



**Cairns Regional Council  
Local Law No. 4 (Advertising Devices) 2019**

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# Cairns Regional Council

## Local Law No. 4 (Advertising Devices) 2019

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## Part 1 Preliminary

### 1 Short title

- (1) This local law may be cited as Local Law No. 4 (Advertising Devices) 2019.

### 2 Purpose and effect

- (1) This local law applies to the installation and operation of all advertising devices within the Cairns Local Government Area.

Note: Schedule 2 identifies the types of advertising device regulated under this Local Law.

Note: This local law applies to all advertising devices on State controlled land, except where identified in Section 3(1)(c) below.

- (2) The purpose of this local law is to regulate advertising devices in a manner that:
- (a) provides for the functional advertising requirements of business; and
  - (b) maintains the health and safety of people; and
  - (c) protects or enhances the visual character and amenity of the site, surrounding area and the region; and
  - (d) does not result in visual clutter or the proliferation of advertising devices; and
  - (e) mitigates impacts of single advertising devices and the cumulative impacts of multiple advertising devices.
- (3) The purpose is to be achieved by:
- (a) identifying advertising devices that do not require a permit; and
  - (b) identifying advertising devices that are prohibited; and
  - (c) providing for an application, assessment and approval process for all other advertising devices; and
  - (d) providing assessment criteria for granting a permit; and
  - (e) stating conditions that must and may be imposed on a permit; and
  - (f) making it an offence to display advertising devices without a permit or contrary to conditions of a permit; and
  - (g) allowing for the display of advertising devices that:
    - (i) are appropriately integrated into the built and natural environment; and
    - (ii) are complementary and proportionate to the building or structure to which it is attached; and
    - (iii) are compatible with the surrounding built and natural environment; and
    - (iv) are located in appropriate zones and are consistent with or complements the nature and intended character of the surrounding environment; and
    - (v) do not detract from the scenic amenity of the region or obstruct significant views; and

- (vi) do not obstruct roads or footpaths or create a hazard to vehicles, cyclists or pedestrians; and
- (vii) do not confuse or distract motorists, particularly in proximity to intersections or other complex traffic environments; and
- (viii) do not result in visual clutter or the proliferation of advertising devices; and
- (ix) do not cause a nuisance or have negative impacts on the amenity of adjoining or surrounding premises; and
- (x) are safely secured and affixed where attached to a building or structure; and
- (xi) do not damage public infrastructure; and
- (xii) are durable, robust and maintained in good condition; and
- (xiii) are operated in a manner that is compatible with and does not detract from a Place of significance.

### **3 Relationship with other laws**

(1) This local law is:

- (a) to be read in conjunction with *Local Law No.1 (Administration) 2016* which contains provisions and definitions that apply to all local laws; and
- (b) made under the Chapter 3 of the LGA and s.66 of the TORUM Act; and
- (c) applicable to advertising devices on a State Controlled Road within the Cairns Local government area with a posted speed limit of less than 80km/hour, unless the advertising device is one of the following:
  - (i) Aircraft sign; or
  - (ii) Banner sign; or
  - (iii) Banner pole sign; or
  - (iv) Billboard sign; or
  - (v) Community infrastructure sign; or
  - (vi) Digital sign; or
  - (vii) Directional sign; or
  - (viii) Hologram sign; or
  - (ix) Illuminated sign; or
  - (x) Projected image sign; or
  - (xi) Pylon sign; or
  - (xii) Themed sign; or
  - (xiii) Transport infrastructure sign.

- (d) otherwise in addition to, and does not derogate from, laws regulating land use planning and development assessment.
- (2) Where an application is made for a permit, or for the renewal of a permit, for an advertising device on a State Controlled Road, the application must be referred to the Department of Transport and Main Roads for comment.

#### **4 Relationship with the planning scheme and planning scheme policies**

- (1) This local law:
  - (a) does not derogate from the need to obtain a development permit under the planning scheme for an advertising device located on a Place of significance as identified within the Places of significance overlay maps or the Queensland Heritage Register; and
  - (b) regulates the operational aspects of an advertising device on a Place of significance; and
  - (c) makes reference to terms used and defined within the planning scheme, including zone, overlay, use and administrative definitions; and
  - (d) makes reference to terms used and defined within the planning scheme policy – places of significance, including a statement of significance and impact assessment report.

Note: refer to Schedule 1 within the planning scheme for definitions.

## **Part 2 Prescribed activity**

### **5 Prescribed activity**

- (1) The installation, erection or display of an advertising device, other than an advertising device that does not require a permit or is prohibited, is a category 1 prescribed activity.

### **6 Advertising devices that require a permit**

- (1) Advertising devices that require a permit are devices that are:
  - (a) not prohibited under Part 3; or
  - (b) not permitted under Part 4; or
  - (c) an Undefined sign.

### **7 Applications**

- (1) To obtain a permit an application must be made to Council on the approved form required under *Local Law No. 1 (Administration) 2016* and this local law.
- (2) An application cannot be made for a prohibited advertising device as identified in Part 3.
- (3) For the purposes of making an application for a permit in accordance with Section 8 of *Local Law No. 1 (Administration) 2016* the application must also be accompanied by the following:

- (a) the written consent of the land owner of the land on which the advertising device is proposed to be located; and
  - (b) the name, contact details and address of the applicant; and
  - (c) the address and real property description of the proposed advertising device; and
  - (d) a site plan that details:
    - (i) the location of the proposed advertising device, including the setback of the proposed advertising device from any site boundaries, buildings or structures and other advertising devices; and
    - (ii) the location of existing buildings, structures, vegetation and points of vehicular and / or pedestrian access; and
    - (iii) the location of any existing advertising devices on the site; and
    - (iv) the location of any easements on the site; and
    - (v) the location of any boundaries, including boundaries of a lease area; and
  - (e) where relevant, details of the proposed advertising device including:
    - (i) whether the purpose of the device is for the display of on-site advertising or off-site advertising; and
    - (ii) the proposed duration that the advertising device will be operational and remain in place; and
    - (iii) the proposed operation of the advertising device, including but not limited to the hours of operation and luminance output; and
    - (iv) the proposed construction material or fabric of the advertising device; and
    - (v) the expected operational life of the advertising device; and
    - (vi) any manufacturers specifications, standards or operational requirements for the proposed advertising device; and
  - (f) an image or plan of the proposed advertising device; and
  - (g) the total advertising area proposed to be displayed on the site including the advertising area of any existing advertising devices; and
- Note: Refer to Schedule 3 Calculation of Advertising Area.
- (h) details of any advertising devices on the site that are proposed to be removed as part of the application; and
  - (i) where the advertising device is temporary and associated with an event, details of the event including the name and duration of the event; and
  - (j) where the advertising device is proposed to be attached to a building or structure and any part of the device will be located on or over a public place, an Engineers Certificate issued by a Registered Professional Engineer of Queensland certifying that the building or structure is structurally adequate to support the advertising device; and

(k) any other relevant supporting reports or information.

Note: Council may request additional information about the advertising device to assess the application (e.g. a road safety assessment or a visual impact assessment).

Note: Council may seek the advice of the Department of Transport and Main Roads if the device is considered to potentially impact on the operations of or be visible from a State Controlled Road.

Note: Council may seek the advice of the Cairns Airport, Air Services Australia, the Civil Aviation Safety Authority and / or Emergency Management Queensland if the device is considered to potentially impact on the operations of any aircraft or airspace.

## **8 Additional criteria for granting a permit**

(1) Section 9 and 10 below contain additional criteria for granting a permit for an advertising device.

Note: The criteria provided within this section is in addition to the general criteria for assessing a permit contained within *Local Law No. 1 (Administration) 2016*.

(2) To grant a permit, an advertising device must satisfy the additional criteria within section 9 and 10 to the extent those provisions are relevant to the advertising device.

## **9 Additional criteria for all advertising devices**

(1) Where the type of advertising device is listed within Table 2 of Part 4, the application will be assessed against the requirements within Column 2 of Table 2 in Part 4 to the extent relevant.

(2) If a permit is to be granted, the advertising device must satisfy:

- (a) the purpose of this local law; and
- (b) the conditions that must be imposed in accordance with section 11; and
- (c) the conditions that will ordinarily be imposed in accordance with section 12; and
- (d) the conditions of a related development approval.

(3) The advertising device must relate to a lawfully established land use or a permitted activity on the premises on which the advertising device is displayed.

(4) The advertising device must:

- (a) be consistent with or complements the intended character and amenity of the surrounding area; and
- (b) be appropriately integrated with the existing built and natural features of the site, the streetscape and surrounding area; and
- (c) not detract from, dominate or have an overbearing relationship to the surrounding built and natural environment; and
- (d) be sympathetic and compatible with other advertising devices on the same site, on adjoining sites and within the surrounding area, where those devices do not have a negative impact on the amenity of the area; and
- (e) be a type that is appropriate, relevant and commonly associated with the use of the land on which it is proposed to be placed; and

- (f) be of a size and scale that is appropriate to the character and amenity of the area and is necessary to convey the required information; and
  - (g) be of a size, shape, scale and dimensions are consistent with other advertising devices on the same site, adjoining sites or surrounding area; and
  - (h) be consistent with the shape, size, scale, dimensions and design that is common for the type of advertising device proposed; and
  - (i) be sympathetic and compatible, in colour, materials and appearance with the buildings and structures, streetscape, built features and natural features of the environment in which it is to be displayed; and
  - (j) not detract from, or diminish the appearance or prominence of architectural features of a building on the site, in the streetscape or surrounding area; and
  - (k) be integrated into the layout and pattern of built features within the streetscape; and
  - (l) be proportionate to buildings or structures on the site, in the streetscape and surrounding areas; and
  - (m) not damage or interfere with under or above ground services or infrastructure; and
  - (n) not interfere with or require the removal of existing vegetation; and
  - (o) not have an unsightly side or back view; and
  - (p) not have a negative impact on the visual amenity of the site, adjoining sites and the surrounding area; and
  - (q) not have a negative impact on a sensitive land use or a zone primarily for a sensitive land use; and
  - (r) not have a negative impact on or overbearing relationship to a local government controlled area or road, or part of a local government controlled area or road; and
  - (s) ensure that existing buildings and structures, the natural landscape and vegetation on the same site, adjoining sites and surrounding area remain the dominant features; and
  - (t) not block, limit or compromise views or vistas to the mountains, ocean, or Places of significance from public places; and
  - (u) not dominate or significantly modify the skyline.
- (5) Where the advertising device is attached to a building and/or structure it must:
- (a) be proportionate to the building or structure on which it is attached; and
  - (b) be attached to a blank surface of the building and does not conceal any architectural features of the building or structure; and
  - (c) be appropriately placed, scaled and designed to complement the architectural features of the building; and

- (d) not detract from, or diminish the appearance or prominence of architectural features of a building; and
  - (e) be attached to a part of the building that has been designed to accommodate an advertising device; and
  - (f) be attached flush to the surface of the building; and
  - (g) not extend beyond the height of the building, except where:
    - (i) it is used to display the name of a building; and
    - (ii) it is comprised of individual letters spelling out the name of the building and is not a solid rectangular, square or other shape; and
    - (iii) it is of a size and dimensions that are proportionate to the building to which it is attached; and
    - (iv) it is of a size that does not dominate the skyline; and
    - (v) it will not display a blank or unsightly back or side view; and
    - (vi) is designed to act as a landmark feature and will assist in wayfinding; and
    - (vii) it does not protrude into the Obstacle Limitation Surface of the Airport environs overlay within the planning scheme; and
  - (h) be adequately separated from the outer edge of the wall or surface to which it is attached; and
  - (i) not consume the entirety of blank walls or surfaces on a building or structure; and
  - (j) not require or result in modifications to the building or structure to accommodate the advertising device; and
  - (k) be adequately separated from other advertising devices on the same building or structure; and
  - (l) be co-located with other advertising devices of the same shape, scale, size, dimensions or design where the co-location contributes to the ease of wayfinding or complements the design of the building or structure.
- (6) The duration of display of the advertising device must:
- (a) be consistent with the expected duration of that type of device or the land use to which it is associated; and
  - (b) not have a negative impact on the amenity of the site, nearby sensitive land uses or a zone primarily for a sensitive land use.
- (7) The advertising device must be simple, visible and legible.
- (8) Where the advertising device is located on a State Controlled Road or visible from a State Controlled Road, it must comply with the Department of Transport and Main Roads Roadside Advertising Manual.

Note: Council may seek the advice of the Department of Transport and Main Roads where an advertising device is located on or visible from a State Controlled Road.

- (9) The advertising device must not have a negative or limiting impact on the operations of any aircraft or airspace, including but not limited to the Cairns Airport and any helicopter landing facilities.

Note: Council may seek the advice of the Cairns Airport, Air Services Australia, the Civil Aviation Safety Authority and / or Emergency Management Queensland if the device is considered to potentially impact on the operations of any aircraft or airspace.

- (10) Where the advertising devices is located on or over a footpath or pedestrian environment and not placed on the ground, the advertising device must be designed and installed to maintain a minimum vertical clearance of 2.5 metres above ground level.

- (11) Where the advertising devices is located on or over where vehicles will pass underneath, the advertising devices must be designed and installed to maintain a minimum vertical clearance of 5.7 metres above ground level or 6.5 metres above ground level on a State Controlled Road.

- (12) The advertising device must be located so that it:

- (a) does not result in a repetitive pattern of advertising devices of the same or similar type in a streetscape; and
- (b) does not obscure another advertising device; and
- (c) does not diminish the effectiveness of another advertising device in reaching its audience.

- (13) The advertising device must be set back such that:

- (a) it does not have a negative impact on the amenity of the premises, adjoining premises, public places or the surrounding area; and
- (b) does not obstruct a person's view of a traffic environment; and
- (c) it is consistent with the pattern of the built form on the site, adjoining sites and streetscape; and
- (d) is consistent with the setbacks of other devices of the same type or similar type on adjoining sites or the surrounding area where those devices do not have a negative impact on the amenity of the area.

- (14) The number of advertising devices and total size of advertising area on a site must:

- (a) be appropriate for the land use or activity occurring on the site; and
- (b) not cause a nuisance; and
- (c) not have a negative impact on the amenity of the site, adjoining sites or surrounding area; and
- (d) not cause visual clutter or proliferation of advertising devices; and
- (e) not result in a significant number of advertising devices on the site or the street.

Note: An application may propose to remove existing advertising devices as a way of achieving this criterion.

Note: Refer to Schedule 3 Calculation of Advertising Area.

- (15) Where the site contains multiple tenancies, the advertising device must coordinate and consolidate the advertising devices of a number of different tenancies.

Note: It is generally preferable that the advertising for a site including multiple tenancies is combined on a single advertising device rather than the individual tenancies displaying their own advertising device.

- (16) The installation of the advertising device must improve the appearance of the site by rationalising the total number advertising devices and the total size of advertising area on the site to reduce visual clutter and reduce the impact of advertising devices on the character and amenity of the site, adjoining premises and surrounding area.

Note: Refer to Schedule 3 Calculation of Advertising Area.

- (17) The installation of the advertising device must not result in visual clutter and/or the proliferation of advertising devices, when considered in combination with the existing advertising devices on the same site, adjoining sites and surrounding area.

- (18) The advertising device must be constructed of:

- (a) a material that is appropriate for the intended type of advertising device and the location and use of the advertising device; and
- (b) a durable and waterproof material.

- (19) The advertising device must be designed and constructed such that it does not require stays, guys, struts or a similar support.

- (20) The advertising device, including any supporting structures must:

- (a) be structurally sound; and
- (b) not be affixed to a building or structure (including a fence) unless the building or structure is constructed to withstand the wind and structural loads caused by the advertising device; and
- (c) comply with structural standards or codes under applicable laws in other respects; and
- (d) be designed and constructed in a simple, neat and tidy manner; and
- (e) be designed and constructed such that all conduits, wiring, switches or other plant installed on an advertising device are concealed from view.

Note: Council may request an engineer's certificate to be supplied by a Registered Professional Engineer of Queensland to demonstrate compliance with this criterion.

- (21) The advertising device must not:

- (a) endanger the health or safety of any person; and
- (b) cause damage to public or community infrastructure; and
- (c) cause a nuisance; and
- (d) obstruct the passage of vehicles, cyclists or pedestrians; and
- (e) impede a person's view of a traffic environment; and
- (f) resemble an official traffic sign or traffic control device; and

- (g) confuse or distract pedestrians, motorists or cyclists particularly in proximity to intersections or other complex traffic environments, including but not limited to changes in speed environment, merging zones and roundabouts; and
- (h) obstruct roads or footpaths or create a hazard to vehicles, cyclists or pedestrians; and
- (i) obstruct a person's view of a traffic environment, including a pedestrian's view of traffic, or a motorist or cyclist's view of pedestrians, other traffic, traffic signs, traffic signals or the road ahead.

Note: Council may request additional information, such as a road safety assessment, to demonstrate the device complies with this criterion.

- (22) The advertising device must be separated from electrical infrastructure by no less than the minimum statutory clearance identified within the *Electrical Safety Regulation 2013*.
- (23) The hours of operation for an advertising device must:
  - (a) be consistent with the hours of operation of the land use to which the advertising device is associated; and
  - (b) not have a detrimental impact on a sensitive land use or zone primarily for a sensitive land use; and
  - (c) be consistent with the hours of operation of other similar advertising devices on the site, adjoining sites and surrounding area, where those devices do not have a negative impact on the amenity of the area.
- (24) Lighting used to externally illuminate an advertising device must only be used where it is located and designed in a manner that complies with the requirements in Table 3 within Part 4.
- (25) The advertising device has a luminance output or external illumination that must not be channelled or funnelled towards neighbouring properties, sensitive land uses or a zone primarily for a sensitive land use.
- (26) An advertising device on a Place of significance must:
  - (a) be consistent with the statement of cultural significance for the Place of significance; and
  - (b) not have an impact on the cultural heritage significance on the Place of significance; and
  - (c) be sympathetic to the design and features of the Place of significance; and
  - (d) be of an appropriate proportion and scale to the buildings and structures on the site; and
  - (e) not alter, remove or conceal architectural features of the Place of significance; and
  - (f) not obstruct views to the place of significance from public places; and
  - (g) not dominate, diminish or detract from the features of the Place of significance; and

- (h) use colours and materials that are consistent with the colours and materials of the Place of significance and the statement of cultural significance; and
  - (i) relate to the use of the site or the goods or services available at the site; and
  - (j) be designed so it can be installed and removed without damaging the Place of significance; and
  - (k) be limited in number and size to avoid visual clutter and / or proliferation of advertising devices; and
  - (l) be located in an area of the site or on an area of the building that was traditionally used for signage; and
  - (m) not be one of the following:
    - (i) Banner sign; or
    - (ii) Banner pole sign; or
    - (iii) Billboard sign; or
    - (iv) Blind or canopy sign; or
    - (v) Bunting sign; or
    - (vi) Commercial flag sign; or
    - (vii) Community infrastructure sign; or
    - (viii) Contractors sign; or
    - (ix) Digital sign; or
    - (x) Election sign; or
    - (xi) Inflatable or aerial sign; or
    - (xii) Modified awning sign; or
    - (xiii) Portable sign; or
    - (xiv) Projecting flag sign; or
    - (xv) Projecting horizontal sign; or
    - (xvi) Projecting vertical sign; or
    - (xvii) Pylon sign; or
    - (xviii) Roof sign; or
    - (xix) Themed sign.
- (27) An advertising device within a Neighbourhood character area must:
- (a) be consistent with the Neighbourhood character streetscape; and
  - (b) not dominate, diminish or detract from the character of a Neighbourhood character place or streetscape; and
  - (c) not obstruct views to the character place from a public place; and

- (d) utilise materials that are consistent with the fabric of the Neighbourhood character place; and
  - (e) not be obtrusive in the Neighbourhood character streetscape; and
  - (f) be consistent with the existing character elements of the Neighbourhood character area; and
  - (g) not be one of the following:
    - (i) Banner sign; or
    - (ii) Banner pole sign; or
    - (iii) Billboard sign; or
    - (iv) Blind or canopy sign; or
    - (v) Bunting sign; or
    - (vi) Commercial flag sign; or
    - (vii) Digital sign; or
    - (viii) Ground based sign; or
    - (ix) Inflatable or aerial sign; or
    - (x) Modified awning sign; or
    - (xi) Projecting horizontal sign; or
    - (xii) Projecting vertical sign; or
    - (xiii) Pylon sign; or
    - (xiv) Roof sign; or
    - (xv) Themed sign.
- (28) Advertising devices must be predominantly used for on-site advertising. Off-site advertising must be limited.

## 10 Additional criteria for specific types of advertising devices

Table 1 – Additional criteria for specific types of advertising devices

Note: Table 1 contains references to advertising area. Refer to Schedule 3 Calculation of Advertising Area for guidance on how to calculate the advertising area for an advertising device.

Note: Where an application is for a change to an existing advertising device some of the criteria within Table 1 may not be relevant.

<b>Column 1</b> <b>Advertising device</b>	<b>Column 2</b> <b>Additional criteria for specific types of advertising devices</b>
Awning fascia sign	(1) The Awning fascia sign must not be used for off-site advertising.
Banner sign	(2) The Banner sign must be temporary in nature and not permanently displayed.
Banner pole sign	(3) The Banner pole sign must not be used for off-site advertising.
Billboard sign	<p>(4) The Billboard sign:</p> <ul style="list-style-type: none"> <li>(a) is only located: <ul style="list-style-type: none"> <li>(i) within an Industry zone; and</li> <li>(ii) adjacent to a State Controlled Road; and</li> <li>(iii) a minimum of 500m from land within a Residential zone, Conservation zone, Emerging community zone and Environmental management zone; and</li> </ul> </li> <li>(b) is positioned perpendicular to the road adjacent to the lot; and</li> <li>(c) is placed as close as possible to the centre of the site's street front boundary; and</li> <li>(d) is placed adjacent to the street front boundary of the State Controlled Road; and</li> <li>(e) is set back a minimum of: <ul style="list-style-type: none"> <li>(i) 2m from the front boundary; and</li> <li>(ii) 5m from all other boundaries; and</li> </ul> </li> <li>(f) is the only Billboard sign on the site; and</li> <li>(g) it has no more than two (2) faces that are arranged either back to back or in a "V" shape with an angle of no greater than 45 degrees; and</li> </ul>

	<ul style="list-style-type: none"> <li>(h) has a maximum advertising area of 20m<sup>2</sup> per face; and</li> <li>(i) has a maximum height of 11m; and</li> <li>(j) is separated from another Billboard sign by a minimum of 500m; and</li> <li>(k) does not obscure another Billboard sign when viewed from the road in the direction of travel; and</li> <li>(l) complies with the Department of Transport and Main Road Roadside Advertising Manual.</li> </ul>
Blind or canopy sign	(5) The Blind or canopy sign must not be used for off-site advertising.
Bunting sign	(6) The Bunting sign must be temporary in nature and not permanently displayed.
Busking sign	(7) The Busking sign must be temporary in nature and not permanently displayed.
Commercial flag sign	(8) The Commercial flag sign must be separated from another Commercial flag sign on the same site by a minimum of 40m.
Construction sign	(9) The Construction sign must be temporary in nature and not permanently displayed.
Contractors sign	(10) The Contractors sign must be temporary in nature and not permanently displayed.
Digital sign	<p>(11) The Digital sign is for on-site advertising and:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) a Centre zone; or</li> <li>(ii) an Industry zone; or</li> <li>(iii) Community facilities zone; or</li> <li>(iv) Mixed use zone precinct 1 – Commercial; or</li> <li>(v) Mixed use zone precinct 2 – Trades and services; or</li> <li>(vi) Specialised centre zone; or</li> <li>(vii) Sport and recreation zone; or</li> <li>(viii) Tourist accommodation zone; and</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(b) is not located within 50 metres of a sensitive land use or a zone primarily for a sensitive land use; and</li> <li>(c) is not located on a site with the following types of advertising devices: <ul style="list-style-type: none"> <li>(i) Billboard sign; and</li> <li>(ii) Themed sign; and</li> </ul> </li> <li>(d) is also one of the following types of advertising devices and complies with the relevant requirements contained within Part 2 and Part 4: <ul style="list-style-type: none"> <li>(i) Awning fascia sign; or</li> <li>(ii) Pylon sign; or</li> <li>(iii) Under awning sign; or</li> <li>(iv) Wall sign; or</li> <li>(v) Window sign; and</li> </ul> </li> <li>(e) is not located within a Restriction, Distraction and Restriction Notice Area identified within the Department of Transport and Main Roads Roadside Advertising manual; and</li> <li>(f) is located where it will not compete with traffic control devices for a road user's attention; and</li> <li>(g) it is not located within a local government controlled area or road unless the Digital sign is also an Awning fascia sign or an Under awning sign; and</li> <li>(h) is only a freestanding sign where it is located on a Pylon sign; and</li> <li>(i) where it is located on a freestanding sign it has not more than two (2) faces that are arranged back to back; and</li> <li>(j) where it is located on a building with a street front awning, the Digital sign is not located above the height of the awning; and</li> <li>(k) where it is attached to a building it is not located at a height greater than 11.5 metres; and</li> <li>(l) there is only one Digital sign per site or where the site has two or more street frontages, there is only one Digital sign per street frontage of the site up to a maximum of 2 Digital signs; and</li> <li>(m) has a maximum advertising area of 3m<sup>2</sup>; and</li> </ul>
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- (n) it will not be of a size and design that will be excessively prominent and will be consistent with the expected character and amenity of the site and surrounding area; and
- (o) if it is attached to a building:
  - (i) it is located on an existing flat surface; and
  - (ii) it is framed by the building on all sides of the device as per Figure 1 below; and

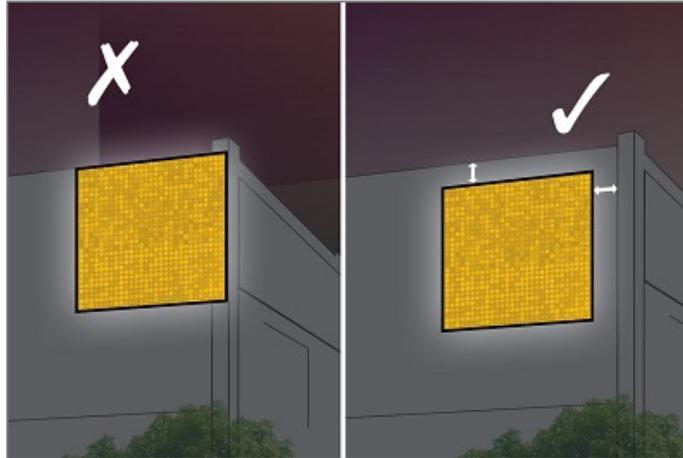


Figure 1 – Framed by the building

- (iii) it does not dominate the built form, streetscape or surrounding area; and
- (iv) it does not conceal any architectural features of the building; and
- (v) it does not project beyond the outline of the building or structure; and
- (vi) it must have an appropriate relationship to the building; and
- (vii) the built form must remain the dominant feature; and
- (viii) the building cannot be modified to accommodate the advertising device; and

Note: Examples of building modifications that cannot occur to accommodate a Digital sign include creating a new or extending the existing parapet or creating a wing wall.

