outlined in Section 2.2. The results of this analysis show the crash rate of the proposed site to be below the Queensland average.

Table 4.1: CRASH RATE (2018 – 2023)

SITE	NUMBER OF CRASHES	AADT	CRASH RATE (CRASHES / 10M VTE)
Byrnes Street / Rankin Street	2	11,930	0.92
	Queensland Average (1.89	



5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 CONCLUSIONS

We have undertaken a review of the proposed electronic advertising device located at 230 Byrnes Street, Mareeba. The impact of the proposed device has been assessed in terms of traffic safety and driver distraction. The main points to note are:

- the proposed device would be located adjacent to the Byrnes Street / Rankin Street signalised intersection
- the devices digital panel would be orientated to face northbound traffic
- the devices static panel would be oriented to face southbound traffic
- the device is located in a low-speed urban environment
- the device is located in one restriction notice area
- the device would not appear behind any primary signals at the intersection at the ASD on the northbound and southbound approaches
- the device provides adequate advance visibility for vehicles approaching from the northbound and southbound directions on Byrnes Street
- the adjacent intersection has a low FSI rate of two
- the adjacent intersection has a below average crash rate

The device has adequate advance visibility, does not impede vision to any official traffic signs or traffic signals and the adjacent intersection has a low FSI rate of two. The location of the proposed device is not fully compliant with the requirements set in TMR's RAM, as it is located in one restriction notice area. However, we are of the view that the proposed electronic advertising device will not pose a significant distraction and unacceptable risk to traffic safety and operations, provided the below recommendations are taken into account.

5.2 RECOMMENDATIONS

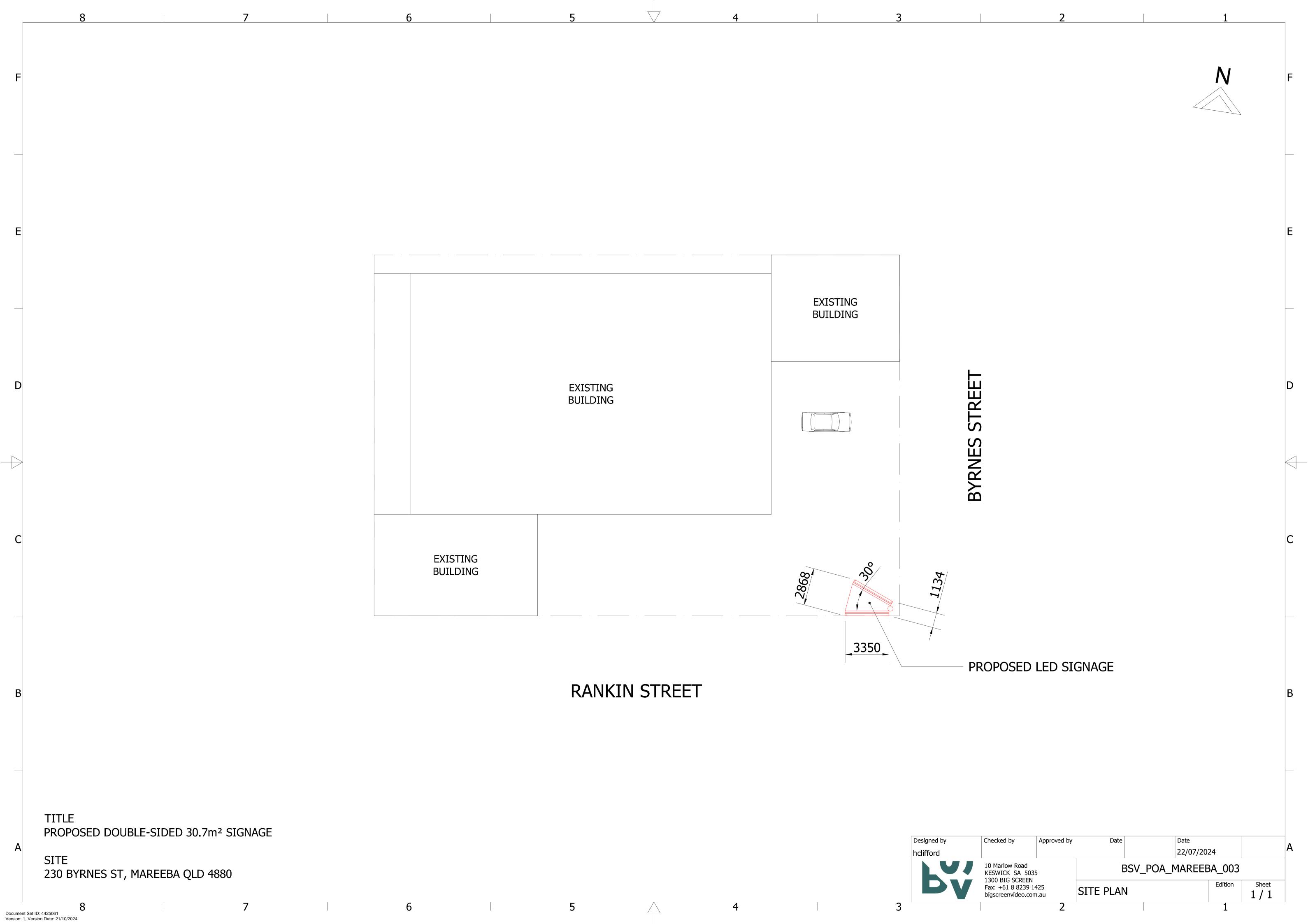
It is recommended that:

