

Form 7 – General Advertisement/s

Application for Approval to Exhibit an Advertisement

Cairns City Council Local Law No. 28 (Control of Advertising)
Cairns City Council Local Law Policy No. 6 (Control of Advertising)

Year: 2012/2013

You **MUST** complete ALL questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all applications, you must:

- complete this form
- complete and provide any supporting documents, information and materials identified on this form as being required to accompany your application
- submit the fee applicable

Business details

Trading name	<input style="width: 100%;" type="text"/>
Business name	<input style="width: 100%;" type="text"/>
ABN	<input style="width: 100%;" type="text"/>
Business address	<input style="width: 100%;" type="text"/>
Applicant's name	<input style="width: 100%;" type="text"/>
Postal address	<input style="width: 100%;" type="text"/>
Business phone number	<input style="width: 100%;" type="text"/>
Business fax number	<input style="width: 100%;" type="text"/>
Business e-mail address	<input style="width: 100%;" type="text"/>

Proposed Location of Advertisement/s

Street Address	<input style="width: 100%;" type="text"/>
Locality/Suburb	<input style="width: 100%;" type="text"/>
Lot & Plan No.	<input style="width: 100%;" type="text"/>

Type of Approval	(Please tick)
New Application	<input type="checkbox"/>
Renewal Application	<input type="checkbox"/>

Are you the occupier of the premises in which the advertisement will be exhibited?	(Please tick)
Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

NOTE: If you have answered 'no' to this question you must obtain the consent of the owner and the occupier for the exhibition of the advertisement. The owner and occupier must complete the sections below of this form respectively.

Consent of the owner of the premises

Owner's consent must be signed as follows: -

- If sole land owner, by that person; or
- If joint land owners, by one of the owner; or
- If the land owner is body corporate, by affixing the seal; or
- In any case, by duly authorised agent or representative of the owner, and attaching a copy of the authorisation.

Name of owner (if other than the applicant)

Postal Address

Owners signature

Date

Consent of the occupier of the premises

Where the applicant is not the owner or occupier of the premises, the occupier's consent must also be obtained.

Name of occupier (if other than the applicant or owner)

Postal Address

Owners signature

Date

Description of the Advertisement/s

Please provide a brief description of the proposed advertisement below. NOTE: The description should include details of the contents, design, dimensions and construction of the advertisement. Please attach any drawings, sketches, plans, etc to assist Council in assessing your application. Please state whether the proposed sign will be illuminated either internally or externally. If the advertisement is displayed on a separate structure a site plan showing its location in relation to boundaries should be submitted.

When will the advertisement be exhibited? (e.g. specify if the advertisement will be displayed for a limited period of time).

How will the advertisement be exhibited? (e.g. if it is necessary to secure the advertisement to prevent it from blowing away, specify how it will be secured).

Development Approval under the Sustainable Planning Act 2009 (SPA)

If a development approval is required for the advertisement under the Sustainable Planning Act 2009 (SPA) you must attach evidence that the relevant approval has been granted or an application for the relevant approval has been made. Please contact a member of Council's Planning Section if you are not certain whether a development approval is required.

Application Fees	\$
Initial Application Fee (per application)	\$ 195.00
Advertisement Fee per m ² of all signage for which approval is sought	\$ 17.00 per m ²

If the sign has more than 1 face, the fee will be charged on all faces of the sign.

Note: If the application requires preparation of a report to Council, an additional fee of \$478.00 is required. Examples of when a report is necessary are as follows: -

- (a) 'Advertising subject to approval' that exceeds the size specified in Local Law Policy No. 6 (Control of Advertising).
- (b) 'Prohibited Advertisements' to be considered by Council on their merits.

Term of approval: The term of approval is the period stated on the approval.

Term of renewal of approval: The term of any renewal of an approval is the same term as the original approval subject to compliance with all conditions stated on the approval.

Declaration:

To the Chief Executive Officer, Cairns Regional Council

I / We make application under *Cairns City Council Local Law No. 28 (Control of Advertising)* for approval for the proposed exhibition of the advertisement outlined in this form.

Print Name:

Signature:

Dated:

Cairns Regional Council – Information Privacy Statement

Your personal information has been collected for the purpose of assessing your Application for Approval. The collection of your information is authorised under the *Local Government Act 2009*. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission or the disclosure is required by law.

