

DELEGATED REPORT

SUBJECT: TABLELAND GROUP AUSTRALIA PTY LTD - OPERATIONAL WORKS - ADVERTISING DEVICE (BILLBOARD) - LOT 257 ON SP257003 - 26 PIKE ROAD, MAREEBA - OPW/18/0004

DATE: 23 April 2018

REPORT OFFICER'S TITLE: Planning Officer

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Tableland Group Australia Pty Ltd	ADDRESS	26 Pike Road, Mareeba
DATE LODGED	9 April 2018	RPD	Lot 257 on SP257003
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Operational Works - Advertising Device (Billboard)		

FILE NO	OPW/18/0004	AREA	2.643 hectares
LODGED BY	Tableland Group Australia Pty Ltd	OWNER	J Williams
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Code assessment		
SUBMISSIONS	N/A - Code assessment only		

ATTACHMENTS: 1. Proposal Plan/s

EXECUTIVE SUMMARY

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

The applicants propose the construction of a second sign face on an existing single sided advertising billboard sited along the Kennedy Highway which will face/address traffic on the approach to Cairns.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and is not considered to be in conflict with any relevant aspect of the Planning Scheme. It is therefore recommended that the application be approved in full, subject to conditions.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

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

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

And

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

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

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Proposed Advertising Device (Billboard)	Applicant	23/04/18

(C) ASSESSMENT MANAGER'S 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. General

2.1 The approved advertising device (billboard) and any future advertising content must not, to the satisfaction of Council's delegated officer:

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

2.2 The approved advertising device must be kept clean, in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

The erection and use of any advertising signage must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions.

2.3 The sign face area of the approved advertising device shall not exceed 18m² (6m x 3m).

2.4 No part of the advertising device is permitted to encroach on the State controlled road reserve (Kennedy Highway).

2.5 The approved advertising device must comply with the relevant criteria for billboards (> 4m²) set out in the Department of Transport and Main Roads Roadside Advertising Manual (as amended).

(D) ASSESSMENT MANAGER'S ADVICE

(a) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(b) Compliance with Acts and Regulations

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

(c) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au

(d) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care

guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

(E) RELEVANT PERIOD

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

- Any other development – two (2) years (starting the day the approval takes effect).

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

- Development Permit for Building Work

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

THE SITE

The subject site is situated at 26 Pike Road, Mareeba, and is described as lot 257 on SP257003. The site is irregular in shape with a total area of 2.643 hectares and is zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

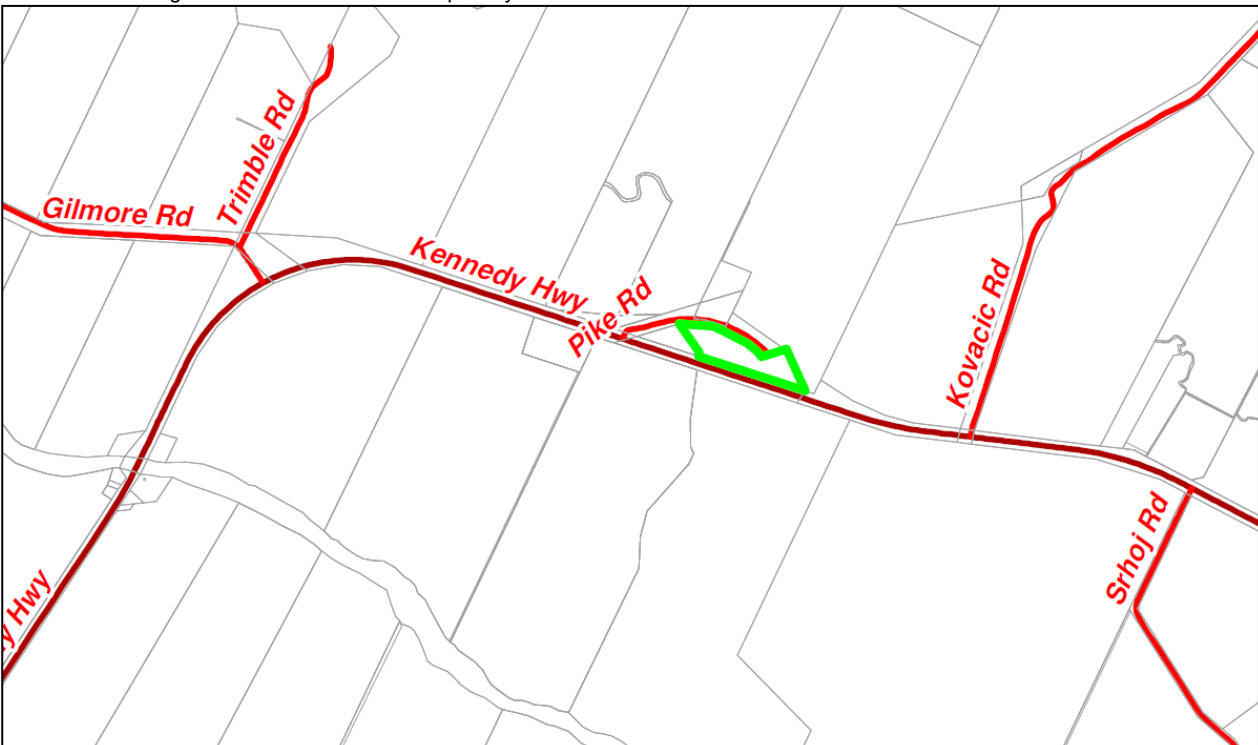
The site is situated between Pike Road and the Kennedy Highway, having 335 metres of frontage to Pike Road which is constructed to a bitumen sealed standard, and a further 322 metres of frontage to the Kennedy Highway. The site is improved by a single dwelling accessed from Pike Road via a gravel crossover, as well as two standalone advertising billboards sited along the southern boundary of the site facing the Kennedy Highway.

