1.

### Advertising devices code[[1]](#footnote-1) [[2]](#footnote-2)

####  Application

This code applies to development identified as requiring assessment against the Advertising devices code by the tables of assessment in **Part 5 (Tables of assessment)**.

#### Purpose and overall outcomes

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 the Bundaberg Region.
2. The purpose of the Advertising devices code will be achieved through the following overall outcomes:-
	1. 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;
	2. an advertising device is designed and integrated into the built form so as to minimise visual clutter;
	3. an advertising device does not adversely impact on the amenity of rural, rural residential or residential areas;
	4. an advertising device does not adversely impact on the visual amenity of a scenic route, high scenic area, heritage or character area or public open space;
	5. an advertising device does not pose a hazard for pedestrians, cyclists or drivers of motor vehicles;
	6. an advertising device accommodates the legitimate need to provide directions and business identification in a manner that is consistent with achieving overall outcomes (a) to (e) above; and
	7. an advertising device located within the Sea turtle sensitive area avoids illumination of the beach, ocean, and sky at night.

#### Specific benchmarks for assessment

Requirements for development accepted subject to requirements and benchmarks for assessable development

| **Performance outcomes** | **Acceptable outcomes** | **Compliance / Representations** |
| --- | --- | --- |
| ***Requirements for all advertising device types*** |  |
| ***General*** |  |
| **PO1**An advertising device:-1. is compatible with the existing and future planned character of the locality in which it is erected;
2. is compatible with the scale, proportion, bulk and other characteristics of buildings, structures, landscaping and other advertising devices on the site;
3. is of a scale, proportion and form that is appropriate to the streetscape or other setting in which it is located;
4. is sited and 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 or unreasonably obstruct lawfully established advertising devices;
5. is sited and designed to:-
	1. not unduly dominate the visual landscape;
	2. maintain views or vistas of public value; and
	3. protect the visual amenity of scenic routes;
6. is designed to achieve high standards of architectural and urban design or least not detract from the architectural or urban design standards of a locality (including any streetscape improvement programs implemented by the Council); and
7. is designed, sited and integrated so as not to contribute to the proliferation of visual clutter.
 | **AO1**Accepted subject to requirements developmentFor accepted subject to requirements development, the advertising device complies with the requirements specified in Column 2 of **Table 9.3.1.4.2 (Specific requirements for types of advertising device)**. Assessable developmentFor assessable development, in partial fulfilment of the performance outcome—the advertising device complies with the requirements specified in Column 2 of **Table 9.3.1.4.2 (Specific requirements for types of advertising device)**.Note—the Council may require a streetscape or landscape analysis to demonstrate compliance with Performance outcome PO1.  | Provide a brief description how your proposal complies with the relevant Acceptable outcome (if applicable) or a detailed analysis how compliance is achieved with the Performance outcome. |
| ***Maximum site based sign face area*** |  |
| **PO2**The maximum sign face area of an advertising device does not unduly detract from a building or location where the device is positioned, including:-1. visually dominating the appearance of a building; or
2. being visually intrusive in the streetscape or natural landscape setting.
 | **AO2.1**The combined sign face area of all advertising devices on a site does not exceed 0.8m² of sign face area per linear metre of street front boundary length. **AO2.2**The area of any building façade visible from a public place (including all windows or wall faces) obscured by advertising devices does not exceed an area equivalent to 30% of the building façade. | Click and provide your representations. |
| ***Movement, illumination and lighting*** |  |
| **PO3**An advertising device does not incorporate elements that move or give the impression of movement. Note—this performance outcome does not apply to a flag associated with a commercial flag sign.  | **AO3**The advertising device does not revolve, contain moving parts or otherwise contain mechanisms that give the impression of movement. | Click and provide your representations. |
| **PO4**An advertising device only incorporates illumination and lighting where it:-1. is appropriate to the setting and is compatible with and will not detract from the amenity of the local area;
2. does not cause nuisance to surrounding or adjoining uses;
3. limits impacts on areas of environmental significance; and
4. will not cause distraction or create a potential safety hazard, including a traffic safety hazard.
 | **AO4.1**The advertising device is only illuminated where it is:-1. located in an urban area;
2. located in the Rural zone adjacent to a major road; or
3. associated with a business that operates at night.

