

# **Subordinate Local Law No. 9.11**

# (Advertisement) 1999

Reprinted as in force on 18 May 2015

**Reprint No. 7** 

This law is a reprint copy that shows the law as made and amended by all amendments that commenced on or before the date of the reprint.

C. C. Rose

Chief Executive Officer



# Subordinate Local Law No. 9.11 (Advertisement) 1999

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## Part 1 Preliminary

#### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 9.11* (Advertisement) 1999.

## 2 Authorising local law

This subordinate local law is made pursuant to Local Law No. 9 (Licensing) 1999.

## 3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 9 (Licensing) 1999* by ensuring temporary signs —

- (a) are constructed, exhibited and maintained to essential standards of public safety; and
- (b) complement or, at least, do not unreasonably detract from desirable characteristics of the natural and built environment in which the advertisements are exhibited.

## 4 Definitions—the dictionary

The dictionary in the Schedule (Dictionary) of this subordinate local law defines particular words used in this subordinate local law.

## Part 2 Licensing

## 5 Operation of the subordinate local law

- (1) This subordinate local law only applies to the exhibition of a temporary sign, as defined in this subordinate local law, on premises other than a public place.
- (2) This subordinate local law does not apply to—

- (a) the exhibition of an off-premises sign<sup>1</sup> or an on-premises sign<sup>2</sup>, as defined in the planning scheme; or
- (b) an advertising device that involves building work; or
- (c) an advertising device that requires development approval.

### 6 Requirement for a licence

- (1) For the purposes of section 5(3) (Requirement for a licence) of *Local Law No. 9* (*Licensing*) 1999, a licence is not required for the exhibition of a temporary sign.
- (2) For the purposes of section 5(4) (Requirement for a licence) of *Local Law No. 9* (*Licensing*) 1999, the exhibition of a temporary sign must comply with the exemption criteria listed in section 7 (Exemption criteria) of this subordinate local law.

## 7 Exemption criteria

For the purposes of Schedule 2 (Dictionary) of *Local Law No. 9 (Licensing) 1999*, the exemption criteria for a temporary sign are—

- (a) the temporary sign standards in section 8 (Standards for temporary signs) of this subordinate local law;
- (b) the temporary sign must not be exhibited on a public place;<sup>3</sup>
- (c) the temporary sign must be kept in good order and repair;
- (d) the temporary sign must not constitute a nuisance under *Local Law No.* 10 (Public Health) 1999;
- (e) the temporary sign must not have flashing lights, revolve or contain any apparatus that produces sound;

<sup>1</sup> off-premises sign is defined in Schedule 1 (Dictionary) of the planning scheme as an advertising device used for the exhibition or the display of advertising of a matter not exclusively related to the predominant use of the premises. For the purpose of the planning scheme, advertising device is defined in Schedule 1 (Dictionary) of the planning scheme as 'any permanent structure, device, sign or the like intended for advertising purposes. It includes any framework, supporting structure or building feature that is provided exclusively or mainly as part of the advertisement.'.

<sup>&</sup>lt;sup>2</sup> *on-premises sign* is defined in Schedule 1 (Dictionary) of the planning scheme as 'an advertising device used for the exhibition or the display of advertising of a matter exclusively related to the predominant use of the premises.'. For the purpose of the planning scheme, *advertising device* is defined in Schedule 1 (Dictionary) of the planning scheme as 'any permanent structure, device, sign or the like intended for advertising purposes. It includes any framework, supporting structure or building feature that is provided exclusively or mainly as part of the advertisement.'.

<sup>&</sup>lt;sup>3</sup> The exhibition of an advertisement or a sign on a public place is regulated by *Local Law No. 12 (Council Property and other Public Places) 2003.* 

- (f) the temporary sign must be positioned on the premises so as not to result in a loss of amenity in the neighbourhood;
- (g) the temporary sign must be positioned on the premises so as not to constitute a risk to road safety.

## 8 Standards for temporary signs

- (1) Temporary signs must comply with the standards prescribed in this section.
- (2) An A-Frame sign or a T-sign must—
  - (a) be located within the boundaries of premises; and
  - (b) have a maximum face area of 1.2m<sup>2</sup>; and
  - (c) have no more than 2 faces with each face not exceeding 0.6m<sup>2</sup>; and
  - (d) only be displayed during business hours; and
  - (e) not be displayed in conjunction with a free standing sign; and
  - (f) advertise goods or services available at the premises; and
  - (g) be limited to a maximum of one sign per premises.
- (3) A community organisation sign must—
  - (a) if it is a banner sign attached to a post, fence or structure other than a building—
    - (i) be located on the site of the event or the premises of the organisation holding the event; and
    - (ii) accommodate wind loadings for the area; and
    - (iii) have a face area not exceeding 2.4m<sup>2</sup>; and
    - (iv) have a maximum height of 2m; and
    - (v) have a maximum width of 1.2m; and
    - (vi) not be illuminated; and
    - (vii) not be displayed for more than 14 days prior to the event advertised; and
    - (viii) be removed within 2 days of the event taking place; or