- (p) if the advertising device is also an Under awning sign, it does not suspend lower than 1.5m from the underside of the awning; and

	<p>(q) it is switched off from 10:00pm to 6:00am, unless it is located within one of the following zones within the planning scheme:</p> <ul style="list-style-type: none"> <li>(i) Principal centre zone; or</li> <li>(ii) Medium impact industry zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Waterfront and marine industry zone; and</li> </ul> <p>(r) where within 100m of a sensitive land use or a zone primarily for a sensitive land use, it does not project illuminance in the direction of the sensitive land use or zone primarily for a sensitive land use; and</p> <p>(s) results in the consolidation and removal of existing signs on the site to ensure that the new advertising device does not result in visual clutter and / or a proliferation of advertising devices; and</p> <p>(t) results in any existing advertising devices on the site being brought up to standard to comply with the requirements in Table 2 within Part 4; and</p> <p>(u) is made available for community information in the event of a declaration of an impending weather event or similar.</p> <p>(12) The Digital sign is for off-site advertising and:</p> <p>(a) is located within one of the following zones within the planning scheme:</p> <ul style="list-style-type: none"> <li>(i) District centre zone; or</li> <li>(ii) High impact industry zone; or</li> <li>(iii) Major centre zone; or</li> <li>(iv) Medium impact industry zone; or</li> <li>(v) Mixed use zone precinct 1 – Commercial; or</li> <li>(vi) Principal centre zone; or</li> <li>(vii) Specialised centre zone precinct 2 – Showgrounds and major sport; or</li> <li>(viii) Waterfront and marine industry; and</li> </ul> <p>(b) is not located within 50 metres of:</p> <ul style="list-style-type: none"> <li>(i) a sensitive land use; or</li> <li>(ii) a zone primarily for a sensitive land use; or</li> <li>(iii) Tourist accommodation zone; or</li> </ul>
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	<p>(iv) Township zone; and</p> <p>(c) is on a site fronting a State Controlled Road; and</p> <p>(d) is placed adjacent to the street front boundary of the State Controlled Road; and</p> <p>(e) is not located where another off-site Digital sign is visible when viewed from a public place; and</p> <p>(f) where another off-site Digital sign is visible when viewed from a public place it is separated by a minimum of 500 metres from the other off-site Digital sign; and</p> <p>Note: Vegetation, street art and other potentially temporary obstructions are not sufficient to overcome this criterion.</p> <p>(g) is not located on a site with the following types of advertising devices:</p> <p>(i) Billboard sign, unless the Digital sign is also the Billboard sign and is not a Billboard identified in Part 3; or</p> <p>(ii) Digital sign, unless the site has more than one street frontage and the total number of Digital signs does not exceed 1 Digital sign per street frontage up to a maximum of 2 Digital signs per site; or</p> <p>(iii) Illuminated sign used for off-site advertising; and</p> <p>(h) is also only one of the following types of advertising devices and complies with the relevant requirements contained within Part 2 and Part 4:</p> <p>(i) Billboard sign that is not identified in Part 3 as prohibited; or</p> <p>(ii) Pylon sign where the Pylon sign replaces a Billboard sign that was lawfully established prior to the commencement of this Local law; or</p> <p>(iii) Wall sign; and</p> <p>(i) is not located within a Restriction, Distraction and Restriction Notice Area identified within the Department of Transport and main Roads Roadside Advertising manual; and</p> <p>(j) is located where it will not compete with traffic control devices for a road user's attention; and</p> <p>(k) it is not located within a local government controlled area or road; and</p>
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	<p>(l) where it is located on a freestanding sign it has not more than two (2) faces that are arranged either back to back or in a “V” shape with an angle of no greater than 45 degrees; and</p> <p>(m) there is only one Digital sign per site or one Digital sign per street frontage up to a maximum of two (2) Digital signs per site; and</p> <p>(n) where it is attached to a building it is not located at a height greater than 11.5 metres; and</p> <p>(o) has an advertising area that:</p> <ul style="list-style-type: none"> <li>(i) has a height dimension that does not exceed 50% of the height of the building where attached to a building; and</li> <li>(ii) has a width dimension that does not exceed 50% of the width of the building, where attached to a building; and</li> <li>(iii) is framed on all four sides by the building where attached to a building; or</li> <li>(iv) is the same size or less than the Billboard that is not identified in Part 3; and</li> <li>(v) will not be of a size and design that will be excessively prominent and will be consistent with the expected character and amenity of the site and surrounding area; and</li> </ul> <p>(p) where attached to a building it is:</p> <ul style="list-style-type: none"> <li>(i) is located on a building that is on the left hand side of the road in the direction of travel and faces oncoming traffic; and</li> </ul> <p style="margin-left: 40px;">Note: If not located on the left hand side of the road in the direction of travel a road safety assessment may be required.</p> <ul style="list-style-type: none"> <li>(ii) is located on an existing flat surface; and</li> <li>(iii) is framed by the building on all sides of the device; and</li> <li>(iv) it does not dominate the built form, streetscape or surrounding area; and</li> <li>(v) it does not conceal any architectural features of the building; and</li> <li>(vi) it does not project beyond the outline of the building or structure; and</li> </ul>
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	<ul style="list-style-type: none"> <li>(vii) must have an appropriate relationship to the building; and</li> <li>(viii) the built form must remain the dominant feature; and</li> <li>(ix) buildings cannot be modified to accommodate the advertising device; and</li> </ul> <p>Note: Examples of building modifications that cannot occur to accommodate a Digital sign include creating a new or extending the existing parapet or creating a wing wall.</p> <ul style="list-style-type: none"> <li>(q) it is switched off from 10:00pm to 6:00am, unless it is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Principal centre zone; or</li> <li>(ii) Medium impact industry zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Waterfront and marine industry zone; and</li> </ul> </li> <li>(r) where within 100m of a sensitive land use, a zone primarily for a sensitive land use, Tourist accommodation zone, or Township zone it does not project illuminance in the direction of the sensitive land use, the zone primarily for a sensitive land use, the Tourist accommodation zone or the Township zone; and</li> <li>(s) results in the consolidation and removal of existing signs on the site to ensure that the new advertising device does not result in visual clutter and / or a proliferation of advertising devices; and</li> <li>(t) results in any existing advertising devices on the site being brought up to standard to comply with the requirements in Table 2 within Part 4; and</li> <li>(u) is made available for community information in the event of a declaration of an impending weather event or similar.</li> </ul>
Election sign	(13) The Election sign must be temporary in nature and not permanently displayed.
Garage sale sign	(14) The Garage sale sign must be temporary in nature and not permanently displayed.
Home based business sign	(15) The Home based business sign must not be used for off-site advertising.

Inflatable or aerial sign	(16) The Inflatable or aerial sign must be temporary in nature and not permanently displayed.
Illuminated sign	<p>(17) The Illuminated sign is used for on-site advertising and complies with the requirements in Part 4.</p> <p>(18) The Illuminated sign is for off-site advertising and:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) Local centre zone; or</li> <li>(iv) Low impact industry zone; or</li> <li>(v) High impact industry zone; or</li> <li>(vi) Major centre zone; or</li> <li>(vii) Medium impact industry zone; or</li> <li>(viii) Mixed use zone; or</li> <li>(ix) Neighbourhood centre zone; or</li> <li>(x) Principal centre zone; or</li> <li>(xi) Specialised centre zone; or</li> <li>(xii) Sport and recreation zone; or</li> <li>(xiii) Tourism zone; or</li> <li>(xiv) Tourist accommodation zone; or</li> <li>(xv) Township zone; or</li> <li>(xvi) Waterfront and marine industry zone; and</li> </ul> </li> <li>(b) is not located on a site with the following types of advertising devices: <ul style="list-style-type: none"> <li>(i) Billboard sign; or</li> <li>(ii) Digital sign used for off-site advertising; and</li> </ul> </li> <li>(c) is on a site fronting a State Controlled Road; and</li> <li>(d) is placed adjacent to the street front boundary of the State Controlled Road; and</li> <li>(e) where another off-site Illuminated sign or an off-site Digital sign is visible when viewed from a public place it is separated by a minimum of 500 metres from the other off-site sign; and</li> </ul>

	<p>Note: vegetation, street art and other potentially temporary obstructions are not sufficient to overcome this criterion.</p> <ul style="list-style-type: none"> <li>(f) there is only one off-site illuminated sign per site or one off-site illuminated sign per street frontage up to a maximum two (2) off-site illuminated signs per site; and</li> <li>(g) where it is attached to a building it is not located at a height greater than 11.5 metres; and</li> <li>(h) has an advertising area that: <ul style="list-style-type: none"> <li>(i) has a height dimension that does not exceed 50% of the height of the building where attached to a building; and</li> <li>(ii) has a width dimension that does not exceed 50% of the width of the building, where attached to a building; and</li> <li>(iii) is framed on all four sides by the building where attached to a building; or</li> <li>(iv) is the same size or less than the Billboard that is not identified in Part 3; and</li> <li>(v) will not be of a size and design that will be excessively prominent and will be consistent with the expected character and amenity of the site and surrounding area; and</li> </ul> </li> <li>(i) where attached to a building it is: <ul style="list-style-type: none"> <li>(i) is located on a building that is on the left hand side of the road in the direction of travel and faces oncoming traffic; and <p style="margin-left: 20px;">Note: if not located on the left hand side of the road in the direction of travel a road safety assessment may be required.</p> </li> <li>(ii) is located on an existing flat surface; and</li> <li>(iii) is framed by the building on all sides of the device; and</li> <li>(iv) it does not dominate the built form, streetscape or surrounding area; and</li> <li>(v) it does not conceal any architectural features of the building; and</li> <li>(vi) it does not project beyond the outline of the building or structure; and</li> <li>(vii) must have an appropriate relationship to the building; and</li> </ul> </li> </ul>
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	<p>(viii) the built form must remain the dominant feature; and</p> <p>(ix) buildings cannot be modified to accommodate the advertising device; and</p> <p>Note: examples of building modifications that cannot occur to accommodate a Digital sign include creating a new or extending the existing parapet or creating a wing wall.</p> <p>(j) it is switched off from 10:00pm to 6:00am, unless it is located within one of the following zones within the planning scheme:</p> <p>(i) Principal centre zone; or</p> <p>(ii) Medium impact industry zone; or</p> <p>(iii) High impact industry zone; or</p> <p>(iv) Waterfront and marine industry zone; and</p> <p>(k) where within 100m of a sensitive land use, a zone primarily for a sensitive land use, Tourist accommodation zone, or Township zone it does not project illuminance in the direction of the sensitive land use, the zone primarily for a sensitive land use, the Tourist accommodation zone or the Township zone; and</p> <p>(l) results in the consolidation and removal of existing signs on the site to ensure that the new advertising device does not result in visual clutter and / or a proliferation of advertising devices; and</p> <p>(m) results in any existing advertising devices on the site being brought up to standard to comply with the requirements in Table 2 within Part 4.</p>
Market stall sign	(19) The Market sign must be temporary in nature and not permanently displayed.
Menu stand sign	(20) The Menu stand sign must not be used for off-site advertising.
Modified awning sign	<p>(21) The Modified awning sign:</p> <p>(a) is used for on-site advertising only; and</p> <p>(a) does not extend beyond the existing width of the awning; and</p> <p>(b) only extends the height of the existing awning fascia; and</p>

	<ul style="list-style-type: none"> <li>(c) is wider than it is tall; and</li> <li>(d) is attached flat to the fascia; and</li> <li>(e) does not project outward more than 100mm from the face of the awning fascia; and</li> <li>(f) only has an extension beyond the outline of the awning is small in comparison to the size of the existing awning fascia; and</li> <li>(g) includes cut outs or similar, where possible to minimise the extension beyond the outline of the existing awning and reduce obstruction of views to the building; and</li> <li>(h) requires an Engineers Certificate issued by a Registered Professional Engineer of Queensland where any part of the advertising device is or will be on or over a public place. The Engineers Certificate must certify that the awning or other structure is adequate to support the proposed advertising device; and</li> <li>(i) if externally illuminated, complies with the requirements of Table 3 within Part 4; and</li> <li>(j) is maintained to its installed standard at all times; and</li> <li>(k) is removed when the earlier of the following occurs:             <ul style="list-style-type: none"> <li>(i) the Modified awning fascia sign is no longer required; or</li> <li>(ii) the Modified awning fascia sign is no longer maintained to its installed standard.</li> </ul> </li> <li>(l) The Modified awning sign is not used for off-site advertising.</li> </ul>
Portable sign	(22) The Portable sign must be temporary in nature and not permanently displayed.
Poster sign	(23) The Poster sign must be temporary in nature and not permanently displayed.
Projecting horizontal sign	(24) The Projecting horizontal sign must not be used for off-site advertising.
Projecting vertical sign	<p>(25) The projecting vertical sign will only be supported in very limited circumstances where:</p> <ul style="list-style-type: none"> <li>(a) it is used to display the name of a building; and</li> </ul>

	<p>(b) it is comprised of individual letters spelling out the name of the building and is not a solid rectangular, square or other shape; and</p> <p>(c) it is of a size and dimensions that are proportionate to the building to which it is attached; and</p> <p>(d) it is of a size that does not dominate the skyline; and</p> <p>(e) it will not display a blank or unsightly back; and</p> <p>(f) it will be attached to a significant building or attraction that warrants such a device; and</p> <p>(g) is designed to act as a landmark feature and will assist in wayfinding; and</p> <p>(h) it does not protrude into the Obstacle Limitation Surface of the Airport environs overlay within the planning scheme.</p> <p>(26) The Projecting vertical sign is not used for off-site advertising.</p>
Pylon sign	<p>(27) Where the Pylon sign replaces a Billboard sign that was lawfully established prior to the commencement of this Local law, the Pylon sign:</p> <p>(a) has a maximum height that is no greater than that of the existing Billboard sign it replaces; and</p> <p>(b) has an advertising area that is no greater than that of the existing Billboard sign it replaces; and</p> <p>(c) is installed in the same location as the existing Billboard sign it replaces.</p> <p>Note: The purpose of the criteria in section (26) above is to allow existing landscape orientated Billboard signs to be replaced with portrait orientated signs, being a Pylon sign.</p>
Real estate directional sign	<p>(28) The Real estate directional sign must be temporary in nature and not permanently displayed.</p>
Real estate sign	<p>(29) The Real estate sign must be temporary in nature and not permanently displayed.</p>
Roof sign	<p>(30) The Roof sign must not be used for off-site advertising.</p>
Sandwich board sign	<p>(31) The Sandwich board sign must be temporary in nature and not permanently displayed.</p>
Temporary event sign	<p>(32) The Temporary event sign must be temporary in nature and not permanently displayed.</p>

Themed sign	<p>(33) The Themed sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) District centre zone; or</li> <li>(ii) High impact industry zone; or</li> <li>(iii) Medium impact industry zone; or</li> <li>(iv) Low impact industry zone; or</li> <li>(v) Major centre zone; or</li> <li>(vi) Mixed use zone precinct 1 – Commercial; or</li> <li>(vii) Mixed use zone precinct 2 – Trades and services; or</li> <li>(viii) Tourism zone; or</li> <li>(ix) Township zone; or</li> </ul> </li> <li>(b) has a themed component that is no greater than 2m in height, 2m in depth and 2m in width; and</li> <li>(c) is not located on a site with a Billboard sign; and</li> <li>(d) is not located on a place of significance; and</li> <li>(e) is not located within a neighbourhood character area; and</li> <li>(f) is a maximum of one (1) Themed sign per site; and</li> <li>(g) is not located on or over a local government controlled area or road; and</li> <li>(h) is used for on-site advertising only; and</li> <li>(i) is located on a site with a minimum frontage of: <ul style="list-style-type: none"> <li>(i) 20m if within an Industry zone within the planning scheme; or</li> <li>(ii) 40m in all other zones within the planning scheme; and</li> </ul> </li> <li>(j) has a maximum height of 8m or the height of the tallest existing building on the same site, whichever is the lesser; and</li> <li>(k) has a minimum setback of 2m from the front boundary of the site; and</li> <li>(l) has a minimum setback of 5m from the side and rear boundaries of the site; and</li> </ul>
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	(m) if externally illuminated, the lighting complies with the requirements in Table 3 in Part 4.
Under awning sign	(34) The Under awning sign must not be used for off-site advertising.
Wearable or handheld sign	(35) The Wearable or handheld sign must be temporary in nature and not permanently displayed.
Window sign	(36) Where within a centre zone or Mixed use zone the Window sign does not exceed 25% of the window except where it will be temporary.

## 11 Conditions that must be imposed on a permit

(1) The following conditions must be imposed on a permit for an advertising device:

- (a) At all times the advertising device must be installed and operated in accordance with the approved plans and conditions of approval.
- (b) At all times the advertising device must be maintained in a safe condition so as to prevent personal injury or damage to property.
- (c) This permit lapses on [INSERT DATE].

Note: The term of the approval will be determined by the type, nature, location and impact of the device.

Note: Where the advertising device is located on a State Controlled Road the maximum term of approval is one year, unless the Department of Transport and Main Roads advises otherwise.

- (d) When the advertising device is no longer needed for the purpose and in the circumstances in which it was permitted, the advertising device must be removed within {INSERT DETAILS} of that event.

Note: the time nominated will be dependent on the type of advertising device approved.

- (e) The advertising device must be removed not later than the day after the day that the permit lapses.
- (f) Prior to the installation or display of the [INSERT DETAILS] advertising device, all other necessary approvals must be obtained.

(2) The following conditions must also be imposed on a permit for a Digital sign:

- (a) The Digital sign must have minimum pixel pitch equal to or less than [INSERT MINIMUM PIXEL PITCH].

Note: A minimum pixel pitch of P10 (10mm) is required where a digital sign is intended to be viewed from a road only. For example, a P8 (8mm) pixel pitch would comply with this requirement as it provides a pixel pitch that is better than P10 (10mm). A minimum pixel pitch of P6 (6mm) is required where a digital sign is viewed from a pedestrian environment.

- (b) The Digital sign must [INSERT OPTION 1, OPTION 2 OR OPTION 3]  
OPTION 1

be fitted with a minimum of two sensors that control the luminance output of the device relative to the ambient light levels. A minimum of two sensors must be operational at all times. The maximum luminance output of the Digital sign must not exceed the candelas per m<sup>2</sup> relative to the ambient light levels identified within the table below:

Ambient light level (lux)	Maximum luminance output (candelas per m <sup>2</sup> )
Greater than 2000 lux (e.g. daytime)	6000 cd/m <sup>2</sup>
Between 400 – 2000 lux (e.g. dawn and dusk)	600 cd/m <sup>2</sup>
Less than 400 lux (e.g. night time)	300 cd/m <sup>2</sup>

#### OPTION 2

The maximum luminance output of the digital sign must not exceed 300cd/m<sup>2</sup>.

Note: Option 2 will be applied instead of Option 1 where the device is not fitted with sensors.

#### OPTION 3

The maximum luminance output of the digital sign must not exceed [INSERT DETAIL OF CD/M<sup>2</sup>], in accordance with the Light restriction zone of the Cairns Airport.

Note: Option 3 must be imposed where the digital sign is proposed within a Light restriction zone of the Cairns Airport, unless Air Services Australia and the Cairns Airport have approved an alternative.

- (c) The minimum dwell time for any advertisement displayed on the Digital sign is [INSERT MINIMUM DWELL TIME]:

Note: the below table provides guidance on the likely minimum dwell time required.

Location criteria	Minimum image dwell time
Where within a zone other than a centre zone	To be determined by assessment.
Where within a centre zone and adjacent to a road with a speed environment of <80km/hour	10 seconds
Where within a centre zone and adjacent to a road with a speed environment of >80km/ hour	25 seconds

- (d) Each transition between advertisements on a Digital sign must occur instantaneously, with a maximum transition time of 0.1 seconds.
  - (e) Each transition between advertisements must be a complete screen change.
  - (f) Methods of image animation or transition such as 'fly in' or 'scroll', or any type of change in advertisement message that is not instantaneous must not occur. All advertisements are to remain static for the entire dwell time at all times.
  - (g) At all times advertisements must not move, flash, change brightness or consist of scrolling or moving images or video images.
  - (h) During the approved hours of operation, the Digital sign must not go blank or display a solid colour between different advertisement messages.
  - (i) Only one advertisement may be displayed during a single dwell time. The screen must not be split or display multiple advertisements during a single dwell time.
  - (j) Sequential messages which require more than one screen to convey a message must not occur.
  - (k) In the event of a malfunction or failure of the Digital sign, including the associated sensors, the advertising device must be switched off until the malfunction or failure is resolved.
  - (l) Any malfunctions or failures must be resolved within 21 days of the event of the malfunction or failure.  

Note: A malfunction or failure of a digital sign that has not been resolved within 21 days of the event of the malfunction or failure may be required to be removed in accordance with Part 5.
  - (m) Prior to installation of the Digital sign, an operational plan must be prepared that details:
    - (i) Management procedures in the event of malfunction, failure or damage; and
    - (ii) Maintenance procedures for the term of approval.  

The Operational Plan must be provided to the satisfaction of the Chief Executive Officer prior to the installation of the digital sign.
  - (n) At all times the digital sign must be operated in accordance with the approved Operational Plan.
  - (o) The Digital sign must record data related to the operational criteria contained within these conditions. The data must be recorded at minimum rate of once per hour. A log of the recorded data must be retained by the operator for a minimum of one year and be provided to Council at the request of an authorised officer.
  - (p) The term of approval for a Digital sign is a maximum of 5 years.
- (3) The following conditions must be imposed on a permit for an Illuminated sign:
- (a) The Illuminated sign must [INSERT OPTION 1, OPTION 2 OR OPTION 3]

**OPTION 1**

be fitted with a minimum of two sensors that control the luminance output of the device relative to the ambient light levels. A minimum of two sensors must be operational at all times. The maximum luminance output of the illuminated sign must not exceed the candelas per m<sup>2</sup> relative to the ambient light levels identified within the table below:

Ambient light level (lux)	Maximum luminance output (candelas per m <sup>2</sup> )
Greater than 2000 lux (e.g. daytime)	6000 cd/m <sup>2</sup>
Between 400 – 2000 lux (e.g. dawn and dusk)	600 cd/m <sup>2</sup>
Less than 400 lux (e.g. night time)	300 cd/m <sup>2</sup>

**OPTION 2**

The maximum luminance output of the illuminated sign must not exceed 300cd/m<sup>2</sup>.

Note: Option 2 will be applied instead of Option 1 where the device is not fitted with sensors.

**OPTION 3**

The maximum luminance output of the illuminated sign must not exceed [INSERT DETAIL OF CD/M<sup>2</sup>], in accordance with the Light restriction zone of the Cairns Airport.

Note: Option 3 must be imposed where the illuminated sign is proposed within a Light restriction zone of the Cairns Airport, unless Air Services Australia and the Cairns Airport have approved an alternative.

- (b) At all times advertisements must not flash or change brightness.
- (c) In the event of a malfunction or failure the advertising device must be switched off until the malfunction or failure is resolved.
- (d) Any malfunctions or failures must be resolved within 21 days of the event of the malfunction or failure.

Note: a malfunction or failure of an illuminated sign that has not been resolved within 21 days of the event of the malfunction or failure may be required to be removed in accordance with Part 5.

**12 Conditions that will ordinarily be imposed on a permit**

- (1) The conditions of an approval will ordinarily include the following types of conditions, to the extent relevant:
  - (a) That the advertising device comply with any safety requirements specified in the approval.
  - (b) That the design and installation of the advertising device and any supporting structure/s must be certified by a suitably qualified and experienced person as being structurally sound.

