

9 TEMPORARY COMMUNITY ADVERTISING SIGNAGE POLICY REVIEW

FILE REFERENCE INT1987122

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Debbie Tyson

Council at its meeting on 18 November 2019 resolved that the matter be deferred to the meeting to be held on 09 December 2019.

RECOMMENDATION

That Council adopts the Temporary Community Advertising Signage Policy V 1.01 (attached to the report) and implement the revised fee structure, being:

- First three signs no charge
- \$20 application fee for every three subsequent signs

Attachments

1 Temporary Community Advertising Signage Policy V1.01 12 Pages

EXECUTIVE SUMMARY

The regulation of advertising signs is an important function of Council; it ensures the orderly display of advertising signs in Council's road reserves, can reduce visual clutter that could otherwise detract from the natural environment of Cardinia Shire and reduce risk to road users. These controls need to be balanced with the needs of community groups and organisations to successfully advertise events in their community.

BACKGROUND

In 2016 Council's Senior Traffic Engineer, Planning Enforcement Officer and Community Development Officer undertook a review of four townships in the Ranges Ward area to establish appropriate sites to locate signage.

The result was the implementation of a Temporary Signage Policy which provided direction for the Ranges ward. A commitment was undertaken to review Central Ward and other townships in the Shire over the following year and once safe sites were identified, these sites will also form part of the policy.

A review of the policy has been undertaken, as well as incorporating locations in the Central Ward and a section of the Port Ward.

POLICY IMPLICATIONS

This policy does not impact any other Council policies. The policy allows for consistent, transparent and fair process for community groups to place signs around our municipality. The sites named in

the policy have been assessed by Councils Traffic Engineer and Compliance teams to ensure that they are safe for motorists, pedestrians and our community.

RELEVANCE TO COUNCIL PLAN

This policy is in alignment with the Council Plan, in that it will encourage community participation, supporting community groups in their activities as well as protecting the built and natural environment.

CONSULTATION/COMMUNICATION

Community consultation was undertaken for a period of four weeks, ten (10) submission were received. The table below summarises these submissions and offers a response to the comments.

<u>Community Group/Submitter</u>	<u>Comments</u>	<u>Response</u>
Pakenham Show	Concern of cost to community groups - \$20 per sign.	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.
	Whole of Shire not included in the Policy	This policy has been implemented in stages, with the Ranges area as stage one, and this review, incorporating the Central Corridor. A further review will be undertaken to identify locations in our smaller townships
	Number of signage allowed (8) for big events is not considered enough to promote events	Nine safe sites in the Central Ward have been identified. The number of permitted sites can be increased from 8 to 9
	Real Estate For Sale signs and Open for Inspection signs not included in the policy	This policy relates to Temporary Advertising Signage on Councils Road Reserves. Real Estate signage does not form part of this policy.
	Document needs to be clearer in wording	Noted
	How do the stickers on rear of signs help in managing the process	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time.
	Enforcement of policy - Is Council intending to fine community groups	Councils Compliance and Enforcement Policy stipulates that Officers educate our community where possible before issuing infringements. If infringements were issued, this would most likely be to the Real Estate Agent.
Ray White Pakenham	Temporary Real Estate	Council recognises a community need to

	Community Boards should be banned in Shire	advertise events throughout the municipality
Pakenham Art Show	Road Reserve to be clarified in policy	The policy will be amended to provide a definition of Council Road Reserve
	Concern on the cost to community groups at \$20 per sign.	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.
	Number of signage allowed (8) for big events is not considered enough to advertise events	Nine safe sites in the Central Corridor have been identified. The number of permitted sites can be increased from 8 to 9
	Sticker system appears problematic and outdated	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time.
	More locations need to be provided in policy	Nine safe sites in the Central Corridor have been identified. The number of permitted sites can be increased from 8 to 9. There are also sites available in the Ranges area
	Concern that the policy does not mention signage allowed at the location that an event is being held	The policy relates to road reserve signage only. Signage at events are administrated by Passive Reserves Team
	Should be the inclusion of wording to reflect unusual circumstances, events outside of Cardinia	The policy is in place to offer the best outcome for the community of Cardinia, provide consistency and transparency and to enable community events run in the Shire to be appropriately advertised. Events outside of Cardinia Shire are not covered in this policy
	Koo Wee Rup should not be included in Central Corridor list	This will be changed in the policy, Koo Wee Rup will be identified as the Port Ward area.
Gulsen Ozer	Sticker system seems problematic and outdated	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time
	Concern on charging fees to community groups	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.

