

<b>Policy Number:</b>	<b>8.9</b>
<b>Policy Name:</b>	<b>Land Development Promotional and Directional Signs on Council Property</b>
<b>Classification:</b>	<b>Public – Council Policy</b>
<b>Adopted:</b>	<b>26 April 2016</b>
<b>Frequency of Review:</b>	<b>Biennial</b>
<b>Last Review:</b>	<b>April 2016</b>
<b>Next Review Due:</b>	<b>April 2018</b>
<b>Responsible Officer(s):</b>	<b>Team Leader Strategy and Policy Senior Planner</b>
<b>Policy and Code of Practice Manual File Ref:</b>	<b>CC13/241</b>
<b>Council File Reference:</b>	<b>CR15/46216</b>
<b>Legislation Authority:</b>	<b>Local Government Act 1999</b>
<b>Related Policies and Codes:</b>	<b>Third Party Advertising on Council Reserves Policy Town of Gawler By-Law No. 3 of 2012 – Roads By-Law 2012 Town of Gawler By-Law No. 4 of 2012 – Local Government Land By-Law 2012 Gawler (CT) Development Plan</b>
<b>Related Procedures:</b>	

## 1. BACKGROUND

- 1.1 The Town of Gawler has increasingly been subjected to pressure to enable the developers of land to place promotional and directional signage on Council land.
- 1.2 The Council notes that some such signage is valuable in that it assists with way finding, however, the Council wishes for this to be managed in an orderly fashion to ensure that such signage does not clutter the road way (or other public space) and thereby lead to a loss of amenity, provide a hazard or in some other way impact the function or enjoyment of the land by the community at large.

## **2. PURPOSE**

The intent of this policy is to:

- 2.1 Manage promotional/directional signage associated with development estates which are located upon Council land.
- 2.2 Facilitate the use of appropriate signs to assist way finding to new developments and land releases.
- 2.3 Specify the circumstances and conditions under which Council land may be used for such advertising to ensure that the use of the space is equitable and that public safety and amenity is not compromised.
- 2.4 Maximise the benefits and returns (including financial) to the community from the use of Council land for advertising land releases.
- 2.5 Acknowledge that such signs erected on either public land or private property will be assessed against the Development Plan.

## **3. SCOPE**

- 3.1 This policy specifically deals with the use of any Council owned, controlled or managed land for the purposes of advertising new land developments.
- 3.2 This Policy is not intended to deal with promotional/directional signage located on private property or upon public land directly adjacent to development estates.
- 3.3 This policy does not apply to any other forms of signs on Council land that are variously subject to the Development Act, 1993 and/ or Council By-Laws and this policy should be read in conjunction with these other documents and the Local Government Act, 1999.
- 3.4 Approval subject to this policy does not obviate the need for the applicant to obtain any other approvals required including, but not limited to, approval from the Department of Planning, Transport and Infrastructure and/or pursuant to the Development Act 1993.

## **4. DEFINITIONS**

- 4.1 **Advertising** means a display for the purposes of the promotion of or providing directions to a land development area.
- 4.2 **Applicant** means the person or organisation seeking approval for the sign. Once approval is granted the applicant becomes the **authorised person**.
- 4.3 **Council Land** means all roads as per the Local Government Act 1999 (except for roads in private ownership), footpaths, road reserves, and Community Land as per the Local Government Act 1999.
- 4.4 **Intersection** means the junction of two or more roads and may or may not include traffic interventions such as round-a-bouts but not traffic lights.

- 4.5 **Land Development Area** means the construction of a substantial number (25 or more) of dwellings or allotments in a property development project.
- 4.6 **Signalised Intersection** means an intersection controlled by traffic lights or a pedestrian activated crossing.

## **5. STATEMENT OF POLICY**

- 5.1 Council recognises that the major part of Council Land must be preserved for public use rather than for advertising. However, some advertising on Council Land will be allowed subject to ensuring that:
- The primary function of the sign is to assist with wayfinding.
  - It is in accord with any management plans that might apply to community land.
  - The design is approved by the Council to be consistent with and sympathetic to the desired character of the locality or, any design guidelines pertaining to signs that the Council may publish from time to time.
  - It avoids unnecessary clutter and visual pollution.
  - It maintains public safety.
  - It does not impede access or sightlines of pedestrian or drivers of vehicles.
  - Proliferation does not occur so as to obscure Council and/or traffic signs.
  - The signs (particularly in terms of its size and location) are compatible with the function of any neighbouring road i.e. larger signs along larger (arterial) roads reducing as the size of the road reduces.
  - All signs accord with this policy.
  - All signs on roads accord with the appropriate Austroad Guidelines.
  - All signs are utilised relative to the sale of land period and are then to be removed by the signage owner.
- 5.2 Signs will be:
- Freestanding and securely fixed to the ground.
  - Located to meet clear zones and sight lines pursuant to Austroads Guidelines.
  - Constructed where required to the requirements of the Building Code of Australia.
  - Maintained to be free from graffiti and other damage, with images refreshed as needed such that the sign does not have a faded appearance.
  - Of solid construction from metal, wood or plastic as approved by the Council.
- 5.3 Advertising message content will be limited to details of the land development area and directional details, and will not contain any other advertising message, or third party advertisement.
- 5.4 Developers will be encouraged where possible to co-locate signs on one structure where possible if the sign is to be located along a primary or secondary arterial road. Directional details to the development site needs to be the primary purpose of the sign.

