

**Gladstone Regional Council  
Installation of Advertising Devices (Amendment)  
Subordinate Local Law (No. 1) 2016**

Contents

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<b>Part 1</b>	<b>Preliminary.....</b>	<b>1</b>
1	Short title.....	1
2	Subordinate local law amended .....	1
<b>Part 2</b>	<b>Amendments to subordinate local law.....</b>	<b>1</b>
3	Amendment of sch 3 (Definitions and prescribed criteria for installation, erection and display of advertising devices) .....	1
4	Amendment of sch 4 (General criteria for installation, erection and display of advertising devices).....	4
5	Amendment of sch 6 (Dictionary).....	5



## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Installation of Advertising Devices (Amendment) Subordinate Local Law (No. 1) 2016*.

### **2 Subordinate local law amended**

This subordinate local law amends *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011*.

## **Part 2 Amendments to subordinate local law**

### **3 Amendment of sch 3 (Definitions and prescribed criteria for installation, erection and display of advertising devices)**

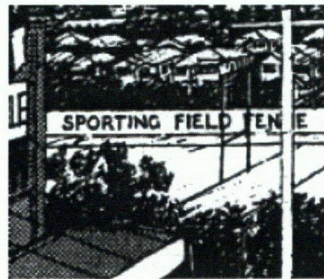
- (1) Schedule 3, section 1(1)(a), after 'temporary'—  
*insert—*  
' , non-illuminated'.
- (2) Schedule 3, section 6(2)(h), '.'—  
*omit, insert—*  
' ; and'.
- (3) Schedule 3, after section 6(2)(h)—  
*insert—*  
'(i) the advertising device must not be illuminated.'
- (4) Schedule 3, section 7(2)(e)—  
*omit, insert—*  
'(e) not be illuminated or constructed from reflective material.'
- (5) Schedule 3, section 8(1)(a), after 'users'—  
*insert—*  
' , but is not otherwise illuminated'.
- (6) Schedule 3, section 8(3)—  
*omit, insert—*  
'(3) A variable message sign must not be installed or displayed on a road or a road-related area unless the variable message sign—
  - (a) is installed or displayed by the local government and conveys information or directions about—
    - (i) road construction, maintenance or improvement activities of the local government; or
    - (ii) road safety activities of the local government; or

- (b) is installed or displayed by the local government and conveys information about public consultation which has been undertaken, or is to be undertaken, by the local government; or
  - (c) is installed or displayed—
    - (i) for the primary purpose of directing the public to a short term event such as a fete, fair, festival or other similar event which is advertised on the variable message sign; and
    - (ii) only on the day of the event advertised on the variable message sign, and for a period of not more than 3 days prior to the event, and is removed from the road or road-related area not more than 1 day after the event; and
    - (iii) so that the siting of the variable message sign does not cause a pedestrian or vehicular hazard.’.
- (7) Schedule 3, section 9(2)(b) —  
*omit, insert—*  
‘(b) if the premises have—
  - (i) 1 street front boundary—not more than 1 advertising device may be displayed on the street front boundary of the premises;
  - (ii) more than 1 street front boundary—not more than 1 advertising device may be displayed on each street front boundary of the premises; and’.

- (8) Schedule 3, section 9(2)(d)—  
*omit, insert—*  
‘(d) the advertising device must not be illuminated; and’.

- (9) Schedule 3, after section 9—  
*insert—*

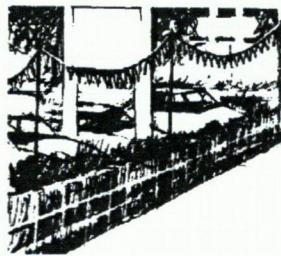
‘10 **Sporting field fence sign**



- (1) A **sporting field fence sign** is an advertising device which is painted or otherwise affixed to a fence marking the boundaries of a sporting field.
- (2) The criteria prescribed for a sporting field fence sign are—
  - (a) for an advertising device displayed on a sporting field—the advertising device must acknowledge, or promote, a business which sponsors the club which has the right to occupy the sporting field; and

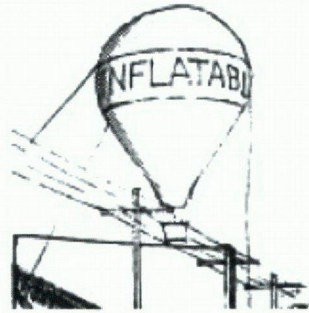
- (b) the advertising device must be displayed on a fence surrounding the sporting field; and
- (c) the advertising device must not be visible from any road, public place (other than the sporting field) or premises used for residential purposes; and
- (d) each sporting field fence sign displayed on a fence must be—
  - (i) contained within the boundaries of the fence; and
  - (ii) uniform, in shape and size, with the other sporting field fence signs displayed on the fence; and
- (e) the advertising device must not cause a danger to the public; and
- (f) if the advertiser is a sporting club or association, the advertiser must erect or display the advertising device immediately adjacent to the area allocated to the advertiser for conduct of the advertiser's sporting activity.

