



<b>DOCUMENT TYPE</b>	Policy
<b>TITLE</b>	<b>ROADSIDE ADVERTISING SIGNAGE</b>
<b>NUMBER:</b>	POL-4009

## PURPOSE

To control roadside advertising signage within Shire managed road reserves.

While the Shire is mindful that effective signage is important for businesses, it aims to ensure that such advertising does not pose a safety hazard to road users and does not adversely impact on the visual amenity of the roadside environment and surrounding areas.

## DEFINITIONS

**Street Name sign:** (white background with black lettering) shows name and the Shire logo.

**Chief Executive Officer;** The Chief Executive Officer for the Shire of Wyndham East Kimberley.

**Roadside Advertising Signs Permit** and **Shire Permit:** is a Permit issued by the Shire to authorise the permit holder to install and maintain Roadside Advertising Signage on Shire maintained land.

**Freestanding sign** is a sign not permanently attached to a structure or fixed to the ground and includes “A-frame” or “Sandwich Boards” signs consisting of 2 sign boards attached to each other by hinges or other means up to 1m<sup>2</sup> (per side)

**Roadside Advertising Sign:** A sign or a banner within a road reserve which is authorised by the Shire, installed and maintained to Shire standards by the applicant.

**Shire:** means the Shire of Wyndham East Kimberley.

**Temporary Community Signs:** promotional signs or banners may be erected for a short period leading up to and during community and not-for-profit events and activities

## POLICY STATEMENTS

### (1) ROADSIDE ADVERTISING

Roadside advertising shall not be permitted within Shire road reserves except in accordance with this Policy.

Moving or rotating billboard sign components are not permitted.

No vehicle with a sign upon or inside, adapted and exhibited primarily to facilitate advertising is to park for any lengthy period of time (as determined by the Chief Executive Officer) on any road reserve, with the exception of being parked at the owner’s residence or with the consent of the Shire.

### (2) EXISTING SIGNAGE

The owners of Roadside Advertising Signs existing at the time of adoption of this policy are required to make application to the Shire for the sign to remain. Such applications will be treated as new applications.

**(3) NEW ROADSIDE ADVERTISING SIGNS**

Applications for the installation of new or replacement Roadside Advertising Signs shall be made to the Shire. The proposal will be assessed in accordance with this Policy.

**(4) RELEVANT AUTHORITIES**

A Roadside Advertising Signs Permit is to be obtained from the Shire prior to placement or erection of any signage on road reserves under the Shire's control.

The consent of Main Roads Western Australia is to be obtained prior to placement or erection of any signage on road reserves under its control. Main Roads Western Australia roads include Victoria Highway, Great Northern Highway and Gibb River Road.

**(5) SIGNS THAT DO NOT REQUIRE SHIRE APPROVAL**

Subject to the provisions of the *Main Roads (Control of Signs) Regulations 1983* the Shire's prior approval is not required in respect of those advertising signs listed in Table 5 of Town Planning Scheme No. 6 and Appendix 7 of Town Planning Scheme No. 7 which are referred to as 'exempted advertisements'. These exemptions do not apply to buildings, conservation areas or landscape protection zones which are either:

- (a) listed by the Heritage Council;
- (b) listed on the register of the National Estate;
- (c) included in Shire of Wyndham East Kimberley Local Planning Scheme No. 9.

**(6) PROHIBITED SIGNS**

In accordance with the *Road Traffic Code 2000*, Regulation 297(5) a person shall not erect, establish, place, maintain or display, on a road, anything that:

- (a) Is a false representation of, or a colourable imitation of, a traffic sign or traffic-control signal.
- (b) Interferes with the effectiveness of, or of any part of, a traffic sign or traffic-control signal.
- (c) Prevents an approaching driver from clearly distinguishing the whole, or part, of a traffic sign or traffic-control signal.
- (d) Distracts a driver's attention from a traffic sign or traffic-control signal.
- (e) Not being a traffic sign, displays a word or direction ordinarily associated with a traffic sign.

**(7) FREESTANDING SIGNS**

There shall be no more than one freestanding sign that relates to a specific activity or business placed on the road reserve.