OFFICE USE

Does the application fit the criterion for granting of approval?	YES		NO	
PAYMENT DETAILS:	Receipt Type 132	Payment Amount \$		Receipt No:

APPLICATION FOR APPROVAL TO EXHIBIT AN ADVERTISEMENT

Section 11 – Application for Approval

- (1) An application for an approval for the proposed exhibition of an advertisement in the area must set out:
 - (a) full details of the advertisement, including its contents, its design, its dimensions and its construction; and
 - (b) full details of when, where and how the advertisement is to be exhibited;
 - (c) any other information required by a local law policy.
- (2) If a development approval is required for the advertisement under the *Sustainable Planning Act 2009 (SPA)*, the application must be accompanied by evidence that the relevant approval has been granted, or an application for the relevant approval has been made.
- (3) If an advertisement is to be exhibited in a place that is not controlled by the advertiser, the application must be accompanied by the written consent of the owner and occupier of the place.

Section 12 - Criteria for Approval

- (1) In deciding whether to grant an approval for an advertiser to exhibit an advertisement, the Council must have regard to:
 - (a) relevant submissions made by interested persons; and
 - (b) the public interest; and
 - (c) relevant Commonwealth, State or Council plans, proposals or agreements affecting the part of the area in which the advertisement is to be situated.
- (2) The Council may only grant an approval for an advertiser to exhibit an advertisement if:
 - (a) the advertisement is structurally sound; and
 - (b) the advertisement causes no significant obstruction of, or distraction to, vehicular or pedestrian traffic; and
 - (c) the exhibition of the advertisement is consistent with applicable environmental protection policies; and
 - (d) the dimensions of the advertisement bear a reasonable relationship to the dimensions of surrounding buildings and lots so that:
 - i) its presence is not unduly dominating or oppressive; and
 - ii) it does not unreasonably obstruct existing views; and
 - (e) the advertisement is consistent, in colour and appearance, with buildings and natural features of the environment in which it is to be situated; and
 - (f) the advertisement is in other respects consistent with the character and values of the environment in which it is to be situated; and
 - (g) the approval is consistent with the local law policies.
- (3) The Council may, by local law policy:
 - (a) prescribe criteria Council must have regard to in deciding whether to grant or refuse an approval for the exhibition of advertisements; or
 - (b) prohibit specified classes of advertisements, or prohibit the exhibition of advertisements in circumstances of a specified class.

Section 13 - Term of Approval

- (1) An approval is granted for a term specified in the approval.
- (2) The Council may, from time to time, on application by the advertiser, renew an approval for a further term.
- (3) The term for which an approval is granted or renewed is to be:
 - (a) fixed as required by a relevant local law policy; or
 - (b) in the absence of a relevant local law policy - decided by the Council when it grants the approval or the renewal.

14. Conditions of Approval

- (1) An approval may be granted on conditions the Council considers appropriate.
- (2) The conditions may, for example:
 - (a) regulate the materials out of which the advertisement is to be constructed; or
 - (b) regulate the dimensions of the advertisement; or
 - (c) require the periodic painting or external treatment of the advertisement; or
 - (d) require the securing of the advertisement in a specified way; or
 - (e) regulate the positioning of the advertisement in relation to the boundaries of land, or a building or structure, on which it is situated or a road or other public place; or
 - (f) regulate how the advertisement is to be illuminated and the intensity of illumination.
- (3) However, the conditions of the approval must be consistent with the conditions of any statutory authorisation or approval for the establishment of the advertisement.
- (4) The Council may, by local law policy, prescribe conditions that may be imposed on an approval.

15. Compliance with Conditions of Approval

The advertiser must ensure that the conditions of approval are complied with.

Maximum penalty – 50 penalty units.

GUIDE TO SITE PLAN

A site plan to a scale of approximately 1:100 should be attached which extends:

- (a) from the kerb's edge, the full width of the footpath, to the frontage of the building; and
- (b) from within 2 metres of one adjoining premises, the full length of the property frontage, to within 2 metres beyond the other adjoining premises, and shows:
 - the boundaries of the site, the outline of buildings, and the use of adjoining buildings;
 - the area (including dimensions) intended to be used for displaying goods (shown in red) and the location of all proposed outdoor dining facilities; and
 - any trees, fire hydrants, transformers, telephone booths, mail boxes, bus seats and shelters, traffic signal boxes, fixed rubbish bins, pillars and posts (supporting signs or other objects) and other obstructions.