**11 Bunting sign**



- (1) A **bunting sign** includes decorative flags, pennants and streamers.
- (2) The criteria prescribed for a bunting sign are—
  - (a) the advertising device must be affixed to a structure that will accommodate wind loadings in the area; and
  - (b) the advertising device must not be affixed to a tree, lighting standard or power pole on a local government controlled area or a road; and
  - (c) the advertising device must not be placed on premises more than 6m above ground level directly adjacent to the advertising device; and
  - (d) if requested by an authorised person, the advertiser must provide an engineer's certification for any structure dedicated for the support of the advertising device; and
  - (e) the advertising device must not be placed on premises beyond the street front boundary of the premises.

**12 Inflatable sign**



- (1) An *inflatable sign* is a fixed or captive balloon, including a tethered lighter than air device which is displayed in conjunction with a special event such as a fete, fair, circus, sales promotion or the like.
- (2) The criteria prescribed for an inflatable sign are—
  - (a) the advertising device must not be displayed for more than 14 days in any 90 day period; and
  - (b) the method of securing the advertising device must be certified as to standard by an accredited engineer prior to the display of the advertising device; and
  - (c) the location of the advertising device must be such that the display of the advertising device will not interfere with any power lines or other public services; and
  - (d) the advertiser must take out and maintain public liability insurance cover in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the advertising device; and
  - (e) the advertiser must produce to the local government on request evidence of the existence of the insurance specified in paragraph (d).

#### 4 Amendment of sch 4 (General criteria for installation, erection and display of advertising devices)

- (1) Schedule 4, section 5—

*omit, insert—*

- ‘5. The display of the advertising device must not—
  - (a) cause obstruction of, or distraction to, pedestrian or vehicular traffic; or
  - (b) protrude in a manner that—
    - (i) interferes, or could interfere, with pedestrian access; or
    - (ii) causes, or could cause, damage to a vehicle.’

- (2) Schedule 4, section 6—

*omit, insert—*

- ‘6. The advertising device must be—

- (a) of high design quality; and
  - (b) designed and situated so as not to expose an unsightly rear view of the sign; and
  - (c) constructed of quality materials which can be, and are, maintained in a neat, clean and tidy manner at all times.’.
- (3) Schedule 4, section 11—  
*omit, insert—*
  - ‘11. If the advertising device is illuminated—
    - (a) the advertising device must not be positioned so as to create glare or a nuisance to pedestrian or vehicular traffic; and
    - (b) the illumination of the advertising device must not flash, revolve or involve the production of sound or smell.’.
- (4) Schedule 4, section 12—  
*omit, insert—*
  - ‘12. The size and scale of the advertising device, whether attached to a building or freestanding—
    - (a) must be appropriate to the size and scale of the building (if any) and of the premises on which it is to be displayed; and
    - (b) must not be oversized so as to detract from or dominate the building, premises or adjacent uses of the land on which it is to be displayed; and
    - (c) must not result in the alteration of the silhouette of the building (if any) on which it is to be displayed, for example, by extending vertically beyond or above any wall, parapet or the roof of the building; and
    - (d) must not cover or obscure any architectural feature of the building (if any) on which it is to be displayed.’.
- (5) Schedule 4, section 13, ‘visual clutter’—  
*omit, insert—*  
‘impacts on visual amenity’.
- (6) Schedule 4, section 14, ‘visual clutter’—  
*omit, insert—*  
‘impacts on visual amenity’.

## 5 Amendment of sch 6 (Dictionary)

Schedule 6—

*insert—*

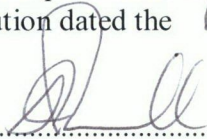
‘**sporting field** means land used for a sport or game and includes a golf course.

**sporting field fence sign**, see schedule 3, section 10.

**bunting sign**, see schedule 3, section 11.

***inflatable sign***, see schedule 3, section 12.’.

This and the preceding 6 pages bearing my initials is a certified copy of *Installation of Advertising Devices (Amendment) Subordinate Local Law (No. 1) 2016* made in accordance with the provisions of the *Local Government Act 2009* by Gladstone Regional Council by resolution dated the 6<sup>th</sup> day of December 2016.



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Chief Executive Officer