

YOUR REF: Newport Sign
OUR REF: OP 1950/2017 (D#810441)

26 April 2017

Salvatore and Orazia Cavallaro
PO Box 89
MOSSMAN QLD 4873

Dear Sir/Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
PERMISSIBLE CHANGE FOR ADVERTISING SIGN
FOR 6368R CAPTAIN COOK HIGHWAY PORT DOUGLAS**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 26 April 2017, please find attached the relevant Decision Notice.

The Notice includes extracts from the Act with respect to lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Jenny Elphinstone of Development Assessment and Coordination on telephone number 07 4099 9482.

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Att

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

APPLICANT DETAILS

Salvatore and Orazia Cavallaro
PO Box 89
MOSSMAN QLD 4873

ADDRESS

6368R Captain Cook Highway, Port Douglas

REAL PROPERTY DESCRIPTION

Lot 1 on RP706628

PROPOSAL

Permissible change for an Advertising Sign

DECISION

Refused (refer to grounds of refusal)

DECISION DATE

26 April 2017.

TYPE

Permissible Change to Interim Development Consent for Advertising Sign Board Hoarding. See Appendix 1 for the existing approval.

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were none to the original application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable – Request refused.

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)

Not in conflict

DECISION

That Council refuses the application in full for a permissible change for the development approval for the off-premises advertising device for land at 6368R Captain Cook Highway, Port Douglas, being more particularly described as Lot 1 on RP706628, on the following grounds:-

1. The proposed sign is considered a new sign;
2. The proposed new sign is an off-premises advertising device;
3. The new signage detracts from the scenic visual amenity of the landscape in particular when viewed from the road and having regard to the use of the road as a scenic, tourist route;
4. The new signage is considered a traffic hazard for drivers of the adjacent road;
5. The new signage is considered to adversely impact on the rural environment;
6. The new signage is inconsistent with: Rural Areas and Rural Settlements Locality Code; the Rural Planning Area Code; and the Design and Siting of Advertising Devices Code of the current Planning Scheme.
7. The additional signage is incompatible with the exhibited proposed major amendment to the Planning Scheme. The new signage is considered to be incompatible development in regards to maintaining the strategic intent, protecting the unique environmental character, internationally renowned landscapes and scenic amenity of the Shire, and key transport corridors; the Rural zone and the Advertising Devices Code.

RIGHTS OF APPEAL

Attached

End of Decision Notice

DECISION NOTICE DETAILS
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APPENDIX 1: EXISTING APPROVAL

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DOUGLAS SHIRE' COUNCIL
INTERIM DEVELOPMENT BY-LAW

Particulars in relation to
Application submitted by:

R. CAVALIARO.

of:

MILL. ST.

MOSSMAN

Application No:

576.

Real Property Description of
land for which Consent is
sought:

PORTION 66 V. PARISH OF VICTORY,

COUNTY OF SCLANDER.

Date of Receipt of Application:

19-3-80.

Latest Date for Advertising
and for Erection of Notice
on land (Allow 8 days from
latest date of objections)

DATE ADVERTISED: 26/3/80

DATE NOTICE POSTED: 26/3/80.

Latest Date for Receipt of
Objections (Two days prior
to Council Meeting Date):

10/4/80.

Latest Prescribed Date for
Consideration by Council:

Date of Council Meeting
WHEN APPLICATION CONSIDERED:

Date Applicant and Objectors
advised of Council's
decision:

Latest date for lodgement of
Appeal:

DECISION NOTICE DETAILS
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#10-00 19-3-80. Rec. No. 0894
A

APPLICATION NO. 526

DOUGLAS SHIRE COUNCIL
INTERIM DEVELOPMENT BY-LAW
APPLICATION FOR CONSENT

The Shire Clerk,
Douglas Shire Council,
P.O. Box 104,
MOSSMAN...QLD...4873

Dear Sir,

I hereby apply for consent to use or to alter the use, as the case may be, of land and/or building or other structure described hereunder for the following purpose:-

Real Property description of land for which consent is sought:) Portion 66V PARISH OF
) VICTORY, COUNTY OF SOLANDER
)
) COOR HIGHWAY, MOSSMAN, QLD.