- 5.5 Council will not allow:
- Signs to be attached or affixed to street trees, street signs, Council poles, street furniture or fixtures.
  - The use of community land for advertising signs if that would be contrary to the relevant Community Land Management Plan.
  - Advertising on bus shelters (unless authorised advertising for that shelter).
  - Advertising to be located on roundabouts, traffic islands, or median strips or within 10 metres of an intersection.
  - Advertising on buildings or structures on a road (e.g. road signs, electrical infrastructure).
  - Illuminated, or moving signs.
  - Balloons, blimps or other floating or inflatable advertising devices.
- 5.6 All signs on Council land will require the approval of Council. Applications must be submitted on the prescribed application form and accompanied by the relevant application fee (\$255 GST inc) as will be published as part of the Council's schedule of fees and charges. Applications will be determined by the Council on the basis of an assessment of the merits when tested against this policy.
- 5.7 Signs on roads will be approved via a permit pursuant to Section 222 of the Local Government Act 1999 for a period of two years. Within three months of the expiration of the permit an application can be made to extend the approval for a further term of one year, at a cost of 50% of the original fee
- 5.8 Signs on community land will be approved via a licence pursuant to Section 202 of the Local Government Act 1999 for a period of two years. Within three months of the expiration of the licence an application can be made to extend the approval for a further term of one year, at a cost of 50% of the original fee
- 5.9 A permit will not be issued before a certificate of currency showing the required level of public liability insurance is provided to the town of Gawler with the insurer's endorsement, and the required flat rate permit fee, per sign (\$2750 GST inc) is paid. Permit fees will be published as part of the Council's schedule of fees and charges.
- 5.10 Applicants will be required to hold and maintain public liability insurances to the value of \$10,000,000 for the duration of the approval.
- 5.11 Upon expiration of the approval/permit/licence the sign must be removed within 14 days and the site reinstated to the satisfaction of Council.
- 5.12 Permits/licences/approvals are not transferrable without the written consent of the Council.
- 5.13 Council must be notified within 14 days of any changes to circumstances that would affect the validity of the permit (e.g. change of ownership of the company).

- 5.14 Applicants will be required to indemnify and keep indemnified the Council, its employees, servants and agents from and against all actions, costs, claims, damages, charges and expenses whatsoever that may be brought or claimed against them arising out of, or in relation to the issuing and granting of the permit/licence or approval.
- 5.15 Compliance with permit conditions will be monitored and enforced. Repeated noncompliance will result in the termination of the permit without refund.

## **6. SPECIFICATION**

- 6.1 Installation and maintenance of signs will be the responsibility of the Authorised Person (applicant).
- 6.2 Individual advertising signs will be permitted on distributor, collector and local roads. These signs will have two faces. Signs will be a maximum total height of 2.2m and a maximum width of 1.1m. The sign face will have a maximum area of 2.4m.
- 6.3 Individual signs can be located on both sides of the road and will be a minimum of 100m apart.
- 6.4 Each development will have a maximum of three signs.

## **7. REVIEW AND EVALUATION**

The effectiveness of this Policy will be reviewed on a biennial basis.

The Chief Executive Officer will report to Council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Policy.

The Policy will not be altered or substituted so as to affect a process already commenced.

The Policy will be reviewed after each general election of Council.

## **8. FURTHER INFORMATION**

Further information about this Policy can be obtained by:-

Telephone:	8522 9211
Fax:	8522 9212
Email:	<a href="mailto:council@gawler.sa.gov.au">council@gawler.sa.gov.au</a>
Appointment:	Town Hall, 89 – 91 Murray Street, Gawler
Letter:	PO Box 130, Gawler SA 5118

**9. AVAILABILITY OF POLICY**

The Policy is available for inspection during ordinary business hours at the Council principal office, Gawler Town Hall or Library Council Offices, 89 – 91 Murray Street, Gawler or is available on the Council website at [www.gawler.sa.gov.au](http://www.gawler.sa.gov.au).

A copy of this Policy will be provided to interested parties upon request, for a fee as contained in the Register of Fees and Charges.