**AO4.2**Where the advertising device is illuminated, it:-1. has a maximum luminance of 350 candelas per m²;
2. does not incorporate flashing lights;
3. complies with *AS4282 Control of the Obtrusive Effects of Outdoor Lighting*; and
4. is switched off between the hours of 11.00pm and 5.00am or at any time the business is not operating between these hours.

**AO4.3**Any electronic display component or digital advertising device:-1. includes static writing and/or images with a minimum dwell time of 8 seconds;
2. does not contain video, animated or scrolling content (including in any message change);
3. does not contain images that emulate a traffic control device such as traffic lights or regulatory or advisory signs;
4. has a maximum surface brightness or luminance of 3000 candelas per m2 during the daytime and 150 candelas per m2 during night-time hours;
5. incorporates a light sensor to adjust illumination levels according to ambient light levels; and
6. defaults to a blank (black) screen in the event of a malfunction.
 | Click and provide your representations. |
| ***Safety of pedestrians and vehicles*** |  |
| **PO5**An advertising device is designed so as not create a traffic or pedestrian safety hazard. | **AO5.1**The advertising device does not physically obstruct the passage of pedestrians or vehicles.**AO5.2**The advertising device does not mimic and is not able to be confused with a traffic control device. **AO5.3**The advertising device does not restrict sight lines at intersections and site access points. | Click and provide your representations. |
| ***Appropriate and safe construction*** |  |
| **PO6**An advertising device is constructed and installed to an appropriate standard to ensure public safety. | **AO6**No support, fixing or other system required for the proper installation of the advertising device is exposed. | Click and provide your representations. |
| ***Electrical systems*** |  |
| **PO7**An advertising device utilising electricity is safe and electrical componentry is integrated into the device | **AO7.1**All conduits, wiring, switches or other electrical apparatus installed on the advertising device are concealed from view.**AO7.2**No electrical equipment is mounted on exposed surfaces of the advertising device. | Click and provide your representations. |
| ***Additional requirements for third party advertising devices*** |  |
| **PO8**An advertising device that is used for third party advertising (a third party advertising device):-1. is located in an appropriately zoned area or in an area that is already used for commercial purposes;
2. is not located within an area which has an intact or mostly intact rural landscape with no or only minimal intrusion of advertising devices;
3. is of a form, size and scale which does not dominate the natural, rural or built environment;
4. is well separated from other third party advertising devices so as not to create visual clutter; and
5. is located and designed so as not to detract from the overall character and amenity of the local area in which it is placed (i.e. streetscape, town entrance, landscape feature, and vista or view corridor).
 | **AO8.1**The third party advertising device is located only:-1. in a centre zone or the Specialised centre zone; or
2. in an industry zone; or
3. in the Rural zone adjacent to a major road, other than where in a third party advertising device exclusion area as identified in **Figures 9.3.1A to 9.3.1C (Third party advertising device exclusion areas)**; or
4. on a site in another zone with an existing lawful commercial use.

**AO8.2**The third party advertising device is not located in a third party advertising device exclusion area as identified on **Figures 9.3.1A to 9.3.1C (Third party advertising device exclusion areas)**.**AO8.3**The third party advertising device is in the form of a freestanding (billboard or pylon) sign or wall sign.**AO8.4**The third party advertising device does not exceed a sign face area of 18m² per side.**AO8.5**The third party advertising device does not exceed a maximum height of 7m above ground level.**AO8.6**The third party advertising device is sited at least 3 metres from any adjoining site**AO8.7**The third party advertising device is separated from another third party advertising device:-1. at least 100m where located in a centre zone, the Specialised centre zone or an industry zone; or
2. at least 300m where located in another zone.
 | Click and provide your representations. |
| ***Advertising devices in commercial neighbourhood character areas*** |  |
| **PO9**Advertising devices in commercial neighbourhood character areas are positioned in a manner that respects the architecture and streetscape presentation of the building, including window and façade treatments. | **AO9.1**Advertising devices:-1. are located below the verandah;
2. are mounted on the verandah fascia; or
3. take the form of window lettering at street level.