Postal Address of Land:)

Name of Registered Proprietor or Lessee:) KATANDRA FARMING PTY LTD
)

Address:) P.O. BOX 89, MOSSMAN, QLD
)

Name of Applicant:) R. CAVALLARO
)

Address:) MILL STREET, MOSSMAN QLD
)

Name of Occupier:) NIL

Use Desired to be Made of Land:) ERECT ADVERTISING SIGN
) BOARD (HOARDING)
)

Current Use of Land (to include any buildings or Other Structures)) SUGAR CANE FARMING
) NO BUILDINGS.
)

Description and Use of Buildings or Other Structures Currently Erected on the Land:) NIL
)
)

Height and Number of Storeys of Proposed Buildings:) NIL
)

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DOUGLAS FIRE COUNCIL

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Area of Land:

9.20435 ha.

Length of road frontage:
(Frontage to each road
if more than one)

1. 201 METRES

2. _____

Gross floor area:

N.A

Number of car parking
bays:

N.A

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Number of Persons Engaged
and Proposed to be Engaged
in the Particular Use:

NONE

Total Connected Load of Any
Mechanical Power Proposed
to be Employed in the
Particular Use:

NIL

Signature of Applicant/s:

R. Cavallaro

Date: 19 March 1980

The following declaration must be made in any case where the applicant is not the registered proprietor in the case of Freehold land, or is not the registered lessee in the case of land held from the Crown for a leasehold tenure:-

I ^{or} We being the registered proprietor/s or lessee/s, as the case may be, of the land described above hereby declare that I/We consent to the use or to the alteration of use of the land and/or building or other structure which is the subject of this Application.

