Mareeba
SHIRE COUNCIL

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461
W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

4 November 2026

Planning Officer: Carl Ewin
Our Reference: OPW/26/0007
Your Reference: 26021

Silver Valley Estates Super Fund Pty Ltd TTE
C/- Scope Town Planning
183 Summerfields Drive
CABOOLTURE QLD 4510

Dear Applicants,

Decision Notice
Planning Act 2016

I refer to your application and advise that on 3 November 2026, under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	OPW/26/0007
Street Address:	64 Rankin Street, Mareeba
Real Property Description:	Lot 711 on M3565
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Operational Works – Advertising Device (Wall Mounted Digital Sign)
Date of Decision:	3 November 2026

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is **two (2) years** starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "***necessary infrastructure condition***" for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

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. Timing of Effect

   2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the operation of the advertising device, unless otherwise stated in a specific condition of this approval.

3. General

   Design and Construction

   3.1 The design, installation and construction of the advertising device and any supporting structure/s must be certified as structural sound by a suitably qualified and experienced person.

   Maintenance

   3.2 Maintain the advertising device in a clean and tidy state and free from graffiti, at all times.

   3.3 Ensure that any damage to the device is repaired or replaced to the satisfaction of Council, within 20 business days of the damage having occurred.

   Connections

   3.4 Ensure that any electricity or other similar service connections to the advertising device are concealed from public view.

Appearance and Operation

3.5 The advertising device must, at all times, comply with the following requirements:

3.5.1 The digital display of the advertising device must incorporate an automatic error detection system that will turn off the display, or display a blank screen, should the advertising device malfunction.

3.5.2 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.

3.5.3 The digital display of the advertising device must provide for onsite control, operation, configuration and diagnosis of the digital display.

3.5.4 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.

3.5.5 Each change of advertisement on the digital display is to be completed instantaneously (i.e. within 0.1 of a second).

3.5.6 The digital display of the advertising device must not be split to display multiple advertisements on the one digital display.

3.5.7 Advertisements must not display text, photographs or symbols depicting or mimicking, or that could be reasonably interpreted as depicting or mimicking, a traffic control device.

3.5.8 Advertisements must not invite traffic to move contrary to any traffic control device or turn where there is fast moving traffic.

3.5.9 Advertisements must not use colours in combinations or shapes that could be reasonably interpreted as a traffic control device.

3.5.10 Advertisements must only promote a single, self-contained advertisement 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 advertisement message is not permitted.

Note: An advertising message refers to the main point the advertisement is attempting to convey to its target audience. This condition seeks to ensure that drivers in particular are not required to spend an excessive amount of time reading and interpreting advertisements.

3.5.11 Changeover animation effects such as 'fade', 'zoom', or 'fly-in' between advertisements must not be used.

3.5.12 A blank black, white, or any coloured screen must not be displayed between advertisements.

3.5.13 Advertisements that comprise of, or incorporate moving visual images, such as videos or animations must not be displayed.

Note: Video refers to a recording or the streaming of moving visual images captured by or using a video camera. Animation refers to a simulation or movement created by displaying a series of pictures or frames either digitally or otherwise.

3.5.14 The advertising device must not be capable of playing audio nor synchronised with any outdoor sound system utilised for advertising purposes.

3.5.15 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.

3.5.16 Messages/images must not contain threatening or provocative content.

Illuminance and Luminance

3.6 Any lighting devices associated with the advertising device, such as sensory lighting, must be positioned on the Land 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*'.

3.7 Ensure that maximum luminance levels for the advertising device are in accordance with ***Table 1: Luminance levels Advertising Device*** contained within *Planning Scheme Policy 10 – Advertising Devices with an Electronic Display Component.*

Note: Illuminance refers to the intensity of light falling at a given place on a lighted surface when measured by a lux meter and expressed as luminous flux per unit area (otherwise known as lux (lx)). Luminance refers to the intensity of light per unit area of its source when measured by a luminance meter and expressed as candela per square meter (cd/m^2). It is often used to describe the perceived brightness of a light source.

3.8 Any change to luminance levels must be applied during a message/image transition, not while a message/image is being displayed.

3.9 The advertising device must be made of materials that do not produce glare and the device should be oriented to prevent glare from sunlight reflections.

Dimensions

3.10 The sign face area of the approved advertising device shall not exceed 8.4m^2 (4m x 2.1m).

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
26021-1.0	Advertising Device Proposal Plan	Scope Town Planning	September 2026

ADVISORY NOTES

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

(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.

