

# Advertising Signs

## Introduction

This brochure explains Council's requirements related to all types of advertising signs displayed or erected on either public and/or private property.

## Types of signs

Advertising signs are part of today's society. There are many different types of advertising signs. Some of the most common types are:

- Special event signs (eg. temporary banners, inflatable balloons, etc.).
- Real estate signs related to properties which are for sale or lease.
- Moveable signs including 'Open for Inspection' real estate signs and portable 'A Frame' signs.
- Street signs, directional signs and tourist information signs to street signs.
- Identification/ information signs for residential properties.
- Signs painted on or attached to buildings.
- Free standing signs, including billboards.
- Miscellaneous other signs such as those seen on bus shelters, or within shopping centres, etc.

Regardless of the type, no sign should contain offensive or abusive information, confuse or distract motorists, or be a hazard of any kind.

Some signs require approval from the Council, while others do not. The requirements relating to the various different types of signs are discussed in more detail as follows.

## Special event signs

Special event signs are signs that are not of a permanent nature, such as banners and posters that typically advertise a function or event of short term or once-off nature.

In all cases, permission from the owner of the land where a special event sign is to be displayed must be obtained. If a sign is to be displayed on Council owned land, such as a Council property (ie. A Hall), reserves, (ie. Parks, gardens, sports fields, etc.) or a road reserve area (ie. On the footpath area or any structures on the footpath area), then a request must be made, in writing, to the Council.

Special conditions apply to displaying a sign on Council owned land, including the requirement to obtain public liability insurance. For further information, please contact the Council office.

Additionally, Development Approval from the Council may be required in some cases, regardless of whether the sign is to be displayed on public or private land.

Development Approval from the Council is not required when a special event sign announces a local event of a religious, educational, cultural, social or recreational character or that relates to an event of a political character provided that:

- The total advertisement area of all advertisements of that kind on one building or site is not more than two square metres;
- The advertisement is displayed for a period not exceeding one month prior to the event and one week after the conclusion of the event\*;

- The sign is not internally illuminated and does not move, flash, or reflect light so as to be an undue distraction to motorists; and
- The sign is not located on the same site as a State Heritage Place.

\*except for an advertisement that related to a federal, state or local government election

Signs that do not meet the criteria above need Development Approval from the Council and a Development Application must be lodged with and approved by the Council before the sign is displayed. All special event signs of a promotional character related to a business, including inflatable balloons and the like, require Development Approval from the Council.

#### Real Estate signs

Signs that are real estate “for sale” or “for lease” signs do not require Council approval provided that the sign:

- Is situated wholly on the land which is for sale or for lease;
- Is not internally illuminated and does not move, flash, or reflect light so as to become an undue distraction to motorists;
- Is not more than four square metres in advertisement area;
- Is removed within two weeks after the completion of the sale or the entering into the lease; and
- It is not located on the site of a State Heritage Place.

Signs that do meet the criteria above need Council Approval and a Development Application must be lodged with and approved by the Council before the sign is displayed.

“Open for Inspection” signs associated with properties that are for sale or lease are treated as moveable signs.

#### Moveable signs

Council’s By-Laws, made under the Local Government Act, regulate the size, design, construction, and positioning of any moveable signs such as A frames.

Council’s By-Law on moveable signs states that, a moveable sign can be displayed provided that:

- **Construction and design**

A moveable place on a footpath area must:

- be of kind known as a ‘A’ frame or sandwich board sign, an ‘inverted ‘T’ sign, or a flat sign or, with the permission of the Council, a sign of some other kind;
- be designed, constructed and maintained in good quality and condition;
- be of strong construction and sufficiently stable or securely fixed so as to keep its position in adverse weather conditions;
- have no sharp or jagged edges or corners;
- not be unsightly or offensive in appearance or content.
- be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- not exceed 900mm in height, 600mm in width and 600mm in depth;
- not rotate or contain flashing parts;
- in the case of an ‘A’ frame or sandwich board sign:
  - be hinged or joined at the top;