- (c) The advertising device must be securely fixed so as not to endanger public safety.
- (d) The advertising device is to be constructed of durable materials and maintained in good condition and repair, free from graffiti at all times.
- (e) That the advertising device may be required to comply with a requirement contained within Part 2 or Part 4.
- (f) That the advertising device does not protrude beyond or overhang the property boundary line into the footpath or road reserve.
- (g) That street numbers not already displayed on the site are to be displayed on the advertising device.
- (h) That the advertising device to be removed at the end of a stated period in the approval.
- (i) The advertising device is to be restricted in its dimensions, content or location.
- (j) Specifying the hours of operation for the advertising device.
- (k) Specifying the maximum illumination or luminance output for the advertising device.
- (l) That a minimum clearance of 2.5 metres must be maintained between the ground level and the advertising device, where the device will be installed over a pedestrian environment.
- (m) That a minimum clearance of 5.7 metres (or 6.5 metres on a State Controlled Road) must be maintained between the ground level and the advertising device, where a vehicle will pass underneath.  

Note: This may not apply where a vehicle thoroughfare has an existing clearance less than 5.7 metres.
- (n) That the device must not expose an unsightly back view to a road or other public place.
- (o) That all conduits, wiring, switches or other associated plant installed on or for the advertising device are concealed from view from roads and other public places.
- (p) That the permit holder takes specific measures to:
  - (i) prevent the loss of amenity or nuisance resulting from the installation, erection or display of the advertising device; and
  - (ii) ensure that the installation, erection or display of the advertising device does not cause unsafe movement or obstruction of pedestrian or vehicular traffic.
- (q) That the permit holder, its contractor or agent is to:
  - (i) take out and maintain at all times public liability insurance in the amount nominated by the local government and to name the local government as an interested party on the policy; and

- (ii) indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through, or in connection, with an advertising device.

Note: Where the advertising device is on a State Controlled Road the public liability insurance must name the State of Queensland acting through the Department of Transport and Main Roads as an interested party on the policy.

- (r) That the advertising device may be required to be removed in the event of a cyclone watch or warning being issued for the region in which the device is located.
- (s) That the advertising device must not be used for off-site advertising.
- (t) That mitigation measures or changes may be required to alleviate the impacts of the advertising device prior to the installation or during the period of display.

## **Part 3 Prohibited advertising devices**

### **13 Prohibited advertising devices**

- (1) To the extent of an inconsistency, this section prevails over:
  - (a) Part 2 Prescribed activity; and
  - (b) Part 4 Advertising devices not requiring a permit.
- (2) An application cannot be made for a prohibited advertising device.
- (3) Section 4 does not apply to a Digital sign provided by or on behalf of the local government for the purpose of displaying public information advertising.
- (4) The following advertising devices are prohibited:
  - (a) An advertising device that involves a beacon light or revolving light or flashing light; or
  - (b) An advertising device that is animated, moving, revolving or rotating, other than a trivision Billboard sign, an Inflatable or aerial sign or a Themed sign; or
  - (c) An advertising device for off-site advertising except where:
    - (i) undertaken on a not for profit basis and for an Outdoor sports and recreation use or Community use, as defined in the Planning Scheme; or
    - (ii) the advertisement is the brand of a product that is available for purchase on the site that the advertising device is located; or
    - (iii) displayed on a:
      - (A) Billboard sign; or
      - (B) Busking sign
      - (C) Community infrastructure sign; or
      - (D) Construction sign; or
      - (E) Contractors sign; or

- (F) Digital sign that is not otherwise prohibited; or
  - (G) Directional sign; or
  - (H) Election sign; or
  - (I) Garage sale sign; or
  - (J) Illuminated sign that is not otherwise prohibited; or
  - (K) Pylon sign that replaces a Billboard sign that was lawfully established prior to the commencement of this Local law; or
  - (L) Real estate directional sign; or
  - (M) Security sign; or
  - (N) Statutory sign; or
  - (O) Any sign that is also a Temporary event sign; or
  - (P) Transport infrastructure sign; or
  - (Q) Vehicle sign; or
  - (R) Wall sign; or
  - (S) Wearable or handheld sign; or
- (d) An Aircraft sign; or
- (e) A Digital sign where it is:
- (i) also a Billboard sign that was not lawfully established prior to the commencement of this Local law; or
  - (ii) also a Modified awning fascia sign; or
  - (iii) also a Projecting horizontal sign; or
  - (iv) also a Projecting vertical sign; or
  - (v) also a Pylon sign and for off-site advertising; or
  - (vi) also a Vehicle sign; or
  - (vii) also a Wearable or handheld sign; or
  - (viii) for on-site advertising and located within one of the following zones:
    - (A) Conservation zone; or
    - (B) Environmental management zone; or
    - (C) Low density residential zone; or
    - (D) Low-medium density residential zone; or
    - (E) Medium density residential zone; or
    - (F) Open space zone; or
    - (G) Rural residential zone; or
    - (H) Rural zone; or

- (ix) for on-site advertising located within 50 metres of a sensitive land use or a zone primarily for a sensitive land use and located within one of the following zones:
  - (A) Community facilities zone; or
  - (B) Sport and recreation zone; or
- (x) for off-site advertising and located on a Place of significance; or
- (xi) for off-site advertising and located within a Neighbourhood character area; or
- (xii) for off-site advertising and located within one of the following zones:
  - (A) Conservation zone; or
  - (B) Environmental management zone; or
  - (C) Low density residential zone; or
  - (D) Low impact industry zone; or
  - (E) Low-medium density residential zone; or
  - (F) Medium density residential zone; or
  - (G) Open space zone; or
  - (H) Rural residential zone; or
  - (I) Rural zone; or
  - (J) Township zone; or
- (xiii) for off-site advertising and located within 100 metres of a sensitive land use or a zone primarily for a sensitive land use and located within one of the following zones:
  - (A) Community facilities zone; or
  - (B) Sport and recreation zone; or
- (xiv) for on-site advertising and located on a roadway or site adjacent to or fronting an esplanade or foreshore, except where adjacent to or fronting the Esplanade within Cairns City and North Cairns between Wharf Street and Smith Street; or
- (xv) for off-site advertising and located on a roadway or site adjacent to or fronting an esplanade or foreshore; or
- (xvi) for on-site advertising or off-site advertising and located on a site identified on Map 2 (Freshwater, Stratford and Edge Hill) or Map 4 (Palm Cove) within Schedule 1 – Prohibited Areas; or
- (xvii) for off-site advertising and located on a site identified on Map 1 (Babinda) or Map 3 (Gordonvale) within Schedule 1 – Prohibited Areas, except where undertaken by a not-for-profit organisation/community group for the purpose of community information advertising.

- (f) A Hologram sign; or
- (g) An Illuminated sign for off-site advertising, where it is:
  - (i) also a Billboard sign that was not lawfully established prior to the commencement of this Local law; or
  - (ii) also a Modified awning fascia sign; or
  - (iii) also a Projecting horizontal sign; or
  - (iv) also a Projecting vertical sign; or
  - (v) also a Pylon sign; or
  - (vi) also a Wearable or handheld sign; or
  - (vii) located within one of the following zones:
    - (A) Conservation zone; or
    - (B) Environmental management zone; or
    - (C) Low density residential zone; or
    - (D) Low-medium density residential zone; or
    - (E) Medium density residential zone; or
    - (F) Rural residential zone; or
    - (G) Rural zone.
- (h) A Menu stand sign where located on any local government controlled area or road within the CBD; or
- (i) A Portable sign where:
  - (i) located on any local government controlled area or road within the CBD; or
  - (ii) located on any local government controlled area or road outside the CBD and where for a tenancy or business not immediately adjacent the local government controlled area or road; or
  - (iii) exceeding more than one (1) Portable sign or Sandwich board sign for each tenancy or business fronting the local government controlled area or road outside the CBD; or
- (j) A Poster sign, except where located on a community notice board; or
- (k) A Projected image sign; or
- (l) A Sandwich board sign where:
  - (i) located on any local government controlled area or road within the CBD; or
  - (ii) located on any local government controlled area or road outside the CBD and where for a tenancy or business not immediately adjacent the local government controlled area or road; or

- (iii) exceeding more than one (1) Portable sign or Sandwich board sign for each tenancy or business fronting the local government controlled area or road outside the CBD; or
  - (m) A Vehicle sign except where:
    - (i) the advertisement is painted or affixed to a vehicle, and does not extend beyond the dimensions of the vehicle; or
    - (ii) where the advertising device is affixed to the vehicle and projects from a vehicle and is authorised under a State Act; or
    - (iii) where the advertising device projects vertically and projects no more than 600mm from the vehicle; or
  - (n) an advertising device that is animated; or
  - (o) an advertising device that emits sound.
- (5) It is an offence to install, erect or display a prohibited advertising device.  
Maximum penalty – 50 penalty units.

## **Part 4 Advertising devices not requiring a permit**

### **14 Type of advertising devices that do not require a permit**

- (1) The following advertising devices do not require a permit:
- (a) the installation, erection or display of the advertising device by, or on behalf of, the local government that is not a prohibited device identified within Part 3 – Prohibited advertising devices; or
  - (b) The installation, erection or display of an advertising device that complies with the requirements within section 15.

### **15 Requirements for advertising devices without a permit**

- (1) An advertising device does not require a permit where:
- (a) if it is used to advertise a land use or activity operated on the site, the land use or activity is a lawfully established land use or approved activity; and
  - (b) it is not fixed to any tree, lighting standard, power pole or other infrastructure on any local government controlled area; and
  - (c) it is not located within an easement; and
  - (d) it does not obscure an official traffic sign; and
  - (e) it is not made from reflective materials; and
- Note: Examples of a reflective material may include mirrors and polished metal.
- (f) it is not associated with an adult store or brothel; and
  - (g) it is a device listed in column 1 of Table 2 and is installed, erected, displayed and maintained in accordance with the requirements in column 2 in Table 2 – Requirements for advertising devices without a permit below; and

Note – If the device falls within the definition of multiple types of advertising devices the device must comply with the requirements in column 2 for each type of device.

Note – Where a device is not listed in column 1 the whole of the device will require a permit.

- (h) it does not result in an exceedance of the total maximum advertising area as set out within Table 4 below.

Note: Refer to Schedule 3 Calculation of Advertising Area

Table 2 – Requirements for advertising devices without a permit

Note: Table 2 contains references to advertising area. Refer to Schedule 3 Calculation of Advertising Area for guidance on how to calculate the advertising area for an advertising device.

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
Awning fascia sign	<p>(1) The Awning fascia sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) is used for on-site advertising only; and</li> <li>(c) is installed on an existing awning fascia; and</li> <li>(d) does not extend beyond the outline of the existing awning fascia; and</li> </ul> <p style="margin-left: 40px;">Note: Where it extends beyond the outline of the existing awning fascia it is a Modified awning sign.</p> <ul style="list-style-type: none"> <li>(e) is attached flat to the awning fascia; and</li> <li>(f) does not require any modifications to the size or design of the existing awning fascia; and</li> <li>(g) does not project outward more than 100mm from the face of the awning fascia; and</li> <li>(h) where it is not a painted, wrap or stick-on sign, the device requires an Engineers Certificate issued by a Registered Professional Engineer of Queensland where any part of the advertising device is or will be on or over a public place. The Engineers Certificate must certify that the awning or other structure is adequate to support the proposed advertising device; and</li> <li>(i) if externally illuminated, complies with the requirements of Table 3 of Part 4; and</li> <li>(j) is maintained to its installed standard at all times; and</li> <li>(k) is removed when the earlier of the following occurs:</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(i) the Awning fascia sign is no longer required; or</li> <li>(ii) the Awning fascia sign is no longer maintained to its installed standard.</li> </ul>
Banner sign	<p>(2) The Banner sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) Emerging community zone; or</li> <li>(iv) High impact industry zone; or</li> <li>(v) Local centre zone; or</li> <li>(vi) Low impact industry zone; or</li> <li>(vii) Major centre zone; or</li> <li>(viii) Medium impact industry zone; or</li> <li>(ix) Mixed use zone; or</li> <li>(x) Neighbourhood centre zone; or</li> <li>(xi) Open space zone; or</li> <li>(xii) Rural zone; or</li> <li>(xiii) Special purpose zone; or</li> <li>(xiv) Specialised centre zone; or</li> <li>(xv) Tourism zone; or</li> <li>(xvi) Tourist accommodation zone; or</li> <li>(xvii) Township zone; or</li> <li>(xviii) Waterfront and marine industry zone; and</li> </ul> </li> <li>(b) is not located on a site with any of the following existing signs: <ul style="list-style-type: none"> <li>(i) Billboard sign; or</li> <li>(ii) Digital sign; and</li> </ul> </li> <li>(c) is not located on a Place of significance; and</li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(d) is not located within a Neighbourhood character area; and</li> <li>(e) is not located on or over a local government controlled area or road; and</li> <li>(f) is used for on-site advertising only; and</li> <li>(g) is a maximum of one banner sign per site; and</li> <li>(h) has no more than 2 faces arranged back to back; and</li> <li>(i) has a maximum advertising area of 5m<sup>2</sup> per face; and</li> <li>(j) does not exceed 800mm in height; and</li> <li>(k) is displayed at a height of not more than 6.5 metres; and</li> <li>(l) if it is displayed over a footpath, it has a minimum clearance of 2.5 metres between the ground or constructed footpath and the lowest part of the advertising device; and</li> <li>(m) if it is displayed where vehicles will pass underneath, it has a minimum clearance of 5.7 metres, or 6.5 metres where on a State Controlled Road, between the ground and the lowest part of the advertising device; and</li> <li>(n) if it is not attached flush to a fence or building, it is displayed at a height of no less than 2.5 metres above ground level; and</li> <li>(o) is constructed from durable and waterproof material; and</li> <li>(p) incorporates appropriate, secured, reinforced eyelets; and</li> <li>(q) incorporates durable release systems to withstand severe wind conditions; and</li> <li>(r) does not require any structural modifications to the building or structure supporting the advertising device; and</li> <li>(s) is not displayed within 50 metres of a dwelling on a separate lot; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(t) is installed no more than 3 times in any 12 month period; and</li> <li>(u) is temporary and is displayed for a maximum of 21 days each time it is installed; and</li> <li>(v) is not externally illuminated; and</li> <li>(w) is maintained to its installed standard at all times; and</li> <li>(x) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(y) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Banner sign has been installed for 21 days; or</li> <li>(ii) the Banner sign is no longer required; or</li> <li>(iii) the Banner sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Banner pole sign	<p>(3) The Banner pole sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) District centre zone; or</li> <li>(ii) High impact industry zone; or</li> <li>(iii) Local centre zone; or</li> <li>(iv) Low impact industry zone; or</li> <li>(v) Major centre zone; or</li> <li>(vi) Medium impact industry zone; or</li> <li>(vii) Mixed use zone; or</li> <li>(viii) Neighbourhood centre zone; or</li> <li>(ix) Specialised centre zone; or</li> <li>(x) Tourism zone; or</li> <li>(xi) Township zone; or</li> <li>(xii) Waterfront and marine industry zone; and</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(b) it is not located on a site with any of the following existing signs: <ul style="list-style-type: none"> <li>(i) Banner sign; or</li> <li>(ii) Billboard sign; or</li> <li>(iii) Commercial flag sign; or</li> <li>(iv) Digital sign; or</li> <li>(v) Pylon sign; or</li> <li>(vi) Themed sign; and</li> </ul> </li> <li>(c) is not located on a Place of significance; and</li> <li>(d) is not located within a Neighbourhood character area; and</li> <li>(e) is not located on or over a local government controlled area or road; and</li> <li>(f) is used for on-site advertising only; and</li> <li>(g) is one of a maximum of 2 banner pole signs per site; and</li> <li>(h) is separated from another banner pole sign on the same site by a minimum of 10 metres; and</li> <li>(i) is set back a minimum of 2 metres from the front boundary; and</li> <li>(j) is set back a minimum of 5 metres from all other boundaries; and</li> <li>(k) is not displayed within 50 metres of a dwelling on a separate lot; and</li> <li>(l) has no more than 2 faces that are arranged back to back; and</li> <li>(m) has a maximum advertising area of 2.5m<sup>2</sup> per face; and</li> <li>(n) has an advertising area with a maximum height of 3.5 metres; and</li> <li>(o) has an advertising area with a maximum width of 700mm; and</li> <li>(p) is displayed at a height not more than 6 metres above ground level; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(q) is not displayed where vehicles will pass underneath; and</li> <li>(r) is displayed at a height of no less than 2.5 metres above ground level; and</li> <li>(s) is constructed from durable and waterproof material; and</li> <li>(t) incorporates appropriate, secured and reinforced eyelets; and</li> <li>(u) incorporates durable release systems to withstand severe wind conditions; and</li> <li>(v) is affixed to freestanding pole which is constructed to withstand the wind and structural loads caused by the advertising device; and</li> <li>(w) is not externally illuminated; and</li> <li>(x) is maintained to its installed standard at all times; and</li> <li>(y) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(z) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Banner pole sign is no longer required; or</li> <li>(ii) the Banner pole sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Blind or canopy sign	<p>(4) The Blind or canopy sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Low impact industry zone; or</li> <li>(vi) Low impact industry zone; or</li> <li>(vii) Major centre zone; or</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(viii) Mixed use zone; or</li> <li>(ix) Neighbourhood centre zone; or</li> <li>(x) Specialised centre zone; or</li> <li>(xi) Sport and recreation zone; or</li> <li>(xii) Tourism zone; or</li> <li>(xiii) Waterfront and marine industry zone; and</li> <li>(b) is not located on a Place of significance; and</li> <li>(c) is not located within a Neighbourhood character area; and</li> <li>(d) is not located on or over a local government controlled area or road; and</li> <li>(e) is used for on-site advertising only; and</li> <li>(f) is 1 of a maximum of 2 blind or canopy signs per site; and</li> <li>(g) is constructed from a durable and waterproof material; and</li> <li>(h) is affixed to an existing building which is constructed to withstand the wind and structural loads caused by the sign; and</li> <li>(i) does not require any structural modifications to the building to support the advertising device; and</li> <li>(j) is on a side of the building facing a street frontage; and</li> <li>(k) has an advertising area that does not exceed 50% of the blind or canopy area; and</li> <li>(l) is printed or painted on, or affixed flush to the blind or canopy and does not project out of or extend beyond the outline of the blind or canopy; and</li> <li>(m) is not displayed where vehicles will pass underneath; and</li> <li>(n) has a minimum vertical clearance of 2.5 metres in height above the ground surface of a pedestrian environment; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(o) is attached to a blind or canopy that has been constructed for the purpose of providing shade and not purely for advertising purposes; and</li> <li>(p) is not externally illuminated; and</li> <li>(q) is maintained to its installed standard at all times; and</li> <li>(r) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Blind or canopy sign is no longer required; or</li> <li>(ii) the Blind or canopy sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Bunting sign	<p>(5) The Bunting sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Low impact industry zone; or</li> <li>(vi) Major centre zone; or</li> <li>(vii) Mixed use zone; or</li> <li>(viii) Neighbourhood centre zone; or</li> <li>(ix) Specialised centre zone; or</li> <li>(x) Sport and recreation zone; or</li> <li>(xi) Tourism zone; or</li> <li>(xii) Waterfront and marine industry zone; and</li> </ul> </li> <li>(b) is not located on a Place of significance; and</li> <li>(c) is not located within a Neighbourhood character area; and</li> <li>(d) is not located on or over a local government controlled area or road; and</li> <li>(e) is used for on-site advertising only; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(f) is temporary and is displayed for a maximum of 28 days within any 6 month period; and</li> <li>(g) does not have a total length of more than 2 metres per metre of street frontage of the site on which it is located; and</li> <li>(h) is displayed at a height no more than 6 metres above ground level; and</li> <li>(i) is displayed at a height no less than 2.5 metres above ground level; and</li> <li>(j) is constructed from a durable and waterproof material; and</li> <li>(k) incorporates durable release systems to withstand severe wind conditions; and</li> <li>(l) does not require any structural modifications to the building or structure supporting the advertising device; and</li> <li>(m) is not externally illuminated; and</li> <li>(n) is not displayed within 50 metres of a dwelling on a separate lot; and</li> <li>(o) is maintained to its installed standard at all times; and</li> <li>(p) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(q) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the bunting sign has been installed for 28 days within any 6 month period of time; or</li> <li>(i) the Bunting sign is no longer required; or</li> <li>(ii) the Bunting sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Busking sign	<p>(6) The Busking sign:</p> <ul style="list-style-type: none"> <li>(a) is temporary and is only displayed for the duration of the busking activity in accordance with a relevant permit; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(b) is located within the busking site; and</li> <li>(c) is not externally illuminated; and</li> <li>(d) does not exceed an advertising area of 0.25m<sup>2</sup>.</li> </ul>
Commercial flag sign	<p>(7) The Commercial flag sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) an Industry zone; or</li> <li>(ii) Mixed use zone precinct 1 – Commercial; or</li> <li>(iii) Mixed use zone precinct 2 – Trades and services; or</li> <li>(iv) Sport and recreation zone; and</li> </ul> </li> <li>(b) is not located on a site with any of the following existing signs: <ul style="list-style-type: none"> <li>(i) Banner sign; or</li> <li>(ii) Banner pole sign; or</li> <li>(iii) Billboard sign; or</li> <li>(iv) Digital sign; or</li> <li>(v) Pylon sign; or</li> <li>(vi) Themed sign; and</li> </ul> </li> <li>(c) is not located on a Place of significance; and</li> <li>(d) is not located on or over a local government controlled area or road; and</li> <li>(e) is used for on-site advertising only; and</li> <li>(f) is the only commercial flag sign on the site; and</li> <li>(g) has no more than 2 faces that are arranged back to back; and</li> <li>(h) has a maximum advertising area of 2.4m<sup>2</sup> per face; and</li> <li>(i) is displayed at a height not more than ten (10) metres above ground level; and</li> <li>(j) is displayed at a height no less than 2.5 metres above ground level; and</li> </ul>

<p><b>Column 1</b> <b>Advertising device</b></p>	<p><b>Column 2</b> <b>Requirements</b></p>
	<ul style="list-style-type: none"> <li>(k) has a minimum setback of 2 metres from the front boundary of the site; and</li> <li>(l) has a minimum setback of 5 metres from the side and rear boundaries of the site; and</li> <li>(m) is constructed from a durable and waterproof material; and</li> <li>(n) incorporates appropriate, secured, reinforced eyelets; and</li> <li>(o) incorporates durable release systems to withstand severe wind conditions; and</li> <li>(p) is affixed to an existing freestanding structure which is constructed to withstand the wind and structural loads caused by the sign; and</li> <li>(q) does not require any structural modifications to the structure to support the advertising device; and</li> <li>(r) is not externally illuminated; and</li> <li>(s) is not displayed within 50 metres of a dwelling on a separate lot; and</li> <li>(t) is maintained to its installed standard at all times; and</li> <li>(u) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(v) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Commercial flag sign is no longer required; or</li> <li>(ii) the Commercial flag sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
<p>Construction sign</p>	<p>(8) The Construction sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a site that is subject to lawful building or construction activities; and</li> <li>(b) is not located on or over a local government controlled area or road, unless the Construction sign is located on hoarding or scaffolding that has a permit under Local Law No. 11 (Local</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<p>Government Controlled Areas or Roads) 2016; and</p> <ul style="list-style-type: none"> <li>(c) is affixed to scaffolding, hoarding, a wall, a fence or construction equipment; and</li> <li>(d) is temporary and is displayed only while the construction works are in progress; and</li> <li>(e) is not externally illuminated; and</li> <li>(f) does not extend beyond the outline of the scaffolding, hoarding, wall, fence or construction equipment it is affixed to; and</li> <li>(g) is constructed from a durable and waterproof material; and</li> <li>(h) incorporates appropriate, secured, reinforced eyelets; and</li> <li>(i) incorporates durable release systems to withstand severe wind conditions; and</li> <li>(j) does not project outward more than 30mm from the scaffolding, hoarding, wall, fence or construction equipment it is affixed to; and</li> <li>(k) is affixed to scaffolding, hoarding, wall, fence or construction equipment which is capable of withstanding the additional weight and/or wind loading created by the advertising device; and</li> <li>(l) has content which only relates to current approved development and construction works on the site on which the construction sign is displayed; and</li> <li>(m) is maintained to its installed standard at all times; and</li> <li>(n) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(o) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Construction sign is no longer required; or</li> <li>(ii) the Construction sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
Contractors sign	<p>(9) The Contractors sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) is not located on or over a local government controlled area or road; and</li> <li>(c) is located on a site where the contractor is or has undertaken work; and</li> <li>(d) is temporary and is displayed only whilst work is being undertaken by the contractor and for up to 6 months after completion of the contractor's work; and</li> <li>(e) is affixed to an existing fence, gate or building wall; and</li> <li>(f) is the only Contractors sign on the site; and</li> <li>(g) does not exceed an advertising area of 0.3m<sup>2</sup>; and</li> <li>(h) is constructed from durable and waterproof material; and</li> <li>(i) is not externally illuminated; and</li> <li>(j) is maintained to its installed standard at all times; and</li> <li>(k) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(l) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Contractors sign has been installed for 6 months after the completion of works; or</li> <li>(ii) the Contractors sign is no longer required; or</li> <li>(iii) the Contractors sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Digital sign	<p>(10) The Digital sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) is not located on or over a local government controlled area or road; and</li> <li>(c) is used for on-site advertising only; and</li> </ul>

