

	Function: DEVELOPMENT SERVICES	Adopted: XXX Resolution No.: CXXX
	Policy Number: ENV010	Last Review: Resolution No.:
	Version Number: 4.1 DRAFT	Next Review: As Required
ADVERTISING ON VEHICLES PARKED ON A PUBLIC ROAD		

Policy Statement

Advertising signage is an important means of communication and promotion. Advertising signs, for business purposes, mounted on vehicles parked on a public road, should not only be effective in advertising a product or promoting a business, but should also compliment the surrounding environment. Signage should not have a detrimental impact on other businesses and land uses in general.

1. Introduction

1.1. Background

- 1.1.1. Business operators are continuously looking at ways to promote their businesses. Outdoor advertising signs, generally fixed to a building or other fixed structures, form an integral part of promoting most businesses.
- 1.1.2. Advertising signage (generally, but not exclusively, fixed to buildings or other permanent structures) are defined as “development” and requires Development Approval in accordance with the *Planning, Development and Infrastructure Act 2016*.

The display of advertising signage on a vehicle is considered a “business use” where such vehicle is primarily intended to advertise a business and where it is parked on a public road. Where such vehicle is parked on a public road, approval is required pursuant to Section 222 of the *Local Government Act 1999*.

1.2. The primary objectives of this Policy are:

- 1.2.1. To clarify the circumstances under which the display of advertising signs on a vehicle, that is primarily intended to advertise a business and is parked on a public road, can be supported.
- 1.2.2. To cater for businesses located in isolated areas with limited visual exposure to pedestrian traffic.
- 1.2.3. To protect the character of the area and the safety of other road users in the area in which such vehicle is parked.
- 1.2.4. To set acceptable standards for the type of vehicles parked on a public road and primarily used for advertising purposes, that will be granted permission to park on the road in accordance with this Policy and under Section 222 of the *Local Government Act 1999*.
- 1.2.5. To protect excessive use of on-street car parks for purposes other than the parking of a vehicle.
- 1.2.6. To ensure consistency with Council’s policy to lease Council owned land for business purposes at a cost.

Electronic version on Council N:/ drive is the control version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

- 1.2.7. To set out conditions under which a permit issued under this Policy may be revoked on a temporary or permanent basis.

2. Scope

This Policy applies to the display of advertising signs on a vehicle where such vehicle is parked on a public road within the Copper Coast Council Area with the primary intention to advertise a business.

3. Applicable Legislation

- 3.1. The following legislation applies to this Policy:

- 3.1.1. *Local Government Act 1999*

- 3.1.2. *Planning, Development and Infrastructure Act 2016*

- 3.2. This Policy is not a mandatory requirement but essential for good governance.

4. Integration with Corporate Objectives

- 4.1. This Policy supports Council's Strategic Plan 2019 - 2029

- 4.1.1. Governance Objective – Leadership

- Goal 5 - To provide leadership and ensure community resources are managed efficiently and effectively.

- 4.1.2. Environmental Objective – Sustainability

- Goal 2 - To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community.

5. Definitions

For the purposes of this Policy, the following definitions apply:

- 5.1. **Advertisement** means an advertisement or sign that is visible from a street, road or public place or by passengers carried on any form of public transport
- 5.2. **Advertising Sign** for the purposes of this Policy means an advertisement or sign mounted on a vehicle that is parked on a public road for advertising purposes.
- 5.3. **Authorised Officer** is defined as an Authorised person delegated authority under section 44 of the *Local Government Act 1999*.
- 5.4. **Chief Executive Officer (CEO)** means the appointed Chief Executive Officer under section 96 of the *Local Government Act 1999* and includes any person acting or delegated by the Chief Executive Officer's under sections 100 and 101 of the *Local Government Act 1999*.
- 5.5. **Council** means the Copper Coast Council and any delegate of the Council.
- 5.6. **Director Development Services** means the Director Development Services as appointed by the CEO.
- 5.7. **Neighbourhood-type Zone** meaning is as defined in the *Planning & Design Code*.
- 5.8. **Primary Intention to Advertise** for the purposes of this Policy means any vehicle with signage advertising a business that is parked for more than four (4) hours in a particular locality for more than two (2) consecutive days in any given week where such vehicle is not associated with a particular short-term activity.

