

## 9.4.2 Advertising devices code

### 9.4.2.1 Application

- (1) This code applies to assessing:
- applications for advertising devices, whether they are associated with material change of use application or are a separate application for operational works;
  - impact assessable development, to the extent relevant.

Note – Home based business signs complying with the Acceptable Outcomes of the Home based business code do not require further planning scheme / local law assessment.

Note – Roadside stall signs complying with the Acceptable Outcomes of the Rural activities code do not require further planning scheme / local law assessment.

Note – The following signs are not regulated by the planning scheme:

- Temporary shop front signs, being any freestanding advertising device that is temporary and easily moved from one position to another and usually utilised during operating hours;
- Temporary community event signs;
- Garage sales signs where displayed on day of sale and face not exceeding 1.2m<sup>2</sup> and not affixed to vegetation or other signage;
- Non-illuminated real estate signs, where sited on and advertising the premises for sale/rent, on an easily removable support structure with a face not exceed 2.4m<sup>2</sup>;
- Signs inside shop windows;
- Election signage;
- Entry statement signs or place name signs;
- Safety signage and other signs of a statutory nature;
- Sporting field fence sign, being any advertising device painted or otherwise affixed to a fence marking the boundaries of a sporting field.

- (2) When using this code, reference should be made to Part 5.

### 9.4.2.2 Purpose

- (1) The purpose of the Advertising devices code is to ensure that advertising devices are established in a manner which is consistent with the desired character and amenity of Douglas Shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- an advertising device complements, and does not detract from the desirable characteristics of the natural and built environment in which the advertising device is exhibited;
  - Third party advertising devices are not encouraged to establish in the Shire, being contrary to the unique character, lifestyle and environmental attributes of the Shire;
  - an advertising device is designed and integrated into the built form so as to minimise visual clutter;
  - an advertising device does not adversely impact on visual amenity of a scenic route, heritage building or public open space;
  - an advertising device does not adversely impact on rural, rural residential, residential, environmental management or conservation areas;
  - an advertising device does not pose a hazard for pedestrians, cyclists or drivers of motor vehicles.

Note - For billboards and/or other devices on a State-controlled road, contact the Department of Transport and Main Roads for further information about obtaining an 'Ancillary Works and Encroachment (AWE) Permit' under the *Transport Infrastructure Act 1994*.

### 9.4.2.3 Criteria for assessment

#### Part A - Criteria for self-assessable and assessable development

Table 9.4.2.3.a – Advertising devices code – self assessable and assessable development

| Performance outcomes  | Acceptable outcomes   |
|---|---|
| <b>Requirements for all Advertising devices regulated by this planning scheme</b>   |   |
| <b>General</b>  |   |
| <p><b>PO1</b><br/>An advertising device:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the existing and future planned character of the locality in which it is erected;</li> <li>(b) is compatible with the scale, proportion, bulk and other characteristics of buildings, structures, landscapes and other advertising devices on the site;</li> <li>(c) is of a scale, proportion and form that is appropriate to the streetscape or other setting in which it is located;</li> <li>(d) is sited designed to be compatible with the nature and extent of development and advertising devices on adjoining sites and does not interfere with the reasonable enjoyment of those sites;</li> <li>(e) is sited and designed to:               <ul style="list-style-type: none"> <li>(i) not unduly dominate the visual landscape;</li> <li>(ii) maintain views and vistas of public value; and</li> <li>(iii) protect the visual amenity of scenic routes;</li> </ul> </li> <li>(f) is designed to achieve a high standard of architectural, urban and landscape design, or at least does not detract from the architectural, urban or landscape design standards of a locality; and</li> <li>(g) is designed and sited so as to not contribute to the proliferation of visual clutter.</li> </ul> | <p><b>AO1</b><br/>Self-assessable development</p> <p>For self-assessable development, the advertising device complies with the requirements specified in Column 2 of Table 9.4.2.3.b.</p> <p>Assessable development</p> <p>For assessable development, in partial fulfilment of Performance Outcome P1 – the advertising device substantially complies with the requirements specified in Column 2 of Table 9.4.2.3.b – Specific requirements for types of advertising devices.</p> <p>Note – Third party advertising devices, fly-posters, inflatable signs, blimps, bunting/streamers and standing-vehicle signs are not encouraged to establish in Douglas Shire. In most circumstances, these forms of advertising device would:</p> <ul style="list-style-type: none"> <li>(a) be contrary to Performance Outcome PO1 and the applicable specific requirements for advertising devices in this code; and</li> <li>(b) risk compromising the character, lifestyle and environmental attributes of the Shire as defined in the Part 3 (Strategic Framework).</li> </ul> <p>Note – A planning report and streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a Third party advertising device.</p> |
| <b>Illumination, lighting and movement</b>  |   |
| <p><b>PO2</b><br/>An advertising device only incorporates illumination and lighting where it:</p> <ul style="list-style-type: none"> <li>(a) is appropriate to its setting and is compatible with the amenity of the local area;</li> <li>(b) does not cause nuisance or distraction;</li> <li>(c) does not create glare, reflecting or flaring of colours; and</li> <li>(d) will not create a potential safety hazard, including a potential traffic safety hazard.</li> </ul>   | <p><b>AO2.1</b><br/>The advertising device is only illuminated where it is:</p> <ul style="list-style-type: none"> <li>(a) located in a Centre zone or an Industry zone, or a Recreation and Open Space zone; and</li> <li>(b) associated with a business that operates at night.</li> </ul> <p><b>AO2.2</b><br/>Where an advertising device is illuminated, it:</p> <ul style="list-style-type: none"> <li>(a) it has a maximum luminance of 350 candelas per m<sup>2</sup>;</li> <li>(b) does not incorporate flashing lights or digital displays; and</li> <li>(c) is switched off between 11.00pm and 5.00am the following day or at any time the business</li> </ul>   |