Signature of Registered
Proprietor/s or Lessee/s

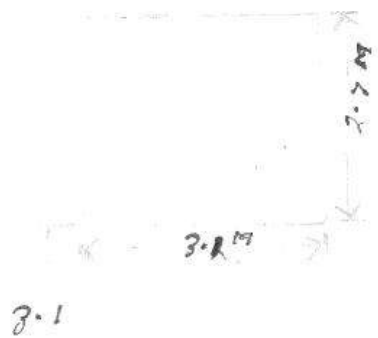
S. Cavallaro

KATANDRIA FARMING PTY LTD

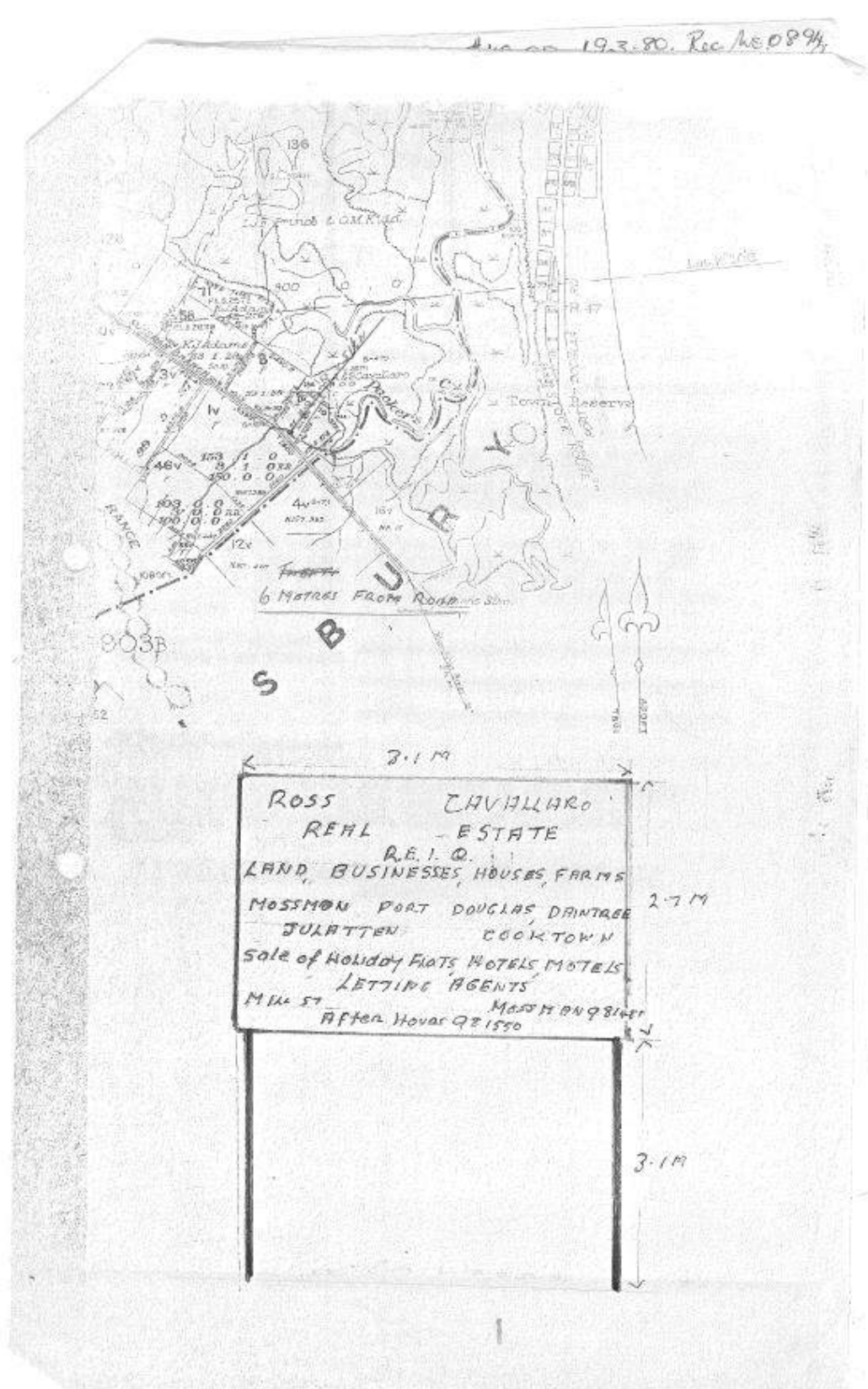
Date: 19 March 1980

A SITE PLAN AND LAYOUT OF ANY BUILDINGS OR OTHER STRUCTURES PROPOSED TO BE ERECTED ON THE LAND MUST ACCOMPANY THIS APPLICATION. (WHEN REQUESTED, ELEVATIONS MUST ALSO BE SUPPLIED)

*****THE APPLICATION FEE OF \$40.00 MUST ACCOMPANY THIS APPLICATION*****



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DECISION NOTICE DETAILS
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INTERIM
DEVELOPMENT
APPLICATION NO.526
-R. CAVALLARO
(B.S. Report)

Moved Cr. Watson, seconded Cr. Mijo,
"That approval be granted to the Interim
Development Application as submitted by
R. Cavallaro of Mossman for the erection of
an advertising sign board on land described
as Portion 66V, Parish of Victory, County
of Solander, subject to the conditions as
recommended by the Building Surveyor in his
report of 11th April, 1980, which
recommendations are adopted."

CARRIED.

INTERIM DEVELOPMENT BY-LAWS - APPLICATION NO. 526

objections have been received to the application and it is
recommended that Council grant approval to the application subject
to the following conditions:-

DOUGLAS SHIRE COUNCIL

1. The approval as granted will expire two (2) years from the date of this permit unless the development as approved is commenced within such period.
2. The approval does not constitute a building permit and a building permit must be obtained before building operations proceed.
3. The sign is not to be painted with reflectorised paint.
4. The sign is to be kept in good order and condition at all times.