	Greater contextual analysis and understanding of policy	Noted
First National Ranges	Should not disallow other events to be advertised in our Shire	The policy is in place to offer the best outcome for the community of Cardinia and to ensure community events run in the Shire are appropriately advertised. Events outside of Cardinia Shire are not covered in this policy
Garry Oates	Council to provide solid posts for groups to use/place signs on	For Council to provide infrastructure is problematic, it would need to be maintained and safety measures put in place.
Cardinia Art Society	Concern of the cost to community groups at \$20 per sign.	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.
	Number of signage allowed (8) for big events is not considered enough to advertise events	Nine safe sites in the Central Corridor have been identified. The number of permitted sites can be increased from 8 to 9
	Sticker system seems problematic and outdated	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time
	Policy does not include Council venues where events are being held	The policy relates to road reserve signage only. Signage at events are administrated by Passive Reserves Team
	Other townships not included in policy	This policy has been implemented in stages, with the Ranges Ward area as stage one, and this review incorporating the Central Ward. A further review will be undertaken to identify locations in our smaller townships. Any applications in smaller townships will be assessed upon receipt of an application
	Koo Wee Rup should not be included in Central Corridor	This will be changed in the policy, Koo Wee Rup will be identified as the Port Ward.
Non Blair	Real Estate branding should be less than 15% - recommended 10%	The 15% coverage has been identified due to the existing arrangement with Real Estate Agents and Community groups. The existing sponsorship arrangements have been considered, which sits at 15%
	Need to increase number of locations in Emerald	The locations in Emerald have been identified as safe for motorists and pedestrians. However Council will review other sites, the policy can be amended to include more sites if they meet safety criteria
	Do not believe there should be limit on number of signs in the	Consideration of proliferation of signage and community expectation has limited the

	areas	number of signs in Emerald, however further sites will be reviewed in the future
	Clarity that the signs are only related to the Real Estate Signage only or for all temporary signage	This policy relates to all Temporary Signage in Council Road Reserves. A large majority of these signs are Real Estate sponsored signs.
	Policy needs to include how long a sign can remain on the site	The policy stipulates that signs can be erected for up to 4 weeks before an event - the policy will be amended to include a removal date of three days after an event
	Clarify who should apply and pay, community group or real estate agents	Council cannot direct who applies and pays for an application
	Include an aesthetic requirement for signs in the policy	The policy states that signage must be professional and quality finished.
	No commercial signage should be allowed	Commercial signage is managed and enforced under the Local Law or Planning and Environment Act
	Signage produced independently by community groups should be exempt from policy	This policy relates to all Temporary Signage in Council Road Reserves
	Concern policy will effect PAVE, Gemco, markets and community events.	PAVE, Gemco and community events are subject to this policy. Markets are not subject to this policy.
Fiona Bridson	Real Estate Agents branding should be less on signs	The 15% coverage has been identified due to the existing arrangement with Real Estate Agents and Community groups. The existing sponsorship arrangements have been considered, which sits at 15%
	Sites in Emerald should include Edenmont Road and Belgrave Gembrook Road, and the corner of Church Street and Belgrave Gembrook Road, Pepis land	Council will review these sites, and if they are deemed as safe sites, the policy will be amended to include them
George Blenkhorn	In the compliance section it states 'that no event outside Cardinia Shire Council can be advertised under this policy'. The word 'Council' should be deleted	Noted, policy changed

From this community consultation, the following changes to the policy will be implemented:

- Council will accept application for one sign per location, per one event (subject to approval and availability of locations). This will result an applicant being able to apply for up to 18 locations throughout the municipality.
- The reduction of fees to
 - First three signs no application fee
 - \$20 application fee for ever three subsequent signs
- The definition of Council Road Reserve to be included in the policy
- Location of sites to be changed to
 - Growth Corridor
 - Hills Region

- Southern Rural Region
- Removal of signage date, (three days to be removed after an event) will be included in policy
- The word 'Council' to be deleted from "Cardinia Shire Council can be advertised under this policy'

The community consultation did raise the concern of community groups being charged \$20 per sign. This fee has been implemented to assist Council in administering the process. The amount assists in the cost of identification material, the administration of the application and the proactive enforcement of signage.

