

**Policy Document**

**ADVERTISING SIGNAGE POLICY**

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| Policy No:<br><b>DCSB-I-14.06</b>   | Version No:<br><b>1.2</b>            | Administered by:<br><b>Manager, Regulatory Services</b>        |
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| Classification:<br><b>Infrastructure</b>  |                                      |  |
| Strategic Plan link:<br><b>Strategy 1.1.7</b> Ensure compliance of relevant Council policies and procedures with legislative requirements.                                  |                                      |  |
| References and related Policies & Procedures:<br><b>Local Government Act 1999</b><br><b>Road Traffic Act 1961</b><br><b>Australian Road Rules</b><br><b>Council By-Laws</b> |                                      |  |

## 1. INTRODUCTION

The District Council of Streaky Bay acknowledges the need to regulate signs on its road reserves, footpaths and public spaces to maintain the effectiveness of priority traffic control signs and directional signs and to ensure the amenity of the townships and rural areas is appropriate. A proliferation of signs and advertising can reduce the overall effectiveness of the sign.

This policy has been developed to ensure that the installation of signs is undertaken in a regulated and uniform manner, consistent with the requirements of other relevant authorities including the Department of Transport, Energy and Infrastructure.

## 2. POLICY OBJECTIVES

- To enable the temporary promotion of community events and the reasonable display of sponsorship identification and promotional signs.
- To ensure that advertising signs, displays do not cause a loss of service or have any damaging impact upon the natural or built environment.
- To ensure all advertising signs comply with this policy.
- To ensure moveable advertising signs are structurally sound, clean and not hazardous or offensive to pedestrians or motorists
- To provide an environment in which efficient placement of signs enhances a street, road reserve or precinct by increasing the overall impact and effectiveness of individual signs.

## 3. DEFINITIONS

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Version 1.2

**‘Advertisement Display’** any bill, advertisement, sign banner, feathers or flag that advertise an event, business or product.

**‘Applicant’** The person/organisation who applies for an advertisement display.

**‘Commercial Signs’** - Commercial advertising signs promote a commercial activity, service or product rather than give directions to it. A Development Application is required to be lodged with District Council of Streaky Bay and approved prior to the installation of all commercial and advertising signs.

**‘Council’** The District Council of Streaky Bay

**‘Fingerboard Signs’** - are small and rectangular in shape with the long axis horizontal (similar in characteristic to a street name sign), secured to a post and positioned directly below a street name sign. Its purpose is to advise road users of the direction to facilities located on side streets.

**‘Local Government Land’** Land which is under the care and control of Council, including public footpaths and road reserves.

**‘Road’** has the same meaning as in the Local Government Act 1999, and extends from property boundary to property boundary including the carriageway, footpaths and verges.

**‘Temporary Signs’** - Temporary advertising signs are defined as those signs that are installed for a limited time to announce a local event of a religious, cultural, political or recreational character for a fixed time period.

## 4. POLICY OBJECTIVE

### 4.1 Temporary Signs

The District Council of Streaky Bay support the placement of Temporary Signs which announce a local event in the nature of:

- religious,
- educational,
- cultural,
- social; or
- recreational

Temporary Signs that are to be placed on Local Government Land or a road will require authorisation prior to their display.

Only Temporary Sign applications which meet all the below criteria will be approved:

- A. The advertisement is for an event/s on a set date or several days and the event:
  - benefits the local community as a whole;
  - is non-commercial.
- B. Signs must be flat and not exceed 1.5 metres in height, or have a base with any side exceeding 2 metres in length.
- C. Signs must be well constructed and maintained in good condition so as not to present a hazard to any member of the public.

- D. Signs must be of strong construction so as to be stable when in position and be able to keep its position in adverse weather conditions with no sharp or jagged edges or corners.
- E. Signs may not display any potentially offensive material and may not be seen to be politically or religiously biased. Announcements of events are acceptable, however imparting of political or religious beliefs through slogans or proclamations will not be acceptable.
- F. Signs must not obstruct or obscure motorists or pedestrians, have moveable parts or be illuminated in any way.
- G. The sign is not to be displayed for more than three (3) weeks before the date of the event and must be removed within three (3) working days after the event.
- H. Signs are not to be displayed on trees, power poles, light poles, fixtures or Council buildings.
- I. The applicant or organisation applying for the temporary sign shall properly maintain the sign in a clean condition and present it in a professional and quality finish.

#### 4.2 Commercial Signs

Commercial Signs are not supported on road reserves or Local Government Land apart from movable signs that conform with Council's By-Laws and temporary community signs.

Restraint in providing an Advertisement Display needs to be practiced to prevent the proliferation of signage which causes a reduction in the intended function and detracts from the natural beauty and amenity of the area.

Should a person propose to erect an Advertisement Display on a road reserve or Council land, consent is unlikely to be granted unless circumstances are exceptional.