- be of such construction that its sides are securely fixed or locked in position when erected; and
    - not have a base area in excess of 0.6 square metres;
  - in the case of an 'inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign.
- **Placement**

A moveable sign must not be:

  - placed on any part of a road apart from the footpath area;
  - placed on a footpath that is less than 2.5 metres wide;
  - placed closer than 2 metres from another structure, fixed object, tree, bush or plant;
  - placed within 1 metre of an entrance to any business premises;
  - placed on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this by-law;
  - placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
  - placed closer than 1.5 metres to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);
  - placed on a landscaped area, other than landscaping that comprises only lawn;
  - placed within 10 metres of an intersection of two or more roads;
  - placed on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
  - placed on a designated parking area or within 1 metre of an entrance to premises;
  - tied, fixed or attached to, or placed closer than 2 metres to any other structure, object or thing (including another moveable sign);
  - displayed during the hours of darkness unless it is clearly lit; or
  - placed in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk.
- **Restrictions**
  - The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time.
  - A person must not without the Council's permission display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land (including roads) primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
  - A person must not cause or allow a moveable sign to be placed on a footpath area unless:
    - it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
    - the business premises to which it relates is open to the public.
  - If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

### Street signs/ Direction signs/ Tourist signs

Street signs, directional signs and tourist signs (ie. Sign posts on street corners displaying the street name and often, names of churches, schools, or other community facilities such as Meals on Wheels or similar) need the approval of and will be erected by Council's Works Department.

Relevant forms and fees are available from the Council office.

Typically, individual business names will not be suitable for this type of advertising, which is limited only to activities of a community nature.

### Identification/ Information signs for residential properties

A sign that is displayed for the purposes of identification, direction, warning or other information in relation to a detached, semi-detached, row or multiple dwelling or residential flat building does not require approval provided that:

- The advertisement is no more than 0.2 square metres;
- The advertising display is not internally illuminated, and does not move flash, or reflect light so as to become an undue nuisance to motorists ; and
- No more than two such advertisements are displayed in relation to the same building.

Signs of this nature include those which display street numbers and house 'names', residents names, warning signs relating to a house being alarmed or a guard dog being present, presence of visitor car parking, and so on.

### Signs painted on/ attached to buildings

A sign that is painted on the front wall or window of a building used primarily for retail, commercial, office or business purposes, does not need Council Development Approval provided that:

- It is not displayed or erected above a verandah or the fascia of a verandah or, in the case where there is no verandah, there is no part of the advertisement more than 3.7m above ground level; and
- The advertisement is not internally illuminated and does not move, flash, or reflect light so as to become an undue distraction to motorists; and
- The sign is not located on the site of a State Heritage Place.

Painted signs that do not meet the criteria above need Council Approval and a Development Application must be lodged with and approved by the Council before the sign is displayed.

Signs that are attached to a building may not require Provisional Building Rules Consent. In these cases, you should contact the Council to discuss your specific proposal.

### Miscellaneous other signs

Signs that are within enclosed land or within a building and not readily visible from outside the enclosure or building may not require Provisional Development Plan Consent if they are attached to a building or are a freestanding pylon sign or similar. In these cases, you should contact the Council to discuss your specific proposal.

### Council requirements when Development Approval is required

Council's Development Plan has requirements relating to the size, placement, design and construction of all advertising signs that require Development Approval from the Council.