**AO9.2**Advertising devices are not roof mounted.**AO9.3**No form of advertising device alters the form of the existing building.**AO9.4**No illuminated or moving advertising devices are located on or above the ground floor awning fascia. | Click and provide your representations. |
| ***Additional requirements for advertising devices in a Sea Turtle Sensitive Area***[[3]](#footnote-3) |  |
| **PO10**Where development within a Sea turtle sensitive area involves advertising devices:-1. illuminated signage is avoided; or
2. where associated with a use on the same site, signage only incorporates illumination and lighting where it:-
	* 1. limits impacts on sea turtle nesting areas; and
		2. avoids direct illumination of the beach, ocean, and sky at night.
 | **AO10**Where associated with an approved use on the same site, any advertising device illuminated at night involves lighting that is:-1. where the development is visible from the coast, directed downward and away from the coast and shielded appropriately;
2. of an intensity and design that casts little or no upward light (above the horizontal) or light spill towards the coast;
3. minimised in intensity (brightness/luminance) to achieve the light’s purpose;
4. of a wavelength less likely to cause nuisance to sea turtles (e.g. amber lighting); and
5. turned off by timer between the hours of 9.00pm and 6.00am, and at any other time at night that the business is not operating.

**OR**In all other circumstances, no acceptable outcome provided. | Click and provide your representations. |

Specific requirements for types of advertising device

| **Column 1****Advertising device type** | **Column 2****Specific requirements** |
| --- | --- |
| Above awning sign | 1. is erected only where it can be demonstrated that there is no opportunity to make use of an alternative sign type;
2. does not project above the roofline of the building to which it is attached;
3. is of size and form that is appropriate to the scale and character of the building on which it is exhibited and the development within the locality; and
4. is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached.

Editor’s note—an above awning sign is unlikely to satisfy the outcomes of the Advertising devices code and this advertising device type is generally discouraged. |
| Awning fascia sign | 1. has a sign face area contained within the outline of the facia; and
2. does not exceed 600mm in height.
 |
| Blind sign | 1. has a sign face area contained within the outline of the blind;
2. is affixed to/painted on a ground storey blind only;
3. if fixed to an awning above a footpath, has a minimum clearance of:-
	1. 2.1m between the footway pavement and any flexible part of the blind; and
	2. 2.4m between the footway pavement and any rigid part of the blind.
 |
| Business name plate/ Home based business sign | 1. is limited to one sign per business entry point (if a business name plate) or 1 sign per premises (if a home based business sign);
2. is attached to a fence or wall; and
3. does not exceed a maximum sign face area of 0.3m² where erected in an urban area of 0.6m² where erected other than in an urban area.
 |
| Canopy sign | 1. has a sign face area contained within the outline of the canopy;
2. is affixed to/painted on a ground storey canopy only;
3. if fixed to an awning above a footpath, has a minimum clearance of:-
4. 2.1m between the footway pavement and any flexible part of the canopy; and
5. 2.4m between the footway pavement and any rigid part of the canopy.
 |
| Commercial flag sign | 1. Is limited to one sign per 20m of road frontage;
2. does not exceed a maximum sign face area of 4m²; and
3. does not exceed a maximum height of 7m above ground level.
 |
| Created awning sign | 1. does not project out from either face of the awning;
2. does not project more than 500mm above the height of the facia;
3. does not exceed a sign face area equivalent to 25% of the area of the fascia; and
4. has a minimum clearance of 2.4m between the lowest part of the sign and the footway surface.
 |
| Fence sign | 1. does not project above or beyond the fence to which it is attached;
2. does not exceed 1.2m in height;
3. if erected on a sporting field fence, is positioned on the inside (sports field) facing side of the fence only; and
4. if erected on another type of fence, does not exceed a maximum sign face area of 2m².
 |
| Flush wall sign | 1. is erected only in a centre zone, the Specialised centre zone or an industry zone;
2. is positioned so as not obscure any window or architectural feature;
3. does not project beyond the edges of the wall or structure to which it is painted/affixed;
4. does not exceed a maximum sign face area of 18m²; and
5. does not cover more than 30% of the total surface area of the wall face.
 |
| Freestanding sign (excluding third party advertising devices) | 1. is limited to one (1) freestanding (pylon or billboard) sign per site, including where a site has multiple occupancies/tenancies, but not including any approved third party advertising device;
2. is mounted as a freestanding structure in a landscaped environment;
3. is sited at least 3 metres from any adjoining site;
4. does not exceed a maximum sign face area of 6m² where erected in a centre zone, the Specialised centre zone or an industry zone or 4m² where erected in another zone;
5. does not exceed a maximum height of 7m above ground level where erected in a centre zone, the Specialised centre zone or an industry zone or 4m above ground level where erected in another zone.
 |
| Ground sign | 1. is mounted as a freestanding structure in a landscaped environment;
2. does not exceed a maximum sign face area of 6m²
3. does not exceed a maximum height of 1.8m above ground level; and
4. does not face an adjoining site unless at least 3m from the boundary of that site.
 |
| Hamper sign | 1. is limited to the area between the door head and the underside of the verandah or awning roof above; and
2. does not project more than 300mm from the face of the wall to which it is painted on/affixed to.
 |
| Projecting sign | 1. is erected only in a centre zone, the Specialised centre zone or an industry zone;
2. does not exceed a maximum sign face area of 2m²;
3. does not extend beyond a height of 10m above the ground, or extend above the wall to which it is attached; and
4. is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached.
 |
| Roof sign | 1. is contained within an existing or created outline of a building;
2. does not extend horizontally beyond the edge of the roof of the building;
3. is of size and form that is appropriate to the scale and character of the building on which it is exhibited and the development within the locality;
4. is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached; and
5. matches, aligns or is otherwise compatible with any other roof signs on the building.

