

1 PURPOSE

To establish guidelines for purpose and content of a sign on a Council reserve for the identification of a lawful occupation, use or event on the reserve, and to permit such structures to identify sponsors of the reserve, occupation or use by commercial name or product.

To provide guidance for signs displaying general advertising of a commercial nature within a Council reserve if the provision of such signs can provide a broader community benefit.

2 OBJECTIVE

That the content and purpose of Identification, sponsorship, and advertising signs on Council reserves are required to –

- a) maximise community benefit;
- b) manage actual and perceived risks to Council; and
- c) be installed and operate under clear obligations for content and maintenance

3 SCOPE

This policy relates to signs in Council reserves if intended to be visible from any land beyond the boundaries of the reserve.

4 DEFINITION OF TERMS

General advertising sign – means any sign used to promote an activity, brand, event, message product, or service.

Occupation identification sign means a sign identifying the name and purpose of a club, group or organisation with a lawful right of occupation on the reserve or a use or event conducted at or on the reserve.

Council reserve means a Council reserve to which the *Public Reserves & Public Buildings By-Law, By-Law No. 1 of 2011* applies.

Sponsorship identification means the name of the organisation which provides sponsorship to the occupant of, or to a use or event conduct at or on, a Council reserve.

Social Return on Investment assessment is a formal method for measuring extra-financial value (i.e., environmental and social value) relative to resources invested.

Identification, Sponsorship and Advertising Signs on a Council Reserve

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Doc Controller: **General Manager**
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5 POLICY

- 5.1 The sign structure must be fully contained within the Reserve, or on boundary fencing of the reserve; in a location approved by the Council;
- 5.2 A maximum of two signage structures may be permitted per reserve, however additional signs may be permitted on Reserve fencing. This is to be dependent on the size of the reserve, the length of road frontage, visual amenity and the potential for impact on traffic movements;
- 5.3 Location of a sign must not interfere with use of the reserve, or constitute a hazard or inconvenience to reserve users;
- 5.4 Council may provide a map of a reserve identifying areas available for signage;
- 5.5 For occupant identification signs, a balance is to be maintained between identification of ground occupation, use and events and the sponsorship message. As an indicative measure, the sponsorship message is not to be more than 25% of the total sign and is to be limited to identification of the sponsors business or product, and not to constitute an advertisement for the nature of the product or services provided by the sponsor.
- 5.6 Council may by resolution allow general advertising structures of a commercial nature, including billboards or electronic displays, if such structures can demonstrate an additional and broader community benefit to be determined by an independent Social Return on Investment assessment.
- 5.7 Sign structures must only be erected and managed if there is a legal agreement with the Council which –
 - a) May be subject to Council successfully undertaking a Disposal of Public Land process under the Local Government Act 1993;
 - b) Establishes that the responsibility for erection and maintenance of the sign structure is the with the party named in the agreement;
 - c) Establishes that the responsibility for provision, fixing, maintaining and removing the content of the sign is with the party named in the agreement;
 - d) Restricts the content of general advertising material in accordance with clause 5.9 of this Policy;
 - e) Requires the manager of any commercial sign must ensure all advertising contracts contain a clause to the effect that the right to place material on the sign does not constitute or imply an endorsement of the product, service or

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message by the Burnie City Council; and that such advertising does not constrain the Council from carrying out its legislative, compliance or any other functions;

- f) Requires the manager of any commercial sign must provide the Council with a list of advertisers on a six monthly basis which is to be contained in the Open Session of the Agenda for each Council meeting;
 - g) Indemnifies the Council against liability for any damage resulting from the sign structure or from the nature of any message displayed on the sign;
- 5.8 Full compliance must be given to the requirements of the applicable planning scheme, building regulations, Council by-laws, and State regulations;
- 5.9 Co-use of an identification signage structure is to be encouraged between community organisations. A formal agreement on these arrangements must be made and approved by the Council.
- 5.10 The following products or services advertising must not be promoted on advertising structures:
- a) tobacco and tobacco related products;
 - b) Political advertising;
 - c) Advertising of a religious proselytising nature
 - d) Sex and sex services
 - e) Advertising completely dedicated to gambling sites, products or activities
 - f) Messages deemed discriminatory under Commonwealth or State legislation
 - g) Advertising that may present a potential conflict with Council's policies and responsibilities to the community
- 5.11 Any interpretation of what constitutes non-permitted advertising is to be at the discretion of Council and will be final.
- 5.12 The General Manager is to report in Open Session of Council on the material displayed on a commercial advertising sign; and such report must include a statement that the Council:
- a) Does not endorse any commercial product or message advertised;
 - b) Has ensured there is no conflict of interest for Council arising as a result of any advertising;



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- c) Has ensured that Council has not compromised its regulatory, compliance or any other functions as a result of any advertising; and
- d) Has ensured that individual elected representatives and employees did not receive any substantial gifts or benefits from association with advertisers (refer to Receipt of Gifts, Benefits and Inducements Policy CP-CBS-SG-028)

6 LEGISLATION

Local Government Act 1993
 Australian Human Rights Commission Act 1986
 Age Discrimination Act 2004
 Disability Discrimination Act 1992
 Racial Discrimination Act 1975
 Sex Discrimination Act 1984
 Anti-Discrimination Act 1998 (Tas)

7 RELATED DOCUMENTS

Public Reserves and Public Buildings By-Law, By-Law No. 1 of 2011
 Sponsorship Policy
 Receipt of Gifts, Benefits and Inducements Policy CP-CBS-SG-028

Policy Endorsement	
Responsibility:	It is the responsibility of the Director Community and Economic Development to implement and ensure compliance to this policy. It is the responsibility of the Governance Unit to maintain this policy in the corporate document framework.
Minute Reference:	Item Number AO163/15; Resolution Number MO174/15
Council Meeting Date:	21 July 2015
Strategic Plan Reference:	Strategy 7.1.1 Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable.
Previous Policies Replaced:	This policy replaces the previous policy Wivenhoe Showground Display Panel version 1.0 dated 8 March 2004 (Minute 371, 30 March 2004) and the Advertising and Sponsorship Policy version 2.0 dated 11 September 2007 (Minute 455, 18 September 2007). <i>This policy was amended on 28 April 2016 to v2.1 to show that it replaced the above Advertising and Sponsorship Policy, not previously listed.</i>
Date of Commencement:	22 July 2015
Publication of policy:	Members of the public may inspect this policy at the City Offices, or access it on Council's website (www.burnie.net)