

## Consultation Notice – Council of the City of Gold Coast

### LOCAL GOVERNMENT ACT 2009

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Council of the City of Gold Coast (the “Council”) has proposed to make *Subordinate Local Law No. 16.8 (Advertising Devices) 2016* (the “proposed subordinate local law”).

*Local Law No. 16 (Licensing) 2008* authorises the making of the proposed subordinate local law. The proposed subordinate local law repeals *Subordinate Local Law No. 16.8 (Advertisement) 2008*.

Possible anti-competitive provisions have been identified in the proposed subordinate local law. Council is conducting a public interest test in relation to possible anti-competitive provisions identified in the proposed subordinate local law

The purpose and general effect of the proposed subordinate local law is to

- a 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.

- b 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 SLL16.8 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).

- c 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
- providing 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.

- d 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).

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

### **Public Inspection and Written Submissions**

Written submissions by any person in support of or objecting to the proposed subordinate local law or about the public interest test plan, are invited for a 21 day period commencing on Friday 8 July 2016 and ends at close of business on Thursday 28 July 2016 (the "consultation period").

During the consultation period Council will make copies of the proposed subordinate local law and the public interest test plan available for inspection at the Bundall Customer Service Centre at 8 Karp Court, Bundall, and at any of our other centres. Copies of documentation, an online submission form and a downloadable submission form are available free of charge from our website: **[gchaveyoursay.com.au/1advertising2016](http://gchaveyoursay.com.au/1advertising2016)**

Written submissions must be received on or before Thursday 28 July 2016 stating—

- a the grounds of the submission; and
- b the facts and circumstances relied on in support of the grounds.

Any enquiries please contact our Licensing and Approvals Unit on **07 5667 5987**

Address your written submissions (quoting File No: LG222/365/17/02/08) to—

Chief Executive Officer  
City of Gold Coast  
PO Box 5042 GCMC QLD 9729

or email: **[gchaveyoursay@goldcoast.qld.gov.au](mailto:gchaveyoursay@goldcoast.qld.gov.au)**

*Unless otherwise authorised or required under a law any personal information contained in any submission made will only be utilised by Council for the purposes of conducting the Local Government Act 2009 prescribed consultation stage of the Council's local law making process.*

Dale Dickson, City of Gold Coast