- (b) if it is an advertising device self supported on a post or fixed to a fence—
  - (i) be located on the site of the event or the premises of the organisation holding the event; and
  - (ii) have a face area not exceeding 1.1m<sup>2</sup>; and
  - (iii) be constructed of light weight materials such as board or corflute; and
  - (iv) not be displayed for more than 14 days prior to the event advertised; and
  - (v) be removed within 2 days of the event taking place.
- (4) A construction site fence sign must—
  - (a) have a face area not exceeding 5m<sup>2</sup>; and
  - (b) only be displayed whilst construction takes place.
- (5) A garage sale sign must—
  - (a) be located on the premises where the garage sale is to take place; and
  - (b) be self supported on a post or is fixed to a fence; and
  - (c) advertise the sale of goods at the premises; and
  - (d) have a face area not exceeding 1.1m<sup>2</sup>; and
  - (e) be constructed of lightweight materials such as board or corflute; and
  - (f) not be displayed on more than 4 days in a calendar year;
- (6) An inflatable sign must—
  - (a) publicise a retail sale, business promotion, fete, community event, sporting event or other like event; and
  - (b) not be displayed for longer than 7 days in a 90 day period; and
  - (c) not be placed in a location that may pose a hazard or distraction to road users; and
  - (d) have a maximum height of 8m; and
  - (e) not be more than 15m above ground level when inflated; and

- (f) have a maximum diameter of 6m; and(g) be anchored securely and safely; and
- (h) be the subject of a public liability insurance policy for a minimum of \$10 million that is effected and maintained by the operator; and
- (i) be limited to a maximum of one sign per premises.
- (7) A real estate sign must—
  - (a) be located on the premises to be sold, auctioned, rented or leased; and
  - (b) be self supported on a post or is fixed to a fence; and
  - (c) have a face area not exceeding 2.4m<sup>2</sup>; and
  - (d) be constructed of lightweight materials such as board or corflute; and
  - (e) not be displayed for more than 14 days after the sale, auction, rental or lease of the premises.
- (8) A sale of goods sign must—
  - (a) be located on the premises where the sale is to take place; and
  - (b) be self supported on a post or is fixed to a fence; and
  - (c) have a face area not exceeding 1.1m<sup>2</sup>; and
  - (d) be constructed of lightweight materials such as board or corflute; and
  - (e) not be displayed for longer than 14 days in a calendar year; and
  - (f) be limited to a maximum of one sign per premises.
- (9) A security sign must—
  - (a) be fixed to a boundary fence; and
  - (b) have a face area not exceeding 0.3m<sup>2</sup>; and
  - (c) be constructed of lightweight materials; and
  - (d) be limited to—
    - (i) one sign per 25 linear metres of boundary fence; and

- (ii) a maximum of four signs per frontage; and
- (iii) if fixed to a building, one sign per 25 linear metres of street frontage.
- (10) A business promotional banner must—
  - (a) be located on the premises where the advertised activity is taking place; and
  - (b) have a single face area, with the face area not exceeding 5m<sup>2</sup>; and
  - (c) not be displayed for more than 14 days in a calendar year.

## Schedule Dictionary

section 4

**advertising device** means an advertisement that is visible from a public place and includes a structure that forms part of the advertisement or to which the advertisement is attached or on which the advertisement is exhibited.

A-Frame sign or T-sign means an advertising device which—

- (a) is portable and free standing; and
- (b) generally supported by an A or inverted T frame; and
- (c) typically displayed in a garden bed of premises adjacent to a public footway.

banner sign means an advertising device which—

- (a) publicises an auction, retail sale, business promotion, fete or community event, sporting event or other like event; and
- (b) is intended to be suspended from a structure or pole with or without supporting framework; and
- (c) displays an advertisement applied or painted to fabric, vinyl or other similar material.

**building** has the meaning given in the Building Act 1975.

**building work** has the meaning given in the Sustainable Planning Act 2009.

**business promotional banner** means a banner sign used for the promotion of an auction, retail sale or the like.

community organisation sign means an advertising device which—

- (a) is a short term advertising device; and
- (b) is non-illuminated; and
- (c) advertises a non-profit event such as a fete, fair, festival or similar occasion; and
- (d) is organised by a charitable, religious, educational, sporting or community service organisation.

construction site fence sign means an advertising device painted on or affixed to

a temporary safety fence of a construction site generally along the boundary of the site.