Freestanding signs should:

- (a) Not exceed 1m in height;
- (b) Not exceed an area of 1m<sup>2</sup> on any side;
- (c) Not be placed in any position other than immediately adjacent to the building or business or property to which the sign relates, with the exception of signs relating to a real estate 'open home' or a private 'garage sale'. These signs can be displayed at the nearest intersection or driveway providing vehicle access to the property;
- (d) Be removed each day at the close of the business to which it relates and not be placed on site again until the business next opens for trading;
- (e) Any sheet metal components shall be protected by a frame, with all components free of sharp edges and protrusions; and
- (f) Shall be stable in windy conditions and shall not be weighted or secured with extraneous objects such as bricks, sandbags, stakes, chains or padlocks.

Freestanding Signs shall be subject to regular inspection to ensure they have not become dislodged.

Portable A frame signs and Temporary Community Signs shall not be installed:

- (a) On road sections with a road speed limit greater than 70 km/h
- (b) On any paved verge area if in the opinion of the Chief Executive Officer the sign restricts the access of drivers, bicyclists or pedestrians including people with disabilities and those pushing prams and wheelchairs.
- (c) Where the sign is at risk of causing an obstruction to sightlines of drivers, bicyclists or pedestrians along roads or driveways.
- (d) Within 3.0 m of a carriageway

**(8) TEMPORARY COMMUNITY SIGNS**

Temporary Community Signs, promotional signs or banners may be erected for a period leading up to and during events and activities at locations approved by the Chief Executive Officer. Events and activities eligible to erect Temporary Community Signs may include:

- (a) Community activities including community fete, fair or festival,
- (b) Charitable functions,
- (c) Sporting events,
- (d) Public institution open day,
- (e) Public exhibitions or public interest events,
- (f) Community or religious celebrations or events,
- (g) Community and visitor messages, greetings and service club information.

A Roadside Advertising Permit is not required for a temporary community sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area.

Events and activities eligible to erect Temporary Community Signs are determined at the Chief Executive Officer's absolute discretion.

Trailer-mounted variable message boards (VMBs) are excluded for use as Temporary Community Signs. A Shire Permit is required for the use of VMBs.

**(9) ROADSIDE ADVERTISING SIGNS**

Applications for the erection and maintenance of Roadside Advertising Signs will be considered following submission to Shire administration of a completed application on the 'Application Form – Roadside Advertising Signs'.

Applications will be considered by Shire administration and maybe accepted, accepted with conditions, amended or refused. Following determination applicants will be advised accordingly.

Signs are not to detract from the visual amenity of scenic vistas and landscapes. A formal visual impact assessment report may be requested from the applicant as part of the assessment process.

Bus shelter and roadside seat advertising may be permitted upon payment of an annual licence to the Shire.

Community information boards, locality boards and name boards erected or approved by the Shire may be erected at locations approved by the Shire.

Business or service or facility advertising and promotional signs may be erected in Information Bays developed and maintained for that purpose subject to the approval of the Shire or its agent responsible for managing the Information Bay.

The content of any sign shall not, in the opinion of the Chief Executive Officer, be objectionable, misleading or offensive or in breach of the Trade Practices Act or other legislation.

**(10) GENERAL SAFETY AND EFFICIENCY**

Roadside advertising devices are one of many stimuli confronting road users. The driver needs to assess the relevance of these stimuli to the driving task. Cognitive assessment of roadside objects or devices becomes more difficult as the level of the driver attention, distraction and decision making is increased.

The general approval criteria for the display of advertising devices within the boundaries of, or visible from roads are intended to ensure that:

- (a) A high level of safety for road users is maintained,
- (b) Traffic efficiency is assured.

An advertising sign may be considered a traffic hazard if it interferes with road safety or traffic efficiency; or if it:

- (a) Interferes with the effectiveness of traffic control devices (e.g. traffic signals, stop or give way signs), or
- (b) Distracts a driver at a critical time (high demand, decision making areas), or
- (c) Obscures a driver's view of a road hazard (e.g. curves, traffic Stopping Sight Distance), or
- (d) Gives instructions to traffic to "stop", "halt" or other (give way, merge, turn), or
- (e) Imitates a traffic control device, or
- (f) Is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users, or
- (g) Is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous, distracting or demanding

To maintain safety and efficiency for road users, the following two main areas should be controlled for proposed advertising devices:

- (a) The lateral placement of the advertising device to ensure the device does not become a hazard for errant vehicles, and to ensure the effectiveness of official traffic signs.
- (b) The longitudinal placement of the advertising device to minimise the driver distraction, and control the demand placed on a driver.