The site has an undulating topography and is primarily vegetated. A seasonal watercourse also traverses the lot. All surrounding lots are zone Rural and contain a range of uses including small to large scale cropping and rural lifestyle lots.



Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). 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 consequential 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.



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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Council, at its General (Ordinary) Meeting on 18 December 2007, resolved to approve an application made by Skybury Coffee Pty Ltd and De Bruey's Boutique Winery for the erection of two advertising billboards on land described as Lot 257 on RP903072, situated at Kennedy Highway Mareeba.

These billboards were constructed and remain on site, however are both only one sided billboards, facing traffic heading to Mareeba from Cairns. This application proposes the installation of a second sign face on the easternmost billboard to face traffic heading to Cairns from Mareeba.

DESCRIPTION OF PROPOSED DEVELOPMENT

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

The applicant proposed the installation of a second sign face (6m x 3m) on one of the sites existing single sided billboards. The proposed sign face will face/address traffic heading to Cairns from Mareeba.

REGIONAL PLAN DESIGNATION

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The site does not contain any areas of ecological significance.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories <ul style="list-style-type: none"> • Rural Area Other Natural Environmental Elements <ul style="list-style-type: none"> • Biodiversity Areas Transport Elements <ul style="list-style-type: none"> • State Controlled Road • Principal Cycle Routes
Zone:	Rural zone
Overlays:	Bushfire Hazard Overlay Environmental Significance Overlay Transport Infrastructure Overlay

RELEVANT PLANNING INSTRUMENTS

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

(a) Far North Queensland Regional Plan 2009-2031

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

(b) State Planning Policy

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

(c) Mareeba Shire Council Planning Scheme 2016

Relevant Development Codes

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

- 6.2.9 Rural zone code
- 9.4.1 Advertising devices code

The application did not include a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural zone code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcome AO2.1 <p>Refer to Development Code document for commentary. The development is considered to comply with the higher order performance outcome/s.</p>
Advertising devices code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcome AO2.2 ▪ Acceptable Outcome AO4 <p>Refer to Development Code document for commentary. The development is considered to comply with the higher order performance outcome/s.</p>

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

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

REFERRALS

This application did not trigger referral to any Referral Agency.

Internal Consultation

Not applicable.

PLANNING DISCUSSION

Nil

Date Prepared: 23 April 2018

DECISION BY DELEGATE

DECISION

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

Dated the 23RD day of APRIL 2018



**BRIAN MILLARD
SENIOR PLANNER**

MAREEBA SHIRE
AS DELEGATE OF THE COUNCIL

APPROVED PLANS (ECM Doc Set ID 3364952)

Proposed Advertising Device (Billboard)

23/04/18

YES
 NO
 DATE
 3-10-07
 C2
 [Signature]
 ASS. OF C.T.S.

MAREEBA SHIRE COUNCIL
 APPROVED
 23 APR 2018

BUILDER: ROEBRUEYS G.B.S. 10470573 PO BOX 218 MAREEBA PH 40924515	PROPOSED ROADSIDE BILLBOARD LOCATION OFF KENNEDY HIGHWAY
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