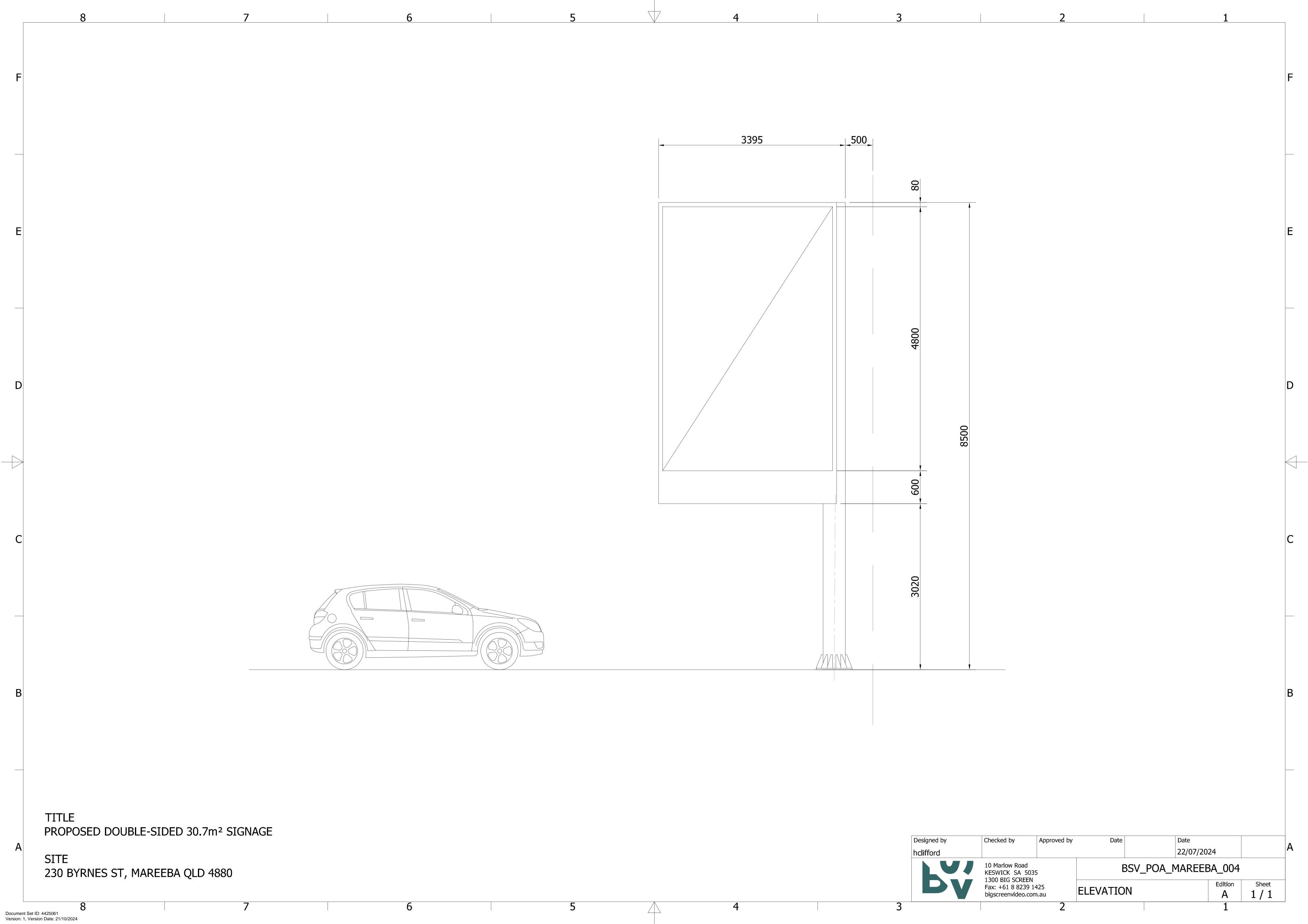
- the device has a minimum dwell time of 10 seconds
- a maximum luminance level of 6,000cd/m² be displayed and a feedback loop be incorporated to automatically adjust the luminance levels depending on the ambient light level
- the device is oriented at least five degrees from right angles with the driver's line of sight
- one static image be displayed at a time and that the images:
 - are directly and easily interpreted
 - do not give instructions to 'stop' or similar
 - do not imitate traffic control devices
 - do not go blank between advertisements
 - minimise emotional content that may affect emotional biases