#### 4.3 Precinct Advertisement Displays

Precinct Advertisement Displays listing individual businesses as “cluster” signs may be installed at the entrance to a recognised estate where there is an incorporated association or body that represents that estate and this body takes the responsibility for the sign.

### 5. **CANCELLATION**

Council maintains the right to remove any Advertisement Display that:

- Contains offensive or inappropriate wording
- The design or construction is deemed not suitable
- unreasonably restricts the use of the road or endangers the safety of members of the Public
- is damaged or vandalised

### 6. **ADVERTISEMENT DISPLAY NOT COVERED BY THIS POLICY**

This Policy is not to be applied to the following:

- Moveable signs which meet the requirements of By-Law 2
- A sign placed to protect public safety; or
- A sign to protect or enhance the amenity of a particular locality.
- A sign is placed there pursuant to an authorisation under another Act; or
- A sign is designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
- A sign is related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- A sign is related to an election held under this Act or the Local Government (Elections) Act 1999 and is displayed during the period commencing 4 weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- A sign is of a prescribed class
- Fingerboard Signs
- Signs erected by The District Council of Streaky Bay.

### 7. **APPROVAL**

7.1 Applications will be assessed by the Manager, Regulatory Services in accordance with this policy and the Department of Planning, transport and Infrastructure’s Advertising Signs Assessment Guidelines for Road Safety.

7.2 Applications for Advertisement Displays must be made in writing to Council and must include design, structural design details, sizes and location plan.

7.3 Advertisement Displays installed must comply with Council’s conditions for undertaking works on a road reserve.

## 8. INSURANCE/INDEMNITY

### 8.1 Public Liability Insurance

Licensees are required to hold suitable public liability insurance with the Council noted as a specified person for the purposes of Section 48(1) of the Insurance Contracts Act 1984.

Licensees are required for the term of the approval, to take out and keep current a public liability policy of insurance to an appropriate level of cover per claim in respect of any negligent act or omission of the Applicant in relation to any alteration to the road or Local Government Land. The minimum policy cover is \$10,000,000.

### 8.2 Applicant's Indemnity

Applicants are required to indemnify the Council, its servants and/or agents against all actions, costs, claims and demands for injury, loss or damage arising out of any negligent act or omission of the Applicant in relation to the alteration to the road reserve, Local Government Land and such indemnity shall be in addition to any statutory immunity in favour of the Council.

### 8.3 Continued Indemnity

For the purposes of indemnification and insurance is considered as continuing and valid while any structure remains on the road reserve or Local Government Land (whether authorised by an approval or not).

## 9. FEES

The fees are reviewed annually and set out in the current Fees and Charges Schedule.

No fees apply to Temporary Signs.

Maintenance and replacement – responsibility of the applicant.

## 10. PENALTIES/OFFENCE

The erection, display, placement or posting of any Advertisement Displays on a Council Road or Local Government Land without approval is an offence under clause 9.1 of By-Law 4 (Local Government Land) and/or Clause 7.6 of the By-Law 3 (Council Road Reserve), unless an exemption under this Policy applies.

The expiation fee set by the Council for a by-law is set out in Council's fees and charges which is reviewed annually.

Council officers appointed as authorised persons under the Local Government Act 1999 are authorised to issue expiations notices for a breach of the By-Law.

Council has the right to remove all unauthorised signage from road reserves under Section 221 and Section 262 of the Local Government Act 1999.

## **11. EXISTING ADVERTISEMENT DISPLAYS**

11.1 Existing Advertisement Displays may be allowed to remain at Council's discretion. Council maintains the right to assess and remove any Advertisement Displays if any of the following occurs:

- it is in a poor state of repair
- the associated commercial activity no longer operates as an eligible community facility
- the facility ceases to operate
- there is a demonstrated need for aggregating signs in a particular location
- the road authority need to resume the land
- the sign contains offensive or inappropriate wording
- the design or construction is deemed not suitable
- the sign unreasonably restricts the use of the road
- the sign unreasonably endangers the safety of members of the public
- annual permit fees are not paid
- Certificate of Currency for public liability insurance of \$10 million is not provided to Council.

11.2 Replacement of any existing sign will be subject to this policy and will require an application as applicable.

11.3 Replacement signs will only be approved for a maximum of 3 years or until tourist signs (including tourist bays, tourist signs and brown/blue direction signs) have been installed, whichever occurs first.

11.4 Authorisations for signage are not transferable.

11.5 Existing approval may be revoked at Council's discretion at any time either partially or fully.

## **12. RECORDS MANAGEMENT**

All records shall be kept and disposed of in accordance with councils Records Management Policy & Procedure and the Local Government General Disposal Schedule 20 Version 5.

## **13. AVAILABILITY OF POLICY**

This policy will be available on Council's website and for inspection at the Council's principal office during ordinary business hours at no charge. Copies of this policy may be obtained upon request at a cost to be determined by Council from time to time.