**development approval** has the meaning given in the *Sustainable Planning Act* 2009.

face area means the greater of—

- (a) the maximum surface area of each face of the advertising device; or
- (b) a rectangular shape that the local government determines best encloses the thing being publicised by the advertising device.

**garage sale sign** is a short term advertising device which promotes a household garage sale.

**height** has the meaning given in the planning scheme.

inflatable sign means an advertising device which—

- (a) is inflated by air or a lighter than air substance; and
- (b) is erected on a temporary basis; and
- (c) includes any fixed or captive envelope, balloon, blimp or kite or a waving tube inflatable character inflated by a ground mounted fan.

planning scheme means the Logan Planning Scheme 2015.

### public place means—

- (a) road; or
- (b) trust land; or
- (c) a reserve; or
- (d) premises of which the local government is the owner or occupier.

real estate sign means an advertising device that—

- (a) is non-permanent; and
- (b) is non-illuminated; and
- (c) facilitates the sale, auction, rental or lease of the premises.

**reserve** means land which is placed under the control of the local government pursuant to legislation.

**residential use** means a use listed in the Residential activities activity group in Table SC1.1.2.2—Defined activity groups in the planning scheme.

sale of goods sign means an advertising device that—

- (a) is non-permanent; and
- (b) is non-illuminated; and
- (c) advertises the sale of goods involved in the use of premises for a residential use.

**statutory sign** means an advertising device displayed pursuant to an authority or requirement of an Act of Parliament of the State or Commonwealth.

**temporary sign** means an advertising device or sign specified in section 8 (Standards for temporary signs) of this subordinate local law that is constructed in a manner which would allow the sign to be readily removed or relocated. A temporary sign also includes a statutory sign.

*trust land* means land dedicated as a reserve or granted in trust under the *Land Act 1994* and for which the local government is the trustee under the *Land Act 1994*.

## **Endnotes**

## 1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
- 4 Table of reprints
- 5 List of legislation
- 6 List of annotations

## 2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before 18 May 2015.

## 3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation
amd	= amended
ch	= chapter
def	= definition
div	= division
hdg	= heading
ins	= inserted
om	= omitted
p	= page
pt	= part
renum	= renumbered
rep	= repealed
S	= section
sch	= schedule
sdiv	= subdivision

# 4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this subordinate local law

Reprint	Amendments included	Reprint date
No.		
1	Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2001	12 September 2001
2	Amending Subordinate Local Law No. 5 (Subordinate Local Law No. 9.11 (Advertisement) 1999) 2005	19 December 2001
3	Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005	29 June 2005
4	Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005	17 March 2006
5	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010	14 January 2011
6	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2011	22 July 2011
7	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2014	18 May 2015

## 5 List of legislation

**Original Local Law** 

Local Law No. 9 (Licensing) 1999

date of gazettal 7 May 1999 Reprinted as in force 14 January 2011 Reprint No. 6

#### **Amending Local Laws**

Amending Local Law No. 1 (Miscellaneous Local Laws) 2001

date of gazettal 9 March 2001

Amending Local Law No. 1 (Miscellaneous Local Laws) 2003

date of gazettal 11 July 2003

Amending Local Law No. 1 (Miscellaneous Local Laws) 2005

date of gazettal 24 June 2005

Amending Local Law No. 1 (Miscellaneous Local Laws) 2007

date of gazettal 9 November 2007

Amending Local Law No. 1 (Miscellaneous Local Laws) 2010

date of gazettal 14 January 2011

Amending Local Law No. 3 (Local Law No. 4 (Animal Management) 2002) 2011

date of gazettal 9 December 2011

Amending Local Law No. 1 (Miscellaneous Local Laws) 2014

date of gazettal 18 May 2015

#### **Original Subordinate Local Laws**

Subordinate Local Law No. 9.1 (Domestic Water Distribution) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Now repealed

Subordinate Local Law No. 9.2 (Election Signs) 1999

date of Council resolution 6 July 1999

Reprinted as in force 22 July 2011

Reprint No. 6

Subordinate Local Law No. 9.3 (Itinerant Vending) 1999

date of Council resolution 6 July 1999

Reprinted as in force 14 January 2011

Reprint No. 4

Subordinate Local Law No. 9.4 (Stalls) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Now repealed

Subordinate Local Law No. 9.4 (Heavy Vehicle Parking (Other than on a Road)) 2005

date of Council resolution 31 January 2006

Original as in force 17 March 2006

Now repealed

Subordinate Local Law No. 9.4 (Heavy Vehicle Parking on Residential Premises) 2010

date of Council resolution 24 August 2010

Reprinted as in force 22 July 2011

Reprint No. 1

Subordinate Local Law No. 9.5 (Dangerous Fencing) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Now repealed