- 5.9. **Short-Term Activity** for the purposes of this Policy means an activity that is akin to an activity carried out by a person in the construction service or repairing any item or service or associated with a meeting on a particular day at a particular venue.
- 5.10. **Zone** means any zone as defined in the *Planning, Design and Infrastructure Act 2016* and identified in the *Planning and Design Code*.

6. Application

6.1. Location

- 6.1.1. The business that is the subject of the proposed advertisement must be located outside any zone that caters for commercial or industrial type uses such as the Township Main Street Zone or the Employment Zone or any other zone that does not generally attract pedestrian traffic.
- 6.1.2. The business that is the subject of the proposed advertisement must not be located in any Neighbourhood-type zone.
- 6.1.3. The proposed advertisement must be located within the same suburb as the particular business to which it relates.
- 6.1.4. The business that is the subject of the proposed advertisement must be isolated and located in an area that is not frequented by pedestrians.
- 6.1.5. The business that is the subject of the proposed advertisement must be located on land where the only public access to the business is from a public road that is a 'no through road' and the business is not visible from any other public road.

6.2. Protection of Character and Safety of other Road Users

- 6.2.1. The proposed advertisement must be mounted on a roadworthy, legally registered motorised vehicle that adds to the character of the locality in which it is proposed to be parked.
- 6.2.2. No permit to park a motorised vehicle with the proposed advertisement will be granted if the subject car park is located in any Neighbourhood-type zone or in the Township Main Street Zone or the Employment Zone.
- 6.2.3. The proposed advertisement must not detract from the character of the locality in which it is proposed to be located.
- 6.2.4. The proposed advertisement must be of a suitable size and scale.
- 6.2.5. The proposed advertisement or vehicle must not impact or create a safety hazard to any road user.

6.3. Type of Vehicle

- 6.3.1. The proposed advertisement must be mounted on a roadworthy, legally registered motorised vehicle that adds to the character of the area in which it is intended to be parked. No vehicles such as trailers or other type of non-motorised vehicles will be accepted.

6.4. Protection of Misuse of On-street Car parks

- 6.4.1. No more than one car park per business premises shall be allowed for vehicles parked for advertising purposes.
- 6.4.2. No car park reserved for disabled parking shall be allowed for vehicles parked for advertising purposes.
- 6.4.3. No car park within any zone that caters for commercial or industrial type uses such as the Township Main Street Zone or the Employment Zone or any other zone that

generally attracts potential buyers shall be allowed for vehicles parked for advertising purposes

6.5. Costs

6.5.1. The annual permit fee payable for any on-street car park made available for vehicles parked for advertising purposes shall be the equivalent of one third (1/3) of the fee charged per square metre for outdoor trading purposes in Council's Register of Fees and Charges. The cost per square metre shall be adjusted by CPI on an annual basis.

6.5.2. Any costs resulting from any condition when a permit is issued, such as line marking, signage, etc., will be charged to the applicant.

6.6. Revoking of Permit

Council reserves the right to permanently or temporarily revoke the permit on short notice under any of the following circumstances:

6.6.1. On a permanent basis if the permit holder breaches any condition set out in the permit issued under Section 222 of the *Local Government Act 1999*.

6.6.2. On a permanent basis if the signage displayed on the vehicle on which it is mounted is changed in any manner not acceptable to Council or in the event that the vehicle approved under this Policy is replaced by any other vehicle that will not compliment the area in which the vehicle is parked.

6.6.3. On a temporary basis in the event that Council is of the opinion that the on-street parking bay allocated for advertising under this Policy may be required for any event that may result in a greater need for on-street parking in a particular area.

7. Delegation

7.1. Pursuant to section 44 of the *Local Government Act 1999*, Council delegates to the Chief Executive Officer authority to administer Council's policies.

7.2. In terms of this Policy, the Director Development Services, or any other Authorised Officer as delegated by the Director Development Services.

8. Adoption and Review

8.1. This Policy shall be reviewed as required and a report shall be presented to Council for consideration and adoption of the reviewed Policy.

9. Records Management

9.1. Official records will be retained and stored in accordance with Council's adopted Records Management Policy as required by section 125 of the *Local Government Act 1999*.

10. Availability of Policy

10.1. This Policy will be available for inspection without charge at the Council's Principal Office during normal business hours and via the Council's website www.coppercoast.sa.gov.au.

10.2. A copy of this Policy may be obtained on payment of a fee in accordance with Council's Schedule of Fees and Charges.

Signed

Mayor

Chief Executive Officer

Electronic version on Council N:/ drive is the control version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

lifestyle location of choice

Date _____