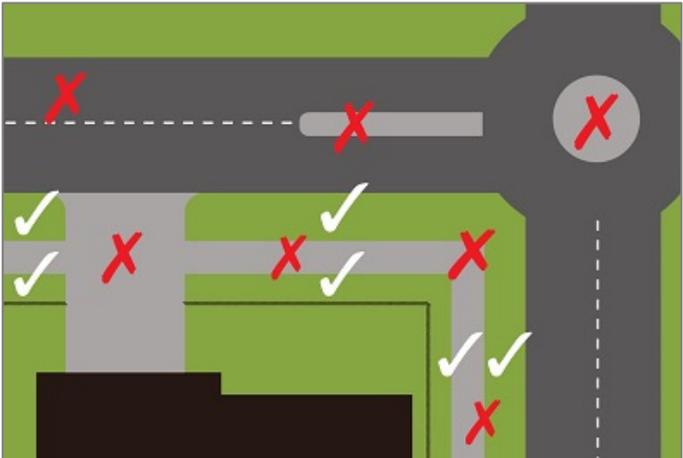
Column 1 Advertising device	Column 2 Requirements
	<p>(d) is:</p> <ul style="list-style-type: none"> <li>(i) pricing signage associated with a service station that is located on a Pylon sign; or</li> <li>(ii) an advertising device that displays a menu and is a maximum of 1 Digital sign per site; or</li> <li>(iii) a Window sign that displays the words 'open' and / or 'closed' only, and is affixed flush to the inside of a glass window or affixed flush to the outside of a window and is a maximum of 1 Digital sign per site; and</li> </ul> <p>(e) has a maximum advertising area of 0.6m<sup>2</sup>; and</p> <p>(f) is not externally illuminated; and</p> <p>(g) does not change its display more than twice per 24-hour period and the display remains static for the duration of the dwell time; and</p> <p>(h) has a transition time of 0.1 seconds per transition; and</p> <p>(i) does not flash, change brightness or consist of scrolling or moving images or video images; and</p> <p>(j) has a maximum luminance output of 300cd/m<sup>2</sup>; and</p> <p>(k) is switched off in the event of a malfunction or failure until the malfunction or failure is resolved and any malfunction or failure must be resolved within 21 days of the event of the malfunction or failure; and</p> <p>(l) is maintained to its installed standard at all times; and</p> <p>(m) is removed when the earlier of the following occurs:</p> <ul style="list-style-type: none"> <li>(i) the Digital sign is no longer required; or</li> <li>(ii) the Digital sign is no longer maintained to its installed standard.</li> </ul>

Directional sign	<p>(11) The Directional sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Low impact industry zone; or</li> <li>(vi) Major centre zone; or</li> <li>(vii) Medium impact industry zone; or</li> <li>(viii) Mixed use zone; or</li> <li>(ix) Neighbourhood centre zone; or</li> <li>(x) Open space zone; or</li> <li>(xi) Principal centre zone; or</li> <li>(xii) Rural zone; or</li> <li>(xiii) Special purpose zone; or</li> <li>(xiv) Specialised centre zone; or</li> <li>(xv) Sport and recreation zone; or</li> <li>(xvi) Tourism zone; or</li> <li>(xvii) Tourist accommodation zone; or</li> <li>(xviii) Township zone; or</li> <li>(xix) Waterfront and marine industry zone; and</li> </ul> </li> <li>(b) is not located on a Place of significance; and</li> <li>(c) is not located on or over a local government controlled area or road; and</li> <li>(d) is used for on-site advertising only; and</li> <li>(e) is a maximum of 1 directional sign per site; and</li> <li>(f) has a minimum setback of 2 metres from the front boundary of the site; and</li> <li>(g) has a minimum setback of 5 metres from the side and rear boundaries of the site; and</li> <li>(h) has no more than 2 faces that are arranged back to back; and</li> </ul>
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<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(i) has a maximum advertising area of 1m<sup>2</sup> per face; and</li> <li>(j) is displayed at a height not more than 2 metres above ground level; and</li> <li>(k) is constructed from durable and waterproof material; and</li> <li>(l) is not externally illuminated; and</li> <li>(m) is maintained to its installed standard at all times; and</li> <li>(n) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the directional sign is no longer required; or</li> <li>(ii) the directional sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Election sign	<p>(12) The Election sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) has an advertising area that does not exceed 0.6m<sup>2</sup>; and</li> <li>(c) is separated from another Election sign by: <ul style="list-style-type: none"> <li>(i) on a day that is not the election date, a minimum of 5 metres; or</li> <li>(ii) on the election date, and located at a polling station, no minimum separation distance is specified, provided any Election sign does not obstruct pedestrian or other traffic; and</li> </ul> </li> <li>(d) is constructed from durable and waterproof material; and</li> <li>(e) must not be erected prior to an election date being announced; and</li> <li>(f) must be temporary or portable; and</li> <li>(g) is not externally illuminated; and</li> <li>(h) if located on a local government road: <ul style="list-style-type: none"> <li>(i) is located on the verge; and</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(ii) is not located within a road carriageway, on a footpath, on a driveway, on a roundabout or on a median strip; and</li> <li>(iii) does not obstruct or interfere with pedestrian or vehicle movements or sight lines; and</li> <li>(i) is maintained to its installed standard at all times; and</li> <li>(j) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(k) is removed within 7 days after the election date.</li> </ul>
Fence sign	<p>(13) The fence sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Low impact industry zone; or</li> <li>(vi) Major centre zone; or</li> <li>(vii) Medium impact industry zone; or</li> <li>(viii) Mixed use zone; or</li> <li>(ix) Neighbourhood centre zone; or</li> <li>(x) Special purpose zone; or</li> <li>(xi) Specialised centre zone; or</li> <li>(xii) Sport and recreation zone; or</li> <li>(xiii) Tourism zone; or</li> <li>(xiv) Tourist accommodation zone; or</li> <li>(xv) Township zone; or</li> <li>(xvi) Waterfront and marine industry zone; and</li> </ul> </li> <li>(b) is not located on a Place of significance; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(c) is not located on or over a local government controlled area or road; and</li> <li>(d) is used for on-site advertising only; and</li> <li>(e) is painted on or affixed flush to the fence; and</li> <li>(f) is constructed from durable and waterproof material; and</li> <li>(g) incorporates durable release systems to withstand severe wind conditions; and</li> <li>(h) does not project outward more than 100mm from the fence; and</li> <li>(i) is not higher than the fence and does not extend beyond the outline of the fence; and</li> <li>(j) is affixed to an existing fence which is constructed to withstand the wind and structural loads caused by the advertising device; and</li> <li>(k) does not require any structural modifications to the fence supporting the advertising device; and</li> <li>(l) is not externally illuminated; and</li> <li>(m) has a maximum of one face; and</li> <li>(n) has an advertising area that does not exceed 4m<sup>2</sup> per street frontage; and</li> <li>(o) is 1 of a maximum of 1 fence sign per street frontage; and</li> <li>(p) is maintained to its installed standard at all times; and</li> <li>(q) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Fence sign is no longer required; or</li> <li>(ii) the Fence sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Garage sale sign	<p>(14) The Garage sale sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) if located on a local government road: <ul style="list-style-type: none"> <li>(iii) is located on the verge; and</li> </ul> </li> </ul>

<p><b>Column 1</b> <b>Advertising device</b></p>	<p><b>Column 2</b> <b>Requirements</b></p>
	<p>(iv) is not located within a road carriageway, on a footpath, on a driveway, on a roundabout or on a median strip; and</p> <p>(v) does not obstruct or interfere with pedestrian or vehicle movements or sight lines; and</p> <p>Note: Figure 2 below provides guidance on (i), (ii) and (iii) above.</p>  <p>Figure 2 – Placement on a local government controlled area or road</p> <p>(c) is associated with a garage sale that does not last longer than 2 consecutive days; and</p> <p>(d) is 1 of a maximum of 4 signs associated with the garage sale; and</p> <p>(e) has a maximum advertising area of 0.54m<sup>2</sup> per sign; and</p> <p>(f) displays only the words ‘garage sale’ and the address, time and duration of the garage sale; and</p> <p>(g) is not externally illuminated; and</p> <p>(h) is temporary and is displayed for a maximum of 24 hours before the garage sale begins and is removed within 24 hours after the garage sale ends.</p>
<p>Ground based sign</p>	<p>(15) The Ground based sign:</p> <p>(a) is located within one of the following zones within the planning scheme:</p> <p>(i) Community facilities zone; or</p>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Low impact industry zone; or</li> <li>(vi) Major centre zone; or</li> <li>(vii) Medium impact industry zone; or</li> <li>(viii) Mixed use zone; or</li> <li>(ix) Neighbourhood centre zone; or</li> <li>(x) Special purpose zone; or</li> <li>(xi) Specialised centre zone; or</li> <li>(xii) Sport and recreation zone; or</li> <li>(xiii) Tourism zone; or</li> <li>(xiv) Tourist accommodation zone; or</li> <li>(xv) Township zone; or</li> <li>(xvi) Waterfront and marine industry zone; and</li> <li>(b) is not located on a Place of significance; and</li> <li>(c) is not located on or over a local government controlled area or road; and</li> <li>(d) is used for on-site advertising only; and</li> <li>(e) is the only Ground based sign on the site; and</li> <li>(f) has a minimum setback of 2 metres from the front boundary of the site; and</li> <li>(g) has a minimum setback of 5 metres from the side and rear boundaries of the site; and</li> <li>(h) has a maximum height of 2 metres; and</li> <li>(i) has a maximum width of 3 metres; and</li> <li>(j) has a maximum of 2 faces; and</li> <li>(k) displays the street number of the site it is located on, if not otherwise displayed; and</li> <li>(l) if externally illuminated, the lighting complies with the requirements in Table 3 in Part 4; and</li> </ul>

<p><b>Column 1</b> <b>Advertising device</b></p>	<p><b>Column 2</b> <b>Requirements</b></p>
	<ul style="list-style-type: none"> <li>(m) where there is more than one tenancy on the site, the Ground based sign provides advertising for each tenancy or a list of tenancies on the site; and</li> <li>(n) is not displayed in a manner that results in an unsightly view of the back of the sign from a local government controlled area or road; and</li> <li>(o) is maintained to its installed standard at all times; and</li> <li>(p) is removed when the earlier of the following occurs:                             <ul style="list-style-type: none"> <li>(i) the Ground based sign is no longer required; or</li> <li>(ii) the Ground based sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
<p>Home based business sign</p>	<p>(16) The Home based business sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) is not located on or over a local government controlled area or road; and</li> <li>(c) is used for on-site advertising only; and</li> <li>(d) is a maximum of 1 Home based business sign per site; and</li> <li>(e) if externally illuminated, the lighting complies with the requirements in Table 3 in Part 4; and</li> <li>(f) has a maximum of 1 face; and</li> <li>(g) has a maximum advertising area of 0.3m<sup>2</sup>; and</li> <li>(h) is constructed from durable and waterproof material; and</li> <li>(i) is affixed flush to an existing fence, gate or building wall; and</li> <li>(j) does not require any structural modifications to the existing fence, gate or building wall; and</li> <li>(k) does not project outward more than 100mm from the existing fence, gate or building wall; and</li> <li>(l) is displayed at a height no more than 2 metres above ground level; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(m) does not extend beyond the outline of the existing fence, gate or building wall; and</li> <li>(n) displays the street number of the site it is located on, if not otherwise displayed; and</li> <li>(o) is maintained to its installed standard at all times; and</li> <li>(p) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Home based business sign is no longer required; or</li> <li>(ii) the Home based business sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Illuminated sign	<p>(17) The Illuminated sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) Local centre zone; or</li> <li>(iv) Low impact industry zone; or</li> <li>(v) High impact industry zone; or</li> <li>(vi) Major centre zone; or</li> <li>(vii) Medium impact industry zone; or</li> <li>(viii) Mixed use zone; or</li> <li>(ix) Neighbourhood centre zone; or</li> <li>(x) Principal centre zone; or</li> <li>(xi) Specialised centre zone; or</li> <li>(xii) Sport and recreation zone; or</li> <li>(xiii) Tourism zone; or</li> <li>(xiv) Tourist accommodation zone; or</li> <li>(xv) Township zone; or</li> <li>(xvi) Waterfront and marine industry zone; and</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(b) is not located on a site with any of the following existing advertising devices:               <ul style="list-style-type: none"> <li>(i) Billboard sign; or</li> <li>(ii) Digital sign; or</li> <li>(iii) Themed sign; and</li> </ul> </li> <li>(c) it is one of the following types of advertising devices:               <ul style="list-style-type: none"> <li>(i) Awning fascia sign; or</li> <li>(ii) Community infrastructure sign; or</li> <li>(iii) Directional sign; or</li> <li>(iv) Under awning sign; or</li> <li>(v) Wall sign; and</li> </ul> </li> <li>(d) is not located on a Place of significance; and</li> <li>(e) is not located on or over a local government controlled area or road; and</li> <li>(f) is not located within a Restriction, Distraction and Restriction Notice Area identified with the Department of Transport and Main Roads Roadside Advertising Manual; and</li> <li>(g) where it is attached to a building it is not located at a height greater than 11.5 metres; and</li> <li>(h) if located within 100 metres of sensitive land use or a zone primarily for a sensitive land use, it does not project illuminance in the direction of the sensitive land use or zone primarily for a sensitive land use; and</li> <li>(i) it is switched off from 10.00pm until 6.00am, unless it is located within one of the following zones within the planning scheme:               <ul style="list-style-type: none"> <li>(i) Principal centre zone; or</li> <li>(ii) Major centre zone; or</li> <li>(iii) District centre zone; or</li> <li>(iv) Low impact industry zone; or</li> <li>(v) Medium impact industry zone; or</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(vi) High impact industry zone; or</li> <li>(vii) Mixed use zone precinct 1 – Commercial; or</li> <li>(viii) Mixed use precinct 2 – Trades and services; or</li> <li>(ix) Specialised centre zone; or</li> <li>(x) Waterfront and marine industry zone; and.</li> <li>(j) is used for on-site advertising only; and</li> <li>(k) there is only one illuminated sign per site or one per tenancy where there are multiple tenancies; and</li> <li>(l) has no more than 2 faces that are arranged back to back; and</li> <li>(m) has a maximum advertising area of: <ul style="list-style-type: none"> <li>(i) 1m<sup>2</sup> within the community facilities zone; or</li> <li>(ii) 1m<sup>2</sup> within the Local centre zone; or</li> <li>(iii) 1m<sup>2</sup> within the Mixed use zone precinct 3 – Residential; or</li> <li>(iv) 1m<sup>2</sup> within the Neighbourhood centre zone; or</li> <li>(v) 1m<sup>2</sup> within the Principal centre zone; or</li> <li>(vi) 1m<sup>2</sup> within the Specialised centre zone precinct 1 – Hospitals and allied medical; or</li> <li>(vii) 1m<sup>2</sup> within the Tourist accommodation zone; or</li> <li>(viii) 1m<sup>2</sup> within the Township zone; or</li> <li>(ix) 2m<sup>2</sup> within the District centre zone; or</li> <li>(x) 2m<sup>2</sup> within the Major centre zone; or</li> <li>(xi) 2m<sup>2</sup> within the Mixed use zone precinct 1 – Commercial; or</li> <li>(xii) 2m<sup>2</sup> within the Mixed use zone precinct 2 – Trades and services; or</li> <li>(xiii) 3m<sup>2</sup> within the High impact industry zone; or</li> <li>(xiv) 3m<sup>2</sup> within the Low impact industry zone; or</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(xv) 3m<sup>2</sup> within the Medium impact industry zone; or</li> <li>(xvi) 3m<sup>2</sup> within the Waterfront and marine industry zone; or</li> <li>(xvii) 5m<sup>2</sup> within the Specialised centre zone precinct 2 – Showgrounds and major sport; or</li> <li>(xviii) 5m<sup>2</sup> within the Specialised centre zone precinct 3 – James Cook University; or</li> <li>(xix) 5m<sup>2</sup> within the Tourism zone; and</li> <li>(n) is not externally illuminated; and</li> <li>(o) is not located within a Light restriction zone for Cairns Airport and has a maximum luminance output that does not exceed 300cd/m<sup>2</sup>; or</li> <li>(p) is located within a Light restriction zone for the Cairns Airport and complies with luminance requirements of the Light restriction zone; and</li> <li>(q) has a light source that extends to the full height and width of the illuminated sign; and</li> <li>(r) does not flash or transition in colour or brightness; and</li> <li>(s) is affixed flush to the building or structure and does not extend beyond the outline of the building or structure; and</li> <li>(t) if it is displayed over a footpath or pedestrian environment, it has a minimum clearance of 2.5 metres between the ground or constructed footpath and the lowest part of the advertising device; and</li> <li>(u) if it is displayed where vehicles will pass underneath, it has a minimum clearance of 5.7 metres, or 6.5 metres where on a State Controlled Road, between the ground and the lowest part of the advertising device; and</li> <li>(v) is switched off in the event of a malfunction or failure until the malfunction or failure is resolved and any malfunction or failure must be resolved</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<p>within 21 days of the event of the malfunction or failure; and</p> <ul style="list-style-type: none"> <li>(w) is maintained to its installed standard at all times; and</li> <li>(x) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the illuminated sign is no longer required; or</li> </ul> </li> <li>(y) the illuminated sign is no longer maintained to its installed standard.</li> </ul>
Inflatable or aerial sign	<p>(18) The Inflatable or aerial sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) an Industry zone; or</li> <li>(ii) Mixed use zone precinct 1 – Commercial; or</li> <li>(iii) Mixed use zone precinct 2 – Trades and services; and</li> </ul> </li> <li>(b) is not located on a site with any of the following existing signs: <ul style="list-style-type: none"> <li>(i) Banner pole sign; or</li> <li>(ii) Bunting sign; or</li> <li>(iii) Commercial flag sign; or</li> <li>(iv) Digital sign; or</li> <li>(v) Illuminated sign; or</li> <li>(vi) Themed sign; and</li> </ul> </li> <li>(c) is not located on a Place of significance; and</li> <li>(d) is not located on or over a local government controlled area or road or a public place; and</li> <li>(e) is used for on-site advertising only; and</li> <li>(f) is the only Inflatable or aerial sign on the site; and</li> <li>(g) is temporary and is displayed for a maximum of 28 days in any 6 month period; and</li> <li>(h) is only used during daylight hours; and</li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<p>(i) is placed so as to ensure that the Inflatable or aerial sign does not interfere with any public utility or the Cairns airport obstacle limitation surface; and</p> <p>(j) is inflated using a non-flammable and non-toxic gas; and</p> <p>(k) is not externally illuminated; and</p> <p>(l) is not animated; and</p> <p>(m) has written confirmation regarding the security of the anchoring of the advertising sign has been obtained from a suitably qualified engineer; and</p> <p>(n) the Inflatable or aerial sign does not have a height that is greater than the distance that it is setback from a Local government controlled area or road (refer to Figure 3); or</p> <div data-bbox="699 961 1382 1419" data-label="Image"> </div> <p>Figure 3 – Inflatable or aerial sign setbacks from local government controlled area or road</p> <p>(o) the person operating the advertising device must at all times hold and maintain a public liability insurance policy to the value of \$20 million that notes Cairns Regional Council as an interested party; and</p> <p>(p) if the advertising device is located on a State Controlled Road the person operating the advertising device must also name the State of Queensland acting through the Department of Transport and Main Roads as an interested party; and</p>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(q) the person operating the advertising device produce the policy for inspection if requested by an authorised person; and</li> <li>(r) is maintained to its installed standard at all times; and</li> <li>(s) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(t) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Inflatable or aerial sign has been installed for 28 days within any 6 month period of time; or</li> <li>(ii) the Inflatable or aerial sign is no longer required; or</li> <li>(iii) the Inflatable or aerial sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Market stall sign	<p>(19) The Market stall sign:</p> <ul style="list-style-type: none"> <li>(a) is located within an area that is permitted for the market stall in accordance with a relevant permit; and</li> <li>(b) is temporary and is only displayed for the duration that the market stall is in operation in accordance with a relevant permit; and</li> <li>(c) does not exceed a maximum advertising area of 4m<sup>2</sup> for each market stall; and</li> <li>(d) does not obstruct pedestrian movement or other uses of the area where the advertising device is being displayed.</li> </ul>
Menu stand sign	<p>(20) The Menu stand sign:</p> <ul style="list-style-type: none"> <li>(a) is a freestanding sign; and</li> <li>(b) is used for on-site advertising only; and</li> <li>(c) is only displayed during the business hours of the tenancy; and</li> <li>(d) is the only menu stand sign per tenancy; and</li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(e) does not display any content other than the name and / or logo of the business and a menu; and</li> <li>(f) does not exceed 1.5 metres in height; and</li> <li>(g) has an advertising area that does not exceed of 0.3m<sup>2</sup>; and</li> <li>(h) if located on a local government controlled area or road: <ul style="list-style-type: none"> <li>(i) is located on a footpath; and</li> <li>(ii) does not obstruct pedestrian movement or other uses of the area where the advertising device is being displayed; and</li> <li>(iii) is not located within a road carriageway, on a driveway, on a roundabout or on a median strip; and</li> <li>(iv) the person operating the advertising device must at all times hold and maintain a public liability insurance policy to the value of \$20 million that notes Cairns Regional Council as an interested party; and</li> <li>(v) if the advertising device is located on a State Controlled Road the person operating the advertising device must also name the State of Queensland acting through the Department of Transport and Main Roads as an interested party; and</li> <li>(vi) the person operating the advertising device must produce the policy for inspection if requested by an authorised person; and</li> </ul> </li> <li>(i) has a maximum of 1 face; and</li> <li>(j) is illuminated by its own internal power source if illuminated; and</li> <li>(k) if externally illuminated the device complies with the requirements of Table 3 within Part 4; and</li> <li>(l) is not animated; and</li> <li>(m) is maintained to its installed standard at all times; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(n) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(o) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Menu stand sign is no longer required; or</li> <li>(ii) the Menu stand sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Outdoor dining furniture sign	<p>(21) The Outdoor dining furniture sign:</p> <ul style="list-style-type: none"> <li>(a) Where located on a local government controlled area or road, the outdoor dining furniture sign is located on outdoor dining furniture provided in accordance with a relevant permit; and</li> <li>(b) does not exceed an advertising area of 4m<sup>2</sup> per tenancy; and</li> <li>(c) is constructed from durable and waterproof material; and</li> <li>(d) is not externally illuminated; and</li> <li>(e) is maintained to its installed standard at all times; and</li> <li>(f) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Outdoor dining furniture sign is no longer required; or</li> <li>(ii) the Outdoor dining furniture sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Portable sign	<p>(22) The Portable sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Major centre zone; or</li> </ul> </li> </ul>

<p><b>Column 1</b> <b>Advertising device</b></p>	<p><b>Column 2</b> <b>Requirements</b></p>
	<ul style="list-style-type: none"> <li>(vi) Medium impact industry zone; or</li> <li>(vii) Mixed use zone; or</li> <li>(viii) Neighbourhood centre zone; or</li> <li>(ix) Principal centre zone; or</li> <li>(x) Special purpose zone; or</li> <li>(xi) Specialised centre zone; or</li> <li>(xii) Sport and recreation zone; or</li> <li>(xiii) Tourism zone; or</li> <li>(xiv) Tourist accommodation zone; or</li> <li>(xv) Township zone; or</li> <li>(xvi) Waterfront and marine industry zone; and</li> <li>(b) is not located on a Place of significance; and</li> <li>(c) is not located within a Neighbourhood character area; and</li> <li>(d) is used for on-site advertising only; and</li> <li>(e) is not located within an area permitted for footpath dining; and</li> <li>(f) is only displayed during the business hours of the tenancy; and</li> <li>(g) if placed on or protruding into a local government controlled area or road:               <ul style="list-style-type: none"> <li>(i) is the only Portable sign or Sandwich board sign for the tenancy on the local government controlled area or road; and</li> <li>(ii) is not located within a road carriageway, on a driveway, on a roundabout or on a median strip; and</li> <li>(iii) does not interfere with pedestrian or vehicle movements or sight lines; and</li> <li>(iv) is placed in front of the tenancy it is advertising; and</li> <li>(v) the person operating the advertising device must at all times hold and maintain a public liability insurance policy to the value of \$20</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<p>million that notes Cairns Regional Council as an interested party; and</p> <ul style="list-style-type: none"> <li>(vi) if the advertising device is located on a State Controlled Road the person operating the advertising device must also name the State of Queensland acting through the Department of Transport and Main Roads as an interested party; and</li> <li>(vii) the person operating the advertising device must produce the policy for inspection if requested by an authorised person; and</li> <li>(h) if not placed on a local government controlled area or road, the Portable sign is 1 of a maximum of 2 Portable signs and/or Sandwich board signs per tenancy; and</li> <li>(i) is separated from any other Portable sign or Projecting flag sign or Sandwich board sign by a minimum of 2 metres; and</li> <li>(j) where on or over a pedestrian environment and not placed on the ground, the portable sign provides a minimum clearance of 2.5 metres between the ground or constructed footpath and the lowest part of the advertising device; and</li> <li>(k) has a maximum height of 2 metres; and</li> <li>(l) has no more than 2 faces that are arranged back to back; and</li> <li>(m) has a maximum advertising area of 0.54m<sup>2</sup> per face; and</li> <li>(n) is constructed from durable and waterproof material; and</li> <li>(o) is not externally illuminated; and</li> <li>(p) is not animated; and</li> <li>(q) is maintained to its installed standard at all times; and</li> <li>(r) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<p>(s) is removed when the earlier of the following occurs:</p> <ul style="list-style-type: none"> <li>(i) the Portable sign is no longer required; or</li> <li>(ii) the Portable sign is no longer maintained to its installed standard.</li> </ul>
Poster sign	<p>(23) The Poster sign:</p> <ul style="list-style-type: none"> <li>(a) has a maximum advertising area of 0.3m<sup>2</sup>; and</li> <li>(b) is located on an existing community notice board; and</li> <li>(c) is removed when the Poster sign is no longer required.</li> </ul>
Projecting flag sign	<p>(24) The Projecting flag sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a lot within one of the following zones: <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Major centre zone; or</li> <li>(vi) Medium impact industry zone; or</li> <li>(vii) Mixed use zone; or</li> <li>(viii) Neighbourhood centre zone; or</li> <li>(ix) Principal centre zone; or</li> <li>(x) Special purpose zone; or</li> <li>(xi) Specialised centre zone; or</li> <li>(xii) Sport and recreation zone; or</li> <li>(xiii) Tourism zone; or</li> <li>(xiv) Tourist accommodation zone; or</li> <li>(xv) Township zone; or</li> <li>(xvi) Waterfront and marine industry zone; and</li> </ul> </li> <li>(b) is not located on a Place of significance; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(c) is not located within a Neighbourhood character area; and</li> <li>(d) is used for on-site advertising only; and</li> <li>(e) is only displayed during the business hours of the tenancy; and</li> <li>(f) if placed on or protruding into a local government controlled road or area: <ul style="list-style-type: none"> <li>(i) does not project outward from the wall more than 500mm; and</li> <li>(ii) is not located on or over a road carriageway, a driveway, a roundabout or a median strip; and</li> <li>(iii) does not interfere with pedestrian or vehicle movements; and</li> <li>(iv) is placed within 2 metres of the main public entry to the tenancy it is advertising; and</li> <li>(v) the person operating the advertising device must at all times hold and maintain a public liability insurance policy to the value of \$20 million that notes Cairns Regional Council as an interested party; and</li> <li>(vi) if the advertising device is located on a State Controlled Road the person operating the advertising device must also name the State of Queensland acting through the Department of Transport and Main Roads as an interested party; and</li> <li>(vii) the person operating the advertising device must produce the policy for inspection if requested by an authorised person; and</li> </ul> </li> <li>(g) is 1 of a maximum of 2 Projecting flag signs per tenancy; and</li> <li>(h) is separated from any other portable sign or projecting flag sign or sandwich board sign by a minimum of 2 metres; and</li> <li>(i) if on or over a pedestrian environment the Projecting flag sign provides a minimum clearance of 2.5 metres between the ground or constructed</li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<p>footpath and the lowest part of the advertising device; and</p> <ul style="list-style-type: none"> <li>(j) has a maximum height of 3 metres; and</li> <li>(k) has not more than 2 faces that are arranged back to back; and</li> <li>(l) has a maximum advertising area of 0.15m<sup>2</sup> per face; and</li> <li>(m) is constructed from durable and waterproof material; and</li> <li>(n) is not externally illuminated; and</li> <li>(o) is not animated; and</li> <li>(p) is maintained to its installed standard at all times; and</li> <li>(q) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(r) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Projecting flag sign is no longer required; or</li> <li>(ii) the Projecting flag sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Projecting horizontal sign	<p>(25) The Projecting horizontal sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) a Centre zone; or</li> <li>(ii) an Industry zone; or</li> <li>(iii) Mixed use zone; or</li> <li>(iv) Specialised centre zone; or</li> <li>(v) Township zone; and</li> </ul> </li> <li>(b) is not located on a site with any of the following existing signs: <ul style="list-style-type: none"> <li>(i) Billboard sign; or</li> <li>(ii) Commercial flag sign; or</li> </ul> </li> </ul>