APPENDIX A: DEVICE PLANS

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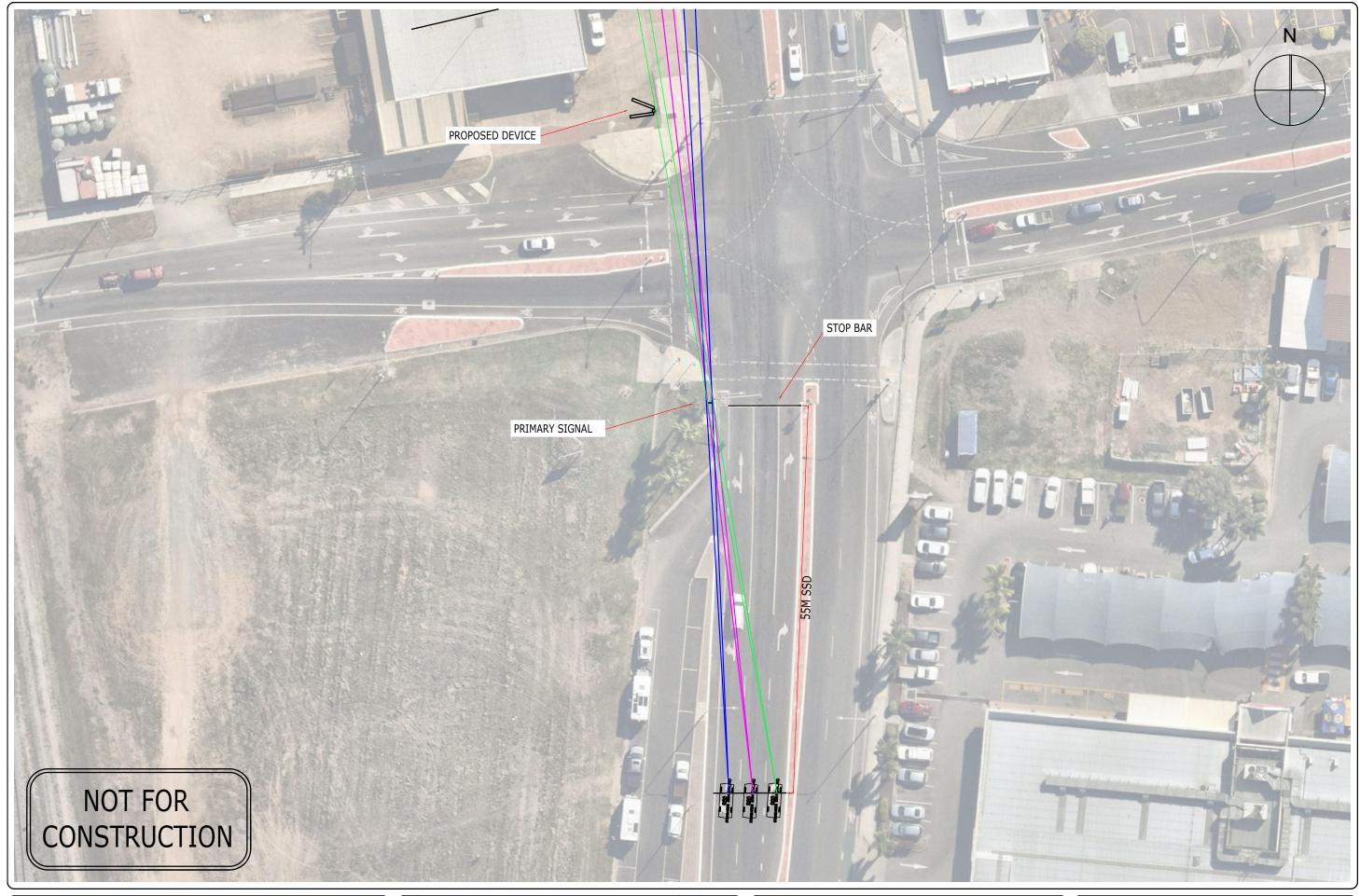






APPENDIX B: LINE OF SIGHT DRAWINGS

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P 07 3839 6771 WWW.PTT.COM.AU

