

Advertising Signs



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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 (e.g. 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.
- Freestanding 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 one-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 (i.e. a Hall, reserves (i.e. parks, gardens, sports fields etc) or a

road reserve area (i.e. 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 City of Marion's General Inspectorate Team on 8375 6600.

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;
- The sign is not located on the same site as a State Heritage Place.

**except for an advertisement that relates 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 of the lease; and
- It is not located on the site of a State Heritage Place.

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.

“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:

Design and Construction

- It is constructed so as not to present a hazard to any member of the public;
- It is stable when in position and able to keep its position in adverse weather conditions;
- It is not unsightly or offensive in appearance;
- It does not contain flashing or moving parts;
- It is not more than one metre high, 700mm in width or 700mm in depth.

Placement

- It is not placed anywhere except on the footpath;
- It is not placed on a sealed footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- It is placed at least 1500mm from the kerb (or if there is no kerb, from the edge of the roadway without contravening the above points);
- It is not placed on a landscaped area, other than on landscaping that comprises only lawn;
- It is not placed on a designated parking area or within 1.8 metres of an entrance to any premises or corner of a street or road;
- It is not fixed, tied or chained to, leaned against, placed closer than 1.2 metres to any other structure, object, or plant (including another moveable sign).

Restrictions

- It only contains material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;
- No more than one moveable sign is displayed in relation to a business premises;
- The sign is not in place unless the business to which it relates is open to the public;
- The sign is not displayed in windy conditions unless it is constructed and sited so as to be able to withstand the wind;
- During the hours of darkness it is clearly visible;
- It is not placed in a position that puts the safety of any person at risk.
- Must not be placed on a medium strip, traffic island or on a carriageway of a street or road.

Moveable signs that:

- Direct people to an open inspection of any land or building that is available for sale or lease;
- Direct people to a garage sale that is being held on residential premises;
- Direct people to a charitable function; or
- Are a flat sign containing only the banner or headlines of a newspaper or magazine.

Are not subject to the requirements above and do not need any form of Council Approval.

Street, Directional & Tourist Signage

Street signs, directional signs and tourist signs (i.e. 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 Infrastructure Section.

Requests should be made in writing addressed to Council's Technical Officer – Traffic, outlining the location of the proposed sign, the information to be displayed and a contact person for further information. Fees are payable for this service.

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

For further information on any type of street sign, directional sign, or tourist sign, please contact Council's Customer Service Centre on 8375 6600.

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 Development Plan Consent but may still require Provisional Building Rules Consent. In these cases, you should contact the Council to discuss your specific proposal.

Freestanding Signs

A freestanding sign is a sign that is not attached to a building or other structure but is typically erected on a pole/poles in the ground or some other support. All signs of this nature require Development Approval from the Council.

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 but may still require Provisional Building Rules 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 minimised in number so as to increase or maintain the effectiveness of individual displays and maximise 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 maximum height and display area or panel size of freestanding advertisements and/or advertising hoardings should not exceed the following dimensions within the respective zones:

Zone	Maximum Height (metres)	Maximum Display Area or Panel Size (square metres)
Non-residential sites within the Residential Zone	4	4 (2 per side if double-sided)
District Centre Zone	10 – associated with the retail core 8 – elsewhere	16 – associated with the retail core (8 per side if double-sided) 12 – elsewhere (6 per side if double-sided)
Industry Zone excluding Industry/Commerce Policy Area 5	10	16 (8 per side if double-sided)
Local Centre Zone	5	8 (4 per side if double-sided)
Neighbourhood Centre Zone	8	12 (6 per side if double-sided)
Regional Centre Zone	12 – associated with the retail core 8 – elsewhere	20 – associated with the retail core (10 per side if double-sided) 12 – elsewhere (6 per side if double-sided)
Primary Production Zone	3.5	2 (1 per side if double-sided)

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 Development Plan Consent and a 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.

Either Council or a Private Certifier can grant Provisional Building Rules Consent.

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For further information on the use of private certifiers in the Development Application Process, refer to the separate Information Brochure titled “*The Development Application Process*”.

Most typical Development Applications for advertising signs will not require public notification. Only exceptionally large advertising signs or those of a third party nature (i.e. those that advertise businesses or products not related to the site where the sign is located) may be treated as a Category 3 Development. *(Please refer to separate Information Brochure titled “Public Notification” for further information on Category 3 notification procedures).*

What details are required?

A separate Information brochure titled “Information to be submitted with an Application” is available, detailing and explaining what information must be submitted at lodgement. In addition to these requirements, when you lodge a development application for an advertising sign, the following should also be submitted to the Council:

- Two 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 concrete footing pads supporting posts; and
 - details of any illumination proposed (e.g. 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 (e.g. SA Water, ETSA etc) or 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. For clarification on what a significant tree is and what are considered to be tree damaging activities, please refer to separate Information Brochure “*Significant Trees*”.

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 - City of Marion Development and Regulatory Services Division

245 Sturt Road
Sturt SA 5047

PO Box 21
Oaklands Park SA 5046

Telephone (08) 8375 6685
Facsimile (08) 8375 6899

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Website <http://www.marion.sa.gov.au>