| Performance outcomes  | Acceptable outcomes  |
|---|--|
|   | is not operating between these hours.  |
| <p><b>PO3</b><br/>An advertising device does not move or incorporate elements that give the impression of movement.</p>   | <p><b>AO3</b><br/>The advertising device does not revolve, contain moving parts or have a moving boarder.</p>  |
| <b>Safety of pedestrians and vehicles</b>   |  |
| <p><b>PO4</b><br/>An advertising device is designed so as not to create a traffic or pedestrian safety hazard.</p>  | <p><b>AO4.1</b><br/>The advertising device does not physically obstruct the passage of pedestrians or vehicles.</p> <p><b>AO4.2</b><br/>The advertising device does not mimic, and is not able to be confused with, a traffic control device.</p> <p><b>AO4.3</b><br/>The advertising device does not restrict sight lines at intersections or site access points.</p> <p>Note - Refer to Figure 9.4.2.3.a for details.</p> <p><b>AO4.4</b><br/>The advertising device is:<br/>(a) appropriately secured and supported so as to cause no injury or damage to persons or property;<br/>(b) not on or attached to a tree, telegraph and/or electricity poles, traffic or safety signs.</p> |
| <b>Maintenance</b>  |  |
| <p><b>PO5</b><br/>A high quality appearance of advertising devices is established, and is maintained.</p>   | <p><b>AO5</b><br/>Advertising devices<br/>(a) are constructed of high quality materials selected for easy maintenance, durability and an ability not to readily stain, discolour or deteriorate;<br/>(b) that have stained, discoloured or deteriorated are either:<br/>(i) remedied; or<br/>(ii) removed.</p>   |
| <b>Additional requirements for Advertising devices in the Conservation zone, the Environmental management zone and the Rural zone north of the Daintree River</b>                               |  |
| <p><b>PO6</b><br/>Advertising devices are high quality, low key in scale, and are reflective of the character of the area and directly promote small-scale lawfully-established businesses.</p> | <p><b>AO6</b><br/>In addition to the requirements contained within the Advertising devices code, where the advertising device is free standing or attached to a fence, the advertising device:<br/>(a) has a maximum height of 1.5 metres above ground level;<br/>(b) has a maximum width of 1.5 metres;<br/>(c) requires no significant vegetation removal to make the advertising device visible;*<br/>(d) is directly associated with a lawfully established business conducted on or near the premises;*<br/>(e) is non-illuminated;<br/>(f) is of colours that are subdued, reflecting the</p>  |

| Performance outcomes | Acceptable outcomes   |
|----------------------|---|
|                      | <p>natural character and amenity of the area (colours include the content of the advertising device)^</p> <p>*Note – These requirements may involve a site selection for the advertising device that is not within the premises and this would require further direction from Council.</p> <p>^Note – Signage consisting of representative symbols, as an alternative to text may be considered to be an example of advertising devices that are in keeping with the character of the area.</p> |