However, after the consultation, an opportunity has been identified to lessen the impact on community groups, whilst still assisting Council to cover a small amount of the costs. The fee structure will allow the first three signs to be at no charge, with the fee of \$20 to be implemented for every three signs further applied for.

- 3 Signs - free
- Up to 6 signs - \$20
- Up to 9 signs - \$40
- Up to 12 signs - \$60
- Up to 15 signs - \$80
- Up to 18 signs - \$100

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

A commitment was undertaken to review the Temporary Community Advertising Signage Policy within a year of its adoption in 2018. This commitment also included reviewing sites in the Central Ward area. This review has been undertaken with community consultation highlighting five (5) key changes to the policy, these have been implemented.

It is recommended that Council:

1. Resolve to adopt the Policy
2. Resolve to adopt the fee structure of no fee for the first 3 signs, and \$20 for every subsequent sign



Temporary Community Advertising Signage Policy

HPRM number					
Policy owner	Compliance Services Team				
Adopted by	Council				
Adoption date	19/02/2018	Scheduled review date:	19/02/2019	Last Review Conducted:	16/5/2019
Publication	CardiNet and website				
Revision/version number	Version 1.1				

1 Policy alignment

This policy is in alignment with the Council Plan, in that it will encourage community participation, supporting community groups in their activities as well as protecting the built and natural environment.

2 Purpose

The regulation of Temporary Community Advertising Signs is an important function of Council. This policy contributes to the orderly display of Temporary Community Advertising Signs on road reserves. Control of advertising signs is necessary to reduce visual clutter that could otherwise detract from the natural environment of Cardinia Shire and potentially reduce the effectiveness of essential traffic and road safety signs.

3 Scope

The Temporary Community Signage Policy refers to advertising within the road reserve only and does not relate to advertising on private property which is dealt with separately.

Council Road Reserve is defined as land invested in Council for the purpose of a road and includes the reserve on the side of the road.

The type of advertising signs covered by this policy are **Temporary Community Advertising Signs** which are often sponsored by a private company (Real Estate Agents and signage companies). No other form of advertising will be permitted within the road reserve unless approved by other means.

4 Policy description

The objectives of this policy is to control the type, size and position of advertising that may be displayed within road reserves and to meet Council's statutory requirements under the Local Government Act, the Roads Act and other relevant legislation in relation to the use of road reserves. This policy also provides direction in relation to enforcement.

4.1 Responsibilities

Cardinia Shire Compliance Team will be responsible for administering the requirements of this policy with the assistance of Councils Traffic Management Team and Parks & Gardens Department. Council has nominated a number of sites, on land owned or managed by Council, where temporary community advertising signage can be placed. Sites have been selected where the sign will have good exposure but will not unduly affect the amenity or road safety in the area. These sites are identified in Appendix 1.

5 Compliance

Permission to erect a sign must be obtained from Councils Compliance Services department, by the way of:

- Submitting the relevant application form, (including a fee, if set by Council) obtained from Council's website,
- Applications must be received no later than two (2) weeks prior to the date on which the applicant wishes to begin advertising,
- Provide details of the proposed sign, including written details of the information to be advertised,
- Provide a signed Council indemnity form and evidence of Public Liability Insurance. The insured sum must be an amount of no less than \$20 million. Failure to comply will result in cancellation of the application.

Council will accept applications for (one) 1 sign per location per event. This is subject to approval and availability of locations.

An extension of time to display Temporary Community Advertising Signage may be granted once a new application is submitted with the applicable fee and assessed by an Authorised Officer.

Temporary Community Advertising Signage will not be approved if it promotes a private business, is for an event outside of Cardinia Shire or is deemed by an Authorised Officer to not fit within this policy.

Conditions of signage display:

- Cardinia Shire Council will allow one (1) sign per allocated site per application,
- Signs may be displayed for up to four weeks upon approval and must be removed by the expiry date specified on the permit,
- Signage must be removed within 3 days after the event unless otherwise agreed upon by Council,
- The applicant/responsible person(s) or organisation shall properly maintain the sign in a clean condition and the sign presented must be of a professional and quality finish,
- The sign must not obstruct or obscure the sight distance to motor vehicles or pedestrians,
- Signs must not be animated or illuminated in any way,

- The proposed signage display area must not exceed 3 square metres with no part of the sign higher than 2 metres above ground level. No more than 15% of the sign may be dedicated to the sponsor's information in total,
- Signs are to be freestanding and cannot be attached to trees, power poles, light poles, fixtures, Council buildings or any other structures within the approved location unless stated otherwise,
- Signs are to be located only in approved locations as specified on the permit,
- The sticker provided must be affixed to the back of the board. This sticker will outline the permitted dates for which the sign may be displayed.