Editor’s note—a roof sign is unlikely to satisfy the outcomes of the Advertising devices code and this advertising device type is generally discouraged. |
| Roof-top sign | 1. is erected only where it can be demonstrated that there is no opportunity to make use of an alternative sign type;
2. is of size and form that is appropriate to the scale and character of the building on which it is exhibited and the development within the locality; and
3. is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached.

Editor’s note—a roof-top sign is unlikely to satisfy the outcomes of the Advertising devices code and this advertising device type is discouraged. |
| Sign-written roof sign | 1. is erected only in a centre zone, the Specialised centre zone, an industry zone or the Rural zone; and
2. displays only the name of the property, business or facility on which it is painted.
 |
| Stallboard sign | 1. is limited to the stallboard area below a street front window;
2. does not project more than 300mm from the face of the wall to which it is painted/affixed; and
3. does not protrude in a manner which could injure pedestrians.
 |
| Structure sign | 1. is erected only in a centre zone, the Specialised centre zone or an industry zone;
2. does not project beyond the surface of the structure; and
3. does not exceed a maximum sign face area of 4m²
 |
| Under awning sign | 1. is oriented at right angles to the building frontage;
2. is not larger than 2.5m long and is not more than 0.5m high;
3. is no longer than the width of the awning or verandah to which it is attached and does not project beyond the outer edge of the awning or verandah;
4. is not located closer than 3m to another under awning sign; and
5. has a minimum clearance of 2.4m between the lowest part of the sign and the footway surface.
 |
| Window sign | 1. is affixed/painted on a ground storey window only; and
2. does not cover/obscure more than 50% of a window or if obscuring more than 50% of a window, provides for every second window to be kept free of advertising.
 |

1. Editor’s note—temporary advertising devices are not regulated by the Advertising devices code but may require an approval or license under a local law. [↑](#footnote-ref-1)
2. Editor’s note—an advertising device which is not visible from a public place or premises other than the premises on which the advertising device is erected is not regulated by the Advertising devices code. [↑](#footnote-ref-2)
3. Editor’s note—Sea turtle sensitive areas are identified on the Coastal Protection Overlay Maps in **Schedule 2 (Mapping)**. [↑](#footnote-ref-3)