

Subordinate Local Law No. 16.8 (Advertising Devices) 2016

The following new subordinate local law has been recently proposed to:

- **Simplify processes and assist business.**

Advertising devices have been removed from Council's planning scheme. All aspects of advertising devices will only be regulated through the local laws. A development application will no longer be required.

- **Expand the number of sign types that may be displayed without a licence while still providing an appropriate level of protection of safety and amenity.**

Signs are exempt from licensing if they meet specific criteria (sections 5 & 6). The number of exempt sign types under the proposed new *Subordinate Local Law (SLL)16.8* increases from 11 to 27 compared to the current SLL16.8.

Sign types listed with criteria for exemption from licensing include: awning fascia signs; blind signs; bunting signs; business promotional banners; canopy signs; changeable menu signs; election signs; fence signs; flag signs; footpath signs; garage sale signs; hamper signs; hoarding signs; home based business signs; inflatable signs; menu stand signs; mobile signs; real estate vending signs; real estate directional signs; roadside dining furniture signs; security signs; stand-alone signs; trade works signs; under-awning signs; vertical banner signs; wall signs and window signs (section 6).

- **Provide more certainty and clarity to both business and the community with respect to regulatory requirements.**

The community can easily determine the types of advertising devices that are acceptable and in what format they can operate. The objectives of the regulatory framework (section 3) are readily accessible and outline the protections in place for the community and support for economic development of business.

The objectives include:

- protecting human health and safety, road safety, and pedestrian safety
- providing functional requirements for business
- maintaining the built form and natural attributes of the area
- provide for reasonable compromise of built form and natural attributes.

The objects are achieved through:

- appropriate integration in to the built environment without creating or exacerbating visual clutter
 - encouraging complimentary and integrated design
 - presenting visually attractive appearance characteristic of the built and natural environment
 - minimising impact and access to view and sunlight for residents
 - preventing or minimising nuisances
 - ensuring design and placement is not hazardous
 - protecting essential standards of public safety
 - supporting the primary purpose of advertising the business located on the premises.
-

- **Provides flexibility of options for business with performance outcome based criteria.**

The new regulatory framework will provide a performance outcome and acceptable solution type methodology designed to assist business in achieving their goals of adequately promoting their business, goods and/or services whilst protecting, without limiting, places of historical and architectural significance and the overall amenity of the area.

The purpose of the acceptable solutions is to provide easily measurable elements which a person can comply with to automatically satisfy the relevant performance outcome.

The applicant also has the choice to make an application which does not comply with any of the acceptable solutions. In this situation, the applicant may provide evidence to demonstrate the proposed advertising device satisfies the performance outcome criteria and therefore, achieves the object of the subordinate local law.

The approving officer can quickly and easily approve applications which comply with the acceptable solutions or, they will use the acceptable solutions as a guide to determine whether the proposed advertising device still meets all of the relevant assessment criteria taking into consideration the unique characteristics of the device, location and purpose (section 8).

- **Retain the protections and restrictions in place for the Mudgeeraba Village Character Area.**

The Mudgeeraba Village Character Area is considered an historical and cultural city and community asset. The general and specific criteria relating to the Mudgeeraba Village Character Area still provides for exempt (self-assessment) advertising devices and licence criteria to assess applications that can demonstrate they meet the performance outcomes.

- **Repeal the previous *Subordinate Local Law No. 16.8 (Advertisement) 2008*; and**
 - **Ensure consistency with State legislation, the local government's administrative procedures and the local government's other local laws.**
-