



POLICY NO.	CPRF1
POLICY TITLE	Advertising Signage and A-frames on Roads and Public Places Enforcement Policy
STATUS	Council
SERVICE	Roads and Footpaths
DOCUMENT ID	193933

PURPOSE

The purpose of this policy is to control and require the removal of unauthorised advertising signage, including “A-frames” and banners from Council owned and controlled public roads.

SCOPE

The Policy applies to Council representatives, employees, and members of the public.

The Policy relates to all Council owned, controlled, or managed roads and public places.

DEFINITIONS

Signage	Any advertising signage or structure, including “A-frame” signs, banners, or the like placed on a Road.
Road	Any footway, nature strip, tree, bridge, awning, structure, culvert, drain, fencepost, signpost, monument, or other work or property of the Council located within the road reserve.

POLICY STATEMENT

1. Background

Development consent is required to erect advertising signage on Council property unless written consent is provided.

The *Roads Act 1993* prohibits the unauthorised placement of anything on a Road that interferes with public safety or public convenience.

This Policy details Council’s position on any unauthorised Signage on a Road.

2. Environmental Planning and Assessment Act 1979

Under Section 4.2 of the *Environmental Planning and Assessment Act 1979*, development consent is required to erect any advertising signage, unless the development complies with the exempt development standards.

The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (“Codes SEPP”) specifies when advertising signage is exempt development.

Clause 2.83 of the Codes SEPP requires written consent from the owner of the land upon which the advertising signage is to be located. Additionally, if the sign or part of the sign projects over a public road (including a footpath), approval is required to be provided under Section 138 of the Roads Act.

3. Roads Act 1993

Under Section 8 of the *Roads Regulation 2018*, a person is prohibited from placing anything on a Road that is likely to:

- a. Injure any person or damage any vehicle, or
- b. Restrict or endanger the use of a Road by the public or interfere with public convenience.

4. Enforcement

A person who places any Signage on a Road in breach of this Policy and legislation will be issued with a verbal warning. Council staff will request the Signage be removed within 24 hours and conduct a re-inspection after 24 hours.

If Council staff form an opinion the Signage poses a significant risk to public safety, Council staff can request the Signage to be removed immediately.

Where an initial verbal warning has been issued and a person is observed to have committed a further breach of this Policy and legislation, Council staff may issue a Penalty Notice under Section 8 of the *Roads Regulation 2018*.

5. When the Policy does not apply

This Policy does not apply to:

- a. The placement of any obstruction on a Road, if its presence is authorised, and remains authorised, under any other Council Policy, or
- b. The placement on a Road of a building waste storage container, to the extent to which its placement is authorised by or under the *Local Government Act 1993*, or
- c. The placement on a Road of a garbage bin, bag, or other receptacle or of other refuse collectible by the Council, to the extent to which its placement is authorised by or under the *Local Government Act 1993*, so long as it is placed:
 - beside the carriageway of the Road, and
 - out of the line of traffic, or
- d. The doing of anything on a Road with the consent of the Council, or
- e. The temporary placement of anything on a Road as a result of the breakdown of the vehicle by which it is being carried.

RELATED LEGISLATION

Environmental Planning and Assessment Act 1979

Roads Act 1993

Roads Regulation 2018

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

POLICY AUTHORITY

Director - Infrastructure & Environmental Sustainability

GETTING HELP

For interpretations, resolution of problems, and special situations please contact Council's Ranger.

REVIEW

This policy is to be reviewed once per term of Council.

The next review date is: 2025

ADOPTED BY COUNCIL:

DATE: 22 May 2023

RESOLUTION NO: 091/23

VERSION CONTROL TABLE

DATE	VERSION	RES. NO.	KEY CHANGES	AUTHOR
11/11/2013	1.0	368/13	Adoption of Policy	B Smith
22/05/2023	1.1	091/23	Housekeeping update	J Davis