<p><b>Column 1</b> <b>Advertising device</b></p>	<p><b>Column 2</b> <b>Requirements</b></p>
	<ul style="list-style-type: none"> <li>(iii) Digital sign; or</li> <li>(iv) Pylon sign; or</li> <li>(v) Themed sign; and</li> <li>(c) is not located on a Place of significance; and</li> <li>(d) is not located within a Neighbourhood character area; and</li> <li>(e) is used for on-site advertising only; and</li> <li>(f) is a maximum of 1 projecting horizontal sign per site; and</li> <li>(g) has 2 faces which are arranged back to back; and</li> <li>(h) has a maximum advertising area per face of:               <ul style="list-style-type: none"> <li>(i) 2m<sup>2</sup> in an industry zone within the planning scheme; and</li> <li>(ii) 1m<sup>2</sup> in the Principal centre zone, Major centre zone and District centre zone within the planning scheme; and</li> <li>(iii) 0.5m<sup>2</sup> in all other zones within the planning scheme; and</li> </ul> </li> <li>(i) is affixed to the wall of a building; and</li> <li>(j) does not project outwards more than 1 metre from the face of the building or structure it is attached to; and</li> <li>(k) is displayed below the roof line, at a height of not more than:               <ul style="list-style-type: none"> <li>(i) 8 metres above ground level if within the principal centre zone; or</li> <li>(ii) 6 metres above ground level in any other zone; and</li> </ul> </li> <li>(l) if it is displayed over a footpath or pedestrian environment, it has a minimum clearance of 2.5 metres between the ground or constructed footpath and the lowest part of the advertising device; and</li> <li>(m) if it is displayed where vehicles will pass underneath, it has a minimum clearance of 5.7 metres, or 6.5 metres where on a State Controlled</li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<p>Road, between the ground and the lowest part of the advertising device; and</p> <ul style="list-style-type: none"> <li>(n) is constructed from durable and waterproof material; and</li> <li>(o) is affixed to an existing freestanding structure which is constructed to withstand the wind and structural loads caused by the advertising device; and</li> <li>(p) does not require any structural modifications to the building or structure supporting the advertising device; and</li> <li>(q) requires an Engineers Certificate issued by a Registered Professional Engineer of Queensland where any part of the advertising device is or will be on or over a public place. The Engineers Certificate must certify that the awning or other structure is adequate to support the proposed advertising device; and</li> <li>(r) if externally illuminated, complies with the requirements of Table 3 within Part 4; and</li> <li>(s) is maintained to its installed standard at all times; and</li> <li>(t) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Projecting horizontal sign is no longer required; or</li> <li>(ii) the Projecting horizontal sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Pylon sign	<p>(26) The Pylon sign:</p> <ul style="list-style-type: none"> <li>(a) is located on a site within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) an Industry zone; or</li> <li>(ii) Community facilities zone; or</li> <li>(iii) District centre zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Major centre zone; or</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(vi) Mixed use zone; or</li> <li>(vii) Neighbourhood centre zone; or</li> <li>(viii) Specialised centre zone; or</li> <li>(ix) Sport and recreation zone; or</li> <li>(x) Tourism zone; or</li> <li>(xi) Tourist accommodation zone; or</li> <li>(xii) Township zone; and</li> <li>(b) It is not located on a site with any of the following existing signs: <ul style="list-style-type: none"> <li>(i) Billboard sign; or</li> <li>(ii) Commercial flag sign; or</li> <li>(iii) Digital sign; or</li> <li>(iv) Themed sign; and</li> </ul> </li> <li>(c) is not located on a Place of significance; and</li> <li>(d) is not located within a Neighbourhood character area; and</li> <li>(e) is not located on or over a local government controlled area or road; and</li> <li>(f) is used for on-site advertising only; and</li> <li>(g) where there is more than one tenancy on the site, the Pylon sign provides advertising for each tenancy or a list of tenancies on the site; and</li> <li>(h) is not displayed in a manner that results in an unsightly view of the back of the sign from a local government controlled area or road; and</li> <li>(i) is located on a site with a minimum frontage of: <ul style="list-style-type: none"> <li>(i) 20 metres if within an Industry zone within the planning scheme; or</li> <li>(ii) 40 metres in all other zones within the planning scheme; and</li> </ul> </li> <li>(j) is positioned perpendicular to the road adjacent the lot; and</li> <li>(k) is located adjacent to or as near as possible to the vehicle entry point to the site; and</li> </ul>

<b>Column 1</b> <b>Advertising device</b>	<b>Column 2</b> <b>Requirements</b>
	<ul style="list-style-type: none"> <li>(l) has a maximum height of 8 metres or the height of the tallest existing building on the same site, whichever is the lesser; and</li> <li>(m) has a minimum setback of 2 metres from the front boundary of the site; and</li> <li>(n) has a minimum setback of 5 metres from the side and rear boundaries of the site; and</li> <li>(o) has a maximum width of:                             <ul style="list-style-type: none"> <li>(i) 3 metres or a ¼ of the building setback distance, whichever is the lesser, if within an Industry zone within the planning scheme; or</li> <li>(ii) 2 metres in all other zones within the planning scheme; and</li> </ul> </li> <li>(p) displays the street number of the site it is located on, if not otherwise displayed; and</li> <li>(q) has no more than 2 faces that are arranged back to back; and</li> <li>(r) is one of a maximum of 2 pylon signs per site; and</li> <li>(s) is separated from any other pylon sign on the same site by at least 40 metres; and</li> <li>(t) if externally illuminated, the lighting complies with the requirements in Table 3 within Part 4; and</li> <li>(u) is maintained to its installed standard at all times; and</li> <li>(v) is removed when the earlier of the following occurs:                             <ul style="list-style-type: none"> <li>(i) the Pylon sign is no longer required; or</li> <li>(ii) the Pylon sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Real estate directional sign	(27) The Real estate directional sign: <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme:                             <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) Conservation zone; or</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(iii) Emerging community zone; or</li> <li>(iv) Environmental management zone; or</li> <li>(v) High impact industry zone; or</li> <li>(vi) Local centre zone; or</li> <li>(vii) Low density residential zone; or</li> <li>(viii) Low impact industry zone; or</li> <li>(ix) Medium density residential zone; or</li> <li>(x) Medium impact industry zone; or</li> <li>(xi) Mixed use zone; or</li> <li>(xii) Neighbourhood centre zone; or</li> <li>(xiii) Open space zone; or</li> <li>(xiv) Rural residential zone; or</li> <li>(xv) Rural zone; or</li> <li>(xvi) Special purpose zone; or</li> <li>(xvii) Specialised centre zone; or</li> <li>(xviii) Tourism zone; or</li> <li>(xix) Tourist accommodation zone; or</li> <li>(xx) Township zone; or</li> <li>(xxi) Waterfront and marine industry zone; and</li> <li>(b) is not located on a Place of significance; and</li> <li>(c) if located on a local government road: <ul style="list-style-type: none"> <li>(i) is located on a verge; and</li> <li>(ii) is not located within a road carriageway, on a footpath, on a driveway, on a roundabout or on a median strip; and</li> <li>(iii) does not interfere with pedestrian or vehicle movements or sight lines; and</li> </ul> </li> <li>(d) is 1 of a maximum of 4 real estate directional signs; and</li> <li>(e) has a maximum advertisement area of 0.3m<sup>2</sup> per face; and</li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(f) does not have more than two faces that are arranged back to back or in an A-frame or inverted T- frame format; and</li> <li>(g) is not externally illuminated; and</li> <li>(h) is temporary and is displayed during the real estate event and for a maximum of 1 hour before and is removed within 1 hour after the event ends.</li> </ul>
Real estate sign	<p>(28) The Real estate sign:</p> <ul style="list-style-type: none"> <li>(a) is located within a centre zone within the planning scheme and: <ul style="list-style-type: none"> <li>(i) has a maximum advertising area of 1m<sup>2</sup>; and</li> <li>(ii) is attached flush to a wall, fence or window where it is located on a site with no front setback in which to locate the advertising device; or</li> </ul> </li> <li>(b) is located within an Industry zone within the planning scheme and has a maximum advertising area of 4m<sup>2</sup> and is: <ul style="list-style-type: none"> <li>(i) within the boundary of the property to which it relates; or</li> <li>(ii) on a local government controlled area or road within 1 metre of the boundary of the advertised property; and</li> </ul> </li> <li>(c) is located within any other zone within the planning scheme and has a maximum advertising area of 2.4m<sup>2</sup> and is: <ul style="list-style-type: none"> <li>(i) within the boundary of the property to which it relates; or</li> <li>(ii) on a local government controlled area or road within 1 metre of the boundary of the advertised property; and</li> </ul> </li> <li>(d) if located on a local government road or area it is not within a road carriageway, footpath, roundabout, median strip or driveway; and</li> <li>(e) is limited to 1 sign per street frontage; and</li> <li>(f) is for on-site advertising only; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(g) is temporary and is only displayed for the period of time in which the premise is available for sale, lease, tender or auction; and</li> <li>(h) is not externally illuminated; and</li> <li>(i) is located such that it will not damage or interfere with under or above ground services; and</li> <li>(j) is maintained to its installed standard at all times; and</li> <li>(k) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Real estate sign is no longer required; or</li> <li>(ii) the Real estate sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Roof sign	<p>(29) The Roof sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) an Industry zone; or</li> <li>(ii) Mixed use zone precinct 1 – Commercial; or</li> <li>(iii) Mixed use zone precinct 2 – Trades and services; or</li> <li>(iv) Rural zone; and</li> </ul> </li> <li>(b) is not located on Place of significance; and</li> <li>(c) is used for on-site advertising only; and</li> <li>(d) is painted on a roof; and</li> <li>(e) is not externally illuminated; and</li> <li>(f) has a maximum advertising area of not more than 50% of the surface area of the roof; and</li> <li>(g) is maintained to its installed standard at all times; and</li> <li>(h) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Roof sign is no longer required; or</li> <li>(ii) the Roof sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
Sandwich board sign	<p>(30) The Sandwich board sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) an Industry zone; or</li> <li>(ii) a Centre zone; or</li> <li>(iii) Community facilities zone; or</li> <li>(iv) Mixed use zone; or</li> <li>(v) Specialised centre zone; or</li> <li>(vi) Sport and recreation zone; or</li> <li>(vii) Tourism zone; or</li> <li>(viii) Tourist accommodation zone; or</li> <li>(ix) Township zone; and</li> </ul> </li> <li>(b) is used for on-site advertising only; and</li> <li>(c) is not located within an area permitted for footpath dining; and</li> <li>(d) is only displayed during the business hours of the tenancy; and</li> <li>(e) if placed on or protruding into a local government controlled area or road: <ul style="list-style-type: none"> <li>(i) is the only Portable sign or Sandwich board for the tenancy on the local government controlled area or road; and</li> <li>(ii) is not located within a road carriageway, on a driveway, on a roundabout or on a median strip; and</li> <li>(iii) does not interfere with pedestrian or vehicle movements or sight lines; and</li> <li>(iv) is placed in front of the tenancy it is advertising as per Figure 4 below; and</li> </ul> </li> </ul>

<p><b>Column 1</b> <b>Advertising device</b></p>	<p><b>Column 2</b> <b>Requirements</b></p>
	<div data-bbox="716 317 1398 772" data-label="Image"> </div> <p data-bbox="716 779 1360 806">Figure 4 –Sandwich board sign placement in front of tenancy</p> <ul style="list-style-type: none"> <li data-bbox="699 827 1398 1003">(v) the person operating the advertising device must at all times hold and maintain a public liability insurance policy to the value of \$20 million that notes Cairns Regional Council as an interested party; and</li> <li data-bbox="699 1024 1398 1241">(vi) if the advertising device is located on a State Controlled Road the person operating the advertising device must also name the State of Queensland acting through the Department of Transport and Main Roads as an interested party; and</li> <li data-bbox="699 1262 1398 1367">(vii) the person operating the advertising device must produce the policy for inspection if requested by an authorised person; and</li> <li data-bbox="623 1388 1398 1528">(f) where not placed on a local government controlled area or road, the Sandwich board sign is 1 of a maximum of 2 Portable signs and/or Sandwich board signs per tenancy; and</li> <li data-bbox="623 1549 1398 1654">(g) is separated from any other Portable sign or Projecting flag sign or Sandwich board sign by a minimum of 2 metres; and</li> <li data-bbox="623 1675 1398 1738">(h) has no more than 2 faces that are arranged back to back; and</li> <li data-bbox="623 1759 1398 1829">(i) has a maximum advertising area of 0.54m<sup>2</sup> per face; and</li> </ul>

<p><b>Column 1</b> <b>Advertising device</b></p>	<p><b>Column 2</b> <b>Requirements</b></p>
	<ul style="list-style-type: none"> <li>(j) is constructed from durable and waterproof material; and</li> <li>(k) is not externally illuminated; and</li> <li>(l) is not animated; and</li> <li>(m) is maintained to its installed standard at all times; and</li> <li>(n) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(o) is removed when the earlier of the following occurs:               <ul style="list-style-type: none"> <li>(i) the Sandwich board sign is no longer required; or</li> <li>(ii) the Sandwich board sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
<p>Security sign</p>	<p>(31) The Security sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) is one of a maximum of one Security sign per street frontage of the site; and</li> <li>(c) has a maximum of 1 face; and</li> <li>(d) has a maximum advertising area of 0.3m<sup>2</sup>; and</li> <li>(e) is securely affixed to a fence, gate or building wall; and</li> <li>(f) is constructed from durable and waterproof material; and</li> <li>(g) is only displayed for the period of time in which the security system or security feature is in operation on the site; and</li> <li>(h) is not externally illuminated; and</li> <li>(i) is maintained to its installed standard at all times; and</li> <li>(j) is removed when the earlier of the following occurs:               <ul style="list-style-type: none"> <li>(i) the Securing sign is no longer required; or</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	(ii) the Security sign is no longer maintained to its installed standard.
Statutory sign	<p>(32) The Statutory sign:</p> <ul style="list-style-type: none"> <li>(a) complies with the requirements set out in the relevant legislation, permit or approval; and</li> <li>(b) is temporary and is only displayed for the period of time required under the relevant legislation, permit or approval; and</li> <li>(c) does not display any content other than what is required under the relevant legislation, permit or approval; and</li> <li>(d) is not externally illuminated; and</li> <li>(e) has only 1 face; and</li> <li>(f) unless otherwise required, has a maximum advertising area of 4m<sup>2</sup>; and</li> <li>(g) is maintained to its installed standard at all times; and</li> <li>(h) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Statutory sign is no longer required; or</li> <li>(ii) the Statutory sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Temporary event sign	<p>(33) The Temporary event sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) is not located within a Neighbourhood character area; and</li> <li>(c) if located on a local government controlled area or road: <ul style="list-style-type: none"> <li>(i) is not located within a road carriageway, footpath, on a driveway, on a roundabout or on a median strip; and</li> <li>(ii) is located on a verge; and</li> <li>(iii) does not interfere with pedestrian or vehicle movements or sight lines; and</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<ul style="list-style-type: none"> <li>(iv) is affixed to a support that is friable or frangible; and</li> <li>(d) is 1 of a maximum of 10 Temporary event signs associated with the temporary event; and</li> <li>(e) has a maximum of 2 faces that are arranged back to back; and</li> <li>(f) has a maximum advertising area of 0.54m<sup>2</sup> per face; and</li> <li>(g) is constructed from durable and waterproof material; and</li> <li>(h) is temporary and is displayed for a maximum of 14 days each time it is installed; and</li> <li>(i) is removed within 24 hours after the event has finished; and</li> <li>(j) is not externally illuminated; and</li> <li>(k) is maintained to its installed standard at all times; and</li> <li>(l) is temporarily removed and securely stored for the duration of a cyclone watch or warning for the district the device is located within; and</li> <li>(m) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Temporary event sign has been installed for 14 days; or</li> <li>(ii) the Temporary event sign is no longer required; or</li> <li>(iii) the Temporary event sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Transport infrastructure sign	<p>(34) The Transport infrastructure sign:</p> <ul style="list-style-type: none"> <li>(a) is installed and operated by or on behalf of the local government; and</li> <li>(b) complies with the requirements of Table 3 of Part 4 if the Transport infrastructure sign is externally illuminated; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(c) is maintained to its installed standard at all times; and</li> <li>(d) is removed when the earlier of the following occurs:               <ul style="list-style-type: none"> <li>(i) the Transport infrastructure sign is no longer required; or</li> <li>(ii) the Transport infrastructure sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Under awning sign	<p>(35) The Under awning sign:</p> <ul style="list-style-type: none"> <li>(a) is not located on a Place of significance; and</li> <li>(b) is securely affixed to the underside of an existing awning; and</li> <li>(c) is used for on-site advertising only; and</li> <li>(d) is one of a maximum of 1 under awning sign per ground floor tenancy; and</li> <li>(e) advertises a tenancy that occupies the ground floor tenancy adjacent to the awning it is located on; and</li> <li>(f) has a maximum single face area of 1.5m<sup>2</sup>; and</li> <li>(g) has 2 faces that are arranged back to back with advertising on both faces; and</li> <li>(h) is not “V” shaped; and</li> <li>(i) has an advertising area with a maximum height of 600mm; and</li> <li>(j) has an advertising area with a maximum width of 2.5 metres; and</li> <li>(k) has a maximum depth of 200mm; and</li> </ul> <p>Note: Figure 5 below illustrates what is meant by height, width and depth.</p>

Column 1 Advertising device	Column 2 Requirements
	<div data-bbox="699 317 1382 772" data-label="Image"> </div> <p data-bbox="699 779 1328 806">Figure 5 – Height, width and depth of an Under awning sign</p> <ul style="list-style-type: none"> <li data-bbox="623 825 1398 926">(l) it does not suspend lower than 1.5 metres from the underside of the awning as per Figure 6 below; and</li> <li data-bbox="623 951 1398 1129">(m) if it is displayed over a footpath or pedestrian environment, it has a minimum clearance of 2.5 metres between the ground or constructed footpath and the lowest part of the advertising device as per Figure 6 below; and</li> <li data-bbox="623 1152 1398 1220">(n) is separated from another under awning sign by a minimum of 3 metres as per Figure 6 below; and</li> </ul> <div data-bbox="699 1241 1382 1696" data-label="Image"> </div> <p data-bbox="699 1703 1159 1730">Figure 6 – Under awning sign requirements</p> <ul style="list-style-type: none"> <li data-bbox="623 1749 1398 1850">(o) is affixed perpendicular to the shop front of the tenancy to which the advertising device relates; and</li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(p) is setback 1 metre from the road frontage face of the awning; and</li> <li>(q) requires an Engineers Certificate issued by a Registered Professional Engineer of Queensland where any part of the advertising device is or will be on or over a public place. The Engineers certificate must certify that the awning is adequate to support the proposed advertising device; and</li> <li>(r) if externally illuminated, the lighting complies with the requirements of Table 3 within Part 4; and</li> <li>(s) is maintained to its installed standard at all times; and</li> <li>(t) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Under awning sign is no longer required; or</li> <li>(ii) the Under awning sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Vehicle sign	<p>(36) The Vehicle sign:</p> <ul style="list-style-type: none"> <li>(a) has the predominant purpose of being a vehicle; and</li> <li>(b) where it is located on private property, it is not located such that it's primary purpose is for advertising.</li> </ul>
Wall sign	<p>(37) The Wall sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme: <ul style="list-style-type: none"> <li>(i) a Centre zone; or</li> <li>(ii) an Industry zone; or</li> <li>(iii) Community facilities zone; or</li> <li>(iv) Mixed use zone; or</li> <li>(v) Specialised centre zone; or</li> <li>(vi) Sport and recreation zone; or</li> <li>(vii) Tourism zone; or</li> </ul> </li> </ul>

Column 1 Advertising device	Column 2 Requirements
	<p>(viii) Tourist accommodation zone; or</p> <p>(ix) Township zone; and</p> <p>(b) is not located on a Place of significance; and</p> <p>(c) is not located within a Neighbourhood character area; and</p> <p>(d) is used for on-site advertising only; and</p> <p>(e) is not located on or over a local government area or road; and</p> <p>(f) where it is attached to a building it is not located at a height greater than 11.5 metres above ground level; and</p> <p>(g) is painted on or securely affixed to an existing blank surface of a building; and</p> <p>(h) has a total maximum advertising area that is not greater than 30% of the surface area of the wall on which it is located; and</p> <p>Note: Figure 7 below illustrates how surface area is calculated.</p> <p>(i) does not result in more than 30% of the surface area of the wall being covered by advertising (including existing advertising); and</p> <p>Note: Figure 7 below illustrates how surface area is calculated.</p> <div data-bbox="699 1255 1382 1713" data-label="Image"> </div> <p>Figure 7 – Calculating wall surface area</p> <p>(j) is not located within 500mm of the outer edge of the wall surface or architectural features (e.g. window, door opening, column or the like) as per Figure 8 below; and</p>

Column 1 Advertising device	Column 2 Requirements
	<div data-bbox="699 317 1382 772" data-label="Image"> </div> <p data-bbox="695 793 1398 848">Figure 8 – Distance from outer edge of wall surfaces or architectural features</p> <p data-bbox="621 865 1398 940">(k) does not extend beyond the outline of the wall on which it is located as per Figure 9 below; and</p> <div data-bbox="699 957 1382 1413" data-label="Image"> </div> <p data-bbox="695 1419 1068 1449">Figure 9 – Placement of Wall signs</p> <p data-bbox="621 1465 1398 1892">                     (l) does not conceal any windows, doors or any other architectural features of the building; and                      (m) does not project outward more than 200mm from the wall; and                      (n) is separated from another wall sign by a minimum of 1 metre; and                      (o) where there is more than one tenancy on the site, the Wall sign provides advertising for each tenancy or a list of tenancies on the site; and                      (p) is not externally illuminated; and                 </p>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(q) is maintained to its installed standard at all times; and</li> <li>(r) is removed when the earlier of the following occurs:               <ul style="list-style-type: none"> <li>(i) the Wall sign is no longer required; or</li> <li>(ii) the Wall sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>
Wearable or handheld sign	<p>(38) The Wearable or handheld sign:</p> <ul style="list-style-type: none"> <li>(a) is not displayed on a local government controlled area or road; and</li> <li>(b) is for on-site advertising only; and</li> <li>(c) is the only Wearable or handheld sign on the site; and</li> <li>(d) has a maximum of 2 faces that are arranged back to back; and</li> <li>(e) has a maximum advertising area that does not exceed 0.54m<sup>2</sup> per face; and</li> <li>(f) is handheld or worn at all times; and</li> <li>(g) is temporary and is displayed for a period no more 3 hours per 24-hour period; and</li> <li>(h) is only displayed during daylight hours; and</li> <li>(i) is only displayed during the business hours of the tenancy; and</li> <li>(j) is not also a Digital sign or Illuminated sign; and</li> <li>(k) is not externally illuminated.</li> </ul>
Window sign	<p>(39) The Window sign:</p> <ul style="list-style-type: none"> <li>(a) is located within one of the following zones within the planning scheme:               <ul style="list-style-type: none"> <li>(i) Community facilities zone; or</li> <li>(ii) District centre zone; or</li> <li>(iii) High impact industry zone; or</li> <li>(iv) Local centre zone; or</li> <li>(v) Low impact industry zone; or</li> </ul> </li> </ul>