Level 2, 62 Astor Tce, Spring Hill QLD 4000

REV. AME	ENDMENTS	DRN	DATE

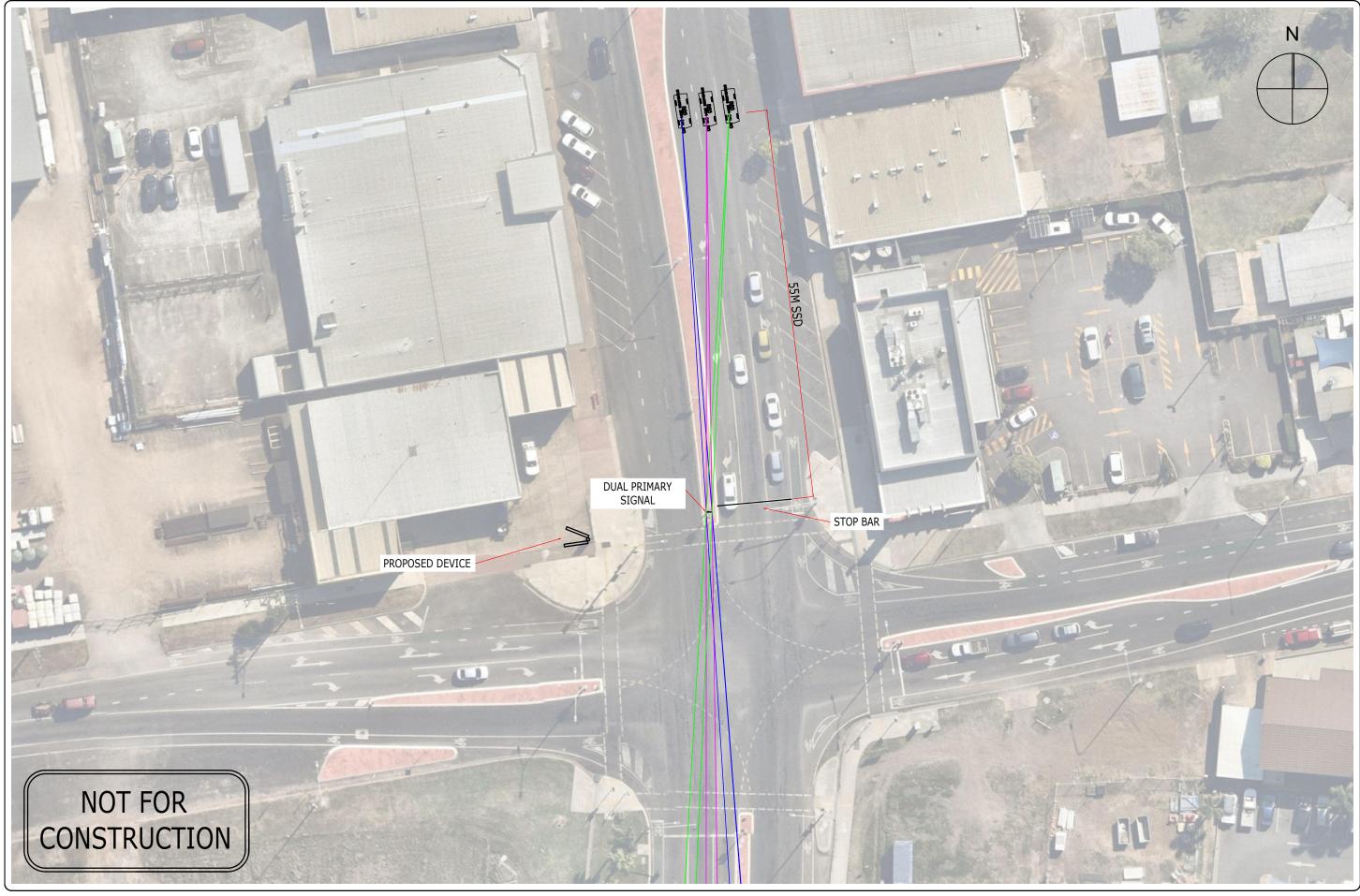
PROJECT TITLE:

230 BYRNES STREET, MAREEBA SIGN

DRAWING TITLE:

LINE OF SIGHT - NORTHBOUND PLANVIEW

PARADISE OUTDOOR ADVERTISING							
DATE: 30/08/24)@A3	DRAWN:		APPROVED: JPG			
DRAWING NO. 25-073	REV	JOB NO.	25-	073			





ABN 96 067 593 962

P 07 3839 6771 WWW.PTT.COM.AU

Level 2, 62 Astor Tce, Spring Hill QLD 4000

REV.	AMENDMENTS	DRN	DATE

PROJECT TITLE:				
	230 BYRNES STREET, MAREEBA SIGN			
DRAWING TITLE:				
LINE OF SIGHT - SOUTHBOUND PLANVIEW				

CLIENT: PARADISE OUTDOOR ADVERTISING						
DATE: 30/08/24	SCALE: 1:50()@A3	DRAWN: CJ		APPROVED: JPG	
DRAWING NO. 25-073	REV	JOB NO.	25-	073		

APPENDIX 5 PLANNING SCHEME POLICY 10 ASSESSMENT

Planning Scheme Policy 10 – Advertising Devices with an Electronic Display Component

Purpose

The purpose of this policy is to set out the information that is required by Council to inform the assessment of an application for Operational Works (Advertising Device) where the proposed advertising device includes an Electronic Display Component (EDC).