5.1 Recourse for non-compliance

Signs without the appropriate authorisation, displayed outside the authorised period or erected in the wrong location risk being removed by Council in accordance with the applicable Local Law and a fine issued. Under the Local Law, the entities that are advertised and the company that sponsors and installs the sign are liable for fines and charges.

In accordance with the applicable Local Law, Council or an Authorised Officer may cancel or amend a permit or require a sign to be relocated in accordance with the requirements of the policy.

Cardinia Shire Council is obliged to manage the installation and control of directional signage under its obligations as a coordinating road authority pursuant to Section 66 of the *Road Management Act 2004* (the 'Act'). VicRoads is the relevant coordinating authority for all freeways and declared arterial roads and local government is the relevant coordinating authority for municipal roads.

To ensure consistency between VicRoads managed road reserves and Council owned road reserves, Cardinia Shire Councils Compliance Services department will enforce signage on both forms of reserves and public land.

6 Related documents

Type of document	Title and/or HPRM reference
Commonwealth/Victorian legislation	N/A
Strategic directions paper	N/A
Policies	Compliance and Enforcement Policy V2
Strategies	N/A
Guidelines	N/A
Procedures	N/A

7 Glossary of terms

Appendix 1 – Growth Corridor

PAKENHAM

1. Pakenham Park, McGregor Rd, Pakenham (opposite Main Street)
(3 Signs)



2. IYU Recreation Reserve, Henry Rd Pakenham (On IYU land behind property boundary)
(3 Signs)



3. Corner Lakeside Blvd and Princess Hwy, Pakenham
(4 Signs)



4. Corner Henry Rd & Cardinia Rd Pakenham Next to Lakeside Sign – On reserve land behind property boundary
(2 Signs)



- 5. Corner Shearwater Dr & Cardinia Rd Pakenham – On reserve land behind property boundary (1 Sign)



- 6. Corner Superior Waters and Windermere Blvd – On reserve land behind property boundary (1 Sign)



BEACONSFIELD

- 7. O'Neil Recreation Reserve, O'Neil Rd – On reserve land behind property boundary (2 Signs)



- 8. Bob Burgess Reserve– On reserve land behind property boundary (1 Sign)



OFFICER

- 9. Heatherbrae Recreation Reserve – On reserve land behind footpath (within property boundary (2 Signs)



Southern Rural Region

KOOWEERUP

- 10. Cochrane Park – On reserve land behind property boundary (2 Signs)



Hills Region

GEMBROOK

- 11. Gembrook Skate Park - On reserve land behind property boundary (4 Signs)

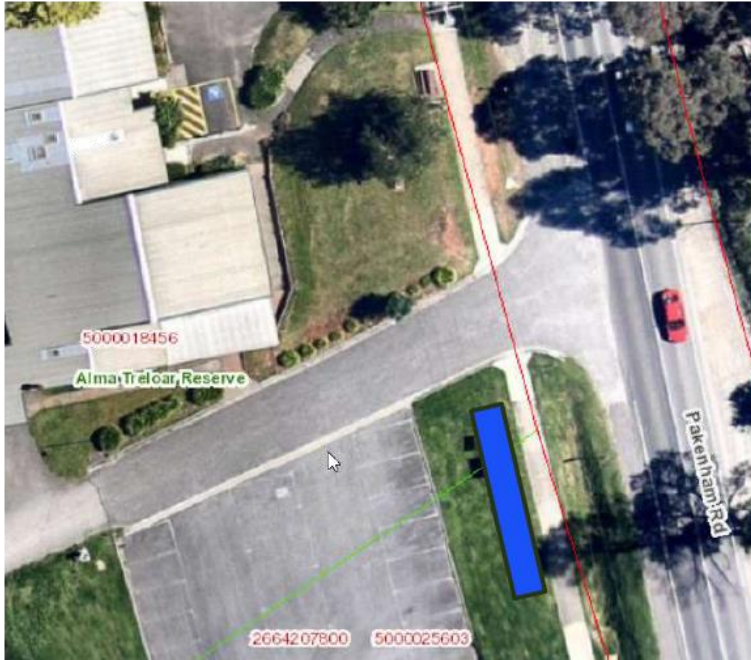


- 12. Gembrook Community Centre – Behind footpath within property boundary (3 signs)