<b>Column 1 Advertising device</b>	<b>Column 2 Requirements</b>
	<ul style="list-style-type: none"> <li>(vi) Major centre zone; or</li> <li>(vii) Medium impact industry zone; or</li> <li>(viii) Mixed use zone; or</li> <li>(ix) Neighbourhood centre zone; or</li> <li>(x) Open space zone; or</li> <li>(xi) Principal centre zone; or</li> <li>(xii) Rural zone; or</li> <li>(xiii) Special purpose zone; or</li> <li>(xiv) Specialised centre zone; or</li> <li>(xv) Sport and recreation zone; or</li> <li>(xvi) Tourism zone; or</li> <li>(xvii) Tourist accommodation zone; or</li> <li>(xviii) Township zone; or</li> <li>(xix) Waterfront and marine industry zone; and</li> <li>(b) is not located on a Place of significance; and</li> <li>(c) is for on-site advertising only; and</li> <li>(d) does not take up more than 25% of the window area on which it is placed, if it is located within a Centre zone or the Mixed use zone; and</li> <li>(e) is affixed to the inside of the window; and</li> <li>(f) is not located on or over a local government controlled area or road; and</li> <li>(g) is maintained to its installed standard at all times; and</li> <li>(h) is removed when the earlier of the following occurs: <ul style="list-style-type: none"> <li>(i) the Window sign is no longer required; or</li> <li>(j) the Window sign is no longer maintained to its installed standard.</li> </ul> </li> </ul>

Table 3 – Additional requirements for external illumination

<b>Column 1</b> <b>Additional requirements for advertising devices that are externally illuminated</b>
<p>(1) The advertising device that is externally illuminated is located within the following zones within the planning scheme:</p> <ul style="list-style-type: none"> <li>(a) A Centre zone; or</li> <li>(b) An Industry zone; or</li> <li>(c) Community facilities zone; or</li> <li>(d) Mixed use zone; or</li> <li>(e) Specialised centre zone; or</li> <li>(f) Sport and recreation zone; or</li> <li>(g) Tourism zone; or</li> <li>(h) Tourist accommodation zone; or</li> <li>(i) Township zone.</li> </ul>
<p>(2) The external illumination component of the advertising device is switched off between 10:00pm and 6:00am if located within the following zones within the planning scheme:</p> <ul style="list-style-type: none"> <li>(a) a Residential zone; or</li> <li>(b) Community facilities zone; or</li> <li>(c) Conservation zone; or</li> <li>(d) Emerging community zone; or</li> <li>(e) Environmental management zone; or</li> <li>(f) Local centre zone; or</li> <li>(g) Low impact industry zone; or</li> <li>(h) Mixed use zone Precinct 3 – Residential; or</li> <li>(i) Neighbourhood centre zone; or</li> <li>(j) Rural zone; or</li> <li>(k) Specialised centre zone; or</li> <li>(l) Sport and recreation zone; or</li> <li>(m) Tourist accommodation zone; or</li> <li>(n) Township zone.</li> </ul>

<b>Column 1</b>
<b>Additional requirements for advertising devices that are externally illuminated</b>
(3) The external illumination component of the advertising device is not located within a Light restriction zone for the Cairns Airport or complies with the maximum luminance requirements of the Light restriction zone.
(4) Lights used to externally illuminate an advertising device are affixed to the sign or they are located on the ground.
(5) Lights used to externally illuminate an advertising device are not located on or above a local government controlled area or road.
(6) Lights used to externally illuminate an advertising device: <ul style="list-style-type: none"> <li>(a) are directed straight towards the advertising device; and</li> <li>(b) are not directed, channelled or funnelled towards an adjacent or adjoining property, road, public place, sensitive land use or zone primarily for a sensitive land use; and</li> <li>(c) do not result in light shed outside the advertising area of the advertising device.</li> </ul> <p>Note: Refer to Schedule 3 Calculation of Advertising Area.</p>
(7) Lights used to externally illuminate an advertising device do not exceed 1400 lumens.
(8) In the event of a malfunction or failure of the external illumination, the external illumination must be switched off until the matter is resolved.

Table 4 – Total maximum advertising area

Note: Table 4 contains references to advertising area. Refer to Schedule 3 Calculation of Advertising Area for guidance on how to calculate the advertising area for an advertising device.

<b>Column 1</b> <b>Zone</b>	<b>Column 2</b> <b>Total maximum advertising area</b>
Community facilities zone	30m <sup>2</sup> per site.
Conservation zone	3m <sup>2</sup> per site.
District centre zone	75m <sup>2</sup> per site or 20m <sup>2</sup> per tenancy, whichever is the greater.
Emerging community zone	5m <sup>2</sup> per site.

<b>Column 1 Zone</b>	<b>Column 2 Total maximum advertising area</b>
Environmental management zone	3m <sup>2</sup> per site.
High impact industry zone	100m <sup>2</sup> per site.
Local centre zone	10m <sup>2</sup> per tenancy.
Low density residential zone	3m <sup>2</sup> per site.
Low impact industry zone	30m <sup>2</sup> per tenancy.
Low-medium density residential zone	3m <sup>2</sup> per site.
Major centre zone	150m <sup>2</sup> per site or 20m <sup>2</sup> per tenancy, whichever is the greater.
Medium density residential zone	3m <sup>2</sup> per site.
Medium impact industry zone	50m <sup>2</sup> per tenancy.
Mixed use zone precinct 1 – Commercial	15m <sup>2</sup> per tenancy.
Mixed use zone precinct 2 – Trades and services	30m <sup>2</sup> per tenancy.
Mixed use zone precinct 3 – Residential	8m <sup>2</sup> per tenancy.
Neighbourhood centre zone	8m <sup>2</sup> per tenancy.
Open space zone	30m <sup>2</sup> per site.
Principal centre zone	10m <sup>2</sup> per tenancy where the tenancy less than 100m <sup>2</sup> ; or 20m <sup>2</sup> per tenancy where the tenancy is equal to or greater than 100m <sup>2</sup> and less than 500m <sup>2</sup> ; or 50m <sup>2</sup> per tenancy where the tenancy is equal to or greater than 500m <sup>2</sup> .
Rural residential zone	3m <sup>2</sup> per site.
Rural zone	25m <sup>2</sup> per site.
Special purpose zone	30m <sup>2</sup> per site.

<b>Column 1 Zone</b>	<b>Column 2 Total maximum advertising area</b>
Specialised centre zone precinct 1 – Hospitals and allied medical	10m <sup>2</sup> per tenancy.
Specialised centre zone precinct 2 – Showgrounds and major sports	150m <sup>2</sup> per site.
Specialised centre zone precinct 3 – James Cook University	150m <sup>2</sup> per site.
Sport and recreation zone	30m <sup>2</sup> per site.
Tourism zone	75m <sup>2</sup> per site.
Tourist accommodation zone	15m <sup>2</sup> per site.
Township zone	10m <sup>2</sup> per tenancy.
Waterfront and marine industry zone	100m <sup>2</sup> per site.

## **Part 5 Removal of advertising devices**

### **16 Immediate removal of advertising device**

- (1) The Local Government may remove and dispose of an advertising device without prior notice to the owner, if:
- (a) an advertising device is exhibited in contravention of this local law or a condition imposed under this local law and there are, in the opinion of an authorised person, adequate reasons for removing the advertising device immediately; or
  - (b) an advertising device creates, in the opinion of the authorised person, an immediate risk to public safety or property.

Note: Adequate reasons include where the advertising device is likely to cause distraction of pedestrian or vehicular traffic.

- (c) In removing the advertising device, an authorised person, local government worker or persons acting under direction of the Local Government, may without other authority that this local law, enter upon the land on which the advertising device stands and carry out any work, including demolition work, that may be necessary to remove the advertisement.

### **17 Remedy, repair or removal of advertising device**

- (1) This section applies where an authorised person forms the reasonable opinion that an advertising device:

- (a) is not in good order;
  - (b) is in need of repair;
  - (c) is unsightly;
  - (d) does not have a permit;
  - (e) is prohibited;
  - (f) does not comply with terms of a permit;
  - (g) does not otherwise comply with the local law; or
  - (h) any combination of paragraphs (a) to (g).
- (2) The authorized person may, by compliance notice, given to the owner or responsible person for the advertising device, require the responsible person to:
- (a) repair it;
  - (b) make it in good order;
  - (c) remove it;
  - (d) make an application for a permit or approval (where town planning approval is required) within a specified time; or
  - (e) a combination of paragraphs (a) to (d).
- (3) If the owner or responsible person for the advertising device removes an advertising device within the time allowed in the notice that person is taken to have complied with the notice.
- (4) If a person fails to comply with a notice under this Part within the time allowed in the compliance notice, the Local Government may remove and dispose of the advertising device.
- (5) In removing the advertising device, an authorised person, local government worker or persons acting under direction of the Local Government, may without other authority that this local law, enter upon the land on which the advertising device stands and carry out any work, including demolition work, that may be necessary to remove the advertisement.
- (6) An authorised person, local government worker or persons acting under direction of the Local Government's instructions may carry out demolition or other work that may be necessary to remove the advertising device.

## **18 Compensation**

- (1) The exercise by the Local Government in good faith of any authority conferred upon it by this local law, including the removal and disposal of advertising devices under this Part, does not give rise to a claim for compensation by any person.

**19 Failure to remove or maintain an advertising device**

- (1) It is an offence to fail to remove, within a reasonable period, an advertising device when it is no longer required.

Example:

A Temporary event sign that is not removed within 14 days of installation.

A garage sale sign that is not removed within 24 hours after the garage sale ends.

Maximum penalty – 50 penalty units.

- (2) It is an offence to fail to maintain an advertising device generally to its installed standard at all times.

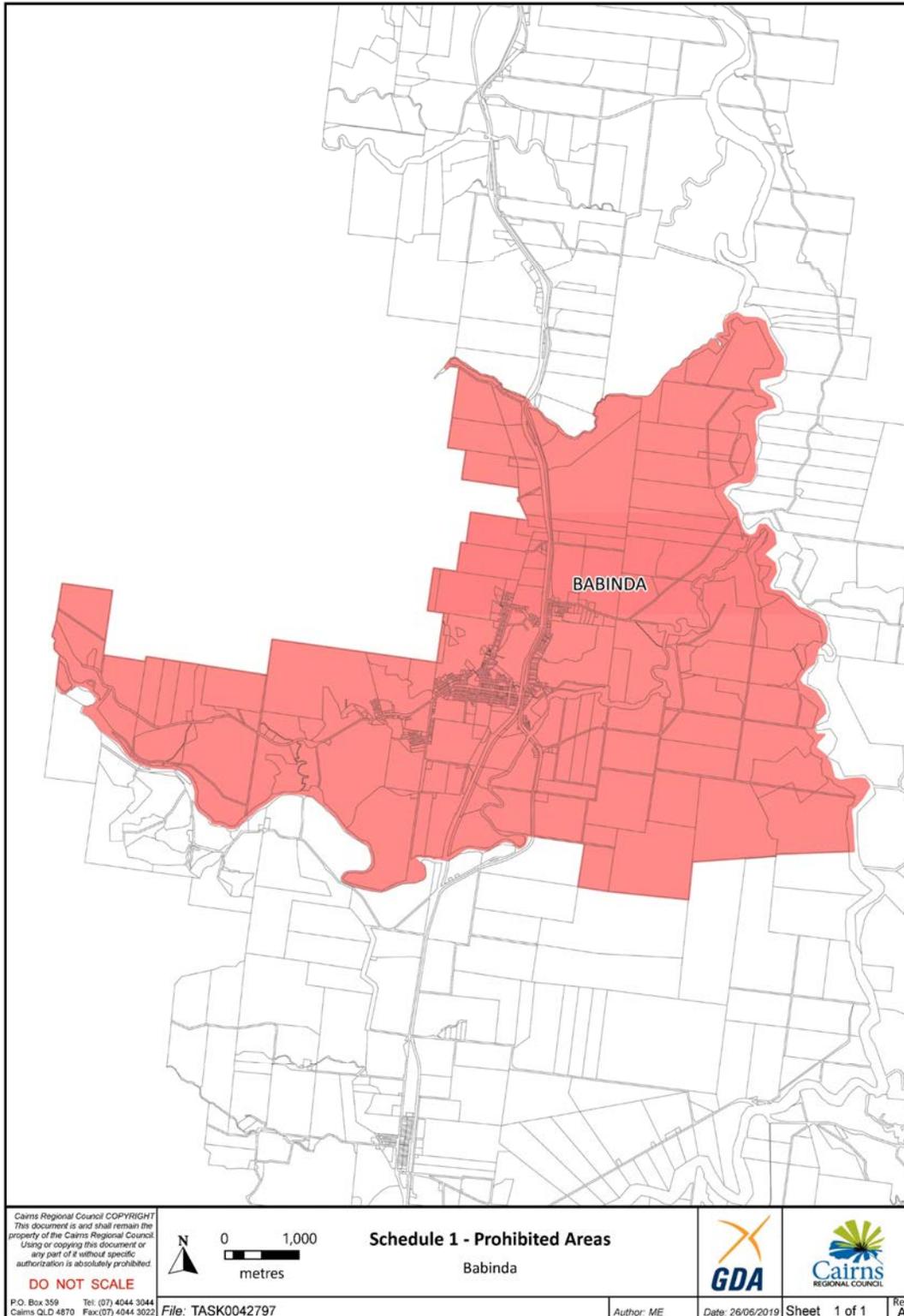
Example: Bunting sign that is frayed or faded.

Maximum penalty – 50 penalty units.

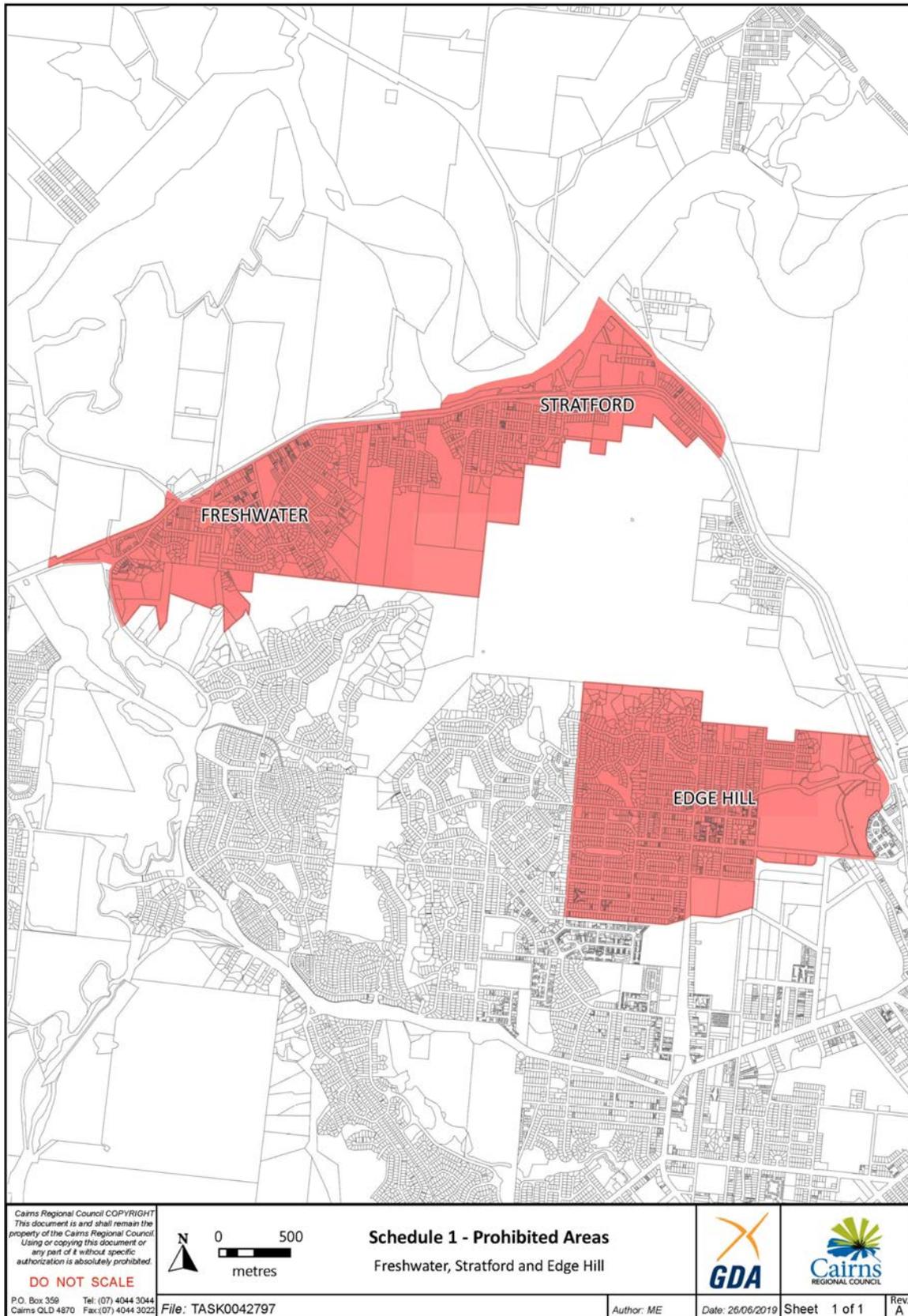
## Schedule 1 – Prohibited areas

(1) The maps below identify prohibited areas as referenced within Part 3.

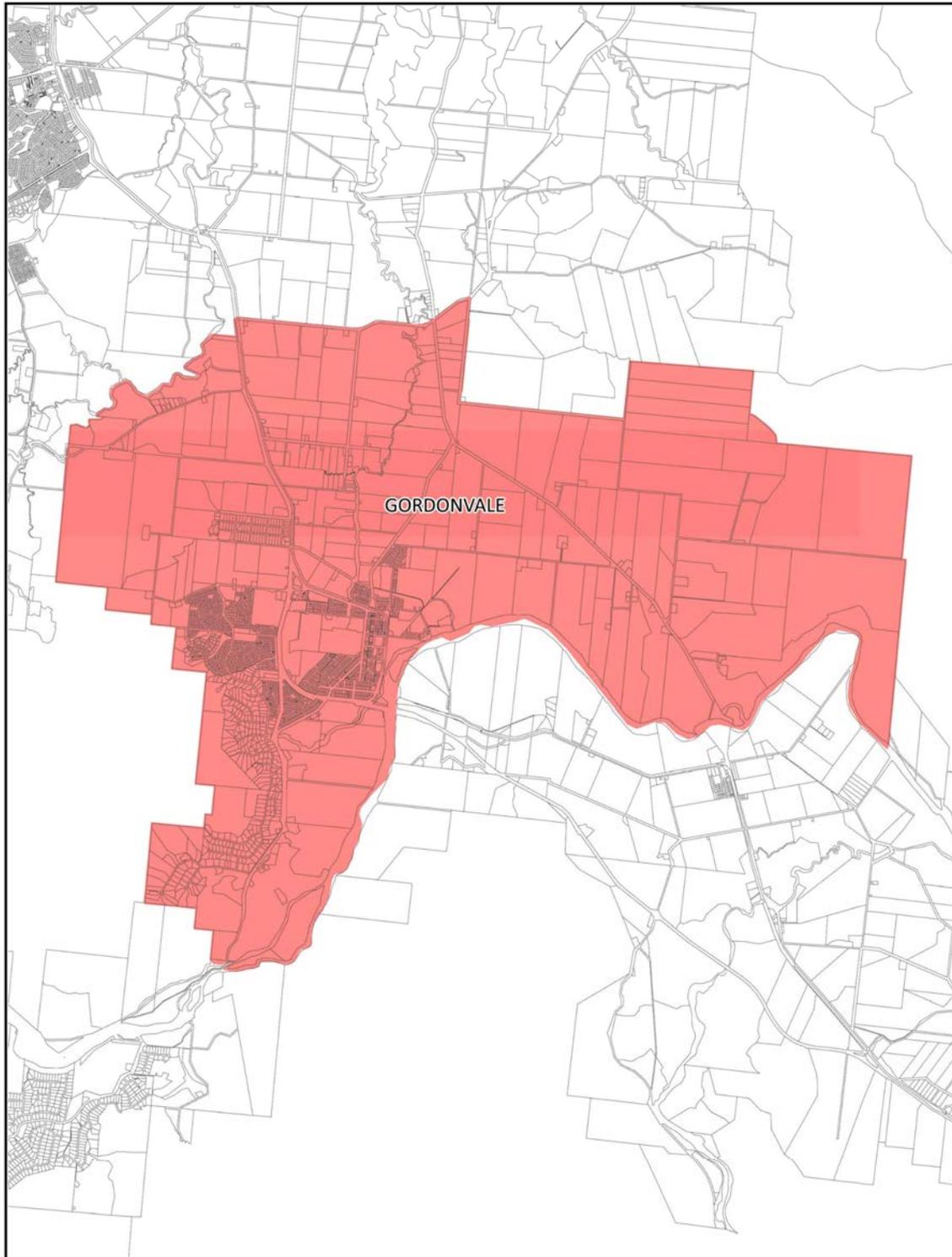
Map 1 – Prohibited areas (Babinda)



Map 2 – Prohibited areas (Freshwater, Stratford and Edge Hill)

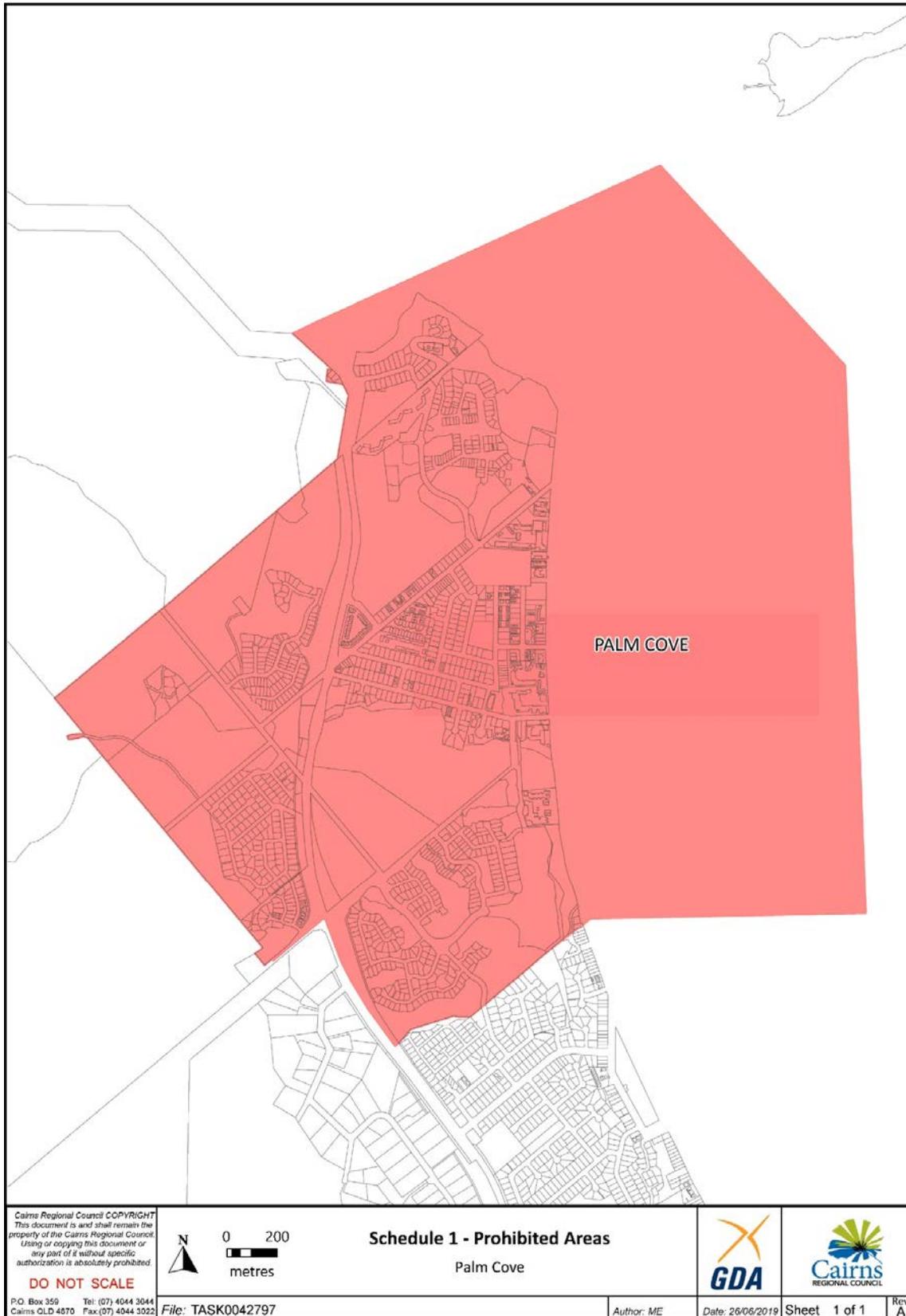


Map 3 – Prohibited areas (Gordonvale)



<p><small>Cairns Regional Council COPYRIGHT This document is and shall remain the property of the Cairns Regional Council Using or copying this document or any part of it without specific authorization is absolutely prohibited.</small></p>	<p>N 0 1,000 metres</p>	<p><b>Schedule 1 - Prohibited Areas</b> Gordonvale</p>		
<p><b>DO NOT SCALE</b> P.O. Box 359 Tel: (07) 4044 3044 Cairns QLD 4870 Fax: (07) 4044 3022</p>	<p>File: TASK0042797</p>	<p>Author: ME</p>	<p>Date: 26/06/2019</p>	<p>Sheet 1 of 1 Rev. A</p>

Map 4 – Prohibited areas (Palm Cove)



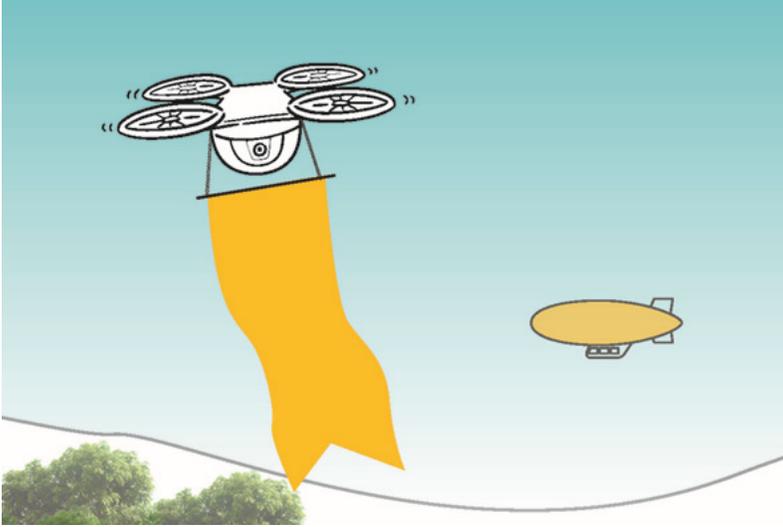
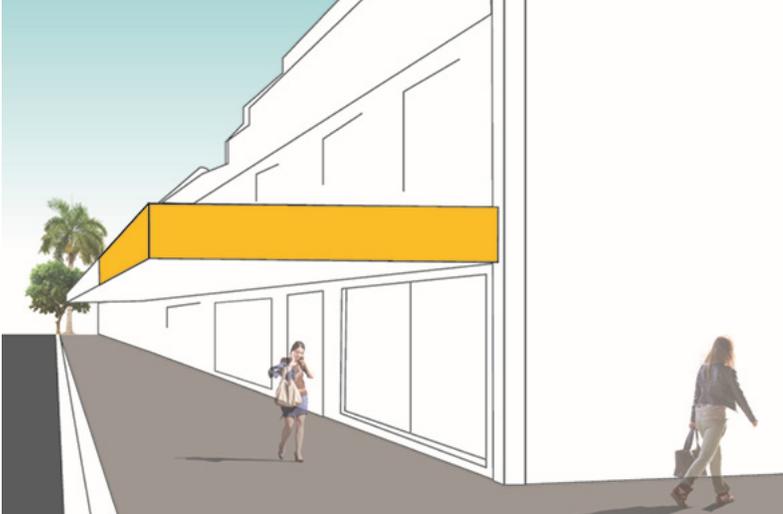
## Schedule 2 – Types of advertising devices

- (1) Table 5 below identifies the defined types of advertising devices used in this Local Law and provides an example diagram for each type of advertising device.