The policy will ensure that an advertising device with an EDC:

- displays content that does not cause a visual or cognitive distraction to drivers or road users.
- is constructed and maintained to required standards of public safety; and
- complements and does not detract from desirable characteristics of the natural and built environment in which the
 advertising device is exhibited.

Information to be provided with a development application

Digital display features

- 1.1 The digital display of the advertising device must incorporate an automatic error detection system which will turn off the display or display a blank screen should the advertising device malfunction.
- 1.2 The digital display of the advertising device must incorporate a minimum of two (2) automated ambient light sensors capable of supporting a minimum of five (5) levels of stepped dimming to ensure digital display luminance can adjust automatically in response to surrounding ambient light conditions from dark of night to fully sunlit conditions
- 1.3 The digital display of the advertising device must provide for onsite control, operation, configuration and diagnosis of the digital display.
- 1.4 Messages must remain static for a minimum dwell time of eight (8) seconds, and are not to scroll across the digital display or incorporate flashing, blinking, revolving, pulsating, high contrast or rotating effects animation.
- 1.5 Each change of advertisement is to be completed instantaneously (i.e. within 0.1 of a second).

Digital display advertisements and movement

- 2.1 The digital display of the advertising device must not be split to display multiple advertisements on the one digital display.
- 2.2 Advertisements must not display text, photographs or symbols depicting, mimicking or that could be reasonably interpreted as a traffic control device.
- 2.3 Advertisements must not invite traffic to move contrary to any traffic control device, or turn where there is fast moving traffic.
- 2.4 Advertisements must not use colours in combinations or shapes that could be reasonably interpreted as a traffic control device.
- 2.5 Advertisements must only promote a single, self-contained advertising message that is clear, succinct, legible and easily understood at a glance. The use of text components in a sequential manner, whereby text refers to or is reliant on previous or successive screen displays in order to convey an advertising message is not permitted.
- 2.6 Changeover animation effects such as 'fade', 'zoom', or 'fly-in' between advertisements must not be used.
- 2.7 A blank black, white, or any coloured screen must not be displayed between advertisements.
- 2.8 Advertisement that comprise of, or incorporate moving visual images, such as videos or animations must not be displayed.

- 2.9 The Advertising Device must not be capable of playing audio nor synchronised with any outdoor sound system utilised for advertising purposes.
- 2.10 Indiscriminate use of colour must be avoided and adequate contrast provided between text components and their background to ensure legibility and readability of the advertisement at a glance.

Illuminance and luminance

- 3.1 Any lighting devices associated with the signage, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents or motorists. Night lighting must be designed, constructed and operated in accordance with 'Australian Standard AS4282 Control of the obtrusive effects of outdoor lighting'.
- 3.2 Luminance levels of the Advertising Device must not exceed the applicable levels listed in Table 1 below.

Applicant Response

The applicant accepts that the proposed development can be conditioned to comply with the above requirements for an Advertising Devices with an Electronic Display Component. This is a standard outcome to ensure that a development will meet the necessary requirements under the applicable benchmarks.

The development approval conditions bind each and every individual and company who undertake any work or carry out any use under the development approval. Failure to meet the required conditions is an offence under the Planning Act 2016, may result in an unlawful development.

By conditioning the development to comply with the above requirements, the development is compelled by law to meet the requirements. In this way, compliance with Planning Scheme Policy 10 is enforced and ensures Council that the development will:

- displays content that does not cause a visual or cognitive distraction to drivers or road users.
- is constructed and maintained to required standards of public safety; and
- complements and does not detract from desirable characteristics of the natural and built environment in which the advertising device is exhibited.

In this way, the development will comply with Planning Scheme Policy 10 – Advertising Devices with an Electronic Display Component.