**Table 9.4.2.3.b – Specific requirements for types of advertising devices**

| Advertising device type  | Specific requirements  |
|--|--|
| <p><b>Façade sign:</b><br/>An advertising device painted or otherwise affixed to the façade of a building.</p>   | <ul style="list-style-type: none"> <li>(a) does not obscure any window or architectural feature;</li> <li>(b) does not exceed 25% of the surface area of the wall to which it is attached;</li> <li>(c) does not project above or beyond the wall to which it is attached;</li> <li>(d) is not more than 300mm thick.</li> </ul>   |
| <p><b>Flush wall sign:</b><br/>An advertising device painted on or otherwise affixed flat to the wall of a building or structure, not being a façade sign.</p> | <ul style="list-style-type: none"> <li>(a) is erected only in a Centre zone or an Industry zone</li> <li>(b) does not exceed 25% of the surface area of the wall to which it is attached;</li> <li>(c) does not project beyond the edges of the wall to which it is attached;</li> <li>(d) does not exceed a maximum sign face of 18m<sup>2</sup>;</li> <li>(e) does not cover more than 30% of the visible area of the total surface of the wall face; and</li> <li>(f) is not more than 300mm thick.</li> </ul>  |
| <p><b>Projecting sign:</b><br/>An advertising device attached or mounted at an angle to the façade of a building.</p>  | <ul style="list-style-type: none"> <li>(a) is erected only in a Centre zone or an Industry zone;</li> <li>(b) does not project further than 0.75m from the building line;</li> <li>(c) has a minimum vertical clearance of 2.4m from the lowest part of the sign to the footpath pavement;</li> <li>(d) does not exceed a maximum surface area of 1m<sup>2</sup>;</li> <li>(e) does not project beyond any awning or verandah of the building to which it is attached;</li> <li>(f) does not protrude above the roofline of the building to which it is attached; and</li> <li>(g) is limited to a maximum of one sign per premises.</li> </ul>  |
| <p><b>Above awning sign:</b><br/>An advertising device located on top of an awning or verandah.</p>  | <ul style="list-style-type: none"> <li>(a) is erected only in a Centre zone or an Industry zone;</li> <li>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</li> <li>(c) has a maximum height above the awning not exceeding 1.2m</li> <li>(d) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</li> <li>(e) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached.</li> </ul> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for an above awning sign.</p> |
| <p><b>Created awning sign:</b><br/>An advertising device attached to and extending beyond the fascia of an awning or the like.</p>                             | <ul style="list-style-type: none"> <li>(a) is integrated with the design of the building so as to complement its architectural form or style;</li> <li>(b) does not extend more than 500mm above the fascia to which it is attached;</li> <li>(c) does not exceed a sign-face area equivalent to 25% of the area of the</li> </ul>   |

| Advertising device type   | Specific requirements   |
|---|---|
|   | <p>awning face; and</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement.</p>  |
| <p><b>Under awning sign:</b><br/>An advertising device attached underneath or suspended from an awning, verandah or the like.</p>   | <p>(a) is oriented at right angles to the building frontage;</p> <p>(b) is not more than 2.5 metres long or 600mm high;</p> <p>(c) does not exceed a maximum sign-face area of 1.50m<sup>2</sup>;</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement;</p> <p>(e) one per shop or tenancy and is generally centrally located along the frontage of each shop or tenancy; and</p> <p>(f) is not closer than 3 metres to any other under awning sign or within 1.5 metres of any side property.</p>   |
| <p><b>Created roof sign:</b><br/>An advertising device positioned on a roof, façade or wall of a building which changes the horizontal or angular lines of the roof.</p>  | <p>(a) is integrated with the design of the building so as to complement its architectural form and style; and</p> <p>(b) has a maximum height above the surrounding roof line of not more than 1.2 metres.</p>   |
| <p><b>Roof top sign:</b><br/>An advertising device fitted to the roof of a building with no relation to the architectural design or appearance of the building.</p>   | <p>(a) is erected only in a Centre zone or an Industry zone;</p> <p>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</p> <p>(c) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</p> <p>(d) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached; and</p> <p>(e) does not extend more than 1.2 metres above the roofline to which it is attached.</p> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a roof top sign.</p>  |
| <p><b>Freestanding signs:</b><br/>An advertising device normally elevated from the ground and supported by one or more vertical supports used to display advertising matter, including billboards, pylon, three-dimensional and other freestanding signs.</p> | <p>(a) do not exceed the maximum height and sign-face area requirements set out in Table 9.4.2.3.c – Maximum height and sign-face area of billboard and pylon signage</p> <p>(b) ensure that not more than one freestanding sign is erected on any site (including a site with multiple occupancy buildings), except for a free standing sign, which:-</p> <p>(i) identifies access to a site;</p> <p>(ii) is not more than 1.5 metres in height; and</p> <p>(iii) has a maximum surface area of 2m<sup>2</sup>/side; and</p> <p>(c) notwithstanding any other provisions of this code:</p> <p>(i) are consistent with the streetscape character of the area;</p> <p>(ii) are of a scale and proportion consistent with the existing development and predominant land use in the area;</p> <p>(iii) are presented and designed to a proportional and uniform detail; and</p> <p>(iv) do not detract from or obscure any important view or vista.</p> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a three-dimensional sign.</p> |

Table 9.4.2.3.c – Maximum height and sign-face area of billboard and pylon signage

| Zone                          | Maximum height  | Maximum sign-face area/side   |
|-------------------------------|---|---|
| Centre zone and Industry zone | (a) Where total street frontage is less than 40 metres: 5m.<br>or<br>(b) Where total street frontage is 40 metres or greater: 7.5m. | (a) Where total street frontage is less than 40 metres: 10m <sup>2</sup><br>or<br>(b) Where total street frontage is 40 metres or greater: 15m <sup>2</sup> . |
| Any other zone                | 5m.   | 10m <sup>2</sup> .  |

Figure 9.4.2.3.a – Sightlines for Advertising devices