**(11) LOCATION OF ROADSIDE ADVERTISING SIGNS**

Business signs shall not be installed at the following locations:

- (a) On median strips and traffic islands including roundabouts.
- (b) Within clear zones, with the exception of Portable A frame signs.
- (c) Within driver sightline area.

Business signs shall not be attached to existing signs, including other advertising signs, or any road-related infrastructure such as traffic sign supports, bridges, bus shelters, lighting/power poles, trees, etc.

In the event that the site where the sign has been erected is needed for roadworks or maintenance, or a regulatory or guide sign installation, or the sign no longer meets the requirements of these guidelines, the applicant shall upon receipt of a notice from the Shire, promptly remove the sign at their own expense.

**(12) DESIGN, CONSTRUCTION AND MAINTENANCE**

Signs displaying any retro-reflective material at a vertical distance less than 4.0 m above the road level shall be rotated approximately five degrees away from the normal to the alignment of the carriageway in order to reduce glare from specular reflection.

Signs directly attached to building infrastructure shall not project beyond the extremities of the infrastructure, e.g. signs attached to awnings shall not extend beyond the length or width of the awning.

Non-portable, free-standing business signs shall not exceed an overall height of 6.0 m above the ground.

The minimum allowable clearance beneath a non-portable sign is 2.6 m where the structure overhangs a footway, and 2.2 m elsewhere.

Vegetation shall not be removed or trimmed to locate a business sign or to improve visibility to any business sign.

Removal of graffiti and rectification of any sign damage, on any part of the sign structure, shall be completed promptly by the applicant.

With the exception of freestanding signs, erection, installation and maintenance activities shall be subject to the requirements of a Shire Permit to undertake works on Public Land.

**(13) DAMAGE TO SHIRE INFRASTRUCTURE**

If in the Shire's opinion, the construction of a Roadside Advertising Sign resulted in damage to any of the Shire's assets such as the roadway surface or pavement, kerb, footpath, verges, signage, vegetation or the like, the Shire may order the applicant to effect repairs. If the applicant fails to repair the damage within the time stipulated by the notice, The Shire may do so and all costs, including administrative costs and administrative on costs will be payable by the applicant.

**(14) INSURANCE REQUIREMENTS**

As a part of the approval process the applicant shall ensure that the following indemnity and insurance requirements are arranged and that copies of the relevant insurance documents are made available, either at the time of application or in accordance with any subsequent conditions of approval:

The owner of a Roadside Advertising Sign located within a Shire road reserve shall, in respect to that sign, effect and maintain a \$20M public liability insurance policy which covers claims in respect of:

- (a) Loss of, or damage to, or loss of use of, any real or personal property;
- (b) The personal injury, disease or illness to, or death of any person; and
- (c) Arising out of the erection, or existence or operation of the Roadside Advertising Signs.

**(15) COSTS AND MAINTENANCE**

Unless otherwise directed, all signs are to be erected and maintained by the applicant at the expense of the applicant.

An annual administration fee payable by the applicant shall apply to all Roadside Advertising Signs.

The Shire reserves the right to remove without notice signs that are badly damaged, dangerous, offensive or any sign considered by the Chief Executive Officer to be inappropriate. In this instance the Shire will endeavour to contact the original applicant to advise that the sign has been removed.

**EXPLANATORY NOTES**

Nil

## RISK

**Risk:** Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

**Controls:** Review policies and procedures in accordance with review schedule.

## DOCUMENT AND VERSION CONTROL

<b>Responsible Directorate</b>	Infrastructure		
<b>Responsible Officer</b>	Director Infrastructure		
<b>Statutory References</b>	<i>Local Government Act 1995</i> <i>Shire of Wyndham East Kimberley Local Planning Scheme No 9</i>		
<b>Related Documents</b>	POL-4008 Directional Signage LL-4000 Activities in Thoroughfares and Public Places and Trading Local Law 2005 EFT-4012 Permit to undertake works on Public Land Request – Authority Form		
<b>Amendment History (Adoption and last 3 amendments)</b>			
<b>Version</b>	<b>Date Issued - Resolution Number</b>	<b>Item #</b>	<b>Description of Change</b>
1.0	20/07/2004 - 6795	11.1.3	Council Adoption
3.0	31/01/2017 – 11597	12.5.2	Review Adopted by Council
4.0	27/10/2020 – 118327	12.5.1	Review Adopted by Council
4.1	22/11/2023 – CEO065	--	Reference Updates as per POL-1014 Policy Management (previously CP-OPS-3658)
<b>Date of Next Review</b>	October 2023		