Subordinate Local Law No. 9.6 (Animal Slaughtering) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Now repealed

Subordinate Local Law No. 9.7 (Animal Vending) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Subordinate Local Law No. 9.8 (Events) 1999

date of Council resolution 6 July 1999

Reprinted as in force 22 July 2011

Reprint No. 5

Subordinate Local Law No. 9.9 (Markets) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Now repealed

Subordinate Local Law No. 9.10 (Accommodation Premises) 1999

date of Council resolution 6 July 1999

Reprinted as in force 22 July 2011

Reprint No. 5

Subordinate Local Law No. 9.11 (Advertisement) 1999

date of Council resolution 6 July 1999

Reprinted as in force 22 July 2011

Reprint No. 6

Subordinate Local Law No. 9.12 (Home Business) 1999

date of Council resolution 6 July 1999

Reprinted as in force 19 October 2007

Reprint No. 4

Now repealed

Subordinate Local Law No. 9.13 (Cemetery Undertaking) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Subordinate Local Law No. 9.14 (Intensive Animal Husbandry) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

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## Logan City Council Subordinate Local Law No. 9.11 (Advertisement) 1999

Reprint No. 2 Now repealed

Subordinate Local Law No. 9.15 (Kennels and Cattery) 1999

date of Council resolution 6 July 1999

Reprinted as in force 22 July 2011

Reprint No. 5

Subordinate Local Law No. 9.16 (Mortuary Undertaking) 1999

date of Council resolution 6 July 1999

Reprinted as in force 29 June 2005

Reprint No. 2

Now repealed

Subordinate Local Law No. 9.17 (Relocatable Home Parks) 1999

date of Council resolution 6 July 1999

Reprinted as in force 22 July 2011

Reprint No. 5

#### **Amending Subordinate Local Laws**

Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2001 date of public notice 12 September 2001

Amending Subordinate Local Law No. 5 (Subordinate Local Law No. 9.11 (Advertisement) 1999) 2001

date of public notice 19 December 2001

Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 9.2 (Election Signs) 1999) 2003 date of public notice 17 December 2003

Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 date of public notice 29 June 2005

Amending Subordinate Local Law No. 3 (Subordinate Local Law No. 9.2 (Election Signs) 1999) 2005 date of public notice 14 September 2005

Amending Subordinate Local Law No. 1 (Miscellaneous Local Laws) 2007

date of public notice 19 October 2007

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010 date of public notice 14 January 2011

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2011 date of public notice 22 July 2011

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2014 date of public notice 18 May 2015

## 6 List of annotations

#### **PREAMBLE**

om

Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005

s 54

**Short title** 

s 1 amd Amending Subordinate Local Law No. 3

(Miscellaneous Subordinate Local Laws)

2001 s 112

amd hdg Amending Subordinate Local Law No. 5

> (Subordinate Local Law No. 9.11 (Advertisement) 1999) 2001 s 6

**Authorising local law** 

s 2 ins/renum Amending Subordinate Local Law No. 3

(Miscellaneous Subordinate Local Laws)

2001 ss 114, 115

Object

s 3 amd/renum Amending Subordinate Local Law No. 3

(Miscellaneous Subordinate Local Laws)

2001 ss 113, 115

Amending Subordinate Local Law No. 5 amd

> (Subordinate Local Law No. 9.11 (Advertisement) 1999) 2001 s 7(1)

Amending Subordinate Local Law No. 2 amd

(Licensing Subordinate Local Laws) 2005

ss 55, 10 sch

amd Amending Subordinate Local Law No. 4

(Miscellaneous Subordinate Local Laws) 2005 s 182

amd Amending Subordinate Local Law No. 4

(Miscellaneous Subordinate Local Laws) 2005 s 189

amd Amending Subordinate Local Law No. 1

(Miscellaneous Subordinate Local Laws) 2010 s 56

Amending Subordinate Local Law No. 1 amd

(Miscellaneous Subordinate Local Laws) 2011 s 19

#### Definitions—the dictionary

s 4 amd/renum Amending Subordinate Local Law No. 3

(Miscellaneous Subordinate Local Laws)

2001 ss 113, 115

def "defined area" Amending Subordinate ins

> Local Law No. 5 (Subordinate Local Law No. 9.11 (Advertisement) 1999) 2001 s 5(1)

amd def "exempted advertisement" Amending

> Subordinate Local Law No. 5 (Subordinate Local Law No. 9.11 (Advertisement) 1999) 2001 ss 5(2), 5(3), 5(4), 5(5), 5(6), 5(7), 5(8), 5(9), 5(10), 5(11), 5(12), 5(13), 5(14)

def "public place" Amending Subordinate renum

> Local Law No. 5 (Subordinate Local Law No. 9.11 (Advertisement) 1999) 2001 s 7(2)

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