Advertisements and advertising displays should:

- Not be located in residential or rural zones unless they are located on the site of an existing or concurrently approved non-residential use of land;
- Be designed and positioned to:
  - Be compatible with other advertisements and advertising displays in the locality and with buildings, structures and spaces either on the site or nearby sites;
  - Assist achievement of the intended future character of a zone as indicated by the zone provisions; and
  - Avoid the immediate and future damage, pruning or lopping of vegetation on the site or on adjoining land;
- Be designed and developed integrally with development or re-development of a site to achieve a co-ordinated, attractive and effective communication of all messages;
- Be minimized in number so as to increase or maintain the effectiveness of individual displays and maximize visual appearances;
- Afford reasonable exposure to other advertising on the site or nearby sites;
- Be contained wholly within the development site;
- Be constructed of durable materials;
- Be designed to conceal or minimise the visibility of structural supports from public view;
- Complement the shape of any building on which it is to be placed and not protrude above the building;
- Where located over a footway\*, be at least 2.5 metres above the footway and should not protrude within 450 millimetres of the kerbline;
- Not cause a nuisance or detrimentally affect amenity enjoyed on nearby sites through the emission of glare, reflection, flashing lights or movement;
- Not comprise bunting, streamers or attached floating objects; and
- Be fixed safely and securely to avoid damage to property or people.

\*Note: there also may be additional requirements or conditions from the Council, as landowner, for any works on or over Council owned land such as a footpath

The height of free-standing advertising displays should reflect, to a reasonable extent, the role and status of the zones, the length of the main frontage of the site to the roadway and the nature of nearby built-form and generally be limited to one main display per site (excluding those showing directional, parking or traffic information).

### Process

If the information above indicates that a sign that you are wishing to display or erect requires Development Approval from the Council, then that Development Approval must be gained before the sign is displayed or erected.

A Development Approval is made up of a Provisional Development Plan Consent and a Provisional Building Rules Consent.

Most applications for Planning Consent are assessed on their merits and a planning assessment will be undertaken to determine the appropriateness of the sign against the policies in the Council's Development Plan.

Provisional Building Rules Consent can be granted by either Council or a Private Certifier.

Most typically Development Applications for advertising signs will not require public notification.

Only exceptionally large advertising signs or those of a third party nature (ie. Those which advertise

businesses or products not related to the site where the sign is located) may be treated as a Category 3 Development.

#### What details are required?

A separate Information Brochure is available detailing and explaining what information must be submitted with an application generally. In brief, when you lodge a Development Application for an advertising sign, the following should be submitted to the Council:

- A completed Development Application Form
- The relevant fees
- A current copy of the Certificate of Title for the property
- Three copies of a site plan
- Three copies of elevations of the proposed sign
- Three copies of all construction details including:
  - Size and location of posts;
  - Size and spacing of all support beams and fascias;
  - Brand name and type of sign cladding;
  - Method of fixings (beams to posts, beams to walls, sign to roof, etc.)
  - The size of the concrete footing pads supporting posts; and
  - Details of any illuminated proposed (eg. externally floodlit, neon tubing, internally illuminated, flashing, etc.)

#### Other Information

##### *Easement and Encumbrances*

The Certificate of Title for a property contains information regarding the location and nature of any easements and the details of any encumbrances that apply to the land. Properties that form part of a strata title or community title group may also have additional rules that apply to use of the property. If your proposed sign extends over an easement or is affected by an encumbrance on your property, documentation must be submitted to the Council demonstrating that the authority controlling the easement (eg. SA Water, ETSA, etc.) of the person(s) holding the encumbrance have approved the proposed structure. Where relevant, persons wanting to display or erect a sign should also check with the Secretary of their strata/community title group to discuss their proposal.

##### *Significant Trees*

Any work that may substantially damage or affect a significant tree or trees, whether on your property or an adjoining property, requires approval from the Council.

#### Want to know more?

The above information is advisory only. It is intended to provide a guide and a general understanding of the key points associated with the particular topic. It is not a substitute for reading the relevant legislation or the Development Plan.

It is recommended that if you are intending to undertake development, you seek professional advice or contact the Council for any specific enquiries or for further assistance concerning the use and development of land.

Contact details

District Council of Robe

Royal Circus, Robe SA 5276

PO Box 1, Robe SA 5276

T 08 8768 2003

F 08 8768 2432

E [council@robe.sa.gov.au](mailto:council@robe.sa.gov.au)

W [www.council.robe.sa.gov.au](http://www.council.robe.sa.gov.au)