RIGHTS OF APPEAL

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

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

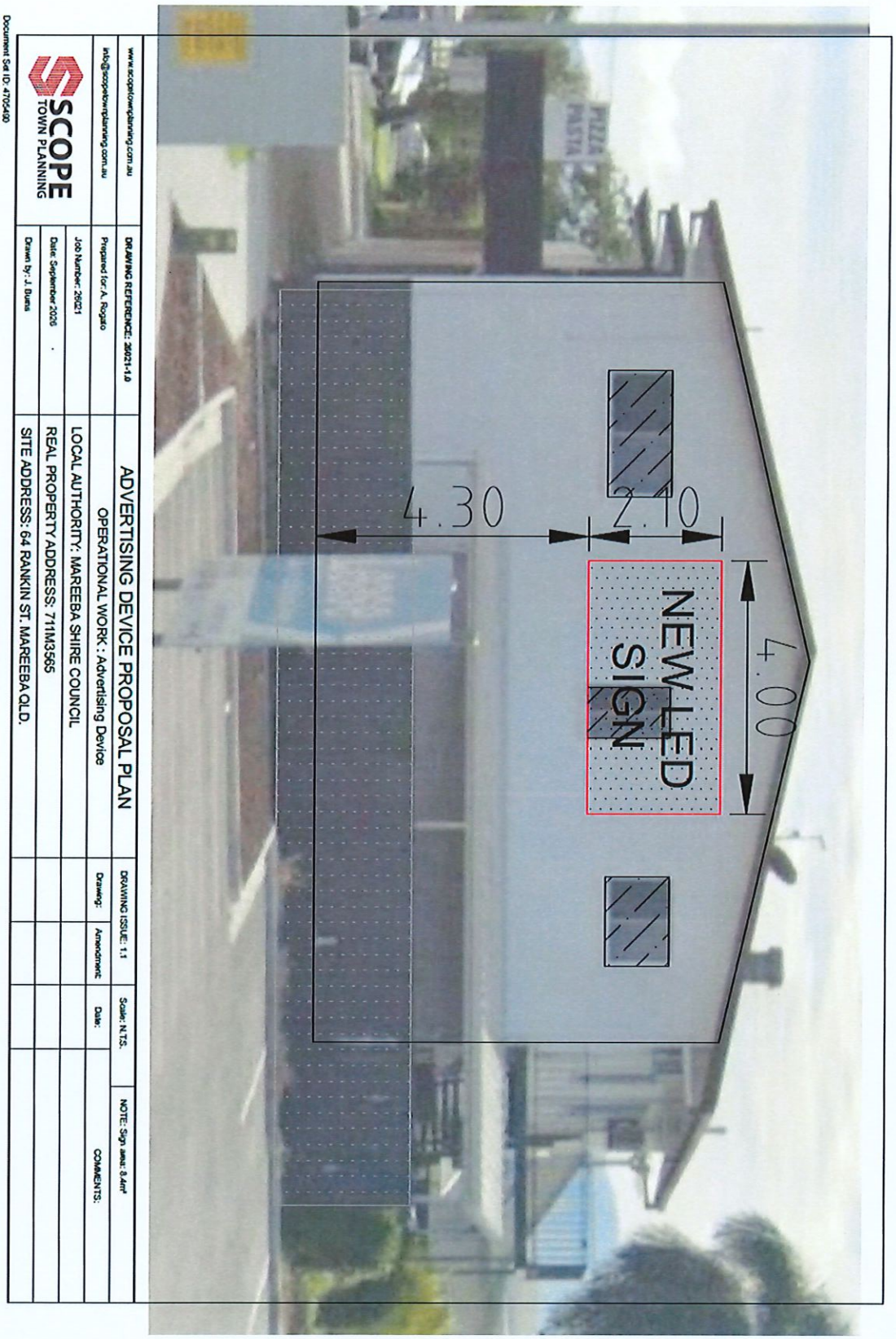
If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

BRIAN MILLARD
COORDINATOR PLANNING & BUILDING

Enc: Approved Plans/Documents
Appeal Rights

Approved Plans/Documents



SCOPE TOWN PLANNING

www.scopetownplanning.com.au
info@scopetownplanning.com.au

DRAWING REFERENCE: 26021-1.0
Prepared for: A. Rogato
Job Number: 26021
Date: September 2026
Drawn by: J. Dunn

ADVERTISING DEVICE PROPOSAL PLAN
OPERATIONAL WORK : Advertising Device
LOCAL AUTHORITY: MAREEBA SHIRE COUNCIL
REAL PROPERTY ADDRESS: 711M3565
SITE ADDRESS: 64 RANKIN ST. MAREEBA QLD.

DRAWING ISSUE: 1.1
Drawing:
Amendment:
Date:

Scale: N.T.S.

NOTE: Sign area: 8.4m²

COMMENTS:

Document Set ID: 4705440
Version: 1, Version Date: 01/10/2026

4/11/2026
B. M

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the *Planning Act 2016* states –
  (a) Matters that may be appealed to –
    (i) either a tribunal or the P&E Court; or
    (ii) only a tribunal; or
    (iii) only the P&E Court; and
  (b) The person-
    (i) who may appeal a matter (**the *appellant***); and
    (ii) who is a respondent in an appeal of the matter; and
    (iii) who is a co-respondent in an appeal of the matter; and
    (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.
(3) The ***appeal period*** is –
  (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
  (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
  (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice us published under section 269(3)(a) or (4); or
  (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
  (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

  Note –
  See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.
(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
(6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
  (a) the adopted charge itself; or
  (b) for a decision about an offset or refund-

(i) the establishment cost of trunk infrastructure identified in a LGIP; or
(ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

(1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
  (a) is in the approved form; and
  (b) succinctly states the grounds of the appeal.
(2) The notice of appeal must be accompanied by the required fee.
(3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
  (a) the respondent for the appeal ; and
  (b) each co-respondent for the appeal; and
  (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
  (d) for and appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
  (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
  (f) for an appeal to the P&E Court – the chief executive; and
  (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
(4) The *service period* is –
  (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
  (b) otherwise – 10 business days after the appeal is started.
(5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
(6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

(1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
(2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
(3) A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
(4) In this section –
decision includes-
  (a) conduct engaged in for the purpose of making a decision; and
  (b) other conduct that relates to the making of a decision; and
  (c) the making of a decision or failure to make a decision; and

(d) a purported decision ; and
(e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-
(a) is final and conclusive; and
(b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
(c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

(1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
(2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.