Note: The Example diagrams in Column 2 illustrate examples of the advertising devices and are provided for interpretation purposes only. The example diagrams do not illustrate how an advertising device can comply with this Local Law.

- (2) A definition within Schedule 1 of Local Law No. 1 (Administration) 2016 prevails over a definition within Table 5 to the extent of any inconsistency.

Table 5 – Types of advertising devices

Column 1 Type of advertising device	Column 2 Example diagram
<p><b>Aircraft sign</b> means an advertising device that is attached to a manned or unmanned aircraft.</p> <p>An Aircraft sign does not include:</p> <ul style="list-style-type: none"> <li>(a) aircraft branding; or</li> <li>(b) advertising on the envelope or the basket of a hot air balloon.</li> </ul>	
<p><b>Awning fascia sign</b> means an advertising device painted on or affixed to the fascia of an awning.</p>	

**Banner sign** means an advertising device that is:

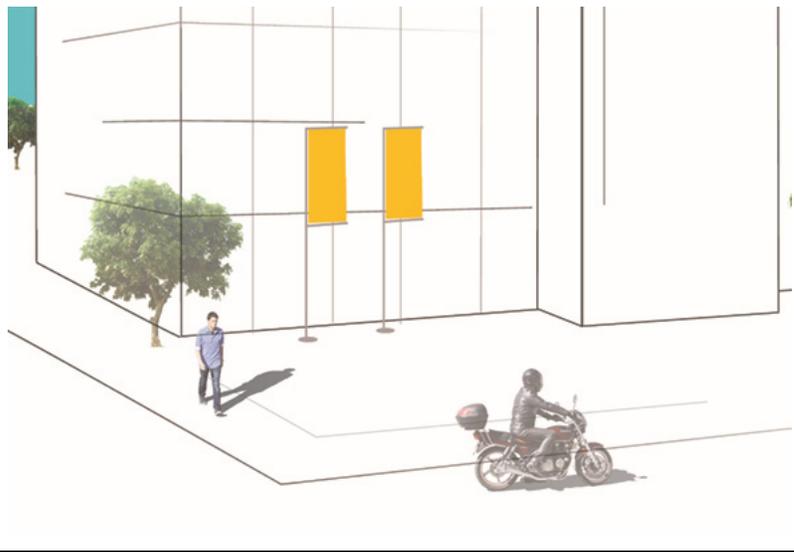
- (a) suspended between two or more points; and
- (b) affixed to any structure, tree, pole or the like; and
- (c) with or without a supporting framework; and
- (d) displaying an advertisement applied to paper, plastic, vinyl or the like.

A banner sign is not a fence sign or a wall sign.

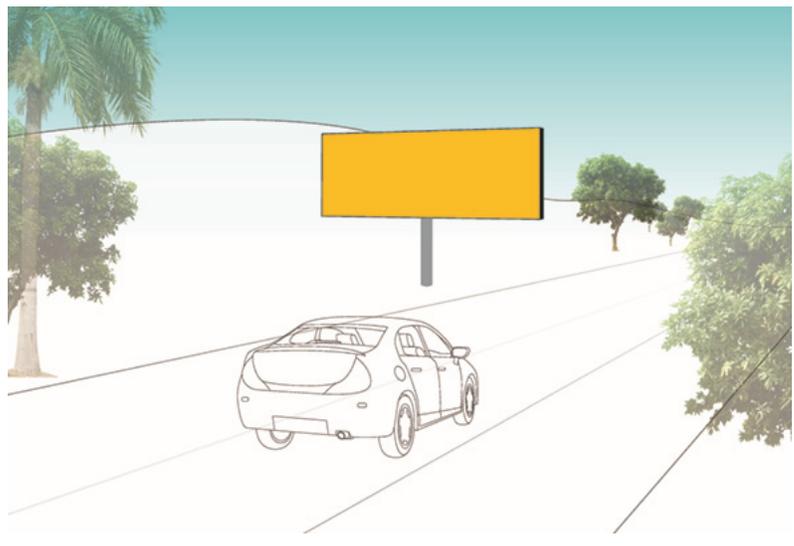


**Banner pole sign** means an advertising device that is a banner constructed of flexible material affixed to a free-standing pole that is not community infrastructure. The advertising area of a banner pole sign is taller than it is wide.

A banner pole sign does not include a commercial flag sign.



**Billboard sign** means an advertising device that is a free-standing structure greater than 2 metres in height, typically elevated from the ground and supported by one or more vertical supports. The advertising area of a billboard sign is wider than it is tall.



**Blind or canopy sign** means an advertising device that is printed or painted on, or is affixed to or forms part of a blind or canopy that is constructed of solid or flexible material suspended from the building.



**Bunting sign** means an advertising device that is a series of small flags, pennants, streamers, ribbons or the like, constructed of flexible material, suspended from a rope, cable or the like.

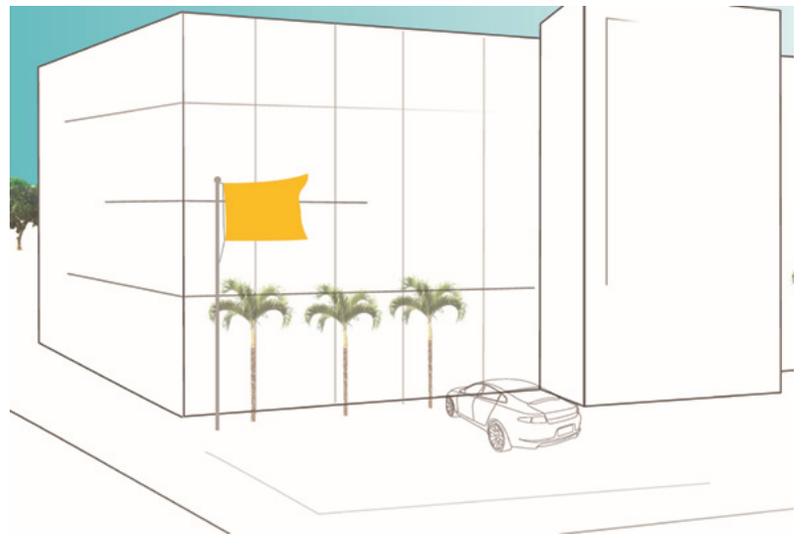


**Busking sign** means an advertising device that advertises a busking activity carried out in accordance with a relevant permit.



**Commercial flag sign** means an advertising device that is a flag used for commercial advertising, that is constructed of flexible material and is hung from a free-standing pole. The advertising area of a commercial flag sign is wider than it is tall.

A Commercial flag sign does not include a Banner pole sign.



**Community infrastructure sign** means an advertising device that is painted on or affixed to community infrastructure.

Note: For the purpose of this definition community infrastructure means street furniture or other infrastructure located on a local government controlled area or road.

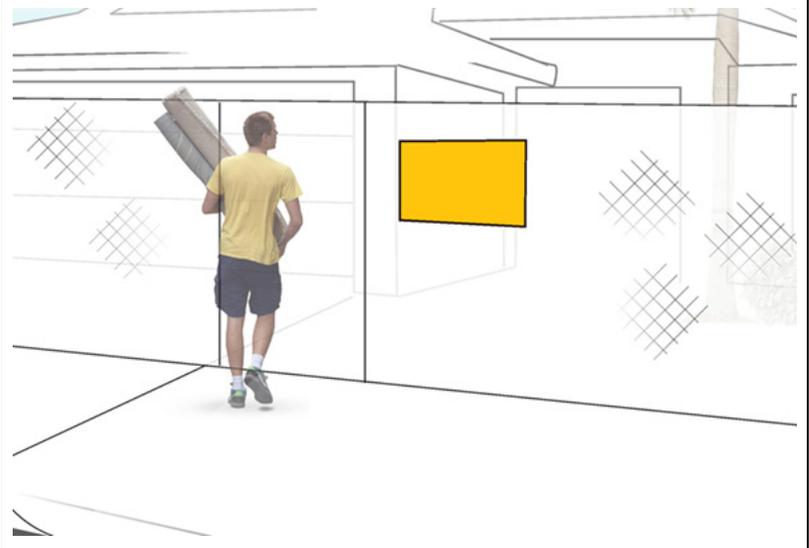


**Construction sign** means a temporary advertising device that advertises the name of the development, the developer or on-site contractors during the construction of a development. A Construction sign may be used to screen construction activities or used to provide information about the construction of the development.

A construction sign includes scrim wrap on scaffolding, fencing or other construction equipment.

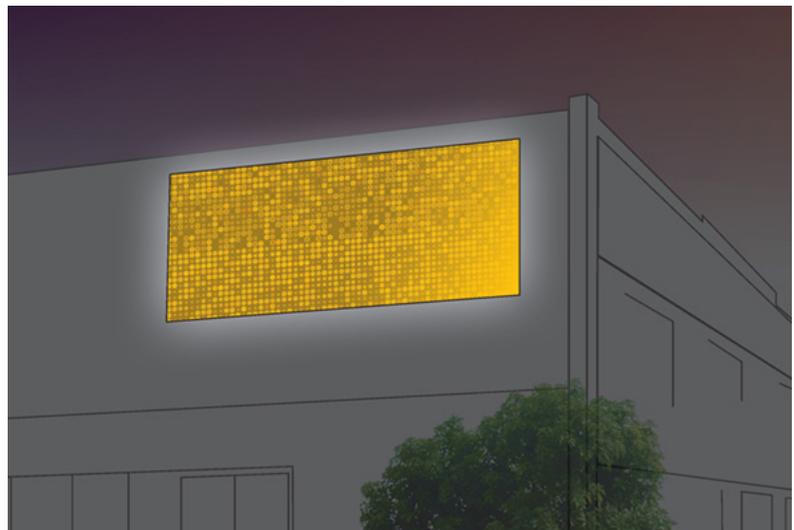


**Contractors sign** means an advertising device that advertises the name or business name and logo of a contractor that is undertaking work or has undertaken work on a site.

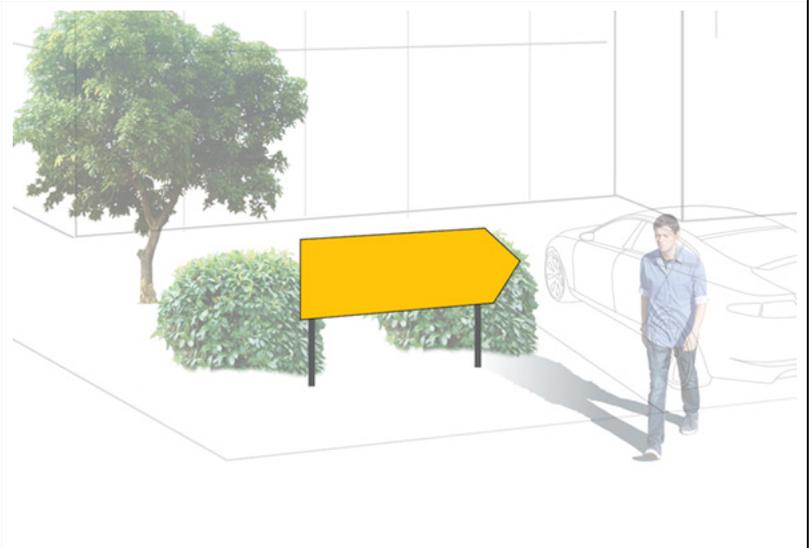


**Digital sign** means an advertising device with an electronic display including LED, LCD, plasma or the like.

A digital sign may display images and / or words.



**Directional sign** means an advertising device used to provide information about the location of or direction to a place.

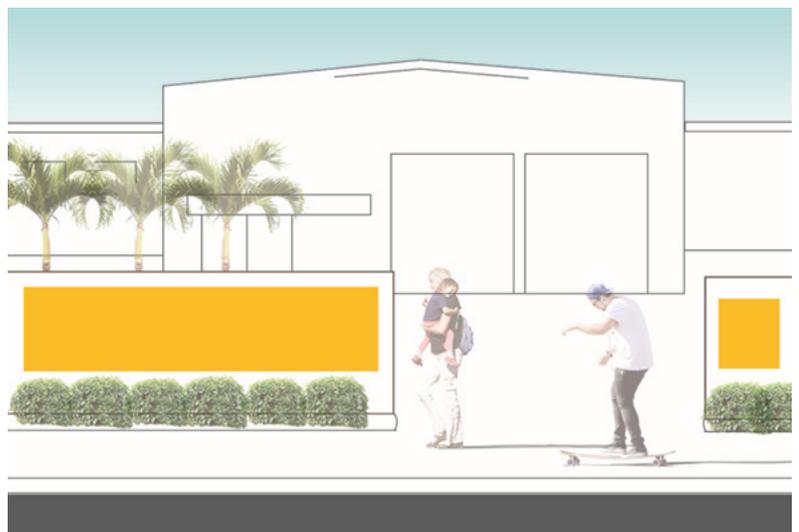


**Election sign** means a temporary advertising device that advertises a candidate and/or political party at a local, state or federal government election.

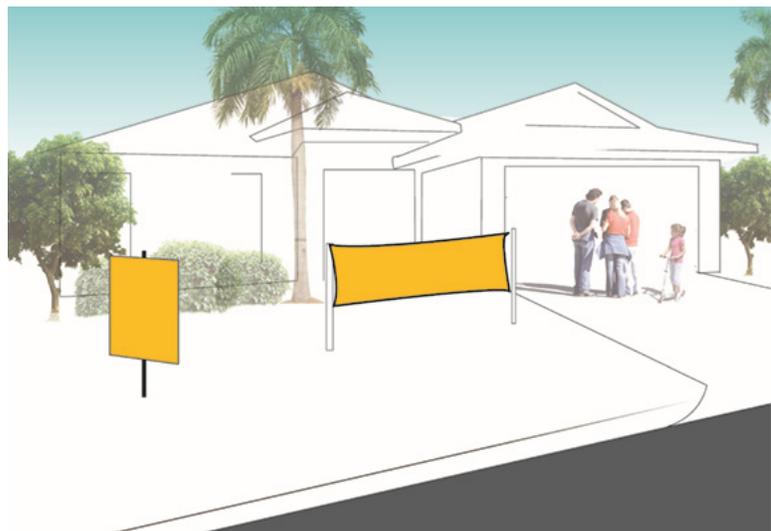


**Fence sign** means an advertising device painted on or affixed to a fence.

A fence sign is not a construction sign or a banner sign.



**Garage sale sign** means a temporary advertising device that advertises a garage sale at a dwelling.



**Ground based sign** means a free-standing advertising device with a height of 2 metres or less that is attached directly to the ground, or is supported by one or more vertical supports. The advertising area of a ground based sign is wider than it is tall.

*Note: where a sign would otherwise meet the definition of a ground based sign but is greater than 2 metres in height, it is considered to be a billboard sign.*



**Hologram sign** means an advertising device that uses a holographic display to create an image.



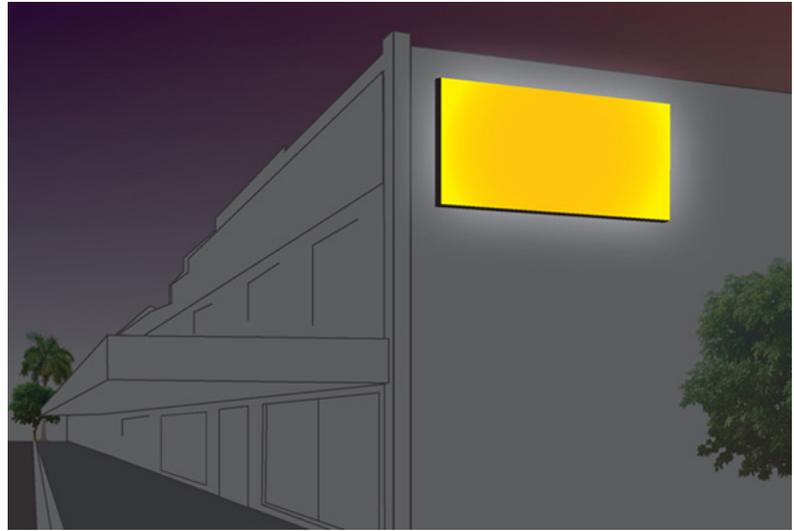
**Home based business sign** means an advertising device associated with a lawfully established Home based business.



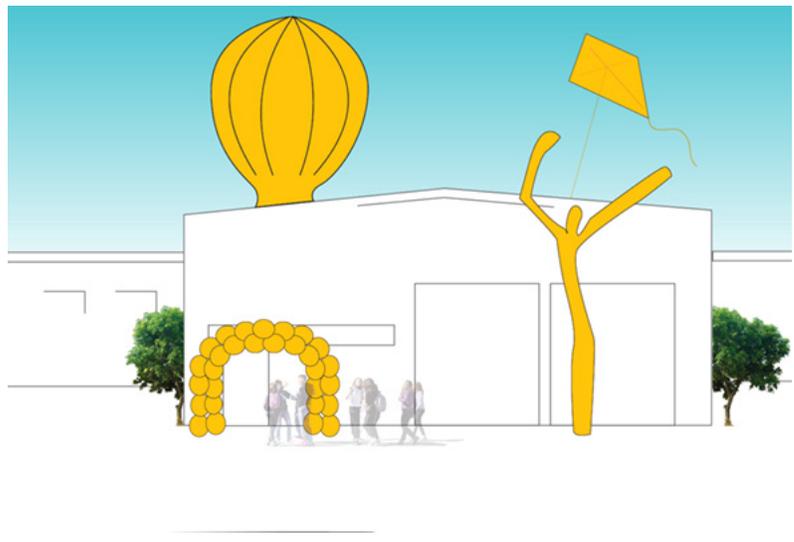
**Illuminated sign** means an advertising device that is internally illuminated.

An Illuminated sign This includes:

- (a) a light box; or
- (b) a neon sign; or
- (c) 3D internally illuminated lettering; or
- (d) any other device that is internally illuminated (excluding a Digital sign).

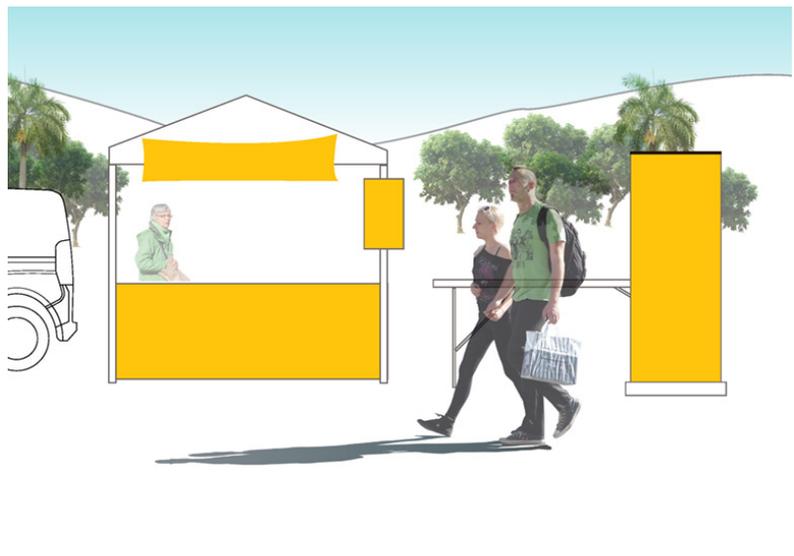


**Inflatable or aerial sign** means an advertising device that is affixed to or placed on a building, structure or the ground that is inflated and/or floats or flies in the air above the fixed point.

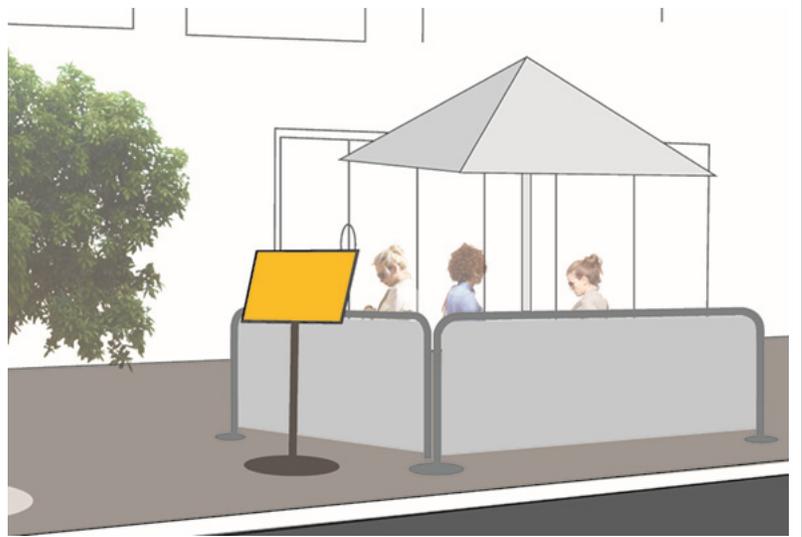


**Market stall sign** means an advertising device associated with a market stall carried out in accordance with a relevant permit.

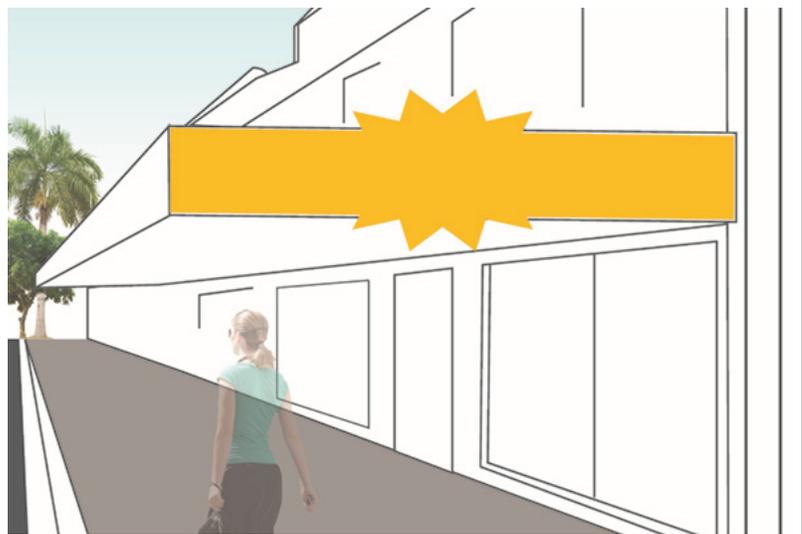
A market stall sign is not an advertising device that is associated with a market approved under a Planning Act.