COCKATOO

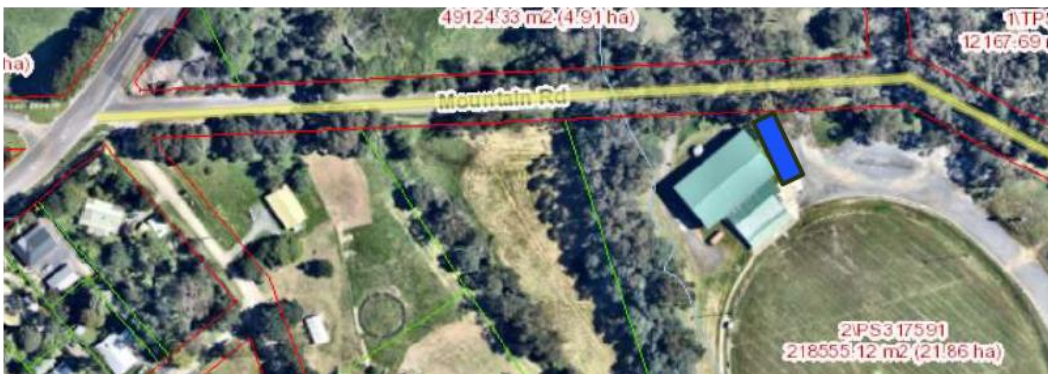
- 13. Alma Treloar Reserve - Behind footpath within property boundary (4 Signs)



- 14. Alma Treloar Reserve Tennis Club/Bowls Club - Behind footpath within property boundary (4 Signs)



- 15. Mountain Road Recreation Reserve – Within property boundary
(3 Signs)

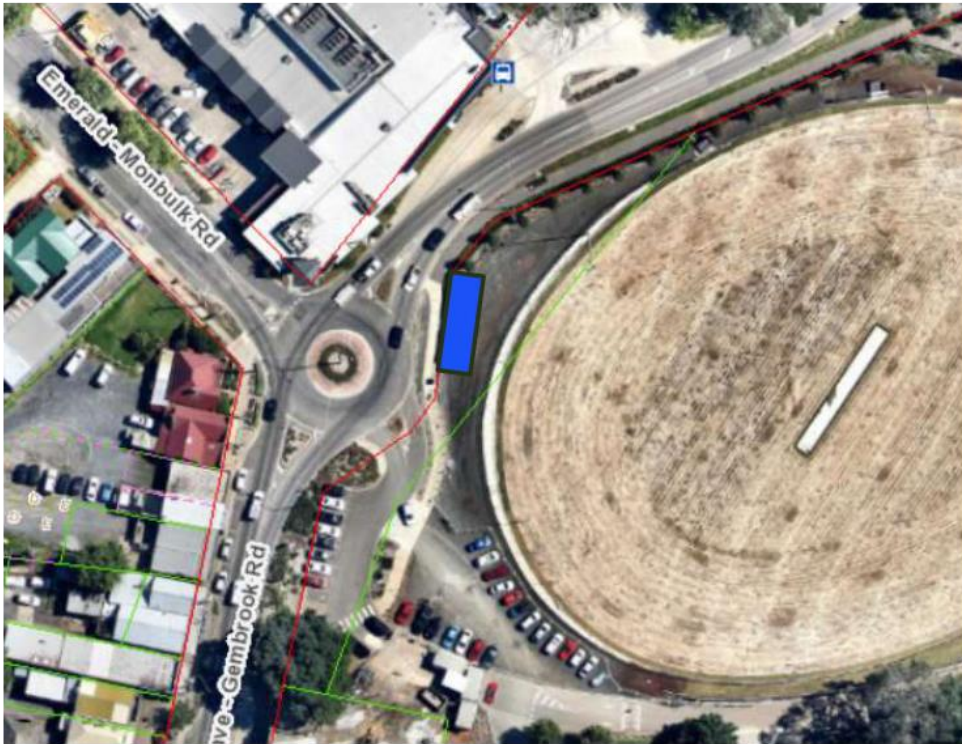


AVONSLEIGH/EMERALD

- 16. Avonsleigh Common Area – Signs must be parallel with path
(3 Signs)



17. Worrell Reserve Car Park
(2 Signs)



18. Puffing Billy Park – Must be parallel and behind footpath
(3 Signs)

