



# **Local Orders Policy – Temporary Community Signs on Roadsides**

<b>Date policy was adopted by Council:</b>	14 October 2015
<b>Resolution number:</b>	PDRC091/15
<b>Previous Policy review date:</b>	N/A
<b>Next Policy review date:</b>	14 October 2017
<b>Reference number:</b>	C15152680

**1 OUTCOMES:**

The objectives of the policy are:

- 1 To provide clear guidelines as to Council's requirements for installing temporary community signs on roadsides so as to avoid creating traffic and pedestrian hazards.
- 2 The avoidance of sign proliferation by adherence to adopted guidelines.

**2 POLICY:**

To outline Council's adopted position in relation to the installation of temporary community signs on roadsides.

**3 DEFINITIONS**

**Non-Profit Events** – Events run by community groups or the like organisations, which are of a non-profit or non-commercial nature and which are likely to be sought by a significant number of residents and visitors unfamiliar to the area.

**Road Related Area** – Any area that is open to or used by the public for the designation of vehicles, cyclists or pedestrians.

**Temporary Promotional Sign** – Signs used to promote a non-profit event erected in road related areas.

**4 LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS**

Section 124 and 125, Local Government Act (NSW), 1993

**5 CONTENT:**

**Part A**

1. *Where does this policy apply?*

This policy applies to the whole of the Queanbeyan City Council local government area.

2. *How does this policy apply?*

This policy applies under Chapter 7 Part 3 of the Local Government Act 1993 and specifies the criteria which Council will consider when giving orders under Section 124 of the Act.

3. *When may Council give an order?*

Council may give an order about premises (ie land or buildings). The orders are specified in column 1 of the table to Section 124 of the Act and may be given to the person specified in column 3 of the table if the circumstances specified in column 2 exist.

Council may also give orders under Section 125 of the Act for the abatement of a public nuisance.

4. *What are the procedures for giving an Order?*

Before giving an Order (except in an emergency) Council must issue a Notice of Proposed Order which specifies:

- The person to whom the proposed order is to be given
- The premises involved
- The terms of the proposed order
- The reason for the proposed order
- The time limit for compliance with the order
- The procedures for making representations to Council regarding the requirements of the proposed order.

Council will consider any representations and determine whether the order will be issued.

If appropriate the order will be issued by an authorised Council officer.

Please note that in accordance with Section 129 of the Act the above process for issuing a Notice of Proposed Order may be dispensed with if an Order is issued in an emergency. Part B below specifies those circumstances where Council may choose to issue an Order in an emergency and take action to enforce that Order immediately.

5. *What are my appeal rights?*

Persons on whom Orders are served have a right of appeal against an order or a specified part of an order and Council will, in giving a person an order, state that the person may appeal to the Land and Environment Court within 28 days after the service of the order.

**Part B – GENERAL REQUIREMENTS**

6. *What Type of Signs are Covered by this Policy?*

This Policy covers signs erected on road related areas which are used to promote a specific community or non-profit event. The event being promoted must be within the bounds of the Queanbeyan Local Government area.

Typical events likely to use this form of signage include:

- School fetes and activities.
- Council community events.
- Charity fund raising events particularly at the Showground and other Council facilities.

Signs promoting a specific business or commercial premises or promoting that business' services or activities are prohibited on roadsides.

7. *What Are the Criteria for Giving Orders Relating to the Display of Temporary Community Signs on Roadsides?*

Council may make orders for the following matters:

- An object is causing an obstruction (not authorised under any Act) on the public place - Order No 27(a) of the table to Section 124 of the Act,
- An object is causing or likely to cause danger, annoyance or inconvenience to the public – Order No 27(b) of the table to Section 124 of the Act.

In determining whether or not to give an order listed above, Council will NOT issue an order if the following guidelines are satisfied:

- a. Signage to be no larger than 0.6m<sup>2</sup>.
- b. No more than twelve signs permitted within the City boundaries.
- c. Signs must not be erected more than 14 days before the event takes place.
- d. Signs must be removed within two days after the event has occurred.
- e. Signs must be freestanding and shall not be affixed to any existing post, tree, pole, building or fence.
- f. Signs must be erected so as not to be affected by adverse weather conditions (such as wind).
- g. Signs shall not obstruct any traffic sign, signal or safety device.
- h. Signs shall not obstruct pedestrian movement.
- i. Signs must be located at least 1000mm from the edge of any kerb or road pavement.
- j. Signs must not be illuminated.
- k. Signs must be easily understood and not create a traffic concern.
- l. Signs are not to obstruct the exit doorways from the premises.
- m. Signs should be designed so that they contain no protrusions, sharp edges, extended frame or legs,

8. *In What Circumstances May Council Issue and Emergency Order?*

An emergency order under section 129 of the Act, requiring that signs should be removed immediately may be issued by Council where:

- The sign obstructs any traffic, safety or directional sign or signal or any pedestrian thoroughfare.
- The sign has fallen over or has dislodged and is likely to pose a hazard to passing traffic or pedestrians.
- The sign does not relate to an event being held within Queanbeyan.
- The event being advertised is not a community or non-profit event.
- The sign has not been removed within two days of the event occurring.

Any sign seized as a result of not complying with this Orders policy shall be returned to the person responsible for erecting the sign as soon as is reasonably practical.

**6 PERFORMANCE INDICATOR**

No complaints received regarding erection of temporary community signs on roadsides.

**Policy  
All Divisions**

**Local Order Policy – Temporary  
Community Signs on Roadsides**

<b>POLICY:-</b>	
<b>Policy No:</b>	TBA
<b>Policy Title:</b>	Local Order Policy – Temporary Community Signs on Roadways
<b>Date Policy was adopted by Council:</b>	14 October 2015
<b>Resolution Number:</b>	PDRC091/15
<b>Previous Policy Review Date:</b>	N/A
<b>Next Policy Review Date:</b>	14 October 2017
<b>PROCEDURES/GUIDELINES:-</b>	
<b>Date Procedure/Guideline (if any) was developed:</b>	N/A
<b>RECORDS:-</b>	
<b>Container Reference in TRIM: Policy</b>	SF150270
<b>Container Reference in TRIM: Procedure</b>	N/A
<b>Other locations of Policy:</b>	Intranet (linked to TRIM Container)
<b>Other locations of Procedures/Guidelines:</b>	Intranet (linked to TRIM Container)
<b>DELEGATION (if any):-</b>	Nil
<b>RESPONSIBILITY:-</b>	
<b>Draft Policy developed by:</b>	Director – Environment, Planning and Development
<b>Committees (if any) consulted in the development of the Draft Policy:</b>	Nil
<b>Responsibility for Implementation:</b>	Manager – Customer Service
<b>Responsibility for Review of Policy:</b>	Director – Environment, Planning and Development

<b>INTEGRATED PLANNING FRAMEWORK:</b>	
<b>Community Strategic Plan:</b>	Strategic Priority No. 6
<b>Delivery Program Title:</b>	Community Regulation Operations
<b>Operational Plan:</b>	Program No.575

<b>Senior Authorising Officer P Tegart</b>	<b>Position General Manager</b>	<b>Signature/Date</b>
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<b>ACTION</b>	<b>COUNCIL MEETING DATE</b>	<b>RESOLUTION NUMBER</b>	<b>REPORT ITEM NUMBER</b>
New	14 October 2015	PDRC091/15	5.3

<b>DATE REVIEWED</b>	<b>REVIEWER POSITION</b>	<b>REVIEWER NAME</b>