**Menu stand sign** means an advertising device that is free-standing and displays a business name and menu.



**Modified awning sign** means an advertising device that is affixed to an existing awning fascia and extends above or below the existing fascia line to create a new fascia line.



**Outdoor dining furniture sign** means an advertising device that is located on furniture associated with outdoor dining that is carried out in accordance with a relevant permit.

An outdoor dining furniture sign does not include:

- (a) a sandwich board sign; or
- (b) a portable sign; or
- (c) a menu stand sign.



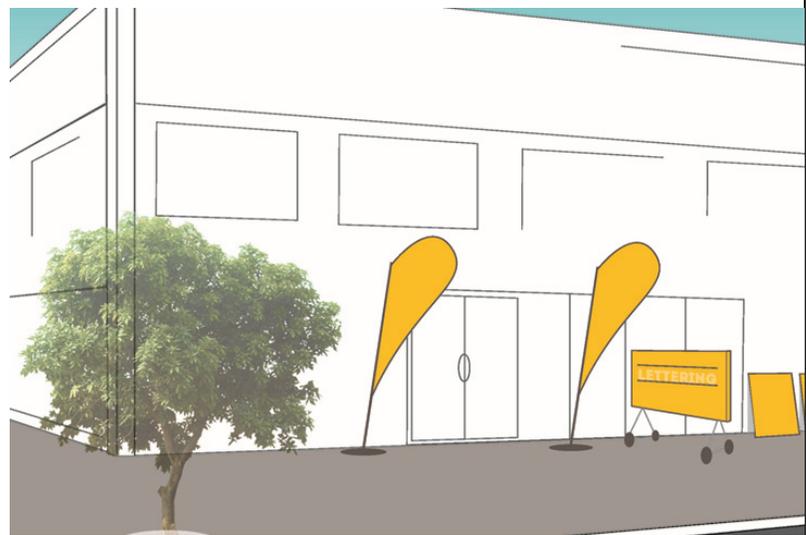
**Portable sign** means an advertising device that is portable and typically light weight. A portable sign can be free standing or on wheels or be affixed to or lent up against a building or structure for support. A portable sign may or may not have a weighted anchoring system.

Examples of a portable sign include:

- (a) a tear drop banner; or
- (b) a feather banner; or
- (c) a pull up banner; or
- (d) a changeable letter sign; or
- (e) any other similar sign that is packed away at the end of a day.

A portable sign does not include:

- (a) a sandwich board sign; or
- (b) an outdoor dining furniture sign; or
- (c) a vehicle sign; or
- (d) a projecting flag sign.

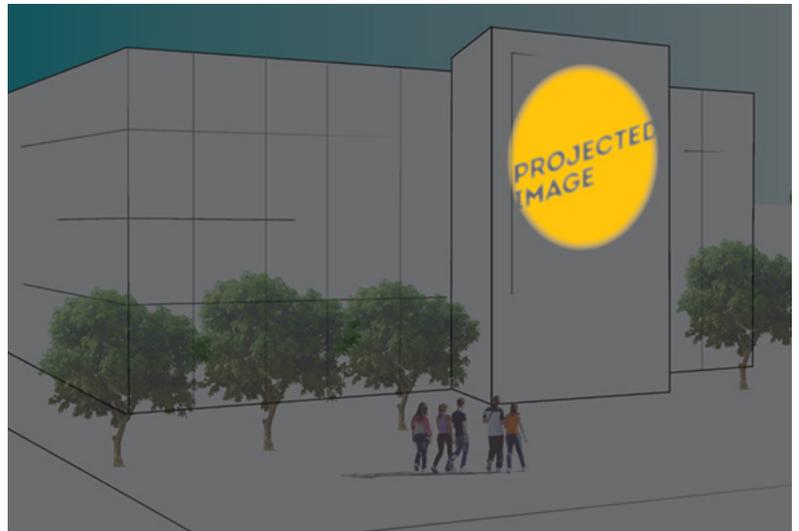


**Poster sign** means an advertising device that consists of a poster printed on paper or cardboard and is affixed to a surface typically by using an adhesive.

A poster sign is not a wall sign or a window sign.



**Projected image sign** means an advertising device that is projected onto a surface.

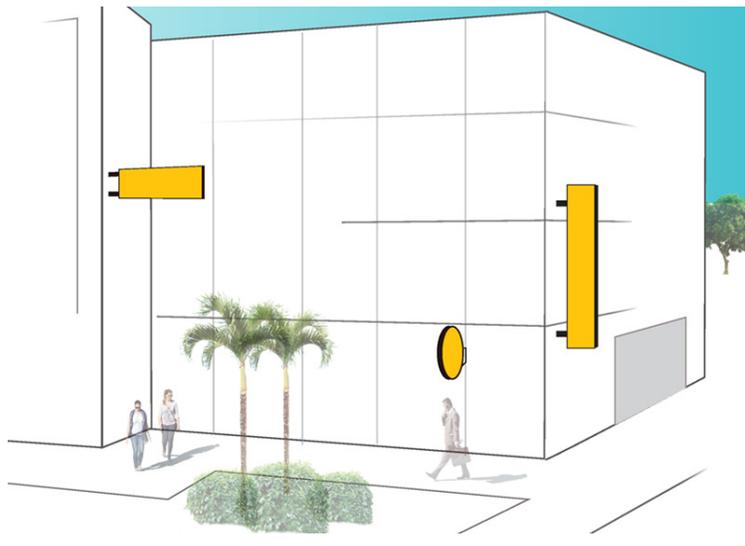


**Projecting flag sign** means an advertising device that is wall mounted at a single point of fixture and suspends a flag constructed of flexible material, or the like.



**Projecting horizontal sign** means an advertising device that projects horizontally out of a surface of a building or structure.

A Projecting horizontal sign is not attached to a free-standing pole.

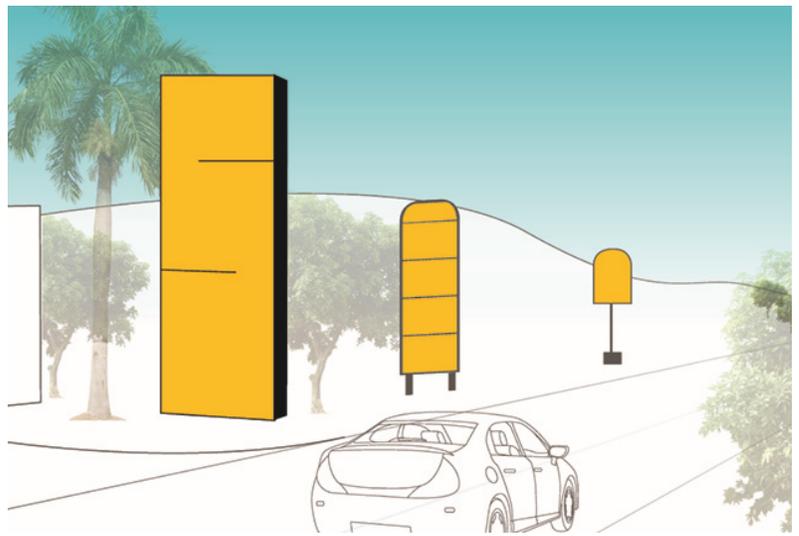


**Projecting vertical sign** means an advertising device that projects vertically out of a surface of a building or structure.

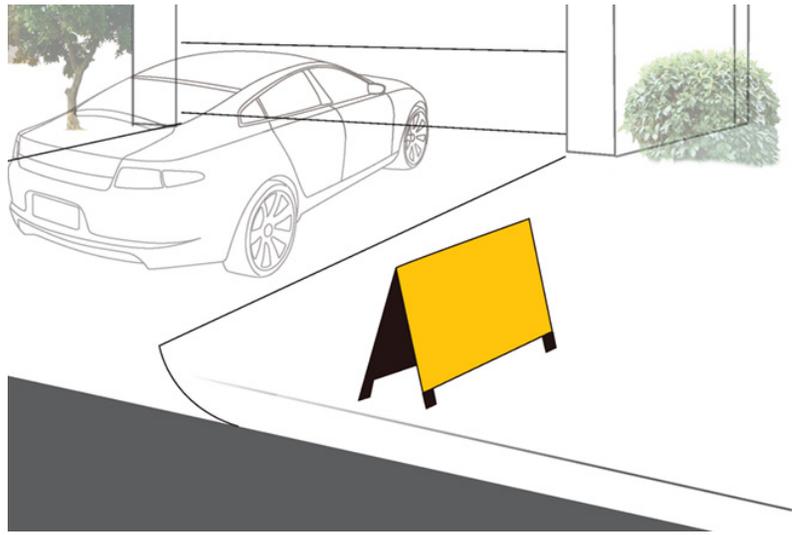
A sign that projects vertically out of a roof whether it exceeds the height of the roof or not is a projecting vertical sign.



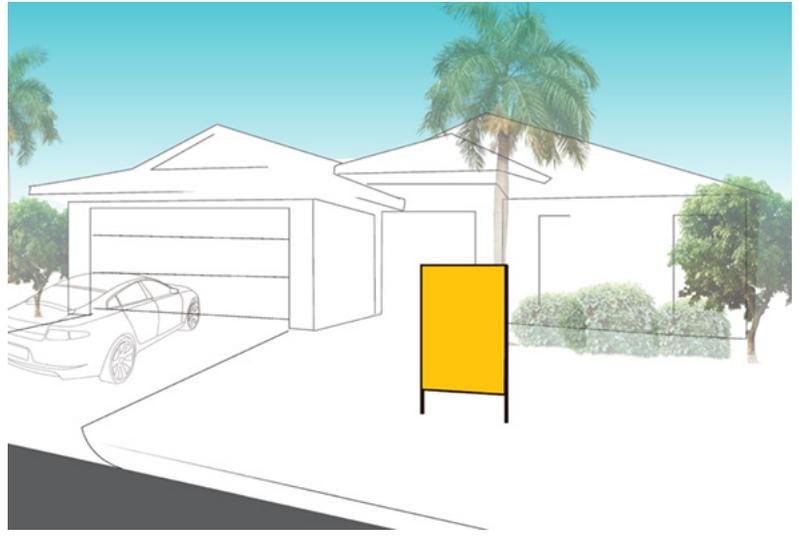
**Pylon sign** means an advertising device that stands vertically and is attached directly to the ground or is supported by one or more vertical supports. A pylon sign is taller than it is wide. A pylon sign may consist of multiple panels or slats that can be replaced.



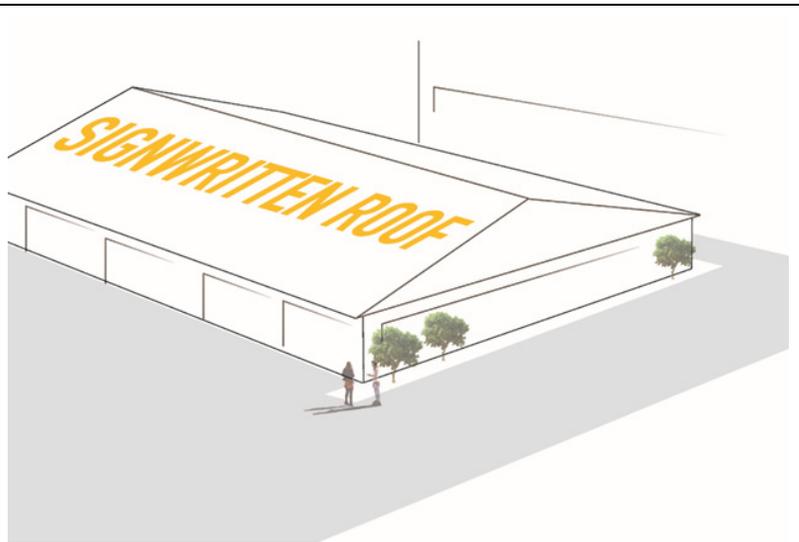
**Real estate directional sign** means a temporary, moveable and free-standing advertising device that is used to direct the public to the location of a real estate event.



**Real estate sign** means a temporary, free-standing advertising device that advertises an intention to sell, lease, tender or auction land and/or a building.

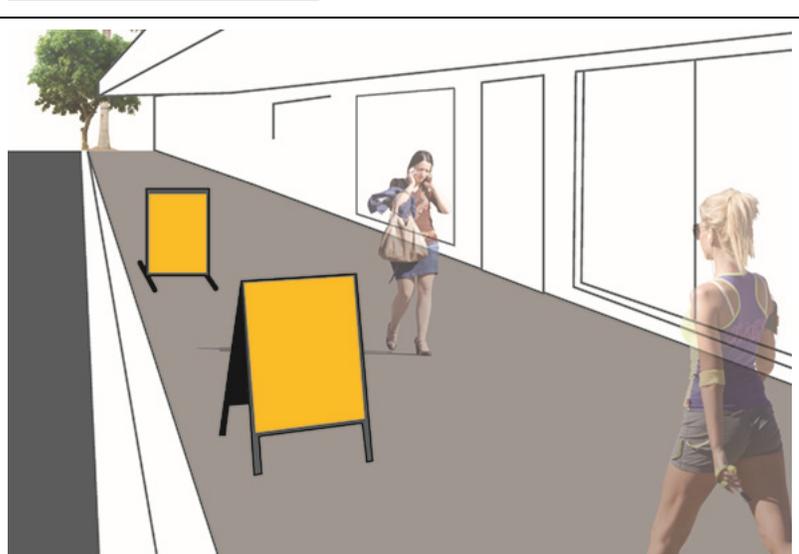


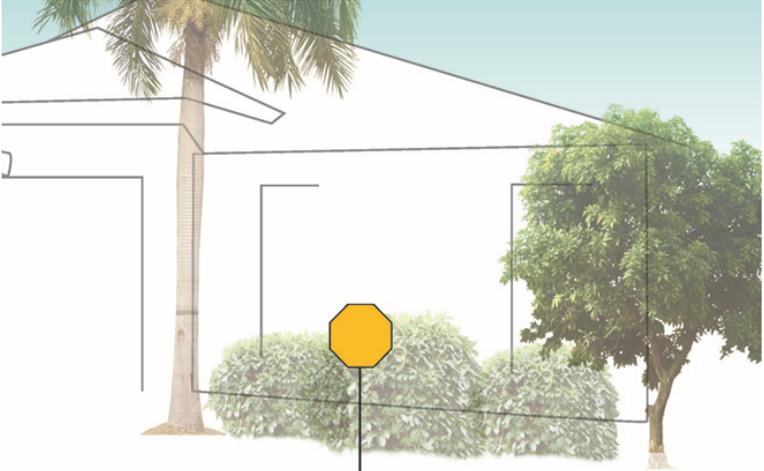
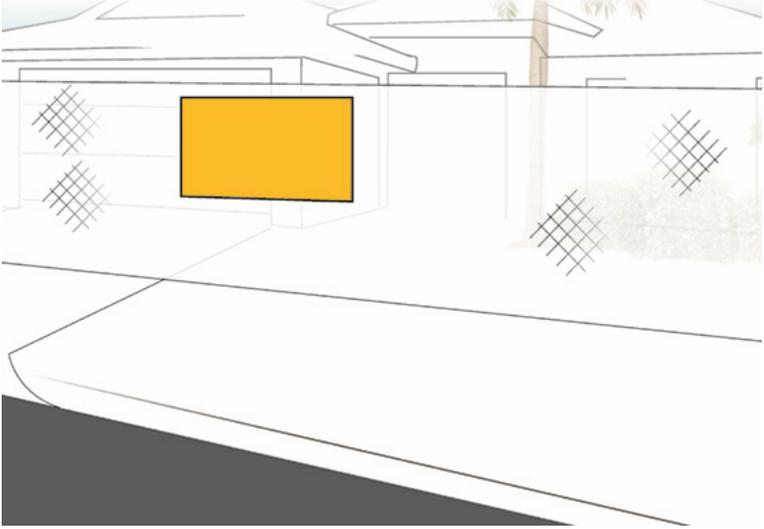
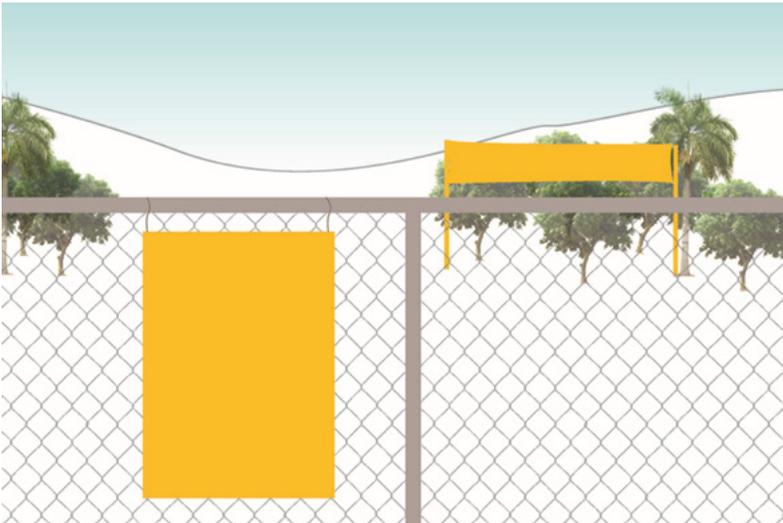
**Roof sign** means an advertising device that is painted on a roof.



**Sandwich board sign** means an advertising device that is moveable, free-standing and is placed on the ground, constructed footpath or road.

A sandwich board sign is typically supported by an "A" or inverted "T" frame.

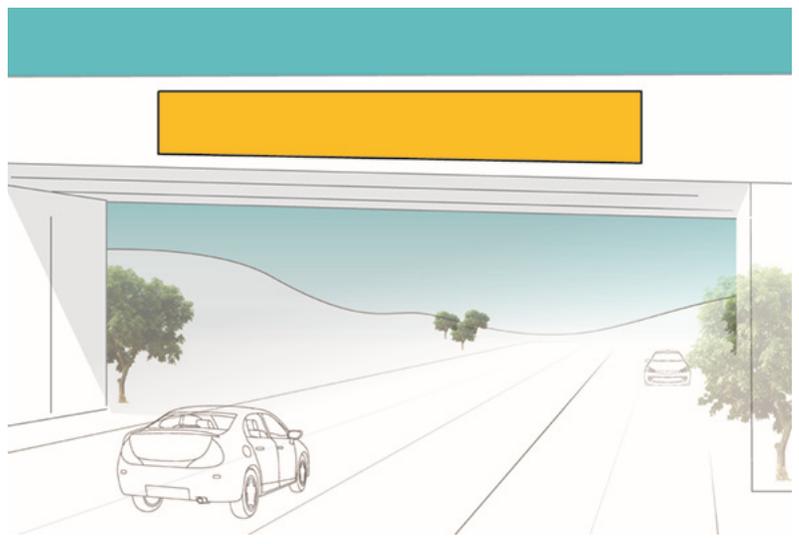


<p><b>Security sign</b> means an advertising device that advises the public of a security system or security feature on the premises.</p>	
<p><b>Statutory sign</b> means an advertising device required to be displayed under an Act of Parliament of the State or Commonwealth or required under a condition of a permit or approval issued under an Act.</p> <p>Note: Where an advertising device falls within the definition of Statutory sign, it is not considered to fall within the definition of any other type of advertising device.</p>	
<p><b>Temporary event sign</b> means an advertising device that is temporary and advertises an event or provides information about an event.</p> <p>Examples of a temporary event sign include:</p> <ul style="list-style-type: none"> <li>(a) a sign made from corflute; or</li> <li>(b) a temporary banner attached to a fence; or</li> <li>(c) a sign advising of upcoming fireworks.</li> </ul>	

**Themed sign** means an advertising device that is constructed in a three-dimensional shape to resemble an object or character.

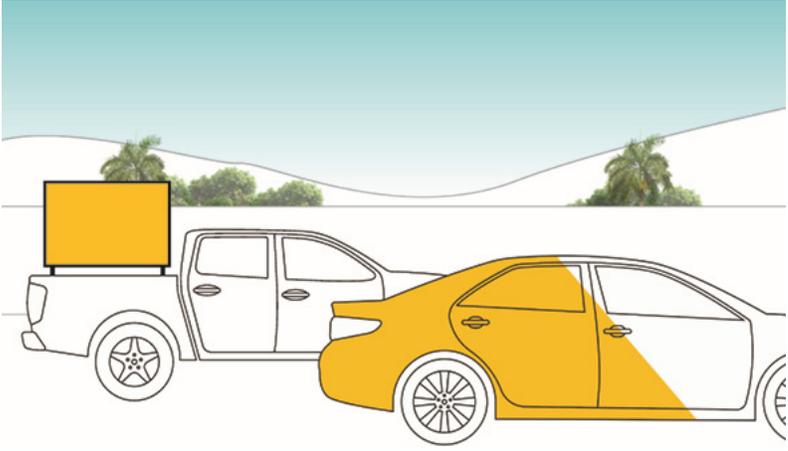


**Transport infrastructure sign** means an advertising device that is painted on or affixed to transport infrastructure.



**Under awning sign** means an advertising device that is attached to the underside of an awning, verandah, or canopy.

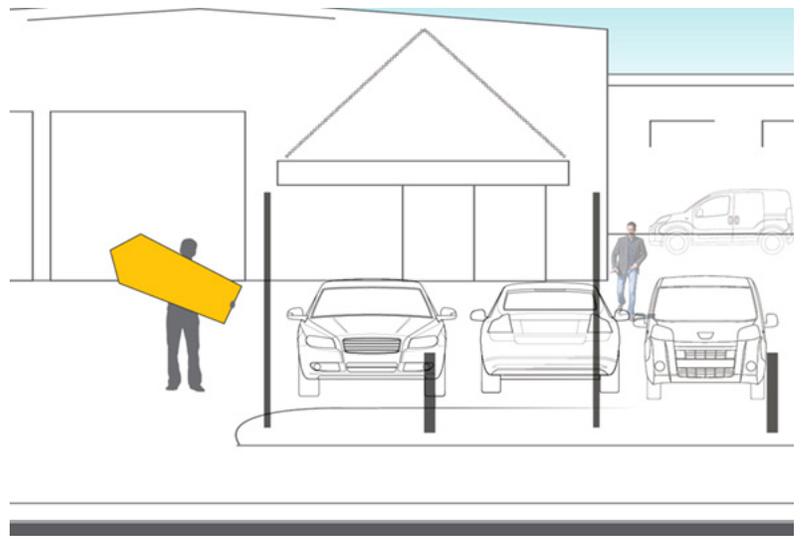


<p><b>Undefined sign</b> means an advertising device that is not otherwise defined within Schedule 1 of Local Law No. 1 (Administration) 2016.</p>	<p>No example diagram provided.</p>
<p><b>Vehicle sign</b> means an advertising device that is painted on or affixed to a vehicle or trailer.</p> <p>A vehicle sign includes where it is painted on or affixed to a trailer that is detached from a vehicle, or is stationary or is not in use.</p> <p>A Variable message sign (VMS) is not an advertising device where providing information about roadworks or a local government supported event.</p>	 <p>The diagram shows a white pickup truck with a yellow rectangular sign on its bed. Next to it is a white sedan with a yellow rectangular sign on its side door. The background features a light blue sky, green trees, and a white horizon line.</p>
<p><b>Wall sign</b> means an advertising device that is affixed flat to, posted or painted on to the surface of a building or structure.</p> <p>A wall sign does not include:</p> <ul style="list-style-type: none"> <li>(a) an Awning fascia sign; or</li> <li>(b) a Banner sign; or</li> <li>(c) a Blind or canopy sign; or</li> <li>(d) a Construction sign; or</li> <li>(e) a Poster sign; or</li> <li>(f) a Roof sign; or</li> <li>(g) a Window sign.</li> </ul>	 <p>The diagram shows a white building with a yellow rectangular sign on its side wall. The word "SIGN" is written in yellow above the sign. A person is walking on the sidewalk in front of the building, and a tree is visible on the right. The background features a light blue sky and a white horizon line.</p>

**Wearable or hand held sign** means an advertising device worn by or held onto by a person.

Examples of a wearable or hand held sign include:

- (a) a human billboard, walking billboard, backpack billboard; or
- (b) a handheld shaker sign; or
- (c) a handheld spinner sign.



**Window sign** means an advertising device that is displayed on a window or is displayed inside a building within 2 metres of a window and is visible through the window.



## Schedule 3 – Calculation of Advertising Area

- (1) Advertising Area is the total area of an advertisement which is either:
- the area bounded by the framework of a panel or sign case and is calculated by multiplying the framework height and width dimension; or
  - where there is no framework in the case of lettering, logo and/or design applied to a wall, window, fence or awning fascia, the advertising area is calculated by drawing a rectangle or square around the extent of the advertising lettering, logo or designs and multiplying the height and width dimensions.
- (2) Figure 10 below illustrates how Advertising Area is calculated.



Figure 10 – Calculation of Advertising Area

## CERTIFICATION

This and the preceding 118 pages bearing my initials is a certified copy of Cairns Regional Council *Local Law No. 4 (Advertising Devices) 2019* made in accordance with the provisions of the *Local Government Act 2009*, by Cairns Regional Council by resolution on 28 August 2019.

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John Andrejic  
Chief Executive Officer  
Cairns Regional Council